

*I/V of Josh Fredrickson Transcript Det. Diskin and Det. Poling

On 01/14/10 Det. Poling and I interviewed Josh Fredrickson in the conference room of the West Inn and Suites in Carlsbad, CA. This was a "free talk" with a stipulation of use immunity. Josh was represented by his lawyer, Mike Proctor. The following is a transcript of that interview:

Det. Diskin: It's Det. Diskin, I'm here with Josh Fredrickson, he's represented by Mike Proctor, his counsel. Det. Mike Poling is here. This is a free talk with Mr. Fredrickson. It's been stipulated with the Yavapai County Attorney's Office that anything Mr. Fredrickson says today cannot be used against him in a court of law unless it can be used as impeachment evidence should he testify differently than what he told us. You understand what that means?

Josh: Don't lie, right?

Det. Diskin: Yeah, no, you can confess to a homicide and there's nothing we can do about it.

Josh: Okay

Det. Diskin: But if you tell us one thing and it isn't true and we show at court that it isn't true, we can say that you're lying because here this is what you told them and this is the truth.

Josh: Gotcha

Mr. Proctor: And Josh and Megan have both received copies of the correspondence of January 12 and 13th which set forth all that

Det. Diskin: Right. I'm gonna try and go through this fairly fast because we had already done a preliminary interview with you, it's just a few things that I'm looking at. Have you attended any other sweat lodge other than James Ray's sweat lodges?

Josh: Not a sweat lodge, no. I attended uh, in Mexico on vacation, it's at a spa. It was called a Temexcal which is a dome structure and they heat it up and it's (Inaudible) it's very spa like.

Det. Diskin: So, okay but an actual sweat lodge, have you done any kind of research to learn how you operate a sweat lodge or what's supposed to take place in a sweat lodge?

Josh: No

Det. Diskin: So is it fair to say that the only understanding that you have of how a sweat lodge operates, or what's suppose to be done in a sweat lodge, is what you've learned from James Ray?

Josh: Correct. From my experience going through James Ray's sweat lodges.

Det. Diskin: Okay. 2005 did you attend the sweat lodge?

Josh: Yes

Det. Diskin: Okay. We understand that there was an issue with someone named Daniel. Can you explain what happened to Daniel?

Josh: Uhm, my recollection of it, after the sweat lodge Daniel came out and while everybody was exiting the sweat lodge he started kind of getting loud and I would say obnoxious and he wasn't paying attention. We were telling him to calm down. You know I would describe him as, as someone who almost like a belligerent drunk where they're not paying attention or they're not whatever and I know at one point he was swinging his arms so I had to, to help physically kind of hold him still and he wouldn't, wouldn't sit down or listen to any instructions and so we called, somebody there called the paramedics and when the paramedics came they put him on oxygen and he came right back. And as far as we've heard, you know we heard after, the next day that he was doing fine and that's as much as we've heard from him.

Det. Diskin: Okay. What was the cause of Daniel's problems?

Josh: Mmm, I don't, I don't, I didn't hear anything like from the doctors or anything like that, I don't know medically

Det. Diskin: As far as you know did anybody from James Ray International research what problem happened to Daniel or what caused it? If it was heat stroke, if it was like an existing medical condition, anything like that?

Josh: Not to my knowledge in terms of medically. I know that James, someone from James Ray International followed up with him to see how he was doing but I don't

Det. Diskin: Who was that?

Josh: Uhm Tere Gingerella. You know I believe she had sent flowers and that sort of thing but I don't, I don't recall anyone following up medically.

Det. Diskin: Okay so you, as far as you know, nobody at James Ray International knows why he was swinging his arms and being like a drunk, is what it appeared to be?

Josh: Correct

Det. Diskin: When he was having problems did you hear anybody refuse to call 911?

Josh: No

Det. Diskin: Was there ever a discussion about we should call 911 and somebody said no we shouldn't or anything like that?

Josh: No, not to my knowledge

Det. Diskin: Okay

Josh: (Inaudible)

Det. Diskin: We learned that Amayra Hamilton had called 911. How did James Ray respond to Amayra calling 911?

Josh: Uhm I assume that you're referring to them, their argument that they had that night?

Det. Diskin: Yes, there was some type of confrontation

Josh: Yeah, uhm I wasn't, I didn't hear the actual confrontation so I only know you know what was said afterwards about it. My understanding of it is that Amayra was upset that she had to call the paramedics in the first place and then that she was upset that James had gone back to his room right away and he wasn't there helping the participants while this was going on. And this was the first year that anything had happened like that and so James didn't know that he needed to be down there so my recollection of it was that it wasn't about him, or her calling 911, it was about him not being there and that it got to that point where they needed to call the paramedics.

Det. Diskin: Okay and where did you learn that from, about that confrontation?

Josh: I believe it was on like the trip back from Sedona in the car cause we rode back to the airport as a team, so I believe I heard that from James' part of the discussion.

Det. Diskin: Okay and when paramedics got there in 2005, did you see James Ray at all around Daniel, around the paramedics?

Josh: Well yes, James had come back down. Amayra actually, James went back to his room right away and he was showering up and Amayra got him and brought him back down and he was there I believe right before the paramedics showed up, or at least for a few minutes before the paramedics showed up and then kind of hanging out during.

Det. Diskin: Okay did you see any interaction between James Ray and the paramedics? Was he telling them anything that you could hear?

Josh: Not to my recollection, I don't remember that.

Det. Diskin: Do you remember James Ray doing anything to prevent the paramedics from transporting Daniel, like trying to convince them that he was okay?

Josh: Oh, I don't remember that at all, no. Does not sound like something he would do.

Det. Diskin: In talking about that car ride, (Inaudible) with Tere Gingerella and Megan and you and James Ray, did James blame his staff for the problems that happened in 2005?

Josh: I don't, I don't recall.

Det. Diskin: Did he think that situation should have been handled without 911 being called?

Josh: That I don't recall. I think the conversation that was brought up was about what we could do next time and I remember you know we had discussed saying you know we need, next time we need the smelling salts, that sort of thing cause it was, from the understanding it was like Daniel just needed the oxygen to kinda snap out of it so had we had smelling salts or something like that on site, the situation would have been better.

Det. Diskin: Was that kind of the consensus that you get when you talk about what the problems that Daniel had and how to prevent it? That is was, that he was deprived of oxygen and that's what caused the problems?

Josh: And that's what, yeah, that's kind of the sense that I got.

Det. Diskin: Okay

Josh: You know on the way back from everything that we heard

Det. Diskin: Okay and so you guys discussed different things that you could do. What specifically was done to make sure that this doesn't happen again?

Josh: Well over the course of 2005 til now, a lot of different things have changed and I've, I'm not, I don't deal with a lot of those details in terms of events, planning events and those sort of things so I don't know exactly when those things occurred but I can tell you kind of what I know is different from my experience. In 2005 it was done at night and we switched that the next year so it was done during the day.

Det. Diskin: And that (Inaudible)

Josh: It's in daylight, you can see what's going on, you can see people. And we also had people outside the sweat lodge after that the next year so that someone would be out there to support and help people as they were coming out instead of all of us being inside and

then having to snap to it and help people out. You know there's been piles of towels added, big coolers of water and electrolytes, the watermelon, the tent that you can go and sit under, chairs, so a lot of different things that have been incorporated over the years. But the biggest one that I know of from '05 to '06 is people outside and doing it during the day.

Det. Diskin: Okay. Just from what you can remember, did the Hamilton's ever tell James Ray that the sweat lodge was dangerous or there was a problem or he needed to do things differently?

Josh: I believe, that sounds like it would have been part of the discussion, the, I guess we call it an argument between James and Amayra. I mean she said that something like this will never happen again at Angel Valley and so I mean we agreed we never wanted to call the paramedics again so that's why we talked about the different things that we could do to change things.

Det. Diskin: When you say you didn't want to call the paramedics again, you didn't want there to be a situation

Josh: We, don't want the situation where that had to happen, yeah. Not, not

Det. Diskin: Right, I just wanted us to be clear. That would make you look bad if that were

Josh: yeah, yeah, no we don't want people to be in a situation where the paramedics need to be called

Det. Diskin: Alright and did you go to Quantum Leap in 2007?

Josh: Yes

Det. Diskin: Okay, do you remember an incident where somebody had an eye injury, something happened to their eye?

Josh: In 2007, somebody, yeah we broke, we do an arrow break at Quantum Leap which it's like target arrows, practice arrows. And they hold them right here in their neck and then there's a Dream Team member that holds their hand out and the person just walks forward and the arrow breaks. And so I do remember one person, the arrow broke and it jabbed him like I believe right near his eye and he was bleeding. And we did, we had goggles there for everybody and I believe he declined to wear the goggles at that time. I think he wore glasses and so that's why he chose not to wear the goggles. And so you know he was bleeding and so we, we I believe it was, I believe it was a Joanna, Joanna Rivera that was there to do the first aid, I can't recall if it was her specifically but we had someone who went over and got the first aid kit and looked at his eye and

everything and you know he said he was fine. I remember him, he came the next day back to session and it was, I believe he had gone to a doctor, I don't know for sure but it was, you know, really swollen and he had a big bandage over it.

Det. Diskin: Do you know if anybody encouraged him to go get that checked out?

Josh: I'm not sure. Like from James Ray International?

Det. Diskin: Yeah

Josh: I'm not sure specifically if someone had said you know you should get that checked out. I would, I would assume that they would. But it was bandaged up the next day so it would appear to me that he did.

Det. Diskin: What was done after this to prevent this from happening in the future as far as getting an arrow stuck in your eye?

Josh: Well we had, he declined the safety goggles and so I think that was, that was the issue for the next year and then also I believe because we'd only had 2008 after that so it was just the one, the one event that we had after that so it was, they had to wear the goggles the next time and then I think if I recall that the angle that someone holds, the Dream Team member's holding the arrow if it's higher up then it has more, I guess it's more dangerous and so we, we trained the Dream, made a point to trained the Dream Team members much more specifically to hold it down cause the tendency is to just hold their arm straight up kind of thing.

Det. Poling: Did they discontinue this arrow thing?

Josh: No, no

Det. Poling: They still do it today?

Mr. Proctor: Well there was only one more

Josh: Yeah in 2008 there was

Det. Poling: That's what I mean, after that it left, that's what I thought you said. Is there a reason why they, that was taken out? Is it the whole course or just that one part of it?

Josh: In 2009 that was gonna be about, it was a month after the Sedona incident so that event was cancelled. So we haven't had (Inaudible) yeah

Det. Poling: Gotcha

Det. Diskin: Alright, from what the gentleman was explaining to us is that there's a video, he remembers somebody taking video that whole time of that event. Where would that video be?

Josh: On the servers that you guys have

Det. Diskin: Was it on (Inaudible) like the 30 terabyte

Josh: Yeah it's on those giant (Inaudible) Yeah we had a film crew there and I don't know if they captured any of him specifically

Det. Diskin: Okay. In 2008 did you attend Spiritual Warrior?

Josh: No I did not

Det. Diskin: That just saved us a lot of time. It was a wise decision.

Josh: I was in '04 as a participant and as a JR team member '05, '06 and '09

Det. Poling: How come not '07 and '08? That's all I want to know.

Josh: In '05 there was just, Megan and I were the only ones that knew how to run the event and so we were the only team members there and then in '07 and '08 they had Dream Team members and other team members. Typically I don't go to a lot of the events that actually run or help out with the coordination in my position so by that time they had volunteers that could go and other team members and then this year we had a new Event Coordinator and so I went to help out because I had been before as a JRI team member

Det. Diskin: Okay. The incident with Coleen Conaway in San Diego in 2009, were you attending that event?

Josh: No I was in Minneapolis for my cousin's wedding so I wasn't there that weekend

Det. Diskin: Moving on to Spiritual Warrior 2009, is it true that participants are told by staff and James Ray repeatedly to hydrate?

Josh: Yes that's true

Det. Diskin: Okay. The Vision Quest. It's, from the first time you went to Spiritual Warrior it had changed. The Vision Quest used to be after the sweat lodge and now it's before the sweat lodge. Are participants told not to take water with them on the Vision Quest?

Josh: Yeah their told not to take water or food with them on the Vision Quest and then the morning they get back from the Vision Quest their told, we actually hand out little

pieces of paper to them on the Vision Quest cause their supposed to be in silence but it says on there to eat breakfast, eat a good breakfast and to hydrate, hydrate, hydrate. It says hydrate heavily I believe is the actual word it says on it and then throughout the day we remind people to hydrate.

Det. Diskin: Is that enough time, if someone is dehydrated from fasting; is that enough time, a few hours before the sweat lodge to rehydrate?

Josh: Medically I don't know. I know from like going to my chiropractor and that kind of thing that your cells tend to rehydrate pretty quickly just from what she's told me in the past but not anything officially or documented or I wouldn't know.

Det. Diskin: Okay. Why was, you said you went in 2004, correct?

Josh: Mmm hmm

Det. Diskin: Initially participants took water with them on the Vision Quest. Is that correct?

Josh: Uhm in 2004 as a participant, so this was before I worked for James, we took, it was a three day Vision Quest so instead of just the (Inaudible) it was 3 nights out there. We were still instructed we could bring a water bottle if the thought we needed it as backup but not to drink and so I remember that year you know it was probably about 50/50, there were only 11 there I think. But it was about 50/50 the amount of people who drank water on the Vision Quest and the amount of people that didn't that year. So you could have your water bottle there but the idea was to not drink it if you could.

Det. Diskin: Okay. Then that changed to, is it just because it was a shorter Vision Quest?

Josh: I think it was a shorter Vision Quest and I think you know the temptation to drink it just because it's there is there. You know and you know we don't check their bags and things so they could bring water if they want it to, it's just

Det. Diskin: They're told not to

Josh: Yeah, their told not to

Det. Diskin: Were you there when one of the women asked James Ray if she could take water with her because she takes medication and needs to use the water to take that medication?

Josh: Yeah, this year? Yeah, someone, I believe it was, she said high blood pressure medication and she, and I can't remember who it was specifically but the question was can I bring my medication with me. And can I bring water to take the medication with and you know James asked well do you need the medication, can you go without it? If

you can, do that. If not, take care of yourself and then when it came to the question of her bringing water with, you know he said well can you swallow it with spit instead of bringing water with? And that I believe is just because water tends to be a temptation when it's there to drink it so uhm, but in the end he said you know you gotta do what you gotta do to take care of yourself.

Det. Diskin: Okay. Did, staff members, did they tell participants that they were going to experience an altered state in the sweat lodge?

Josh: Did staff members tell participants?

Det. Diskin: Or James Ray?

Josh: James Ray did, or he said you could and I don't know about staff members saying anything

Det. Diskin: Okay. Was this in front of everybody when James Ray said, in front of the whole group?

Josh: Yeah like when he's setting it up and everything he says you could experience an altered state like experience

Det. Diskin: Okay. What's the cause of that altered state?

Josh: Uhm I think it's, for me it's, it's, it's pushing your body and, and doing something that you don't normally do on a day to day basis. You know for some people that's running, running that extra mile or for some people it's, for me it's definitely the sweat lodge because I don't like the heat at all so for me to be in there is really, it's, it's kind of like a mind over matter kind of thing where you're really, your body is saying no. You know like if you're in a really intense workout but you just do one more round or reps or whatever and you're able to, to make that happen.

Det. Diskin: Okay, did staff tell participants that it would be okay for them to pass out or that you might pass out and that's okay? Something like that?

Mr. Proctor: And I think when he says staff you're including James Ray, right.

Det. Diskin: Yes, yes

Mr. Proctor: I think James Ray did most of it

Josh: And that's I think why is (Inaudible) setup so I don't really recall the staff telling participants much of anything about it. In terms of its okay to pass out, I don't recall him saying anything like that.

Det. Diskin: Do you remember him saying you might pass out?

Josh: Not that specifically. He may have said you might feel like you're passing out but I don't recall him saying, it could be my memory too but

Det. Diskin: Okay. Did he say what to do if you did pass out or you felt like you were gonna pass out?

Josh: No what he said was if it's too hot or if you need to you can leave but you know he never said if you feel like you're gonna pass out do this. He did say if it feels too hot try getting low to the ground because it's cooler on the ground, on, on the earth. But that was, I mean that's the extent of you know what to do.

Det. Diskin: Was there a plan in place if something were to go wrong?

Josh: Uhm, I guess the plan in place was that we had team members outside who had been in the sweat lodge in prior years so they knew what it was like to be in the sweat lodge so they were outside supporting people as they came out. We also had Lisa Rondan who's a registered nurse. She was stationed outside the sweat lodge too to you know kind of take care of anything if anything happens. You know ultimately the plan is we never really had a plan for the extent of what happened. I, I, call the paramedics I think is the plan

Det. Diskin: Did James Ray instruct his staff to call the paramedics if they noticed something going wrong?

Josh: Specifically no, no

Det. Diskin: Okay

Det. Poling: Was there a guide or information on when to call 911?

Josh: No there wasn't

Det. Poling: Did he appreciate you calling 911?

Josh: This year he, I mean he asked me has 911 been called as, you know, making sure they had and I had asked that same question and it had already been called by the time we knew that something was going on. So yeah I mean I, this year there was no question that he was appreciative that 911 was already called.

Det. Diskin: Alright. Did James Ray or his staff tell participants or Dream Team members about prior problems in the sweat lodge?

Josh: Not other than like their personal experience, you know. Cause each of them had been through it before so it was really just remember your experience and I mean they all shared stories about what they were going through and what other people were going through in past years so nothing officially.

Det. Diskin: Okay. Did you see people being dragged out during the sweat lodge?

Josh: Yeah, I helped people out of the sweat lodge. You know, who and when I don't, I wouldn't be able to give you those details

Det. Diskin: At what point did you decide to take them out of the sweat lodge?

Josh: If I heard that someone needed help or someone said I need to get out of here, I, that's what I was paying attention for. So I would help, you know help physically get up and walk around and help move people out if they needed it cause I mean your body gets pretty physically weak in there.

Det. Diskin: The people that you're helping out, some of the participants have told us that if somebody next to them wasn't breathing right or was unconscious and they would say hey we need to get this person out of here and then other people would go get them, would that be you, would they tell you when somebody was unconscious?

Josh: They would pretty much like shout it out or say it and then there would be me and other people. Obviously I couldn't do it myself, I'm not that beefy of a guy but you know I would do it and I had a couple different guys help me each time with people taking them out.

Det. Poling: Let me ask you a question real quick. In 2009, what round did you leave the sweat lodge?

Josh: I left the, I missed the final round so I believe it was, I don't remember now if it was 8 or 9 total rounds but I left before the final round.

Det. Poling: Right before the final round?

Josh: Yeah

Det. Poling: And I'm just asking you this question cause I think I asked you this before and maybe, I didn't write it down it was transcribed, could you have said you left during the fourth round for something?

Josh: No I didn't leave at all this one until

Det. Poling: I'm gonna look it up to see what you said just to make sure. I remember something reading this

(Inaudible)

Det. Poling: And I'm just making sure cause I want to make sure it's right

Mr. Proctor: You're prior statement was that you left, that there were 8 rounds, you left during the 7th or after the 7th

(Inaudible)

Josh: I did, when I left I was helping Sydney Spencer out and she was, she was weak. I don't know if she was unconscious but she was unable to move and so me and I believe it was two other guys and I couldn't tell you specifically who those guys were, were helping her out. Were literally like dragging and pulling her out and I, I mean we're all sweaty and dirty from the ground and my hands, I was holding her ankle, pulling her out and my hand slipped and I hit my head on one of the branches I guess. One of the supports, and fell down and so I left the lodge and sat out that last round just because I didn't know if I'd been hurt real bad or whatever. It was just a bump (Inaudible) it ended up being but I sat out that last round.

Det. Diskin: And these people that you're helping drag out, how many people were unconscious (Inaudible)

Josh: Sidney's the only one that I know that wasn't, you know, responding or helping in some way. Most of the other people were crawling or you know trying to move and Sidney was the one that I remember that was not moving.

Det. Diskin: How many people do you think would not have been able to make it out on their own without somebody helping them?

Josh: I'm not sure how to answer that. Like how many people, afterwards seeing what happened?

Det. Diskin: This is before the sweat lodge is over, while you're still inside. When somebody says hey this person needs help getting out of here

Josh: Right

Det. Diskin: How many people do you think that were helped total out of there that wouldn't have been able to get out on their own. That, as you saw them it appeared that they weren't making much effort to get out cause they were too weak.

Josh: Right, maybe, maybe one or two. I mean typically their able to at least

Det. Diskin: Crawl a little bit?

Josh: crawl a little bit or move or make the effort and that's, you know, when we start to help them. Or, I mean, and most of the people just go in and out on their own. So I didn't really have to move that much in order to help move people out. You know, you know in the moment, in that time, Sydney was my only awareness

Det. Diskin: Okay. When these people were being helped, or in Sydney's case drug out of the sweat lodge, how did James Ray respond to that?

Josh: I don't think he did. I think its part of the, the in between the rounds. When the doors open that's part of what happens is people, you know, James will say if you need to leave you can leave and then once everybody leaves he invites people back in.

Det. Diskin: Does he say when he opens the door, if you need to leave, leave? Did you hear him say that in 2009?

Josh: Mmm hmm. Yeah, if you need to leave, now is your opportunity.

Det. Diskin: Did he say that between every single round?

Josh: I don't know if it was every single round

Det. Diskin: Okay, did someone crawl underneath the tent?

Josh: There, I didn't see it happen but I heard afterwards. I mean I saw like a glow coming from my right side and from what I heard afterwards was somebody crawling out. In, in, in the sweat lodge I had no idea that someone had crawled out.

Det. Diskin: Did you hear anybody say anything to him when he crawled out?

Josh: When the, when I saw the glow it looked like someone had a flashlight or something because you know it was pitch dark and just a little crack of sunlight lit it up and so James said put out that light, I remember saying; I remember hearing him say. And, cause, and I don't think he knew that someone was lifting up the tent but that's, you know he said put out that light, what are you, it needs to be dark in here.

Det. Diskin: Okay. Did Greg Hartle leave the lodge early?

Josh: From what he told me afterward yes. In the moment I, I didn't know that he did or not.

Det. Diskin: Okay. Did Greg ever tell you what James Ray said to him when he was leaving the lodge?

Josh: I don't think so

Det. Diskin: Did he tell you if James was upset with him for leaving the lodge?

Josh: I did not hear him say anything about James being upset at him for leaving, no.

Det. Diskin: Did you hear someone say that they were having a heart attack

Josh: That was during the last round when I was outside. I was laying down and cooling off over here and Dennis, I think his last name is pronounced Mecavar, he was in a chair with people, you know, some of the people helping him. And he started, he started yelling and he was acting a lot like how Daniel Pfankuch was acting back in 2005. He was very belligerent, loud, not being cooperative and at one point he was yelling, he was yelling, he was yelling that he had died and then he was yelling that he had a heart attack. And he was yelling a lot of different things and he just wasn't being cooperative and so it was pretty hard to figure out what was going on with him other than he was just out of it.

Det. Diskin: How did James Ray respond to that one?

Josh: James was still inside and Dennis was yelling so loud that everybody inside could hear it and obviously disrupting what was going on inside, the ceremony. So I remember James, cause Dennis kept yelling I'm dead, I'm dead and James kept yelling out Dennis, no you're not dead. And I thought it was surprising that James would yell to somebody outside the lodge from inside cause he, I mean, I don't think I've ever really heard him do that before. But he was trying to talk Dennis down, he said Dennis you're not dead, you know, snap back into it; that sort of thing.

Det. Diskin: Did you hear him say it's a good day to die?

Josh: Yeah he could have said that, he could have said that

Mr. Proctor: Who's the he, James Ray or Dennis?

Det. Diskin: James Ray, I'm sorry

Josh: James, yeah. Yeah I know that that's something that James has said in the past in events, you know, so it's definitely a quote of his but I don't know if he said it in that instance with Dennis, specifically.

Det. Diskin: Okay. And if, if, if Dennis says you know, I'm having a heart attack, I think I'm dying and James Ray says it's a good day to die, do you think James Ray means physical death or just a metaphor.

Josh: That's absolutely a metaphor, absolutely a metaphor, there's no question.

Det. Diskin: Round four, Beverly Bunn, witnesses say that she tried to leave and James stopped her from leaving cause she didn't get to the door in time before it closed. Do you remember that?

Josh: I don't recall anyone getting turned away. But I wasn't sitting at the door so you know but I don't recall. In any of my experience I don't recall James ever saying no, you can't leave. And I mean I know Michele Goulet left. She went in 2008 and she left in the middle of a round, so, you know I've

Det. Diskin: It's discouraged though, right?

Josh: Yes, the analogy is its like church. So you know in the middle of a sermon, you know, treat it like it's in the middle of a sermon and if you need to leave, leave respectfully. But you know I've never heard anybody turned away.

Det. Diskin: Okay, Laurie Gennari, do you remember when she tried to leave?

Josh: I don't, I don't

Det. Diskin: Okay. Some of the witnesses said that somebody kinda toward the back of the lodge was saying we can't do it, we can't do it and that you said something to them.

Josh: I can't do it. That I said something to them?

Mr. Proctor: Does this have to do with Gennari or is this the next

Det. Diskin: Yeah, next question

Mr. Proctor: Okay

Josh: Uhm, yeah it's kind of. In the lodge, we can't do it?

Det. Diskin: It sounded like somebody was being somewhat disruptive

Josh: I don't, I don't recall. I mean I know that in, in, throughout the lodge I would say like encouraging things like you know you're more than that and that sort of thing. Maybe you could refresh my memory but I, you know I don't

Det. Diskin: Basically what it was, somebody was saying, kind of being discouraging, we can't do it, we can't do it, you know. What somebody told us is that you had said you know you need to stop saying that or else we're gonna have to ask you to leave.

Josh: Somebody, so that was, and I don't know who it was but somebody was yelling and not listening. Somebody was just yelling and yelling and yelling and not paying attention to anybody around her and being really disruptive and I believe, I believe it was a woman, a female voice. But yeah it was, and, and you know being in past lodges before I've had people yell out and say you know, talk about igloos and hamburgers and all sorts of different things. I mean that's just kind of how people respond, sometimes their just not in the most cohesive state and so

Det. Diskin: When you had seen this previously was this every time that you've done it?

Josh: Mmm hmm

Det. Diskin: Okay

Josh: Yeah in terms of people, you know, saying that kind of thing or whatever and so when this person, whoever it was I don't know, was, was yelling, it was something repeated and I don't know what it was but it was in the middle of, of the round and so it was being disrespectful and so yeah I remember saying if you don't get ahold of yourself we'll have to ask you to leave. Cause obviously there's something going on there if they can't

Det. Diskin: And you say you don't know who that person was?

Josh: I don't

Det. Diskin: Do you know where Kirby Brown was sitting?

Josh: Kirby Brown, I didn't know when I was in there where, where people were sitting. I came in last or I was one of the last

Det. Diskin: You saw where she was drug out the back of the tent, right, that area?

Josh: Yeah, yeah so I know now

Det. Diskin: Was the voice of the person being disruptive; was that coming from that area of the (Inaudible)?

Josh: Yeah pretty much all of what I could hear was coming from my right side which would have been that side of the tent and then my left side was where James and people were sitting and I didn't really hear much coming from that side at all

Det. Diskin: Okay. People you know were saying we need help getting her out of her or him out of here, whatever. And then you would go and help them or others would help them.

Josh: Mmm hmm

Det. Diskin: Was there a point where you were still outside the lodge where you thought I can't do this anymore, I can't go help people?

Josh: Yeah, in between round seven and eight, before I helped Sydney out, right when round seven ended I said, I said hey James if you need me to help people after the lodge then I need to leave now so that I can regain strength and you know James replied and said hey you can do it, you can stay in. Kind of like a trainer or a coach or whatever and said you can do it and I said okay. And so at that point I decided that I would stay in and then that's when Sydney needed help and then I hit my head and then that's like, okay I just need to stay out so I can help people.

Det. Diskin: Okay. Correct me if I'm wrong but James is sitting by the door, then its Megan, right

Josh: Mmm hmm

Det. Diskin: And then is it you or Greg?

Josh: I don't think Greg was; I think Greg was on the opposite side of me so let me get the diagram again.

Det. Diskin: If say this is the lodge, this is the door here and James is here

Josh: So James and then Megan and I believe it was Taylor next to Megan or in front of, kind of all right in a row and then I was over here on this, this direction

Det. Diskin: Now the door is south, right?

Josh: The door is south, yeah. So its north and I was sitting, what does that make me? East

Det. Diskin: Well you're looking at it upside down

Josh: So I was sitting, I was sitting in the east. I had originally planned to sit over here by the door so I could just have easy access to help people out but as people were going in James said hey Josh go sit in the east, I want you to sit there and support people which is just being kind of like a support figure, you know, helping lead people through it. You know just kind of setting the energy or setting the space in there and so at the last, you know, I wasn't, so when I got in there, there was already everybody sitting around me so it was dark and I didn't have my glasses on so I didn't really know other than like the two immediate people

Det. Diskin: Were you in the back row or the front row?

Josh: I was in the back, yep

Det. Diskin: So you would have been one of the first ones in as far as this group of people here were the first ones in, correct?

Josh: Yes and no. They left a space for me and so I came in towards the end

Det. Diskin: Oh, okay

Josh: And I came and kind of cut the line to get here cause James wanted me but yeah James, all these people in the back row are in first and then the front row is last.

Det. Diskin: Okay that makes sense. So when you left you came out clockwise, correct?

Josh: Yep

Det. Diskin: And where were you when you hit your head?

Josh: I was about like right here, it was literally like right in front of Megan and James and when I landed, I mean I landed you know within a hands reach of James and James said are you okay? And I said I don't know right now and so that's when I left

Det. Diskin: Okay and where was Sidney when you went and got her to drag out?

Josh: Sidney was like right, she's just like a couple people down from me and so typically I would go clockwise to go pick people up and help them out but she was just like two steps this way so I just you know came and got her and so

Det. Diskin: Alright. Did you hear in round seven Laura Tucker have a conversation with James Ray about Liz?

Josh: No

Det. Diskin: Alright. Did you hear anybody say anything about hey Liz needs help?

Josh: No, I, I, I don't recall that

Det. Diskin: Okay. Did you hear James Ray tell Debra Mercer it would be sacrilegious to open up the side of the tent to get James Shore and Kirby Brown out?

Josh: I don't, I don't recall anyone saying, asking if we needed to open up the side and so you know I could have, I don't recall anyone asking that. But I, you know, I could imagine that being a response from James, is that it would be sacrilegious.

Det. Diskin: Okay. Basically the statement was, everybody files out, it's over, Debra looks inside, there's still people down, there's three people down

Josh: Okay

Det. Diskin: So she goes in, takes one person out, now there's two people in there. She goes back in, can't get them up and, and their up against the wall so she realizes that if she goes back outside and lifts up the tent she can just drag them out.

Josh: Right

Det. Diskin: And so there's a conversation with James Ray, hey, I need to lift up the tent. He says no, that would be sacrilegious.

Josh: Yeah, after, after the lodge I wasn't by James at all until, you know until we knew that the people were, until we heard the call for a nurse. I wasn't, I wasn't by him during that part.

Det. Diskin: Okay. After the sweat lodge was over and you're outside recovering, and you came out before that eighth round. If there were nine rounds or I mean if there were eight rounds you came out before the eighth round.

Josh: Yep, yep

Det. Diskin: What was James Ray doing to help people once it was apparent that this was an emergency?

Josh: So, James and Taylor and Megan were the first out. I went and helped Megan, she was pretty stumbly and so I went and helped her and sat down and got her water and watermelon and that sort of thing. And literally, and I know, I know just by glancing that James had, had sit on a chair next to Taylor I believe and he's cooling off or whatever. And then I had to find my glasses and Megan's glasses so we found that and by that time that that happened, by the time we got our glasses we heard someone yell for a nurse behind the sweat lodge. And so that's when Megan and I went over there and then James was like so this is where they were. And so Megan and I came from over here and James was sitting over here after the sweat lodge and so you know as we came over it was, as soon as we heard people yell for a nurse we came over here and they were already giving them both CPR, both Kirby and James CPR.

Det. Diskin: Okay. When the paramedics arrived I would assume that they would go directly to Kirby and James cause they were the worst, right?

Josh: Yeah the paramedics came up and pulled up over here and they went directly over here but then they had quite a few other paramedics there too and then they started to go out and check other people out.

Det. Diskin: Okay. Was it kind of like a triage where they were trying to see who was worse to help them?

Josh: Kind of yeah. They were looking at who, you know at this point when they called the paramedics there was only these two that I was aware of that needed that much help and then once the paramedics got here and they started going through people, that's when the enormity of it hit me. Like I didn't even know, you know, that Liz was that out of it until you know, she was like I think one of the last to leave with the paramedics cause the paramedics got to her last, or looked at her last.

Det. Poling: Quick question, you said James was sitting on a chair and this was in the southwest, where James was sitting?

Josh: Yeah

Det. Poling: How many minutes went by before you guys realized that people were down over here? You talk about the paramedics coming in and that was quite a bit after that

Josh: Yeah

Det. Poling: I mean it takes time for them to respond. When did you find out?

Josh: We, when someone yelled we need a nurse, we, we made our way over here so it

Det. Poling: About how long?

Josh: I would say it would have to be, my guess would be like within five minutes of the lodge ending. I mean my sense of time at that time was not, I mean (Inaudible) with things but it was pretty quick. And we, we went over here while they were doing CPR and so and while we were waiting for the paramedics to arrive James kind of hung out in this area, you know.

Det. Poling: So before that nurse said we need help over here, was there any other signs? Anyone say anything that just, people are, there's people down inside the lodge or anything?

Josh: Not that, not that I heard cause everybody's coming out of the lodge and everybody's getting help and towels and blankets and water and that sort of thing and so you know coming out of the lodge you know people are pretty physically weak as it is. So it's kind of, kind of dramatic as people leave anyway.

Det. Poling: What I don't understand is these people weren't here, they were in here.

Josh: Right

Det. Poling: And you didn't know about it until after they were pulled out of the tent?

Josh: Right

Det. Poling: Nothing was said? If you're right here, close to the front, nothing was said that hey, we got people down in here and we have to take them out the side?

Josh: Not that I heard and, and even in the lodge, if you're sitting over here you can't even see what's going on over here.

Det. Poling: No, no, no but I mean you can hear people say something you know, like when their saying someone's down. People, if I say there's trauma all around the place, this is chaos

Josh: Sure, yeah

Det. Poling: you're not gonna say oh I think someone's down here, you say **SOMEONE'S DOWN IN HERE**, you know, will you take care of this? People are; it's an emergency. You don't hear anyone say anything about people down inside the lodge? Cause they didn't walk out of here

Det. Diskin: It took some time to get them outside

Josh: Right, right. Yeah I mean I was over here by the water tent with Megan. So I mean there's probably you know like 30, however many people, in this little area here in between me and over here so I wasn't aware of anything going on like that until I heard someone yell, like out loud yell, you know we need a nurse.

Det. Diskin: Did you hear anybody say we need to call an ambulance?

Josh: No, no, what I recall is that we need a nurse, and, and obviously I mean probably somebody did at some point but I heard we need a nurse and when we got over here the first thing that, that we asked is had 911 been called and the answer was yes. So by the time you know I got over here, you know 911 had called and they were all doing CPR.

Det. Diskin: So 911 had been called before you even realized that there was a problem, for you personally.

Josh: Correct, for me personally, yes. And I believe that's the same

Det. Poling: I'm curious. These people are outside the tent and their saying 911 has been called.

Josh: Mmm hmm

Det. Poling: You don't know how they called 911? Cause there's no cell service out here

Josh: Uhm I don't know how they called 911. Now I do, like in the moment I didn't but they had somebody run up to the office.

Det. Poling: And James and everyone was not even aware of this at that time before they did this?

Josh: I don't think so. Like I mean with all the stuff going on here, there's so much going on and so much to take in like I don't

Det. Poling: Well these people aren't breathing; these people are just doing other things. Whatever is over here, these people are serious

Josh: Yeah

Det. Poling: and someone drug those people out

Josh: Right

Det. Poling: and so their obviously in a state of panic. These people aren't breathing

Josh: Right

Det. Poling: so no one over here can hear this? And these guys have already called 911 before these people even know about it? I mean they had to go to a higher ground to even use a cell phone.

Josh: Right, well someone had run up to do it so I know that Angel Valley's team was there and like I said before I got to the, over here, you know I don't know what's going on over there

Det. Diskin: Is it fair to say that the situation over here with all these people was so chaotic that nobody was really thinking about anything else, it sounds like you

Josh: To a degree. By the time we got over here there was at least four or five people giving CPR to those two, taking turns or whatever. So my, I guess the whole thing is the people that were outside of the sweat lodge to support, to provide support, those were the people that were over here helping. And so you know they, they were much more aware of it than I was who was, you know, still recovering from the sweat lodge.

Det. Diskin: Okay.

Josh: I mean does that

Det. Poling: No, it's not, I mean you're telling me that but it's not satisfying my curiosity.

Josh: Sure, sure

Det. Poling: Because at one time, at one point you get dressed.

Josh: That was after the paramedics and after

Det. Poling: It was after all this?

Josh: Oh yeah, yeah

Det. Diskin: Were the paramedics still there working on these people?

Josh: Mmm mmm

Det. Diskin: When you got dressed?

Josh: No the paramedics were taking people away and the, cause I even helped, I helped Steven Ray load into the, the chopper. Helped carry him over and I carried Liz's IV bag and everything but by the time, by the time they got the critical people out, I sent Megan up to go change first because the sun was going down and it gets really cold once the sun goes down wearing these wet clothes. So Megan ran up and changed and then she came back down and then I ran up, so like literally we took you know three minute turns to do that. But that was much later.

Det. Poling: If you don't mind me asking, what type of aid did these people need over here? Did they need CPR?

Josh: I know that Greg gave Sydney Spencer CPR.

Det. Diskin: She stopped breathing?

Josh: From what I've heard

Det. Diskin: That's the first I heard that. I didn't know that she had stopped breathing.

Josh: Oh

Det. Poling: So Sidney Spencer is over here south of the entrance?

Josh: Yeah, Sidney Spencer is probably the furthest out on the perimeter cause she came out when I did so she was moved way, way out. Greg told me that he, he had administered CPR so I know they took her, they took Steven Ray was in, they put him on a back board and, and choppered him out, airlifted him out. Liz was one of the later ones. She was sitting up and, and somewhat coherent afterwards and so I think that's why the paramedics went, didn't take her until later.

Det. Poling: Where was Liz if you don't mind my asking?

Josh: Liz was like pretty much right in front of the entrance right here.

Det. Poling: Okay. And who was the third guy over here. There was two people here, this was the two

Josh: It was James and Kirby

Det. Poling: And one other person

Josh: And then over, it was more like right here was Sean Ronan

Det. Poling: Okay, that's who that was, that's all I need

Josh: Yeah, yeah, he was over here and he was, he was laying in the ground

Det. Poling: So he was on the north side

Josh: Yeah

Det. Poling: Gotcha

Josh: Does that help?

Det. Diskin: It does, it does, it makes sense. I want to talk more about James Ray because there's a clear conflict here. James Ray's attorneys tell us that James did everything that he possibly could and he was helping people the whole time. Several witnesses say that James Ray did absolutely nothing. He sat in this chair for awhile, then he just stood here for the rest of the time and didn't help anybody. There was one girl that was screaming for him, James Ray why did you do this to me and walks over to her and says it's okay and then kinda walked back. But he never helped anybody. Which story is more accurate do you think?

Josh: Uhm James, in terms of like physically CPR, that sort of

Det. Diskin: Like there's people injured, we don't know what's wrong with them. Their laying on the ground, their having obvious problems, foaming at the mouth

Josh: Yeah

Det. Diskin: all that kind of stuff. Did James go comfort them, did he bring them towels, did he, did he

Josh: From, not that I'm aware of. I wasn't next to James the whole time but when I was next to him he was in this area providing support for these people

Det. Poling: What does that mean?

Josh: Prayer, holding the intention. You know they were getting CPR and it was pretty obvious that things were not going well so he spent most of his time over there and I really, really I mean he was shell shocked. I mean he was he was just oh my God what's going on. And so while you know he was here taking, you know, spending time with them, you know, that's when Megan and I went through and did what we could to help, you know, help.

Det. Diskin: Did you ever see James get down on the ground in the dirt or mud and help somebody?

Josh: In the dirt and mud I don't think so.

Det. Diskin: Okay

Det. Poling: Did he get down on his hands and knees and help? Besides stand and pray over them, did he do anything medically to help anyone?

Josh: I don't think medically, no

Det. Poling: Did he shake anyone's hand and say good job?

Josh: I don't know

Det. Poling: He wasn't congratulating anyone, you're a warrior, or you know pumping them up, saying you made it?

Josh: He may have before and like I said I wasn't with him when he came out, I was, I was over by the water station with Megan but I don't

Det. Poling: Who was the male that was sitting over here that James went up to and said good job, near the tarp?

Josh: Was that, I know Lou Caci was sitting over there. Is that, is that

Det. Poling: I don't know, I'm asking you. I'm asking, did he congratulate someone right there?

Josh: I didn't see that so I don't know. The time that I spent with James afterward was in this area waiting for the paramedics to come. And once the paramedics came and kind of took things he was kind of hanging out over on this side of things. You know just standing there kind of ready if someone needed him or needed (Inaudible)

Det. Diskin: Was he saying anything (Inaudible) or talking to anybody?

Josh: No he was pretty, when I was with him he was pretty, I mean he was shocked.

Det. Diskin: When he was just kind of hanging out over here standing around, what were you and Megan doing?

Josh: We were doing what we, what we could do which is go around, make sure people have towels. I was helping, well I was telling people who were okay, physically okay to kind of go back to their rooms and shower up because we didn't know. There were so many people there it was chaos so we wanted to sort through who needed help and so I said unless you're helping somebody please go back to the room cause it was just extra people there. So and then you know when the paramedics came we did what we could. I mean I helped carry Steven Ray and you know Megan and I at one point were each holding different IV's for people. You know that's all that we could do at that time.

Det. Diskin: Okay. Who, I understand, did we already talk about the nurse?

Det. Poling: No, that's something we need to talk about.

Det. Diskin: You said Lisa Rondan was the nurse?

Josh: Mmm hmm

Det. Diskin: Was she a certified nurse?

Josh: To my knowledge, yes

Det. Diskin: And what kind of nurse is she?

Josh: An R.N.? I don't

Det. Poling: And how do you know this?

Josh: Because she's told us

Det. Poling: Personally told you?

Josh: Not personally told me so

Det. Poling: So how'd you hear this?

Josh: She has, well I heard it from Megan

Det. Poling: So Megan told you?

Josh: Yeah

Det. Poling: But you didn't hear it from Rondan?

Josh: No

Det. Poling: Okay I just wanted to know

Josh: Yeah, no

Det. Poling: Just trying to be specific

Josh: Yeah, I mean Lisa is, was one of JRI's coaches and so she had this you know prior relationship with JRI and so we all kind of knew her

Det. Diskin: Okay

Josh: So you know I

Det. Diskin: Did you know that, that there was gonna be a nurse there and that it was gonna be her prior to Spiritual Warrior?

Josh: Yeah, yeah, yeah. That was one of the things cause Megan and I had meetings before, you know kinda getting ready for how the week works out and more than once Megan said well it's good because Lisa will be there and she's also a nurse so you know that's a good thing.

Det. Poling: So how did she get there? I mean what was, what arrangements were made to get Lisa there?

Josh: She, well she was selected as part of the Dream Team. So Dream Teams are volunteers.

Det. Poling: So whose, how did that selection process go? How is that process, I don't know anything about that?

Josh: Sure, so the Dream Team, if they want to be on the Dream, if someone wants to be on Dream Team they have to of attended the event before. That's the first requirement and then they say yes I'll go. And the Dream Team, they pay their own way and they pay their own food and lodging.

Det. Poling: You solicit them or do they solicit you?

Josh: Both

Det. Poling: Okay, how about in this case?

Josh: I'm not sure with Lisa if we solicited her. My

Det. Diskin: Were you at all involved with recruiting Lisa or

Josh: Not directly, no but I know that there's a list of people that want to go and then we look at all of them and then we pick this person would be good at this, this person would be good at that

Det. Diskin: Is one of the reasons why they chose Lisa to your knowledge, even though you weren't a part of that

Josh: because she was a nurse

Det. Diskin: because she was a nurse? Is that, how heavy did that play into

Josh: Uhm that was a bonus. I mean she's one of the Harmonic Wealth coaches and so that was the primary reason. Was to help people through stuff and that was you know

Det. Poling: So you knew prior to this, the event. You knew prior before the event that she was an R.N.

Josh: Yes

Det. Diskin: Okay. Do you think she'd of been chosen as a Dream Team member even if she wasn't an R.N.?

Josh: If she had, yeah, yeah she would have. She was one of our coaches so she, she knew the content well and

Det. Diskin: So her being a nurse is a bonus

Josh: Yes

Det. Diskin: But from what I understand nobody actively went out searching for somebody that's a nurse so that they could specifically bring them to Spiritual Warrior because the event needs a nurse.

Josh: Correct, to my knowledge there's not a requirement that there needs to be a nurse there.

Det. Diskin: Okay

Det. Poling: So whose decision was it to put her outside the tent?

Josh: That was, it was, Megan and I decided you know, which Dream Team members were gonna be outside and which were gonna be inside the tent. And we also asked the Dream Team, you know, what their preferences were and, and with Lisa it was kinda just a no brainer.

Det. Poling: Why is it a no brainer?

Josh: Cause she's a nurse and so she's able to help people and so you know from the beginning we assumed that you know, both Megan and I assumed that she would do that and she requested it to. She said I'll stay outside and help people. Once we assigned roles, so to speak.

Det. Diskin: Alright going back just a little bit. When paramedics were coming down the hill, obviously you could see you know coming down into Angel Valley

Josh: Correct, yeah

Det. Diskin: did James Ray or staff members tell participants to go to their rooms?

Josh: It probably would have been me when I was telling people if you're not helping someone, go to your room

Det. Diskin: Okay

Josh: So that, and then I also requested the help of some of the Dream Team members to, to do that as well because we wanted, when the paramedics came we wanted the paramedics to help the people that needed help so that they wouldn't have to sort through everybody there.

Det. Diskin: Was there any concern that some of the people that you were sending back to their room might actually need medical attention?

Josh: Not at the time there wasn't, I mean not in the moment there wasn't, no.

Det. Diskin: Okay. Where were you and Megan when the Deputies arrived?

Josh: The Deputies. Which ones were the Deputies? There were a lot of people around there.

Det. Diskin: Brown shirts. Brown shirts.

Josh: A lot of people arrived that night. I was down there the entire time.

Det. Diskin: Okay

Josh: In that, in that area. I was there until I mean until you came, when was that like 12?

Det. Poling: Well you had to leave to get dressed, right, or where was (Inaudible)

Josh: Well I ran, my, I was just right up the hill and then straight back down.

Det. Poling: Okay

Josh: So I was down there the entire time and so Megan left after the paramedics left and it started to get dark and everything and the participants started going back to their rooms. I, I told Megan that I would take care of things down at the sweat lodge and for her to go up and take care of the participants and that sort of thing cause you know we had a dinner scheduled and we actually had more meeting time scheduled that night that never happened.

Det. Diskin: Okay. When did you go to the gift shop that night?

Josh: When I was, after I was

Det. Poling: done talking?

Josh: Yeah, done talking to you, it didn't last very long

Det. Diskin: Do you remember what time that was?

Josh: It was late, it was, I think it was like 11, I don't even know

Det. Poling: It was late

Josh: Yeah it was right after the, the Winnebago pulled up.

Det. Poling: The mobile command?

Josh: The mobile command

Det. Diskin: Do you know if any medical questions are ever asked for participants for any events to determine if their healthy enough to safely attend an event?

Josh: No they don't screen based on medical

Det. Diskin: Okay. One of the things that I talked to Megan about, Melinda Martin had come and talked to us

Josh: Yeah

Det. Diskin: she had a voice mail that Megan had left for her and the voice mail says that Josh and Greg are going through the office looking for anything that has to do with Spiritual Warrior, we want to find it before the Detectives come here to search.

Josh: Megan and Josh are going, 'er Josh and Greg

Det. Diskin: Josh and Greg, what was that about?

Josh: That was, (sigh), Josh and Greg. Do you know what date this was or what?

Det. Diskin: I don't, we had it and I just don't have it with me, I don't have the voice mail or the, any of the details of it.

Josh: My guess was is that we were uhm, I mean that weekend when we got back, I mean we went through and we did a full backup of our data and that sort of thing. And what we were looking for was to scan in our documents to our server so that way we would have copies of them cause our lawyer warned us that it was potential that you guys would come. I didn't really believe it at the time but then I met you guys. But

Det. Poling: Surprise

Josh: yeah, so that was uhm, you know Melinda had a lot of stuff. She left separate and she didn't come in to work, she never came back to work

Det. Diskin: The question is was there a concern that we would find something because that sounds like what the conversation was about or the voice mail. Was that the Detectives are gonna come here, I need to find all this stuff.

Josh: Yeah, no, not to find, I mean really there's nothing, nothing to hide

Det. Diskin: We didn't find anything that had to do with Spiritual Warrior and we were curious about that

Josh: Well you got the waivers and that sort of thing

Det. Diskin: And her backpack, yeah

Josh: Did you guys get the order forms? Or those were (Inaudible) I think or something. And there's like order forms

Det. Diskin: But I mean there's all kinds of binders and books and reference material for all these other events but nothing for Spiritual Warrior.

Josh: Spiritual Warrior is, is uhm, it's typically handled pretty much by Angel Valley in terms of coordination. Like they pretty much take care of it, set up and it's almost cookie cutter in that regard. I really wish I could remember what, what that message is (Inaudible) to, I, I, I just know that we went through and made sure that we did our best to scan anything relating to Spiritual Warrior so we'd have it in case it was confiscated.

Det. Poling: In your office, when we surprised ya, you have a server that has multiple stuff on it

Det. Diskin: A bunch of external hard drives

Josh: hard drives, yeah

Det. Poling: And from what I understand you saying, if something goes wrong with one of those hard drives another one automatically fixes it or builds another one up. It's, I don't know what they call that

Det. Diskin: that's a different deal, that's the array

Det. Poling: I thought they had that

Josh: Not on, not at my desk

Det. Poling: Okay, no, no, no, no not on your desk, on the; I'm talking about your server

Josh: In the server room, yep

Det. Poling: Right. My question to you is, in your office you had, I don't know I'm guessing, more than three external hard drives that you were working on when we showed up.

Josh: Yeah, part of my job

Det. Poling: was any of that based on putting information from Spiritual Warrior on that to keep it from us?

Josh: To keep it? No

Det. Diskin: Is there any Spiritual Warrior information on those hard drives that were in your office?

Josh: Uhm no I mean there's no, the only information that would have been, like those drives were, they're temporary drives. We do a lot of video editing and so those drives are temporary drives so we pull video over to them cause it's faster than working over the network on the video

Det. Poling: That's what I don't understand, you have your computer and it's all hooked up to your, you know the computer's hooked up to this massive information that you have

Josh: Right

Det. Poling: server but we're dealing with these uhm small little hard drives and I'm just, it's just very, it makes me curious why you have those in your office when we're coming in with the search warrant

Josh: Sure

Det. Poling: but yet you have this big server that you can tie into automatically from your desktop

Josh: Yeah so that's the difference is the server is all over a network connection, Ethernet. And so the files that we deal with in video are huge, I mean that's why we have a 30 terabyte server that can't store all that stuff

Det. Diskin: We're gonna have one too now

Josh: You don't have a choice, right? So, so when you're working on video files they're so data intensive that to pull all that off of the server is just way too slow, I mean it would

take, take days basically. And so what I do is I did most of the video editing in the office. And so I would pull stuff overnight to these hard drives, it was temporary and then those are hooked up locally to my computer so they're a lot fast to work off of. And so that's what those are.

Det. Poling: Also too while we were there I was looking at your camera

Josh: Yes

Det. Poling: and it has pictures of someone outside your building coming in and out of a car

Josh: Yes

Det. Poling: Were you afraid you were being surveilled?

Josh: No uhm well one, we were testing the zoom on the camera cause it's a pretty sweet camera. That, and two there was a guy that was, he was standing outside of, on the street corner with a sign that said James Ray killed my friend. And so

Det. Poling: I didn't know that

Josh: Yeah so that

Det. Diskin: Who's the friend that James Ray killed?

Josh: I, we don't know. I mean he was just standing on the corner with the cardboard

Det. Diskin: Well that's weird

Josh: Right and so we took

Det. Poling: What kind of car does he drive?

Josh: It was, in the picture it's a pickup truck

Det. Poling: We have the plate on that truck

Josh: Which is the zoom on the camera. I mean we took it just cause we didn't know what, what it was going on and the lawyer said hey, the lawyer at the time said hey just take a picture in case anything comes up, but that's what that was.

Det. Poling: That's why I'm trying to be clear about this, I don't know.

Det. Diskin: Was there another death somewhere?

Josh: No, well

Det. Diskin: It's just ironic that the week before we do the search warrant, is out there saying you killed my sister

Josh: Well it was after Sedona

Det. Diskin: Oh it was after

Josh: It was after Sedona

Det. Diskin: Oh those pictures were

Josh: Yeah

Det. Diskin: Okay so this was after the sweat lodge

Josh: Yeah, yeah, yeah

Det. Diskin: So this would have been somebody whose friends with Kirby or, okay

Josh: We would assume, yeah

Det. Diskin: Disregard that then, I thought that that was before

Josh: Yeah, no, that was afterwards so

Det. Diskin: That's not as weird as it would have been if it was before

Josh: (Inaudible) I mean does that clarify the hard drive question

Det. Poling: Yeah I was just wondering why, I didn't understand why if you had a 30 terabyte system back there why you were putting things on small hard drives

Josh: Exactly, just temporary

Det. Diskin: Was there ever an effort to specifically round up Spiritual Warrior material after the sweat lodge incident?

Josh: To round it up?

Det. Diskin: To get it together to go find it to search it out

Josh: Not really, no because we, we, the very next week we had World Wealth Summit which was our, which was a two day event so we went straight from Spiritual Warrior into Summit. And so we had to plan all that and I was actually knee deep in creating all

the graphics and stuff for that event when you guys took it and so I had to start over on the graphics but what, what I did and what I was advised to do was to make a backup of the server should a search warrant be served. And we did so when you guys came it wasn't a surprise but it was. But that's why we had a solid backup, we just needed to do that and find new computers to put the backup on to. So that was, I mean to my knowledge that was the extent of rounding up so to speak, was just being prepared for that.

Det. Poling: (Inaudible) when did the waivers get changed? Verbiage? When was that decided to change is all? Don't need to get into the lawyer stuff, just when did they change?

Josh: My guess, Megan works more directly with the G & G the legal teams and my guess would be about a year or two ago

Mr. Proctor: What's G & G?

Josh: G & G is Greenburg and Glusker, the firm, our corporate law firm

Mr. Proctor: Los Angeles

Josh: So their the ones that helped up with the waivers

Det. Poling: Early on, are we talking 2004, 2005, 2008? When did they change?

Josh: Waivers have consistently changed and updated. When we first started they were really not good according to legal so they changed.

Det. Poling: I'm just clarifying something (Inaudible) I read in your transcript earlier is after the 2005 event you said the waivers had changed. I just wondered if that was when they changed

Josh: They probably changed one more time after that. I mean I believe they changed after 2005 and then they got Greenburg and Glusker

Det. Poling: What year?

Josh: I would say probably '07, '08

Det. Poling: Okay

Josh: That they changed last time

Det. Diskin: I want to show you a picture that was alleged to have been taken in 2008 of the Spiritual Warrior and I want to see if there's any similarities that; here's a series of pictures, if you can see the similarities between 2008 and 2009.

Josh: In terms of what's going on?

Det. Diskin: Of just the scene and what you see

Josh: Uhm there, there seems to be a lot fewer people here overall.

Det. Diskin: Cause when I look at the pictures of 2009 and I see the people laying on the ground and their in the fetal position and stuff it kind of looks the same as here

Josh: It does. What was going on I'm sure, I mean I wasn't there but I'm sure what was going on was a lot different in terms of that. It does look like a lot more like, I see a smile over here. I mean

Det. Diskin: Well there were smiles in 2009 too, people were cheering and you did great and you made it

Josh: Yeah I mean this is pretty to me typical or normal for a sweat lodge from my experience

Det. Diskin: So that's normal for people to be kind of lying on the ground, not really, like face down in the mud

Josh: Yeah, well the difference is this year there were tarps and towels for people

Det. Diskin: Well Megan said in 2008 there were but clearly there weren't unless the tarps (Inaudible)

Josh: Unless they're somewhere else, yeah. Yeah I mean there were tarps this year so it wasn't, you know, lying face down in the mud but yeah when I come out, when I came out this year I laid face down.

Det. Diskin: Do you think that's okay or safe?

Josh: Uhm

Det. Diskin: Let me rephrase that because obviously now you would answer it differently than you would before but at the time when you saw this, say I know you didn't go in 2008 but at that time did you think that this was safe or normal for people to be laying face down in the mud outside and

Josh: If I were there and I had a sense of the situation I would say yes. Just looking at the picture I mean it could be that they were passed out or not so I wouldn't know but if I were there and you know able to see what was going on and get a feel for people and actually be able to check on people I would say yes.

Det. Diskin: Okay. And what would you base that on?

Josh: Uhm, I mean if their, if their still coherent, their still saying hi, their still

Det. Diskin: If you went to Walmart and you looked in the parking lot and you saw this, what would you think?

Mr. Proctor: People lying in the mud in Walmart? Or how about at the end of a marathon? Or how about after a football game?

Josh: Yeah I mean to me that, that, to me in my experience in sweat lodges, yeah that seems normal and you're cooling off.

Det. Poling: But wouldn't you agree if you saw someone laying face down in the mud and you were, you were at a marathon that this person needed attention?

Josh: Well marathon's a different

Det. Poling: (Inaudible) why?

Josh: Well cause we're laying in the mud in the sweat lodge. I mean is the mud the question?

Det. Poling: And I mean if you ever saw someone laying like that after a event like a marathon would you think that this person might need attention? You know, medical attention? If someone collapsed or fell down at the end of a race, would you think that was normal? Just to do that?

Josh: I'm not much of a runner so I don't

Mr. Proctor: I withdraw the whole marathon thing

Josh: But from what I know is like you know even in, in sports events like from the little I did in high school is yeah, you laid down in the grass and someone would come over and you get like a Gatorade or whatever but

Det. Diskin: I've played sports and I've never seen anything like that. In football, or any other, you just don't

Josh: In practice or anything?

Det. Diskin: But anyway, the question is, is there's people obviously in what in my opinion is medical distress where they're not able to function, their unconscious like Barbara Waters was in 2008. I don't know if she's in one of those photos but she was unconscious for quite some time and most people would see that as a problem but if nobody at James Ray International did apparently from what their saying.

Josh: From what, so if it's an issue, if I were there and someone were unconscious, that's definitely an issue. And that's why I say if I were in that situation and being able to check on people and their saying you know thumbs up or whatever then I know that things are going well.

Det. Diskin: What do you base that on though I mean?

Josh: Just that their cohesive and their able you know their able to respond you know and that sort of thing. Obviously I don't have medical training but I know what someone unconscious looks like and I've not, before this year I've not seen anybody unconscious in my experience with the sweat lodge.

Det. Diskin: Alright I was trying to ask that without leading but the whole point of that is that you, I mean you only know what takes place in a sweat lodge or what's normal in a sweat lodge based on what you've seen from James Ray's sweat lodges

Josh: Correct, absolutely

Det. Diskin: so if the Native Americans say if anybody's even remotely close to that, that's complete unsafe, you need to call paramedics right away. You wouldn't know that that's how they respond to stuff

Josh: Correct, yeah that would be their extremes and I don't, I don't know that.

Det. Diskin: Anything else? On the computer stuff if we had questions would you have a hard time if we talked to your attorney and say hey can you ask Josh this question for us?

Josh: Yeah you can definitely ask me questions like on you know how to look at things on any on the video files or whatever. That's cool, if you need like technical stuff that would be that guy that we called that night, Brian

Det. Diskin: Okay, I have his (Inaudible)

Josh: In terms of hooking it up or whatever. You know that works but yeah I'm open if you need help sorting through things.

Det. Diskin: Alright.

Mr. Proctor: That's it?

Det. Diskin: That's all I've got, unless you have anything to add.

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