

SIOUX FALLS POLICE DEPARTMENT

Criminal Investigations Division – Homicide Unit

SWORN WRITTEN WITNESS STATEMENT – SECURITY PERSONNEL

SFPD Case No. 2015-48801 | ME Case No. 2015-ME-0447 | MARSH, Eleanor Anne

Witness:	Patrick James Herne	DOB:	March 7, 1986
Address:	519 N. Marion Rd., Sioux Falls, SD 57106	Phone:	(605) 214-5503
Employer:	Vector Security Solutions, Inc. (contracted to Meridian Property Group)	Title:	Security Officer
Post:	4200 S. Western Ave. – Lobby / Building Security	Shift:	1800-0600 (night)
Statement Date:	October 14, 2015	Received By:	Det. J.R. Brewer (Badge #3892)

STATEMENT

I, Patrick James Herne, Security Officer employed by Vector Security Solutions, Inc., stationed at 4200 S. Western Avenue, Sioux Falls, SD, do hereby provide this sworn statement in connection with the death investigation at Suite 712 of this building.

I was on duty for the evening/overnight shift on October 13-14, 2015, from 1800 hours to 0600 hours. My post is the building lobby security desk. My responsibilities include monitoring the lobby, verifying contractor and after-hours access, maintaining the manual visitor log, and making periodic floor checks as time allows.

lobby gap – 22 min unobserved – JRB

The following is a summary of relevant access events that I can confirm from the electronic badge access log printout provided to me by building management (Mr. Victor Solis) and from my personal recollection and manual visitor log entries:

Time	Card / Access Event	Notes
0814 hrs – Oct. 13	Badge-in: Card #TE-712-001 (Eleanor Marsh, Suite 712)	Normal business hours – at the lobby
No record – Oct. 13	Badge-out: No record of Ms. Marsh's card being used	Her card was in the building
2247 hrs – Oct. 13	Badge-in: Card #CC-2015-0147 (Contractor card)	ANOMALY – Contractor card used at night
0417 hrs – Oct. 14	Badge-in: Card #CC-2015-0147 (Ramon Fuentes)	Mr. Fuentes elevated access
0427 hrs – Oct. 14	911 call placed – confirmed by dispatch notification	Mr. Fuentes called from upstairs

Regarding my absence from the lobby desk at approximately 2230-2252 hrs on October 13, 2015: I used the restroom during that interval. The men's restroom is approximately 40 feet from the lobby desk, down the south corridor. During this time, the lobby entrance is not physically monitored. The electronic badge system continues to function and log entries during any gap in my desk coverage. I was not aware of the 2247 access event until Mr. Solis provided me the access log printout this morning at the request of the police.

SFPD HOMICIDE CASE FILE

I have provided the manual visitor log for the evening of October 13-14, 2015 to Det. Brewer. The log reflects no entry for anyone accessing the 7th floor between

1800 hrs October 13 and Mr. Fuentes's arrival at 0415 hrs October 14, other than those entries noted above as electronic-badge-only (i.e., not passing my desk). I cannot explain why card #CC-2015-0147 was used at 2247 hrs if Mr. Fuentes was not present in the building at that time.

Declarant Signature:		Date:	October 14, 2015
Print Name:	Patrick J. Herne	Badge / ID:	VEC-SD-2015-0047
Received By (SFPD):	Det. J.R. Brewer	Badge:	#3892

I declare under penalty of perjury under the laws of the State of South Dakota that the foregoing is true and correct to the best of my knowledge and belief.