



HUMBOLDT COUNTY SHERIFF'S OFFICE

826 4TH ST EUREKA, CA 95501 707-445-7251

Case
201605403

XX CONVERTED REPORT

OFFENSES	Offenses 245(A)(2) PC 246.3(A) PC 1203.2 PC	Description Aslt W/Firearm On Person VIOLATED TERMS OF PROBATION	Fel/Misd Felony	Date Occurred 10/27/16-10/27/16	Time Occurred 0240 - 0810	Incident #	
				Date Reported 10/27/2016	Time Reported 1300		
				Related Cases			
				Date Printed 02/07/2019	Time Printed 09:10:49	Printed By 1655	
				Latitude 0.000000	Longitude 0.000000		
Location [REDACTED]			Beat BEAT 4	Area	Disposition Clerd By Adult Arrest		
					Dispo Date 10/28/2016		
Location Type	Location of Entry	Method of Entry	Point of Entry	Alarm System	Means of Attack (Robbery)		
Drivers License [REDACTED]			Cell Phone	Email			
Notified of Victim Rights No			Residence Phone [REDACTED]	DOB [REDACTED]	Age [REDACTED]	Sex F	
Business Name and Address			Business Phone	Height	Wt	Hair [REDACTED]	
Assistance Rendered/Victim Disposition			Transporting Agency	Means of Attack (Assaults)			
Description of Injuries			Other Information				
Drivers License [REDACTED]			Cell Phone	Email			
Residence Phone [REDACTED]			DOB [REDACTED]	Age [REDACTED]	Sex F	Race I	
Business Name and Address			Business Phone	Height [REDACTED]	Wt [REDACTED]	Hair [REDACTED]	
Action Taken [REDACTED]			Charges 1203.2 PC, 245(A)(2) PC, 246.3(A) PC				
Residence Address [REDACTED]			Residence Phone [REDACTED]	DOB [REDACTED]	Age [REDACTED]	Sex M	
Business Name and Address			Business Phone	Height [REDACTED]	Wt [REDACTED]	Hair [REDACTED]	
Identifying Features			Cell Phone	Drivers License [REDACTED]	Arrest Number		
Aliases							
VEHICLES	Status	Vehicle Make and Model		License/State	VIN		
DEPUTIES	Prepared By 1270 - Maus, Bryan	Date 10/27/2016	Assisted By		Approved By 1377 - Taylor, Brian	Date 10/28/2016	
	Routed To	Date	Routed To	Date	Notes		

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[REDACTED]	Drivers License	Cell Phone	Email			
Residence Address	Notified of Victim Rights	Residence Phone	DOB	Age	Sex	Race
Business Name and Address		Business Phone	Height	Wt	Hair	Eyes
Assistance Rendered/Victim Disposition		Transporting Agency	Means of Attack (Assaults)			
Description of Injuries	Other Information					

[REDACTED]	Drivers License	Cell Phone	Email			
Residence Address		Residence Phone	DOB	Age	Sex	Race
Business Name and Address		Business Phone	Height	Wt	Hair	Eyes

[REDACTED]	Drivers License	Cell Phone	Email			
Residence Address		Residence Phone	DOB	Age	Sex	Race
Business Name and Address		Business Phone	Height	Wt	Hair	Eyes

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NARRATIVE - ASSAULT WITH A DEADLY WEAPON / WILLFUL D

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On 10-27-16, at about 0337 hrs., I was detailed to contact [REDACTED] at [REDACTED] about 20 people in front of his house shooting at him and he was shooting back at them. At about 0345 hrs., I phoned [REDACTED] and he told me he was in his room with his gun. There were five people in the living room area and they were trying to kill him. I then heard a gunshot and the sound of a casing bouncing on something hard. [REDACTED] said he was trying to hold them off but he didn't think he could do it. I heard him walking around and asked him again where he was in the house. He told me he was in his closet now with the door closed and he wasn't going to make it. He said he was going to have to shoot himself. I told him not to shoot himself and I would be there as soon as I could. The phone conversation lasted about five to eight minutes as I tried to talk to [REDACTED] about not hurting himself and for him to hold on until we got to the house. I reviewed the Call For Service (CFS) again and it stated there was a second Reporting Party (RP), who was located about a 1/2 mile away from Highway 96 and Boozer Lane, and he stated he heard a few shots or explosions.

I contacted Sgt. J. Braud and I advised him of the above conversation. He said he would send Deputy C. Brewer when she cleared the jail. He and Deputy S. Steele would also respond. While en-route to the location Dispatch advised us that [REDACTED] called again and state the same thing, about being in a shootout with up to twenty people. Dispatch also heard [REDACTED] shoot his gun again and was making threats to kill himself but he didn't want to die. A short time later [REDACTED] called back and said he wanted to see the flashing lights of the patrol car before he would come out. A short time later Dispatch notified us that [REDACTED] had two Doberman Pinchers and they were aggressive. About 10 minutes before my arrival in the area Dispatch said that [REDACTED] had fired another round. About 10 minutes after my arrival Dispatch advised us that [REDACTED] was calling them and just was telling them "No" repeatedly and he thinks people are still outside and disconnected the phone.

Upon my arrival, at about 0500 hrs., I waited for the other units to arrive but monitored the area for gun shots. At about 0544 hrs., all units arrived at mile marker 9.76 on highway 96. The weather conditions were heavy rain and about mid 50's to 60 degrees Fahrenheit. We initiated a plan to call [REDACTED] out to a patrol vehicle that had rotating lights on the roof without his pistol. I utilized my patrol vehicle, [REDACTED], with a full set of working lights on the roof and pulled up to a field just south of where we believed [REDACTED] residence was located. I pulled the patrol vehicle off the highway just to the east of the roadway in a large pull out area. I turned the PA system on and connected to a portable radio channel so I could use the PA system remotely. The idea was to have [REDACTED] come out side in the open so we could hopefully see that he had no weapons on his person. If [REDACTED] changed his mind and decided to bring a weapon with him and shoot at the vehicle there would be no personnel near the vehicle. Sgt. Braud requested Dispatch to contact [REDACTED] via phone and ask him to come out to the patrol vehicle without any weapons. Dispatch advised that [REDACTED] said he couldn't see the car and he wasn't going to come out because of the people who were trying to get him. Since we were still not sure which house [REDACTED] was located in, we requested him to turn the porch light on and off. Dispatch advised he was not comfortable turning those lights on and off but he would turn the kitchen lights on and off. A few minutes later I saw an interior light turning on and off in the house we had been watching.

[REDACTED] driveway was about 250 feet long and ended at his [REDACTED] trailer. There was a [REDACTED] trailer that used the same driveway and was located on the north side of the driveway about 90 feet from the highway.

CONTROLLED DOCUMENT

Prepared By: 1270 MAUS, BRYAN	Date: 10/27/2016	Approved By: 1377 TAYLOR, BRIAN	Date: 10/28/2016
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The [redacted] trailer had no lights on and Hoopa Dispatch had advised me that the windows were broken out but I was unable to see that in the darkness. Since [redacted] could not see patrol vehicle lights I moved the patrol vehicle into the driveway, just in front of the [redacted] trailer, and left the rotating lights on. I also pointed the spot light onto [redacted] trailer through the bushes so he could see where the vehicle was and we could see his approach to the vehicle. I retreated to the west side of Highway 96 behind the patrol vehicle with Sgt. Braud, Deputy C. Brewer and S. Steele. I attempted to make contact with [redacted] again using the PA system and requested him to come out to the patrol vehicle without any weapons but [redacted] still refused. He then agreed to come out onto the porch if he could see a Deputy to make sure we were actually with the Sheriff's Office. We were not going to expose ourselves to possible gun fire. Since he had been calling our Dispatch to make requests and we accommodated those request, he should have known at that point we were actual Sheriff's Deputies.

Sgt. J. Braud and I moved closer to [redacted] residence by walking down the driveway just to the south of [redacted] driveway. We stayed concealed behind various trees and large shrub bushes. We were able to get about 60 feet from [redacted] residence on the south side. I could see the front porch area and a south facing window. Sgt. J. Braud stayed back about 90 feet from the residence behind a tree while I checked for a wire fence that appeared to be between us and the house. The sun had not risen yet and the area was void of any light except for the porch lights on [redacted] residence and a street light on Highway 96 about 250 feet away from our location with bushes and trees between us and the light. I continued to use the PA system to request [redacted] come out towards the patrol vehicle but he didn't respond. Dispatch continued to request him to come out of the house but he continued to refuse. Dispatch notified us that [redacted] said the house was going to go up in flames and he was going to blow up the house.

At about 0710 hrs., a truck drove down the driveway past my marked patrol vehicle with rotating lights on and drove to the back of [redacted] Residence. As the car passed between me and the trailer I heard a shot from the house. It appeared to come from the front of the house but I didn't see a flash to indicate where. The truck pulled up to the back parking area just south of the back porch. I didn't see the subject get out of the truck and about 30 seconds later a [redacted] SUV drove past my patrol car and to the back of [redacted] residence. The [redacted] SUV drove up on the east side of the truck and another shot was fired. It sounded like it came from the back porch area but I was unable to see that area due to the southeast corner of the house. The [redacted] SUV immediately backed up and drove back towards my patrol vehicle at a high rate of speed. I heard someone, most likely [redacted], yelling from the back of the residence. About ten seconds later the pickup truck backed up and left at a high rate of speed towards my patrol vehicle. Deputy C. Brewer broadcast on the radio that the man in the truck was [redacted] brother and the woman in the [redacted] SUV was [redacted] girlfriend.

At about 0717 hrs., I heard another shot from the residence. At about this time the sky was starting to get brighter and I noticed the neighbors, whose yard we were in, were getting up for their day. Sgt. J. Braud and my positions were being compromised by the light so we retreated to the front porch of the neighbor's house and I notified the neighbor of the situation. I requested them to evacuate and turn off their porch and bedroom lights. The neighbors said they would leave the residence and turn off the lights. Sgt. J. Braud and I then moved to a large tree the neighbors had in their front yard. We were able to see the front porch, the south facing

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1270 MAUS, BRYAN	10/27/2016	1377 TAYLOR, BRIAN	10/28/2016



window and the back parking area from that position. I could also see portions of the driveway between the bushes. While waiting for the SWAT Team and additional personnel to respond another truck drove at a high rate of speed down the driveway.

It was about 0725 hrs., when the second truck arrived and drove to the back of [REDACTED] residence. At the time the vehicle was driving up to the house there were two shots fired from the residence. The truck parked and I saw a man in a bluish jacket get out of the truck and I yelled at him to get back in his truck and leave the area. As I was yelling towards him he turned towards me and yelled, "Fuck you..." and something else I couldn't understand. The man disappeared behind the corner of the house and as Sgt. J. Braud was broadcasting that information the man appeared again at the corner of the house. It appeared that the man was using the corner of the house for protection while talking to [REDACTED]. Deputy C. Brewer broadcast that the man in the truck was [REDACTED] father.

At about 0732 hrs., [REDACTED] father got back into the truck and started to drive towards the highway. We were unable to tell if [REDACTED] had got into the truck and notified the units at the end of the driveway. Sgt. J. Braud and I were notified that the father had stopped the truck at the end of the driveway and was refusing to leave the area.

At about 0753 hrs., I heard three shots fired from [REDACTED] residence and then [REDACTED] father ran to a section of driveway I could see from my position. He was yelling at law enforcement but I couldn't understand what he was saying. He was also yelling at his son to stop.

At about 0756 hrs., I heard a shot come from the residence and I saw [REDACTED] father's head duck down and his shoulder come up as if he was taking cover from the bullet.

At about 0757 hrs., I heard another shot come from the residence and [REDACTED] father was still pacing back and forth in the driveway. He didn't go closer to the house but he didn't leave either. We then saw a brown Doberman pincher running outside of [REDACTED] residence. This was one of [REDACTED] dogs that were supposed to be vicious.

At about 0759 hrs., I heard another shot fired from the residence and then another. Deputy C. Brewer advised that the first shot in that volley was close to her and Deputy S. Steele's location and they heard the bullet ricochet.

At about 0800 hrs., I saw [REDACTED] in front of his house and standing in the driveway point a pistol towards my patrol vehicle, highway 96 and Deputy C. Brewer's and Steele's location. [REDACTED] was wearing a white shirt with a brown shirt over the top of the white shirt. He also had kaki colored shorts on. [REDACTED] stood outside for a minute then fired a bullet down the driveway and ran back inside the residence. I hadn't noticed at the time but [REDACTED] father had gone back towards the highway.

At about 804 hrs., I saw [REDACTED] walking up the driveway towards the patrol vehicle and the family that had

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parked just behind the patrol vehicle in the front lawn of the [redacted] trailer. [redacted] was walking at a normal pace and I could only see his left hand. I broadcast on the radio that the subject was walking towards the patrol vehicle and I could not see if he had a gun in his right hand. Sgt. J. Braud and I started walking parallel with [redacted] but there were a lot of bushes between him and us. I heard someone broadcast that [redacted] had a gun in his right hand. We continued to walk towards highway 96 and I could see [redacted] approach my patrol vehicle in his driveway. I then saw [redacted] holding a pistol in his hand and pointing it at my locked patrol vehicle. I continued to try and get further down the driveway. I then heard two deep sounding gun shots between me and the highway. I looked up and saw a Deputy running towards the patrol vehicle (later identified as Sgt. A. Gomes). I looked at the patrol vehicle and didn't see [redacted] any longer. I ran towards the vehicle and someone said there was a physical fight occurring. I ran across the field and to the front of the patrol vehicle. I saw Deputy T. Matilton lying on top of [redacted]. I checked [redacted] and he had handcuffs on at that time. I then asked about the gun and I saw Deputy C. Brewer standing near the gun to secure its location.

[redacted] was quickly checked for weapons and injuries and then placed into the back of my patrol vehicle. While waiting for medical to respond [redacted] was kicking at my patrol vehicle windows but was unable to break them. I opened the door and told him to stop. A short time later [redacted] started kicking the windows again and I pulled out a RIP Hobble and showed it to him. I told him he really didn't want his feet secured to the ground and he stopped kicking the window. The ambulance crew arrived on scene and checked [redacted] for injuries. [redacted] was uncooperative but they were able to see enough of him to feel secure that [redacted] was not injured. [redacted] also stated he had no injuries.

Deputy J. Braud, Deputy C. Brewer, Deputy R. Buzzard and I cleared the house of any other subjects. I did notice a pistol casing in the floor of the master bedroom bathroom as I cleared the area. I also saw a black BB gun pistol lying on the arm of a couch in the room directly south of the kitchen. We did not locate any persons in the residence so we exited the building and returned to my patrol vehicle. A picture of [redacted] pistol was taken and it was secured in the trunk of my patrol vehicle. The pistol was later collected by [redacted] who is an Evidence Technician for the Humboldt County Sheriff's Office.

I was notified by Dispatch that [redacted] was on Felony probation for PC 245(a)(1), Assault with a Deadly Weapon and had clauses that said he had a general search and seizure, not to possess firearms or ammo, abstain from alcohol, not enter where alcohol is the chief item of sale, not to use or possess or traffic drugs and not to associate with users or traffickers, etc.

I completed a booking and probable cause form and faxed them to the Humboldt County Correctional Facility. [redacted] was charged with PC 245(a)(1), Assault with a Deadly Weapon, PC 246.3(a), Willful Discharge of a Firearm in a Grossly negligent Manner, and PC 1203.2, Violation of Probation. [redacted] was transported to St. Joseph's Hospital and then to the Humboldt County Correctional Facility by Deputy R. Buzzard.

See Deputy C. Brewer's, S. Steele, R. Buzzard, and Sgt. J. Braud's supplemental reports for further details.

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Prepared By:	Date:	Approved By:	Date:
1270 MAUS, BRYAN	10/27/2016	1377 TAYLOR, BRIAN	10/28/2016



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Nothing further at this time and all new information will be documented via supplemental report.

Attached Documents:

Probable Cause

Booking Request

Fax Confirmation

RAP Request

DA Felony Complaint Request

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Prepared By:

1270 MAUS, BRYAN

Date:

10/27/2016

Approved By:

1377 TAYLOR, BRIAN

Date:

10/28/2016

IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA
IN AND FOR THE COUNTY OF HUMBOLDT

Name [REDACTED]

DOB [REDACTED]

Description IMA 510/220
Brn / Brn

Case No. 201605403

STATEMENT OF PROBABLE CAUSE FOR
ARRESTS MADE WITHOUT A WARRANT
AND ARRESTEE IS BOOKED INTO JAIL

My name is Bryan Maus. I am a peace officer employed by the HCSO
Department. On the date of 10/27/16 at 0820 (time

of arrest) I arrested without a warrant the individual described above for the following violation(s) if law:

PC, 246.3(a), Willful discharge of a Firearm in a grossly negligent manner /
PC 1203.2, Probation Violation / PC, 245(a)(1), Assault with a Deadly Weapon

I believe that there existed probable cause for the said arrest without a warrant. Facts of which I was aware
at the time I placed the arrestee under arrest and which I believe provided probable cause for said arrest
include: [REDACTED]

Fired a handgun at Patrol vehicles and in
the vicinity of Deputies. This occurred on 10/27/16 between the
hours of 0500 hrs. and 0820 hrs. [REDACTED] is Felony probation for
PC, 245(a)(1), and is not supposed to possess any Firearms or ammunition
and totally abstain from alcohol. [REDACTED] fired his weapon at a Deputy
hiding behind a patrol vehicle at close range.

I declare the foregoing to be true under penalty of perjury, dated this 27th day of
October, 2016.

Signature Bryan P. Maus

Print Name Bryan Maus Badge # 1029

 Probable Cause Found
 No Probable Cause Found – Release Forthwith

JUDGE OF THE SUPERIOR COURT
COUNTY OF HUMBOLDT, STATE OF CALIFORNIA

DISCOVERY
OCT 27 2016
Date: _____
Time: _____

WHITE: Judge CANARY: Classification PINK: Law Enforcement

**HUMBOLDT COUNTY SHERIFF'S OFFICE
OFFICER'S BOOKING REQUEST**

SUSPECT

Last Name 	First Name 	Middle Name 	DOB:
AKA 	DATE OF ARREST 10/27/16	TIME OF ARREST 0820	
ADDRESS OF ARREST 		CITY Hoopa	
CASE NUMBER 201605403			

LIST CHARGES - INCLUDE SUBSECTIONS

FOR WARRANTS LIST ONLY THE DOCKET NUMBER

CHARGE 1 <u>PC 246.3(a)</u>	CHARGE 5 _____	CHARGE 9 _____
CHARGE 2 <u>PC 245(a)(1)</u>	CHARGE 6 _____	CHARGE 10 _____
CHARGE 3 <u>PC 1203.2</u>	CHARGE 7 _____	CHARGE 11 _____
CHARGE 4 _____	CHARGE 8 _____	CHARGE 12 _____

HOLDS: PAROLE PROBATION PLACED BY _____
NAME OF PAROLE OR PROBATION OFFICER CASE/CDC NUMBER

DETAINERS: OUT OF COUNTY OUT OF STATE DHS - ICE U.S. MARSHAL

ARRESTING OFFICER(S)/AGENCY B. Maus / HCSO EPD # _____

TRANSPORTING OFFICER/AGENCY R. Bozzard / HCSO VEH/PROP STORED AT: _____

CONFIDENTIAL - NOT FOR NEWS RELEASE	COMPLETE IF RELEASE NOTIFICATION IS REQUESTED	
<u>VICTIM'S NAME</u>	<u>ADDRESS</u>	<u>PHONE</u>
1. _____	_____	_____
2. _____	_____	_____

ARRESTING OFFICER PLEASE COMPLETE THE BELOW QUESTIONS

IMPORTANT INFORMATION WHICH WILL HELP CORRECTIONAL STAFF FURTHER ASSESS AND CLASSIFY ARRESTEE

THREATS/VIOLENCE threaten to shoot himself and shot at patrol vehicle

LESS LETHAL WEAPON USED, LIST TYPE

3. HIGH PROFILE CRIME, INVOLVING LOSS OF LIFE OR HARM TO A CHILD

4. INVOLVES STALKING, HOSTAGE TAKING OR PROLONGED HIGH SPEED CHASE

5. OTHER _____

647(F) / 849(B)(2) PC

IS THE ARRESTEE A FOREIGN NATIONAL?

HAS HE/SHE BEEN INFORMED OF THEIR RIGHT TO CONSULAR NOTIFICATION?

DISTRIBUTION: WHITE - BOOKING FILE YELLOW - PROPERTY BAG PINK - AGENCY



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SUPPLEMENT 1 - SUPPLEMENTAL - SUSPECT CONTACT & LEGAL B

201605403

On Thursday October 27th 2016 at approximately 0718 hours, while on duty listening to my patrol vehicle's radio, I became aware of a disturbance involving a person shooting a gun in Hoopa. I heard that this disturbance was happening east of the intersection of Highway 96 and Boozer Lane in Hoopa. I advised Dispatch that I would be responding from my location in Arcata in order to assist.

I responded "Code 3" (lights and sirens) in my marked Sheriff's office patrol vehicle. Also, I wore a regular marked Sheriff's Office patrol uniform.

I arrived at the scene of the disturbance at approximately 0804 hours. I observed several Sheriff's Office patrol vehicles parked on the east shoulder of Highway 96, just east of the intersection of Highway 96 and Boozer Lane.

I parked and exited my vehicle just north of the three southernmost patrol vehicles that I saw.

Upon exiting my vehicle, I looked to the northeast towards a [REDACTED] trailer that was approximately 50 yards away. I then heard what sounded like two gunshots coming from the area east of the trailer.

It sounded as if the two shots were fired from the same location in rapid succession. I attempted to look towards where the sounds came from, but my view was blocked by miscellaneous vegetation. Not knowing where anyone was located, as I had just arrived and not met with any Deputies, I looked for nearby cover and or concealment from where I could assess the situation.

I started to run towards a tree approximately 10-20 yards to my northeast, towards the [REDACTED], when I saw Deputies running about on the west side of the trailer.

I ran towards those Deputies because it appeared they were struggling with someone on the ground. Upon my arrival I observed Deputy Matilton and a man wearing civilian clothing (later identified as [REDACTED] kin; refer to the initial report) on top of a man whom I later learned was [REDACTED].

I saw that [REDACTED] was in handcuffs. I assisted Deputy Matilton in bringing [REDACTED] to a nearby patrol vehicle. I observed [REDACTED] twist, pull, kick, and yell as we did this. [REDACTED] was placed into the rear passenger compartment of the patrol vehicle. Several persons present, whom other Deputies advised were related to [REDACTED], were yelling profanities at us.

At approximately 0903 hours, [REDACTED] was transferred to my patrol vehicle and I drove him to St. Joseph's Hospital in Eureka. I arrived at the hospital at approximately 1008 hours. Lieutenant Young and Deputy Harrison were on scene at the time of my arrival for assistance.

At the hospital, I observed Doctor [REDACTED] examine [REDACTED]. She advised that [REDACTED] was medically cleared and able to be booked into the Correctional Facility. I also observed as a legal blood draw was obtained from [REDACTED]. I took custody of the blood draw evidence.

I transported [REDACTED] to the Humboldt County Correctional Facility where he was booked. Dispatch advised me that Lieutenant Miller had indicated that Booking documents would be provided to the jail via fax at a later time.

During my interactions with [REDACTED], from the moment I initially saw him on the ground in Hoopa with Deputy Matilton through the moment I saw him leave my sight at the jail's booking room with Correctional Deputies, I did not see any visible injury to [REDACTED].

Lieutenant Young advised me to give the envelope containing [REDACTED] blood from the legal blood draw to CSO Hanson. At approximately 1230 hours, as we stood in the Sheriff's Office Criminal Investigations Division, I gave the envelope containing the vials of [REDACTED] blood to CSO Hanson for evidence booking.

For further information, refer to Deputy Maus' initial report and other supplemental reports related to this case.

Nothing further.

CONTROLLED DOCUMENT

Prepared By: 1738 BUZZARD, RONDIE	Date: 10/27/2016	Approved By: 1339 MASSARO, BLAKE	Date: 12/27/2016
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Summary;

On Thursday 10/27/2016, at about 0800 hours, I was made aware of an ongoing incident in Hoopa by way of Humboldt County Sheriff's radio communications. I learned by way of radio communications traffic that HCSO Deputies were involved in a "barricaded subject." The subject, I later learned to be [REDACTED] was brandishing a firearm and shooting it randomly within his residence. [REDACTED] had come out of his house a couple of times, fired his firearm and walked down his driveway, then would return to his residence. I learned at one point [REDACTED] walked from his residence and out his driveway towards Deputies that had taken a barricaded position behind their patrol vehicles at the end of [REDACTED] driveway. As [REDACTED] walked towards the Deputies position, [REDACTED] brandished his firearm at the deputy. HCSO Sgt. A. Gomes fired upon [REDACTED] who dropped his firearm and attempted to flee the scene on foot. [REDACTED] became involved in a physical altercation with his brother who was on scene. [REDACTED] was eventually taken into custody. No one was injured from this incident.

The Critical Incident Response Team, (CIRT), protocol was activated due to the use of the firearm by Sergeant Gomes. A CIRT, briefing was scheduled for 0930 hours, and team assignment would be made at that time.

Assignment;

I was assigned to the task of processing Sgt. Gomes when he arrived at the Criminal Investigations Division, (CID.) I was also tasked with assisting with the processing of [REDACTED] when he arrived at the Humboldt County Correctional Facility. I would be working as a team with Eureka Police Department Senior Detective Ronald Harpham, and HCSO Community Service Officer [REDACTED] [REDACTED] who would be assisting as an Evidence Technician for this assignment.

Processing of Sergeant Gomes;

At about 1045 hours, we began processing Sergeant Gomes. When Sgt. Gomes arrived he was in the company of HCSO Deputy Steele who had been assigned as his buddy officer. Sgt. Gomes was in full uniform with duty belt. Sgt. Gomes was wearing a black baseball styled hat. The hat was embroidered on the front with the word "SHERIFF" in all caps in one inch gold threaded lettering. Sgt. Gomes was wearing a green inclement weather jacket. The jacket had the sheriff's star badge/patch sewn

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on the left chest. On the right chest of the jacket was a name patch for Sgt. Gomes. The jacket displayed HCSO shoulder patches and Sergeant Stripes on both upper-sleeves of the jacket. (Sergeant Gomes advised he was wearing his jacket and hat throughout the incident) Upon removal of the jacket no items of evidentiary value were located.

Sgt. Gomes' duty belt was removed. The duty belt was held in place by four belt keepers. Starting from the right hand side of the belt's buckle was a double hand cuff case and handcuffs, OC holder with a 3oz can of MK-4 OC, a key holder, duty handgun holster with firearm, then a baton holder and collapsible ASP baton. Around the back towards the left side is a large ring style flashlight holder, a small flashlight holder and flashlight, handheld radio in a holder, Taser holster and Taser concluding with a double handgun magazine pouch with magazines.

During the inspection of the equipment no items of evidentiary value were located. Sgt. Gomes' duty handgun was examined and round count was conducted of the firearm and spare magazines. Sgt. Gomes' firearm is a Glock, model 22, 40 caliber, displaying the serial number [REDACTED]. Attached to the handgun was an Insight, M3 flashlight. The firearm was fully loaded (one in the chamber and 14 in the magazine) with 40 S&W Winchester ammunition. Both spare magazines were loaded to capacity with 15 rounds each. The amount of rounds in the handgun as well as the magazines matched the round count provided by Sgt. Gomes prior to the examination.

During an examination of Sgt. Gomes' person and exterior of his uniform, no injuries or damage were located. (Sgt. Gomes' equipment and handgun was returned to him at the conclusion of the inspection and round count)

Sgt. Gomes advised us the weapon he used to fire at [REDACTED] was his assigned SWAT rifle. The rifle was currently stored in the rear of his patrol vehicle. Sgt. Gomes also told us, during the incident he had a spare magazine in his left Cargo-pants pocket and it was currently in a pouch attached to his rifle case in the rear of his patrol vehicle as well.

We responded to Sgt. Gomes' patrol vehicle, which was parked on the street in front of the Sheriff's Office to obtain the firearm and spare magazine. We located the firearm in the back storage area of the patrol vehicle. CSO [REDACTED] photographed the firearm in place prior to collecting it. CSO [REDACTED] also photographed the spare magazine where it was located in the rifle bag.

Sgt. Gomes' rifle is described as a COLT, M16-A2, .223 caliber, possessing the serial number

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██████████. The rifle has an attached flashlight and a Trijicon A-Cog reflex sighting system. From the rifle we removed a Colt, military grade, metal 30 round magazine with #1360 written in silver "Sharpe," on the bottom. (1360 is Sergeant Gomes' department issued pin number) During the round count of the magazine we unloaded 27 live rounds of .223 Remington brand ammunition. From the chamber of the rifle we removed one loaded round of .223 Remington brand ammunition.

From the spare magazine, described as a military grade, 30 round, metal rifle magazine, we removed 30 fully loaded .223 caliber rounds. 16 of the rounds were stamped with .223 Remington and 14 were stamped with LC-12. The bottom of this magazine also contained the number 1360 written in silver "Sharpe."

The rifle and spare magazine was collected as evidence and entered into HCSO Property Section as such. Sergeant Gomes and his equipment was photographed extensively by CSO ██████████ Those photographs were downloaded to DVD and later entered into evidence by CSO ██████████

Each rifle magazine collected were sealed in separate bags by Detective Harpham. Detective Harpham and I both initialed the seal. I packaged the rifle and sealed it. Both Detective Harpham and I signed the seal and CSO ██████████ took possession of the items and entered them into the Property Section as evidence.

Processing of ██████████

Detective Harpham, CSO Hanson and I responded to the HCCF and awaited the arrival of ██████████ arrived via HCSO patrol unit at about 1200 hours. When ██████████ walked into the processing room of the facility, he was wearing a pair of gray and black "Nike Air" shoes, a pair of tan cargo style shorts, and a black tee shirt. ██████████ demeanor was subdued and only spoke when spoke to. He appeared calm and his mannerisms were as though he was depressed. During the pre-booking questionnaire ██████████ told correctional staff he takes prescription drugs, ██████████. ██████████ also told staff he took ██████████ the previous day.

██████████ clothing was collected by Detective Harpham and CSO ██████████ ██████████ was dressed out in some sort of safety clothing, which exposed his legs from the knees down and arms from the shoulders down. CSO ██████████ photographed ██████████ and upon examination, no injuries were located on ██████████ When ██████████ was asked if he had any injuries he verbally stated, "No."

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We took [REDACTED] clothing over to the CID and laid them out on white paper to be photographed and examined for items of evidentiary value. No items of evidence were found during the examination. Detective Harpham and I packaged and sealed the clothing in separated bags. The sealed bags were then collected by CSO [REDACTED] to be entered into the Property Section as evidence.

At about 1330 hours, I was contacted by phone by HCSO Investigator G. Musson. Investigator Musson was on the scene of the incident and was requesting I author a Search Warrant for a residence located outside the area in which the original Search Warrant for the incident covered.

Investigator Musson told me the residence contained what appeared to be holes in it that were consistent with being shot with a firearm. Investigator Musson told me the residence was located within the back drop of where Sergeant Gomes had fired. Investigator Musson advised me the residence appeared abandoned with broken windows and a large amount of filth about the property. Investigator Musson requested the Search Warrant so on scene investigators could enter the residence and examines the holes and conduct potential trajectory tests and examinations, collect and look for bullets and fragments of bullets, Photograph the interior and exterior of the residence and conduct a "Lica" 3D scan of the interior of the residence as well as the exterior.

I prepared the warrant as requested which was reviewed and signed by the Honorable Superior Court Judge A. Rosenfeld at about 1300 hours. Upon receiving the signed Search Warrant I contacted District Attorney Investigator G. Cooper by phone, who was on scene with the investigators. I advised Investigator Cooper the Search Warrant for the property had been obtained. I filed the Search Warrant with the court after it was signed by the judge.

Any further information regarding this case will be provided via supplemental report.

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Prepared By:
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10/27/2016

Approved By:
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Date:
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SUPPLEMENT 3 - SUPPLEMENTAL

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On 10/27/16, I was working uniformed patrol in a marked patrol car for the Humboldt County Sheriff's Office. At approximately 0409 hrs., I was dispatched to the area of HWY 96 and Boozer Ln, Hoopa, CA, to assist Deputy Maus, Deputy Brewer, and Sgt. Braud for the report of a male subject, [REDACTED] with a gun. Refer to Deputy Maus' initial report for further details on this incident. While en route to the call, HCSO Dispatch advised us they were on the phone with [REDACTED] and they had heard him fire several shots.

Upon arrival, all units formulated a safe plan to help manage the situation. Due to the fact that [REDACTED] had a firearm and appeared to be having some sort of mental breakdown, I deployed my patrol rifle.

Dispatch continued to speak to [REDACTED] while we were responding and advised us that he was requesting our help. [REDACTED] told dispatch he believed there were people outside of his house wanting to harm him and he requested we put a patrol car with its overhead lights activated within view of his residence. [REDACTED] residence was described as being the [REDACTED] HWY 96, [REDACTED]. Deputy Maus placed his patrol car in view of [REDACTED] residence with the lights activated just off of HWY 96 south west of [REDACTED] residence. After the patrol car was put in place, me and the other deputies positioned ourselves directly south of [REDACTED] residence behind a tree for cover in case the situation escalated. We stayed in this position for approximately 30 minutes as we attempted to persuade [REDACTED] out of the residence via the PA system on the patrol car and via dispatch speaking to him on the phone. [REDACTED] did not comply.

At this time, Deputy Maus moved the patrol car closer to [REDACTED] residence and slightly down the driveway. The patrol car was now parked directly west of the residence. After moving the patrol car, myself and the other deputies moved across HWY 96 to the northwest corner of the intersection of [REDACTED]. At this location, all deputies were directly west of [REDACTED] driveway and had a direct view down the driveway. All deputies were again positioned behind trees for cover in case the situation escalated.

After an unknown amount of time, no progress was being made with [REDACTED] and it did not appear that he would be exiting the house. Sgt. Braud and Deputy Maus then moved back to the south side of [REDACTED] residence while Deputy Brewer and I maintained our position directly west of the residence.

At approximately 0710 hrs., I observed two vehicles, dark colored Toyota Tundra and [REDACTED] Toyota Four-Runner, turn off of HWY 96 and proceed down the driveway to [REDACTED] residence. It should be noted that both vehicles had to drive past the patrol car with the overhead lights activated to get to [REDACTED] residence. Shortly after the two vehicles went down the driveway, I heard gunfire coming from [REDACTED] residence. Several seconds later, both vehicles left the driveway and drove south on HWY 96.

After the vehicles left the driveway, I flagged down the female driver of the Four-Runner. The female stated she was [REDACTED] girlfriend and that the male subject in the Tundra was [REDACTED] brother. I advised the female to leave the area and requested that she tell [REDACTED] brother to do the same. Both vehicles then left

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the area.

After the vehicles left, approximately 30 seconds later, [REDACTED] brother returned to the area at a high rate of speed and parked on the [REDACTED] at the entrance to [REDACTED] driveway. I called to [REDACTED] brother repeatedly requesting he leave and he responded by saying something similar to, "Fuck off." Due to safety concerns, I did not leave my position of cover to speak to him. [REDACTED] brother remained at this location for the duration of the incident.

During the next few minutes, I don't recall exact times, but I heard the sound of several more shots being fired from the area of [REDACTED] residence.

At approximately 0725 hrs., I observed another vehicle, dark colored Ford Pickup, driving south on HWY 96 towards the residence at a high rate of speed. The pickup turned down [REDACTED] driveway and fishtailed, almost striking the patrol car in the driveway. The truck continued to the residence and the occupant, later identified as [REDACTED] father, exited the truck and began yelling at [REDACTED]. After several minutes, the vehicle left the driveway and parked next to the Tundra. A [REDACTED] Lincoln Navigator, later determined to be driven by [REDACTED] mother, arrived and parked with the other vehicles as well. All vehicles and subjects remained at this location during the entirety of the incident.

By this time, Deputy Matilton had arrived on scene. Deputy Matilton, who is somehow related to [REDACTED] unknown exact relation, began to speak to [REDACTED] family members on scene. Deputy Matilton attempted to keep the family away from the residence to keep them safe

Several minutes later, approximately 30 minutes, I heard via radio that [REDACTED] had exited his residence and was walking down his driveway towards HWY 96. After several seconds, I observed [REDACTED] walking with a handgun in his right hand. As [REDACTED] walked down the driveway, I observed him raise the handgun and fire at least one shot. After [REDACTED] fired the shot, I recall hearing the distinct sound of a bullet flying past my location and it sounded as if it struck something on the south side of Boozer Ln, just to the west of HWY 96. Several moments later, [REDACTED] retreated back towards his residence and his father began yelling at him and running after him.

As [REDACTED] father ran down the driveway towards [REDACTED] residence, Deputy Matilton followed slightly and yelled for him to stop. Several minutes later, I observed [REDACTED] reappear from the residence and begin to walk back down the driveway.

As [REDACTED] walked down the driveway towards HWY 96, I observed that he still had the firearm in his hand. As [REDACTED] walked towards them, both his father and Deputy Matilton retreated away from him. [REDACTED] continued walking towards them with the firearm in his hand. By this time, Deputy Matilton was standing at the rear of the patrol car parked in [REDACTED] driveway. As [REDACTED] walked closer and closer to the patrol car, I recall seeing [REDACTED] fire one shot towards the patrol car where Deputy Matilton was hiding

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behind. After firing, [REDACTED] continued walking towards the patrol car where Deputy Matilton was.

At this time, I heard an unknown amount of shots being fired. Due to the sound, I knew it to be not from [REDACTED] handgun and it sounded as if it was from a Patrol Rifle, possibly from one of the HCSO Deputies on scene. At that time I did not know who had fired their weapon. The sound of the shots led me to believe that it came from south of [REDACTED] residence.

After the shots were fired, I observed [REDACTED] brother and father rush towards him quickly and tackle him to the ground. Shortly thereafter, Deputy Matilton ran towards them. As they tackled [REDACTED] they went behind his mother's vehicle and I was unable to see what happened, but it appeared as if Deputy Matilton and [REDACTED] brother and father were in a physical altercation with [REDACTED] attempting to subdue him.

I left my location, (northwest corner of the intersection of Boozer Ln. and HWY 96), and ran towards their location to assist. As I rounded the front of the vehicle, north side, I observed [REDACTED] brother and father, as well as Deputy Matilton, on top of [REDACTED] holding him down. At this time, I did not know if [REDACTED] still possessed the firearm.

I went to the ground to assist and grabbed ahold of [REDACTED] left arm. As I was doing this, I heard [REDACTED] brother say that he no longer had the firearm. With the assistance of [REDACTED] father and brother, Deputy Matilton and I were able to secure [REDACTED] in double locked handcuffs. A quick search of [REDACTED] person was completed looking for the firearm or any other weapons. None were located.

After [REDACTED] was secured in handcuffs, he continued to be uncooperative. At this time, multiple Deputies, I don't recall who, lifted [REDACTED] from the ground and secured him in the back of the patrol car parked in the driveway. Before [REDACTED] was secured in the patrol car, we checked his person for any injuries and none were located. [REDACTED] also advised he was uninjured.

After [REDACTED] was secured in the patrol car, I observed Deputy Brewer standing next to a dark colored handgun. The gun was located approximately 5 yards north of where the patrol car was located. A photo of the firearm and overall scene was taken by Sgt. Gomes and then I secured the firearm and made it safe. While making the firearm safe, I locked open the slide which ejected one live round from the chamber. I then removed the magazine and observed at least one live round inside. The firearm and the live round from the chamber were then secured in the trunk of the patrol vehicle [REDACTED] was located inside of. It should be noted that while I was handling the firearm I was wearing gloves.

By this time, more HCSO Personnel had arrived on scene. Several Deputies responded to [REDACTED] residence and confirmed no one else was inside. Deputy Brewer and I then secured the scene with crime scene tape and I started a Crime Scene Log. The log was later given to Deputy Kastler when he arrived on scene.

At approximately 0925 hrs., I accompanied Sgt. Gomes from the scene. Sgt. Gomes drove his patrol



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vehicle and I rode as the passenger. After leaving the scene, we responded to the HCSO Main Station at which time Sgt. Gomes and I proceeded to CID. It should be noted that at no time did I observe Sgt. Gomes alter any of his duty gear or clothing.

Any additional information will be documented in a supplemental report. Nothing further.

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SUPPLEMENT 4 - SUPPLEMENTAL #4

On the morning of 10/27/16, I was working as an Operations Division Sergeant for the Humboldt County Sheriff's Office (HCSO). I was wearing a distinctly marked HCSO uniform, and was driving a distinctly marked HCSO patrol vehicle.

At approximately 0332 hours, I was contacted by HCSO dispatch regarding a pending call for service (CFS) in Hoopa. The following is, to the best of my recollection, a summary of that conversation:

I was told that [REDACTED] had phoned the HCSO reporting that there was a shootout involving 20 people outside his trailer, and that he was firing out his window at them with a 9mm. I was told that [REDACTED] lived on [REDACTED] in Hoopa. I was told that no gunshots were heard during the phone call. I was also told that [REDACTED] had phoned the HCSO earlier in the night, and had spoken with a Deputy. HCSO dispatch was unable to provide me with further details about that call for service. I directed HCSO dispatch to have Deputy Maus phone [REDACTED] to obtain further information prior to response.

At approximately 0400 hours, I received a phone call from Deputy Maus. The following is, to the best of my recollection, a summary of that conversation:

I asked Deputy Maus if we were going to need to respond to conduct a welfare check on [REDACTED]. Deputy Maus confirmed that we would. Deputy Maus told me that [REDACTED] made suicidal and delusional statements during their phone conversation, and sounded to have discharged a firearm on at least one occasion. Deputy Maus said he not only heard the report of a firearm, but also heard the metallic sound of the shell casing hitting something after being ejected. Deputy Maus next told me that a citizen had phoned the HCSO, reporting the sound of gunshots or explosions in the area of Boozer Lane in Hoopa. I told Deputy Maus that Deputy Brewer, Deputy Steele, and I would respond with him. I told Deputy Maus that we would determine a staging location when more information had been obtained. We then ended the phone conversation.

After getting off the phone with Deputy Maus, I had a really bad feeling about the circumstances surrounding this CFS. I contacted Deputy Steele, and told him that we would be accompanying Deputy Maus and Deputy Brewer to the CFS in Hoopa. Deputy Steele readied his gear, and then cleared from the HCSO main station to respond.

I cleared from HCSO main station a short time later, and after stopping to get fuel, I began driving toward Hoopa. The following is, to the best of my recollection and review of the CFS afterward, a summary of what happened from this point forward:

At approximately 0432 hours, while we were still en route, HCSO dispatch advised that [REDACTED] re-contacted reporting the same thing. HCSO dispatch advised hearing a gunshot, and said that [REDACTED] made vague suicidal threats but didn't want to die. I requested that HCSO dispatch have Emergency Medical Services (EMS) stage. I was advised that EMS would be staging near Cal Pac Road.

At approximately 0444 hours, while we were still en route, HCSO dispatch advised that [REDACTED] agreed to put his firearm away when he could see the flashing lights from our patrol vehicles.

Once Deputy Maus started to enter Hoopa, we designated our staging area to be the intersection of Hwy 96 and Cal Pac Road.

At approximately 0449 hours, while we were still en route, HCSO dispatch advised that [REDACTED] called back, fired another round, and then disconnected.

At approximately 0452 hours, while we were still en route, I requested HCSO dispatch [REDACTED] in attempts to get important background information on [REDACTED] and also to ask for assistance in negotiating with him if needed. HCSO dispatch advised me that the person they spoke to on the phone refused to provide any information to us.

At approximately 0457 hours, while we were still en route, HCSO dispatch advised that, per Tribal Police Dispatch, [REDACTED] had [REDACTED].

At approximately 0508 hours, while we were still en route, HCSO dispatch advised that [REDACTED] called on 911 and was repeating "No" over and over. HCSO dispatch said that [REDACTED] still believed people were outside, and then disconnected the line.

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At approximately 0519 hours, Deputy Maus arrived at the intersection of Hwy 96 and Cal Pac Road, and stood by awaiting our arrival.

At approximately 0543 hours, I arrived at the intersection of Hwy 96 and Cal Pac Road, where I met up with Deputies Maus, Brewer, and Steele. Deputy Maus showed me a Google Earth image of the area, indicating where we were, in relation to where we believed [redacted] trailer was. [redacted] trailer was described only as being a [redacted] trailer, behind a [redacted] trailer with broken windows. We saw what we believed was the [redacted] trailer, but weren't sure which driveway led to the [redacted] trailer, as there was more than one. It was also raining heavily, and very dark, which further decreased our ability to identify the trailer. With the information available to us, I devised a plan to triangulate on the properties east of the [redacted] trailer, and have [redacted] come out to a pre-designated area near Hwy 96 where we would be able to see him before he could see us. Deputy Maus would first park the patrol vehicle along Hwy 96 between the two driveways by the [redacted] trailer. Deputy Maus would then activate the overhead lights and the Public Announcement (PA) system, before exiting the vehicle. Deputy Maus would then join Deputy Brewer, Deputy Steele, and I behind a large tree in the brushy field between the two driveways. Deputy Maus and Brewer were to watch the driveway to the south, while Deputy Steele and I would watch the driveway to the north. Once the plan was agreed upon and clarified, I removed my department issued M16 A2 rifle from the trunk of my patrol vehicle, and then we moved in to position.

Deputy Brewer, Deputy Steele, and I provided cover while Deputy Maus parked the vehicle at the designated location and exited. When Deputy Maus reached our location, he showed us that he had connected his portable to the PA system and could operate it remotely from our location.

At approximately 0556 hours, I radioed HCSO dispatch, requesting they phone [redacted] to let him know we were there. I told HCSO dispatch to relay to [redacted] that he was to walk out to the patrol vehicle without any weapons. HCSO dispatch relayed to us that [redacted] was refusing to come out, because people had his house surrounded, and he didn't see the patrol lights. [redacted] then disconnected the phone.

Deputy Maus then attempted to communicate with [redacted] via the PA system. There was no response.

At approximately 0612 hours, I radioed HCSO dispatch requesting they phone [redacted] and give him the same instructions as before. HCSO dispatch relayed that there was no answer when they called.

At approximately 0615 hours, I directed HCSO dispatch to continue calling, and when [redacted] answered, they were to instruct him to turn his porch light off and on so we could find his trailer.

At approximately 0621 hours, HCSO dispatch advised that [redacted] called back and was given the instructions. HCSO dispatch relayed that [redacted] didn't feel comfortable turning off his porch light, but agreed to turn off his kitchen light. Around this time we could see an interior light turning on and off in a trailer down the north driveway east of the [redacted] trailer. We had suspected that was [redacted] trailer from the beginning, but were now sure of it. [redacted] driveway was about 250 feet long, leading east from Hwy 96 to his trailer. We were positioned behind a tree, approximately 100 yards southwest of the trailer. There was open field, with a few trees, and some moderate underbrush, between the trailer and us.

At approximately 0629 hours, HCSO dispatch advised that [redacted] refused to come out until he could see our patrol vehicles.

For an unknown amount of time, we tried getting [redacted] to cooperate with our requests. These negotiations were conducted using the PA system, and by having HCSO dispatch phone him. [redacted] refused to cooperate, saying he could not see the patrol lights.

Deputy Maus moved to the patrol vehicle, and shined a spotlight directly on the front of [redacted] residence. Deputy Maus then returned to our position. We attempted to communicate with [redacted] via PA system, with negative results. We had HCSO dispatch try to negotiate with [redacted] about coming out, but he again denied seeing our patrol vehicle. At this time I started to feel that [redacted] was either messing with us, or trying to bait us into an ambush.

In the off chance that [redacted] really couldn't see the lights, we decided to move the patrol vehicle to the end of his driveway. This

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was accomplished in the same way that we moved it the first time. Now, in my opinion, there was no way [redacted] could not see the patrol vehicle and lights. [redacted] still refused to exit. Due to my gut feeling that something was wrong with this situation, I decided to widen our triangulation on the property to increase our cover and visibility. Deputy Maus remained at our location near the big tree on the property, which gave us a line of sight on the trailer. Meanwhile, I had Deputy Brewer and Deputy Steele position themselves behind some large trees, directly across from [redacted] driveway, on the opposite side of Hwy 96. This allowed them to see down the driveway where we wanted [redacted] to exit, but also afforded them good cover and concealment.

We continued our attempts to communicate with [redacted] via PA system, but he did not respond. I also had HCSO dispatch communicate with [redacted] via phone, repeating our request for him to respond to the patrol vehicle.

At approximately 0637 hours, HCSO dispatch advised that [redacted] said that if we won't come to him, we should just turn around and leave. I had HCSO dispatch relay to [redacted] that if he came out on to his porch unarmed, with his hands visible, we would approach. [redacted] refused and disconnected the line.

Feeling that this was going to possibly turn into a critical incident, I designated our initial Incident Command Post (ICP) as the three empty patrol vehicles south of our location on Hwy 96.

In an effort to get better containment on the trailer, Deputy Maus and I moved east through the neighboring yard, and took cover behind trees approximately 40 feet from [redacted] residence on the south side. From here we were more compromised, but had a better view and containment of the trailer should contact be necessary to prevent him from fleeing. Deputy Maus then moved a short distance closer, to investigate whether we could traverse the small wire fence between properties if needed. The sun had not risen yet and the area was void of any light except for the porch lights on [redacted] residence and a street light on Hwy 96. During this time, Deputy Maus continued to us the PA system requesting [redacted] come out towards the patrol vehicle. He never responded.

At approximately 0658 hours, HCSO dispatch advised receiving a 911 call from [redacted] but nothing was initially said. I requested that HCSO dispatch reiterate our terms for [redacted] to come out and contact us.

At approximately 0701 hours, HCSO dispatch relayed that [redacted] said his house was about to go up in flames, and that he was going to blow it up. [redacted] wouldn't advise how, but said he would figure out a way.

At approximately 0705 hours, HCSO dispatch relayed that [redacted] said he was too much of a coward to shoot himself and so he was going to blow himself up instead.

At approximately 0708 hours, HCSO dispatch relayed that [redacted] was still refusing to come outside, saying there were people out there killing his children. [redacted] then disconnected.

At approximately 0710 hours, a dark colored pickup drove down [redacted] driveway, past our patrol vehicle at the end of the driveway, and stopped on the east side of the trailer. A short time later, a [redacted] SUV arrived on scene and did the same thing as the first. Within seconds of the SUV parking behind the trailer, I heard a gunshot that sounded very close. I never saw a muzzle flash, so I couldn't determine which way the shot was fired, or where it was fired from. I then heard a male subject yelling to leave, and the [redacted] SUV drove back out of the driveway on to Hwy 96. The truck backed out and left a short time later. This information was relayed to HCSO dispatch, and I requested Deputies Brewer and Steele contact the occupant(s) of the vehicles to tell them to stay back.

Fearing this situation was becoming extremely dangerous to all involved and the neighboring public, I requested that HCSO dispatch notify the Duty Commander that SWAT would likely need to be activated for a safe resolution.

Around this time Deputy Brewer relayed that the occupant of the SUV was [redacted] girlfriend, and the occupant of the truck was his brother. No names were provided.

At approximately 0715 hours, I radioed HCSO dispatch requesting a reverse 911 be conducted for neighboring properties,

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with instructions to "shelter in place". A request for additional units was also made.

At approximately 0717 hours, I heard another gunshot from inside the trailer. This shot sounded a lot closer, like it had been fired outside in our direction. Again, I did not see [redacted] or a muzzle flash, so I did not know where he was, or where the shot was fired from.

Although I had no proof that [redacted] was firing at us, or had any intention of doing so, I feared for my safety, and the safety of my Deputies on scene.

At around this time, Deputy E. Morris arrived on scene. Deputy E. Morris was instructed to link up with Deputies Steele and Brewer where they were staged.

At about this time the sky was getting brighter and I noticed the neighbors, whose yard we were in, were getting up for their day. The positions Deputy Maus and I were in were becoming compromised by the daylight, so we retreated to the neighbor's porch to take cover and evacuate them. We contacted the neighbors, told them what was going on, and requested they immediately evacuate to another location. Prior to them leaving, we requested they turn off their porch and bedroom lights. The neighbors said they would leave the residence and turn off the lights.

Deputy Maus and I then moved to a large tree in the neighbor's front yard. This was approximately 60 or more feet from [redacted] trailer. We were able to see the front porch, the south facing window, and the back parking area from that position. We could also see portions of [redacted] driveway, between his trailer and Hwy 96; however, most of it was obscured by brush and trees.

At approximately 0725 hours, another truck drove down [redacted] driveway at a high rate of speed. As the pickup was driving up to the house, there were two additional shots fired from the residence. Again, I could not see [redacted] or any muzzle flash, so I did not know where the shots were fired from or at. The truck parked and I saw a man in a bluish jacket get out of the truck. Deputy Maus and I yelled at the subject to get back in his truck and leave the area. The subject turned towards us and yelled, "Fuck you..." and something else I couldn't understand. The subject disappeared behind the southeast corner of the house, and as I started to relay that information to HCSO dispatch, the subject walked back into view. It appeared to me that the subject was using the southeast corner of the trailer for protection while talking to [redacted]. During this time, Deputy Brewer broadcast that the subject in the truck was [redacted] father.

At approximately 0730 hours, I directed HCSO dispatch to get assistance from Mental Health started. This was in hopes that someone from Mental Health could help talk [redacted] into a peaceful resolution.

Due to the danger to the neighboring public, and the likelihood that this situation could take a long time to resolve, I also requested HCSO dispatch have the California Highway Patrol (CHP) close down Hwy 96 on both sides of the driveway.

At approximately 0732 hours, [redacted] father got back into the truck and started to drive up the driveway towards Hwy 96. I did not know if [redacted] had gotten into this pickup, and relayed that to the other units on scene so they could stop it if possible.

A short time later, I heard Deputy E. Morris broadcast that he was out with the truck, and [redacted] was not in it. Deputy E. Morris also confirmed that the subject in the truck was [redacted] father, and he was refusing to leave the scene.

At approximately 0753 hours, I heard three more gunshots fired from within [redacted] trailer and then [redacted] father ran down the driveway and stopped out front. [redacted] father was yelling at law enforcement but I couldn't understand what he was saying. He was also yelling for [redacted] to stop.

Around this time, I had Deputy E. Morris respond to where Deputy Maus and I were staged. My plan was to have Deputy E. Morris replace me, so I could get into a better position for command and control purposes. Deputy E. Morris arrived at my location, and I had him stage nearby where he could see the east side of the trailer. This was a short distance from where Deputy Maus was staged with me, so they would be within sight of each other and maximizing coverage on the trailer.

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Also, around this time, I heard Deputy Matilton arrive on scene. Deputy Matilton was directed to link up with Deputies Steele and Brawner until additional Deputies arrived on scene. It should be noted that, unbeknownst to me, Deputy Matilton responded to somewhere near the edge of [redacted] driveway, and ended up contacting his family members near Deputy Maus' patrol vehicle.

Also around this time, Sergeant Gomes arrived in the area and I heard him establish a new ICP at the Hoopa Modular plant, just to the south on Hwy 96.

At approximately 0756 hours, I heard a gunshot come from within the trailer, and I saw [redacted] father's head duck down and his shoulder come up as if he was taking cover from the bullet.

At approximately 0757 hours, I heard another gunshot from within the trailer. [redacted] father was still pacing back and forth in the driveway at this time. He didn't go closer to the house but he didn't leave either.

At approximately 0758 hours, I saw a brown Doberman Pincher dog running around in the driveway on the west side of the trailer. This led me to believe that one or more of the trailer doors had opened.

At approximately 0759 hours, I heard two more gunshots fired from within the trailer. Deputy Brewer then broadcast that the first gunshot was in the direction of where Deputy Steele and her were staged, and they heard the bullet ricochet nearby.

Again, although I had no evidence that [redacted] was shooting at us, or intended to do so, I was in fear for my safety, and the safety of my Deputies.

At approximately 0800 hours, [redacted] exited the trailer holding a black pistol in his right hand. [redacted] was holding the pistol down at his side. I immediately fixed the open sights of my M16 A2 on [redacted] torso, ready to defend myself, my Deputies, and the surrounding public. Deputy Maus and I yelled out for [redacted] to "drop the gun" several times, but he did not respond or even look our direction. [redacted] seemed to be staring down the driveway where his father and the patrol vehicle were. I heard [redacted] and his father yelling back and forth. I did not see [redacted] point the pistol in any direction other than at the ground. [redacted] stood outside for a minute, and then walked west down the driveway where I could no longer see him. I heard a gunshot, and then saw [redacted] run back and enter his trailer on the west side. I did not know where [redacted] father was, as there was brush obstructing my view of that portion of the driveway. This information was relayed to HCSO dispatch.

At about 0804 hours, I saw [redacted] exit the trailer again with the pistol in his right hand. [redacted] was holding the pistol down at his side. I immediately fixed the open sights of my M16 A2 on [redacted] torso, ready to defend myself, my Deputies, and the surrounding public. [redacted] then started slowly walking down the driveway towards where I had last seen his father, and I wrongly suspected he was going to stop at the same place he previously did. Deputy Maus relayed this information to HCSO dispatch and other units. [redacted] continued to walk west down the driveway, and we lost sight of him again due to the brush at the edge of the property. Fearing for the safety of everyone on scene, Deputy Maus and I started to run west through the neighbor's yard, parallel to [redacted] driveway, trying to catch up with him and maintain triangulation with our partners. In the short time we lost sight of [redacted] because of the brush, I heard three more gunshots. The first gunshot sounded the same as the earlier ones, but the second and third gunshots sounded like a rifle. I then heard someone broadcast that there was a physical fight occurring. Deputy Maus and I sprinted toward the patrol vehicle.

When Deputy Maus and I got past the brush, within view of the patrol vehicle, I could not see [redacted] anywhere. I then saw Sergeant Gomes running toward the patrol vehicle from the southwest. It should be noted, prior to this, I thought Sergeant Gomes was at the ICP organizing additional resources.

Deputy Maus, Sergeant Gomes, and I ran past the patrol vehicle, at which time I could see Deputy Matilton on the ground on top of someone, and several other people standing around them. We immediately ran to his aid. Upon arrival, I could see that the subjects around Deputy Matilton were not fighting with him. It was three adult males, and one adult female. One of them, I recognized as [redacted] father. At first I thought they were fighting with Deputy Matilton, but then I realized one of them appeared to be assisting him. I ordered the subjects to "get back", and was met with cussing and spitting. [redacted] father (unknown name) walked directly toward me with his hands balled into fists, cussing and acting as if he was going to attack me

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or one of my Deputies. I pushed the subject back with my left hand, and told him to back up and not interfere. The other two male subjects also appeared very angry, and were cussing at us. I stepped closer to Deputy Matilton, and asked if he was okay. Deputy Matilton said he was. I then saw that [REDACTED] was underneath Deputy Matilton, and his hands were cuffed behind his back. [REDACTED] father paced back and forth angrily, cussing at us and making vague threats. [REDACTED] father approached me a second time, yelling and cussing about someone shooting at his son. I told the subject that we had been out there all morning trying to help his son, and he (the father) was lucky that his son was alive after what happened. I told the subject to back up and let us do our job. The father cussed at me repeatedly, and then again balled up his fists and approached me as if he was going to throw a punch. I again pushed the subject back with my left hand, and told him to stay back. Deputies Steele and Brewer had responded to our location by this time, and were assisting Sergeant Gomes, Deputy Maus, and I with maintaining order and securing the scene. Deputy Brewer located [REDACTED] firearm on the ground to the north of the patrol vehicle, and secured it. Once Deputy Matilton was off of [REDACTED] I examined him for injuries but none were observed. [REDACTED] was highly agitated and physically resistive at this time, so we helped him to his feet and escorted him to the nearby patrol vehicle. He was quickly checked for injuries and weapons before being seated in the back caged area.

Sometime during this climatic series of events, Deputy Buzzard arrived on scene. I don't know exactly when, but he was present during this time.

Once [REDACTED] was in the back caged area of Deputy Maus' patrol vehicle, I quickly scanned all Deputies on scene for injuries. I also, for public safety purposes, inquired who had fired their weapon. Sergeant Gomes was the only person who advised firing a weapon. For public safety, I asked Sergeant Gomes how many rounds he fired, and in what direction. Sergeant Gomes told me where he had been and where the shots had been fired toward. Based on his explanation, I did not believe that any of those rounds had reached any neighboring properties.

Once I determined that none of my Deputies were injured, I started trying to organize and secure the crime scene. This included asking for a quick synopsis of how [REDACTED] was taken into custody. In summary, as pieced together by several summarized accounts, I was told that [REDACTED] had fired over the patrol vehicle in the direction of Deputy Matilton and the family members. Two shots were fired by Sergeant Gomes, who missed, but for some reason [REDACTED] dropped his gun. [REDACTED] was then tackled by one of his brothers (unknown name) near the patrol vehicle, and then Deputy Matilton ran up and handcuffed [REDACTED] once he was being held down.

Sometime during all this chaos, HCSO dispatch was notified that [REDACTED] was in custody, and SWAT could be cancelled. HCSO dispatch was also notified that shots had been fired, and that the Critical Incident Response Team (CIRT) needed to be activated.

Undersheriff Honsal arrived on scene at this time, and took over as Incident Commander (IC). Undersheriff Honsal assisted in trying to calm down the hostile family members. I gave Undersheriff Honsal a brief synopsis of what happened and what still needed to be done. It was then decided that Deputy Maus, Deputy Brewer, Deputy Buzzard, and I would respond to conduct a protective sweep of [REDACTED] trailer to check for additional [REDACTED] persons. Sergeant Gomes, Deputy Steele, Deputy Matilton, and Deputy E. Morris were to stay with Undersheriff Honsal at the patrol vehicle until reinforcements arrived.

Deputy Brewer, Deputy Maus, Deputy Buzzard, and I walked down and conducted the protective sweep of the trailer. No one was located inside. We returned to Deputy Maus' patrol vehicle, at which time Deputy Steele and Sergeant Gomes left the scene together.

EMS then arrived on scene to examine [REDACTED] I assisted EMS with double-checking [REDACTED] for injuries. [REDACTED] was seated in the back caged area of a patrol vehicle at this time, with his hands cuffed behind his back. [REDACTED] had no visible injuries or complaint of pain, but was not cooperative with allowing us to check him. Despite not being able to conduct as thorough of check as would be ideal, EMS was satisfied with what they saw, and requested no further evaluation.

[REDACTED] was moved from the back of Deputy Maus' patrol vehicle, to the back of Deputy Buzzard's patrol vehicle. Deputy Buzzard then transported [REDACTED] to St. Joseph Hospital [REDACTED]. After getting [REDACTED] medically cleared, Deputy Buzzard transported him to the Humboldt County Correctional Facility (HCCF) for booking.

After relinquishing control of the scene to Lieutenant Miller and Undersheriff Honsal, I assisted other Deputies with putting

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SUPPLEMENT 4 - SUPPLEMENTAL #4

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up Crime Scene Tape, and establishing a Crime Scene Log.

Once the scene was secure, and a new Command Post had been established at/near the driveway of the incident location, I was given permission to clear and go off duty. I took no further action.

As previously stated, this narrative is merely a summary, to the best of my recollection, without the benefit of notes or recordings, of my involvement in a fluid and highly stressful situation. This narrative does not encompass every minute detail, and could be inadvertently off in regards to times, chronological order, specific details, etc. If there are any errors contained in this narrative, they are unintentional.

Any additional information will be added in a supplemental report.

Attachments:

None

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SUPPLEMENT 5 - SUPPLEMENTAL #5

201605403

On 10-27-16, I was working uniformed patrol for the HCSO in the McKinleyville area of Humboldt County. At about 0415 hrs, I was dispatched to [redacted] residence in Hoopa, CA, to conduct a welfare check after [redacted] made suicidal statement via telephone to HCSO Deputy Maus. Deputy Maus also advised he heard [redacted] shoot a firearm as he was on the phone with [redacted] residence was described as the "third driveway on the right after [redacted]". The residence was described as a [redacted] doublewide. Deputy Steele and Sgt. Braud were also en route to assist. It should be noted, the weather on this day was poor and it rained heavily.

While en route, dispatch advised [redacted] recontacted and made "vague threats to kill himself". Additionally, dispatch heard a gunshot while on the line with [redacted] At about 0444 hrs, dispatch advised [redacted] recontacted and stated he agreed to put the firearm away when he saw the "flashing lights from a patrol vehicle". At about 0451 hrs, dispatch updated stating [redacted] recontacted, fired an additional round then disconnected. At about 0508 hrs, dispatched advised [redacted] recontacted again, "yelling no over and over", and stated he believed people were outside the residence trying to kill him.

I arrived in Hoopa at about 0530 hrs. At about 0544 hrs, Deputy Maus, Deputy Steele, Sgt. Braud and me walked to a large tree located about 300 ft. south of the residence. After assessing the terrain for a safe location, Deputy Maus retrieved his marked patrol vehicle and parked it along Hwy 96, near the end of [redacted] driveway about 320 ft. Deputy Maus activated the overhead red and blue emergency lights and also activated the vehicle's intercom system to allow us to communicate via the P.A.

At about 0559 hrs, Sgt. Braud requested dispatch contact [redacted] and ask him to walk out his driveway, towards the flashing red and blue lights. We were advised about 7 mins later [redacted] was refusing to walk outside and could not see the patrol vehicle's lights.

At about 0612 hrs, Sgt. Braud requested dispatch contact [redacted] again with the same request. [redacted] did not answer the phone this time.

At about 0621 hrs, [redacted] contacted and was asked to flash the light on his porch several times to indicate his location in order to verify the patrol vehicle was in an appropriate location for his viewing. [redacted] requested the spotlight on the vehicle be shined at his residence.

At about 0630 hrs, Deputy Maus moved the patrol vehicle to [redacted] driveway and shined the spotlight towards the residence. The patrol car's location at this point was about 250 ft. away (southwest) from [redacted] residence, directly on his driveway. About 200 ft from [redacted] residence sat an abandoned mobile home. The patrol vehicle was parked about 30-35 ft. east of the abandoned mobile home.

At about 0600 hrs, dispatch advised additional Deputies were responding from surrounding areas to assist.

At about 0635 hrs, Sgt. Braud advised dispatch the patrol vehicle was parked well within viewing range

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and Deputies were not comfortable moving any further to the house until [REDACTED] honored our request in effort to recognize our desire to help him in a safe manner. We were advised moments later [REDACTED] refused to comply unless Deputies "came to him". Over the next several minutes, communications were made to [REDACTED] via telephone and intercom requesting he walk outside to the safety of the Deputies. Intercom transmissions made by Deputies clearly indicated we were Sheriff's Deputies and there to help him as he requested.

I do not recall the exact time, but near 0635 hrs, Deputy Steele and I changed our location to a set of trees that lined the SW corner of Hwy 96 at Boozer Lane. The trees gave a clear visual path down [REDACTED] driveway, however the residence sat NW of the driveway and behind a large amount of trees and shrubs. The residence was about 400 ft NW of our location.

At about 0700 hrs, dispatch advised [REDACTED] recontacted stating he was "too much of a coward to shoot himself", and was going to "blow himself up instead". Additionally, [REDACTED] stated he still believed "people" were outside trying to kill him and were "killing his children".

At about 0710 hrs, I observed a dark colored pickup truck drive from north Hwy 96 and turn down [REDACTED] driveway, bypassing the patrol vehicle and the overhead emergency lights. The truck parked next to the residence and was left running. Due to darkness I could not see the occupants of the truck. Within about one minute a large white SUV pulled onto [REDACTED] driveway and parked behind the truck. Almost immediately, I heard what I recall to be a single gunshot in an unknown direction. The white SUV immediately turned around and drove out to Hwy 96 to Boozer Ln. where Deputy Steele spoke with a woman who stated she was [REDACTED] girlfriend. She also stated the driver of the pickup was [REDACTED] brother. A few moments later, I heard an additional gunshot fired in an unknown direction, followed by the pickup turning around in the driveway and turning onto Hwy 96. The truck returned seconds later and parked along the south shoulder of Hwy 96, just north of my location.

At about 0717 hrs, I heard additional gunshots from the residence. Within seconds Deputy E. Morris arrived on scene and stood near Deputy Steele and I's location. Deputy Morris advised me he spoke with [REDACTED] brother upon his arrival and strongly advised him to leave the area. Deputy Morris advised the brother refused to leave.

At about 0725 hrs, an additional pickup truck drove SB Hwy 96 and turned down [REDACTED] driveway, narrowly missing the parked patrol car. The truck drove to the end of the drive and parked at the residence. I heard a vehicle door close and within seconds I heard another gunshot in an unknown direction.

Deputy Morris advised via radio the second truck to arrive was [REDACTED] father.

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At about 0732 hrs, the [REDACTED] father drove his pickup to the end of the driveway and parked in front of the abandoned mobile home. He exited the vehicle and began to yell such things as, "You fucking cocksuckers! All of you! You're all cocksuckers and just want to shoot him!"

At about 0745 hrs, Deputy Matilton arrived on scene and stood by with [REDACTED] father and brother between the abandoned mobile and Hwy 96. It was daylight by this time.

At about 0753 hrs, I heard 3 gunshots from the direction of the residence. I then observed [REDACTED] father start to run down the driveway. He stopped in the driveway and began pacing in a small circle and smoking a cigarette. Within about 2 or 3 minutes, I heard at least two additional gunshots fired from the residence in an unknown direction. The last shot fired I heard ricochet across Hwy 96, approx. 140 ft. SE of Deputy Steele and I's location. Within a few minutes [REDACTED] father retreated and stood back near the abandoned mobile.

Next, I observed Deputy Matilton speaking with [REDACTED] father. His father attempted to walk down the driveway again and Deputy Matilton stepped in front of him. [REDACTED] father pushed Deputy Matilton away, but did not advance any further. About this time, I heard whom I believed to be Deputy Maus' radio traffic indicating [REDACTED] walked out of his residence wearing a black shirt and khaki shorts. I observed [REDACTED] partially and briefly before hearing an additional gunshot, at which point he turned the other direction and out of my line of sight.

Deputy Matilton and [REDACTED] father continued to interact and eventually were near the rear of the parked patrol car. At about 0800 hrs, I observed [REDACTED] walking down the driveway towards Hwy 96, holding what appeared to be a pistol in his right hand. [REDACTED] father ran to the abandoned mobile, however Deputy Matilton knelt behind the patrol vehicle for cover. I observed [REDACTED] raise the pistol and point it directly at Deputy Matilton as he continued to advance toward the patrol vehicle. I heard a single gunshot then observed [REDACTED] turn around towards his residence and disappeared from my view.

After about 4 -5 mins, I observed [REDACTED] walking down the driveway again towards Deputy Matilton and [REDACTED] brother and father. I observed a firearm in [REDACTED] right hand. [REDACTED] then lifted his right arm up and out to his side at a 45 degree angle as he continued to walk, then pointed the firearm ahead of him, directly at the patrol vehicle and in Deputy Steele and I's direction across Hwy 96. About this time, I heard a single gunshot from my right (NE) and observed [REDACTED] flinch. [REDACTED] was on the east side of the abandoned mobile by then and continued to walk towards his family who were standing on the south side. [REDACTED] then suddenly lowered his body and ran directly toward Deputy Matilton. I could not see if [REDACTED] still held the firearm. I observed [REDACTED] collide with Deputy Matilton and is brother and they fell to the ground behind the father's pickup and out of my field of vision.

I broadcast that Deputy Matilton in a physical altercation as Deputy Steele and I ran across Hwy 96 to

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assist. Deputy Steele and I ran around the pickup and observed Deputy Matilton laying on top of [REDACTED] [REDACTED] brother appeared to be assisting Deputy Matilton with controlling [REDACTED] hands as he was being handcuffed. [REDACTED] brother looked at me and stated something to the effect of, "He doesn't have the gun. He dropped the gun over there." Deputy Steele assisted Deputy Matilton and I located a black and tan pistol on the ground on the east side of the mobile approx. 25 - 30 feet away. I stood by with the firearm until another Deputy was available to secure it.

Next, Deputy Buzzard, Sgt. Braud, Deputy Maus and I went to the residence to conduct a safety sweep. We cleared the residence without incident and did not locate any additional persons inside the residence.

This concluded my observations and involvement of the incident. Refer to Deputy Maus' initial report (#201605403-IR) for additional information.

I left the scene at about 0930 hrs.

There is nothing further at this time.

Attachments:

None

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201605403

SUPPLEMENT 6 - SUPPLEMENTAL

On 10-27-16 I was at my residence on my regular day off. At about 0732 hours, Sgt. Gomes called me and asked if I could respond to the [redacted] residence located east of Boozer Lane in Hoopa. [redacted] was firing off gun shots and barricaded himself inside of his residence. SWAT was called out and en-route to the scene, and several of [redacted] family members were on scene.

I informed Sgt. Gomes I would respond to the incident location.

Note: [redacted] is my nephew.

Upon my arrival, I parked my vehicle along Hwy. 96 just north of Boozer Lane. I exited my patrol vehicle and observed three of my close family members standing next to a [redacted] double wide trailer. The three individuals are identified as [redacted]

I contacted [redacted] While speaking to the individuals, I heard a one-gun shot come from [redacted] residence located about 100 yards east of my location. Suddenly, [redacted] father [redacted] started running down the driveway in the direction of [redacted] residence. I yelled for [redacted] to stop and come back to my location and get behind cover for his own safety. [redacted] refused to listen to me and responded by saying "Fuck you", and "Fuck all of you mother fucker's." "I'm not going anywhere". [redacted] continued to stand in the middle of the driveway roughly 50 yards from [redacted] residence.

[redacted] finally started walking back to my location. When [redacted] finally made it to my location another single gunshot was heard coming from [redacted] residence. I ran over to a patrol vehicle that was parked in the middle of the driveway adjacent to the [redacted] trailer and took cover behind it. While I was behind the vehicle [redacted] exited his residence and stood in the middle of the driveway next to his residence. I saw [redacted] was holding a pistol in his hand. Myself and [redacted] started yelling at [redacted] to drop the gun and get on the ground. I saw [redacted] raise the gun and start waving it around towards my direction. I crouched down behind the vehicle and then I heard another gun shot.

[redacted] and I ran back to the trailer and took cover behind it. Again I yelled at [redacted] to drop the gun. [redacted] replied "fuck you." Suddenly [redacted] walked back into his residence. I heard another gun shot.

A short time later, [redacted] walked back outside of his residence and stood in the driveway holding a handgun in his right hand. [redacted] started walking up the driveway towards my location. Myself and [redacted] brother [redacted] moved back towards a [redacted] SUV parked just west of the brown trailer and proceeded to take cover. I drew my issued

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firearm and pointed it at [REDACTED]. I yelled at [REDACTED] to drop the gun several times, but he would not acknowledge my commands. [REDACTED] continued to walk towards my direction. [REDACTED] would raise the handgun and wave it in several directions. During this time, I was behind cover and continued to yell at [REDACTED] to drop his gun. [REDACTED] continued to ignore the commands to drop the gun. Suddenly, I heard a louder gunshot (unknown location). To me the shot sounded like it came from a rifle.

Suddenly, [REDACTED] started running towards [REDACTED]. I looked at [REDACTED] to see if he still had the gun. I saw [REDACTED] hands were clear and he was not holding a weapon. [REDACTED] grabbed [REDACTED] I holstered my weapon and grabbed [REDACTED] and [REDACTED]. I tackled [REDACTED] and [REDACTED] to the ground. While on the ground I was able to grab [REDACTED] right arm. I told [REDACTED] to stop resisting, as he was attempting to pull his arm away from me and break my grip.

[REDACTED] was yelling at me to get off him while continuing to pull away from me. With the assistance of [REDACTED] and another deputy (unknown who) I was able to handcuff [REDACTED]. I searched [REDACTED] person incident to arrest and didn't locate any weapons on his person.

After searching [REDACTED] with the assistance of another deputy (unknown who), I stood [REDACTED] up and we started walking [REDACTED] to a patrol vehicle. While walking [REDACTED] to the patrol vehicle, he attempted to pull away from us several times and began yelling profanities at us. When we arrived to the patrol vehicle, I placed him in the backseat.

Deputy E. Morris and I were directed by Lt. Miller to stay on scene while DOJ processed the incident location for evidence.

At about 2215 hours, Deputy E. Morris, DOJ and I cleared the incident location.

Supplemental report only.

NFA

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11/05/2016



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SUPPLEMENT 7 - SUPPLEMENTAL- PERIMETER/SCENE SECURITY

201605403

On 10/27/2016, I was working patrol for the Humboldt County Sheriff's Office. I was wearing a distinctly marked uniform and driving a marked patrol vehicle.

At about 0600, I was dispatched to the [REDACTED] residence on State Highway 96 in Hoopa to assist Sgt. Braud, Deputy Maus, Deputy Steele and Deputy Brewer. The Deputies previously mentioned were on scene at [REDACTED] residence on State Highway 96. I was informed by dispatch that gunshots had previously been heard from inside the residence.

While enroute to the incident location, I overheard Sgt. Bruad via radio inform HCSO dispatch that family members and the girlfriend of [REDACTED] had arrived and refused to obey deputies' requests. Sgt. Braud notified HCSO dispatched that gunshots were heard from inside the residence. Sgt. Bruad then told HCSO dispatch that additional unit were need to maintain a perimeter around the incident location to prevent injury to deputies or bystanders. I increase to code 3 from State Highway 96 [REDACTED]

I arrived on scene at about 0746 hour and parked where I saw the other patrol vehicles on State Highway 96 just south of the driveway area leading to [REDACTED] residence. I promptly noticed a dark colored pickup parked at the intersection of [REDACTED] driveway and the highway. The truck appeared to have its headlights shining in the direction of two deputies. I moved my patrol vehicle closer to the pickup's location to notify the driver that he needed to relocate his vehicle.

I contacted the driver who told me he was [REDACTED] brother. The subject appeared very agitated and was demanding to speak with "that guy on the PA." I advised the subject I had just arrived on scene but would assisted him in anyway but he could not return to [REDACTED] house for his own safety. The subject then became very irritated and put his vehicle in reverse to go towards [REDACTED] house. I reached into the vehicle grabbing his steering and told him he would not go to [REDACTED] house due to [REDACTED] shooting in unknown directions. I advised the driver if he refused to obey my commands I would have no choice but to detain him until the incident was contained.

The driver then put his vehicle in park. I then contacted Deputy Steele and Deputy Brewer who were standing by on the east side of the highway using a tree for cover.

While speaking with Deputy Steele, a [REDACTED] four door pickup sped into [REDACTED] driveway and down towards the residence. I then asked the driver of the first vehicle if he knew who the driver to the [REDACTED] pickup. He told me "my dad." He would not provide me with a phone number for the second driver and refused to speak with me further.

After several minutes, the [REDACTED] pickup returned to the intersection of [REDACTED] driveway and the highway. An older gentleman with long hair exited the pickup. I contacted the subject and looked into his vehicle to confirm [REDACTED] had not got into the pickup.

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Prepared By:	Date:	Approved By:	Date:
1976 MORRIS, ERIC	10/28/2016	1377 TAYLOR, BRIAN	11/04/2016



I then verified the gentleman was unharmed and asked if he would tell me the conversation between him and [REDACTED]. The gentleman stated [REDACTED] told him he had nothing to live for, his family was gone and then the gentleman yelled at me stating I was going to just kill [REDACTED] and did not care.

After speaking with the older gentleman, Sgt. Braud requested I move to his location to assume a post at the rear of a neighboring house to cover the rear area of [REDACTED] house. I then retrieved my department issue rifle from my vehicle and moved to Sgt. Braud's location in the front yard area of a residence just south of [REDACTED] residence.

I assumed my position covering the rear area of [REDACTED] residence. While covering my assigned area of responsibility, I heard approximately six to ten shots come from [REDACTED] residence. While covering the rear area of [REDACTED] residence, I did not see [REDACTED] exit his residence. I overheard via radio that other deputies saw [REDACTED] moving towards their location in the driveway area of his residence. I then heard several more shots. Deputy Brewer then informed HCSO dispatch via radio that round had ricochet near her location. I then overheard Sgt. Braud inform units on scene and HCSO dispatch that [REDACTED] fled back to his residence. Several minutes later, Sgt. Braud announced via radio that [REDACTED] had exited his residence again and was walking down the driveway area towards Deputy Matilton's location. I heard several voices yelling from the direction of the driveway.

I then heard what appeared to be two gunshots. The gunshots sounded very similar and appeared to me were fired from the front portion of [REDACTED] property near the driveway. The gunshots were louder and sounded different than other shots fired early by [REDACTED]

From my location at the rear of the neighboring house, I was unable to see [REDACTED] or the other deputies in front of the residence.

Sgt. Gomes then advised HCSO dispatch that shots were fired and Deputy Matilton was in a physical altercation with [REDACTED] via radio. Several moments later, a deputy notified HCSO dispatch that [REDACTED] was detained. I was unable to copy which deputy on scene notified HCSO dispatch.

I held my position covering the rear area of [REDACTED] residence until other deputies cleared [REDACTED] residence and notified HCSO dispatch that the scene was code 4.

I then contacted Lt. Miller and Sgt. Gomes inquiring what was needed of me at the scene. I was assigned to stay with Sgt. Gomes while the scene was secured and initial interviews were conducted.

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I later was reassigned by Undersheriff Honsal to conduct a brief interview of residents in the area to check for injuries or property damage relating to the incident.

I first contacted residents at a [redacted] house just southwest of [redacted] driveway on the opposing side of the highway. I was greeted at the by (W) [redacted]. [redacted] told me all the occupants of the house were uninjured but there was damage to a vehicle and a mobile home on the property as a result of the incident. [redacted] stated she did not see the extent of the incident but heard several gunshots. [redacted] said she had her family members stayed in safe locations within the residence until she knew the incident was over.

[redacted] then told me the vehicle damaged belonged to [redacted]. [redacted] stated the mobile home belonged to her [redacted].

The vehicle damaged was a late model Chevrolet Tahoe [redacted] in color. The rear window on the trunk door appeared to have been shattered. The Tahoe had a tarp covering the shattered window. [redacted] stated the tarp was put on the vehicle by her grandchildren to prevent water damage from the rain.

[redacted] then showed me a broken window pane on a [redacted] mobile home. The mobile home was owned by [redacted] but is currently unoccupied.

After speaking with [redacted], I checked a [redacted] residence located on the west side of the highway, opposite of [redacted] driveway on State Highway 96 in Hoopa. I did not locate any obvious damage to the residence or vehicles on the property similar to that caused by a firearm. I knocked on three doors at the residence and received no answer.

I then advised Lt. Miller of the updated information and secured the extended scene at the [redacted] residence to be processed by DOJ and the detectives.

I later contacted [redacted] at the [redacted] residence to request permission to search the [redacted] mobile home for evidence. At this time, [redacted] was on scene at the residence. [redacted] stated he would sign with [redacted] due to her being a minor. I then provided [redacted] and [redacted] signed a "Consent to Search Form" giving law enforcement permission to search the mobile home. I provided Detective Musson with the signed "Consent to Search Form."

I later contacted [redacted] via telephone at a phone number provided to me by a resident at the home. [redacted] said told me he was currently in Susanville for work and would not return for some time. [redacted] gave verbal consent via telephone to have law enforcement search his vehicle but only for

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Prepared By:	Date:	Approved By:	Date:
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evidence of this incident.

I then remained on scene with Deputy Matilton assigned to scene security while detectives and DOJ staff processed the incident scene. At about 2220 hours, Deputy Matilton, DOJ staff and I cleared the scene after securing the residence as much as possible. I received the crime scene log from Deputy Matilton and returned it to Detective Musson via interoffice mail.

This report is to serve as supplemental information to Deputy Maus' initial report. Review Deputy Maus' report for further details.

Request a copy of this report be forwarded to the District Attorney's Office.

Nothing further to report.

CONTROLLED DOCUMENT

Prepared By: 1976 MORRIS, ERIC	Date: 10/28/2016	Approved By: 1377 TAYLOR, BRIAN	Date: 11/04/2016
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HUMBOLDT COUNTY SHERIFF'S OFFICE

826 4TH ST EUREKA, CA 95501 707-445-7251

SUPPLEMENT 8 - SUPPLEMENTAL- SECURITY SCENE LOG

201605403

On Thursday 10/27/16 at about 0720 hours, I was requested to respond to HWY 96 at Boozer Ln, Hoopa to assist with a barricaded subject, who was reported to have been shooting at deputies. Upon my arrival at about 0900 hours, I relieved Deputy Steele and took control of the crime scene log sheet of all persons entering/exiting the scene. At about 1735 hours, Deputy T. Matilton took control of the crime scene log and I was released from the scene.

Cleared by supplemental report.

CONTROLLED DOCUMENT

Prepared By:

1298 KASTLER, KEVIN

Date:

10/31/2016

Approved By:

1340 IRELAND, KERRY

Date:

11/01/2016

201605403

**HUMBOLDT COUNTY SHERIFF'S DEPARTMENT
CRIME SCENE
ORDER OF ENTRY LOG**

EVERY PERSON ENTERING THE CRIME SCENE MUST WRITE A SUPPLEMENT REPORT

EVERY PERSON ENTERING THE SCENE MUST SIGN IN BELOW.

NAME (PRINT)	SIGNATURE	DATE/TIME ENTERED	DATE/TIME EXITED	PURPOSE	EVIDENCE REMOVED
Rondie Buzzard	<i>[Signature]</i>			DEPUTY	
Eric Morris	<i>[Signature]</i>		2215	DEPUTY	NO
JUSTIN BRAD	<i>[Signature]</i>	0500		SUPERVISOR	NO
Bryan Maus	<i>[Signature]</i>	0500	1252	Patrol officer	No
W. HANSA	<i>[Signature]</i>	0500	0726	DEPUTY	NO
		0815	1000	IC	NO
		1115	1951	Evidence	
		1134		Investigation	no
		1154	2215	DOJ	yes
		1154	2215	DOJ	yes
Tomatilton	<i>[Signature]</i>	1212	2215	DEPUTY	NO
T. Cooke	<i>[Signature]</i>	1235		DA's office	
G. Cooper		1245		DA's office	



HUMBOLDT COUNTY SHERIFF'S OFFICE

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SUPPLEMENT 9 - SUPPLEMENTAL 9

201605403

On 10-27-2016 at around 0630 hours, Humboldt County Sheriff's Office Detective Sergeant D. Freese contacted me, asking if I was monitoring a situation occurring in Hoopa. I cleared my residence for work at around 0635 hours and began monitoring the HCSO radio. I ascertained from the radio traffic that Sgt. J. Braud and other Deputies were on scene on Hwy96 at Boozer Lane in Hoopa in a standoff with [REDACTED]. While monitoring the radio traffic, I overheard Sergeant Braud request dispatch call [REDACTED] and have him exit his house with his hands up and unarmed. I overheard dispatch tell Sgt. Braud that [REDACTED] didn't believe it was really law enforcement outside his residence. A short time later, I overheard on the radio that shots had been fired by [REDACTED]

I responded to the main office in Eureka where I continued to monitor the situation with Sgt. Freese in the Criminal Investigations Division. At around 0806 hours, I heard radio traffic indicating shots fired at the [REDACTED]. Within a minute or less, I heard the [REDACTED] was in a physical altercation with Deputies, and then the [REDACTED] was in custody.

Upon hearing this incident was an Officer Involved Shooting incident, (O.I.S.) Sergeant Freese activated the Critical Incident Response Team response by making phone calls to the Humboldt County District Attorney's Office, Eureka Police Department, Arcata Police Department, Fortuna Police Department, California Highway Patrol, Humboldt State University Police Department and the California Department of Justice. Sergeant Freese told me I was being assigned as the lead Investigator from the HCSO.

At around 0945 hours, the following personnel arrived at the HCSO Criminal Investigations Division for a briefing for assignments.

H.C. District Attorney's Office Investigator T. Cooke- Co-Lead with Investigator G. Musson

HCSO Detective J. Turner-Search Warrant for residence

HCSO Investigator Fulton- Process and photograph Sgt. A Gomes

Eureka Police Department Senior Detective R. Harpham- Process and photograph Sgt. Gomes

Eureka Police Department Detectives A. Cosetti, J. Gordon-Canvass area for witnesses.

Eureka Police Department Detective Sergeant P. O'Neil-Canvass area for witnesses.

Fortuna Police Department Detective T. Dias- Canvass area for witnesses.

H.C. District Attorney's Office Investigator G. Cooper- Interview witnesses.

H.C. District Attorney's Office Chief Investigator W. Cox- Liaison with D.A's Office.

CONTROLLED DOCUMENT

Prepared By:	Date:	Approved By:	Date:
1701 MUSSON, GREGORY	10/31/2016	0896 FREESE, DIANA M	11/08/2016



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SUPPLEMENT 9 - SUPPLEMENTAL 9

201605403

California Department of Justice Criminalist [REDACTED] Evidence, scene processing.

Humboldt County Sheriff's Office Evidence Technician [REDACTED] Evidence, scene processing.

At 1130 hours, I arrived at the scene on Hwy 96 and Boozer Lane and signed the crime scene log being maintained by Deputy Kastler. I overserved the weather conditions were around 55 degrees, with a light rain. I called Detective Turner who advised me the Search Warrant was signed at 1032 hours by the Honorable Judge Feeney. I advised Evidence Technician [REDACTED] and DOJ Criminalist [REDACTED] that the warrant had been signed and they were clear to begin their work. Refer to Criminalist [REDACTED] and E.T. [REDACTED] reports for details regarding evidence.

I contacted HCSO Deputies B. Maus, E. Morris, T. Matilton and Lt. K. Miller. Lt. Miller was the scene commander at the Command Post that was set up on HWY 96 just south of the driveway leading to the [REDACTED] residence. I observed a white, fully marked Ford Crown Victoria Police Interceptor, parked in the driveway leading to the [REDACTED] residence on the East side of HWY96. The patrol vehicle was facing East with its overhead emergency lights still activated. Deputy Maus advised me the patrol car was his, and was left with the lights on as they were at the time of the incident. Deputy Maus told me the pistol that [REDACTED] had, was photographed and placed in the trunk for security, due to the uncooperative family of [REDACTED] being in the immediate area. I advised E.T. [REDACTED] of the firearm's location.

Upon the arrival of all the C.I.R.T. personnel, I had them respond to their respective duties. Deputy Morris informed me that he had spoken to the residents in the [REDACTED] trailer on Boozer Lane at HWY 96 and obtained a statement from them. I had Deputy Morris and Sergeant O'Neill check the houses on the West side of HWY96 for any bullet strikes. I was later advised that two bullet strikes were located. One was in the back window of a Chevrolet Tahoe in the driveway of the [REDACTED] house, and one in a [REDACTED] trailer next to the [REDACTED] house. Deputy Morris obtained a signed consent to search form for the [REDACTED] trailer, see attached. Detectives Dias and Gordon canvassed the area for any witnesses. Investigator Cooper and Detective Cosetti interviewed [REDACTED] brother [REDACTED] father and [REDACTED] girlfriend [REDACTED]. See Investigator Cooper's report for details. I briefly spoke to [REDACTED] girlfriend who told me that [REDACTED] had been making [REDACTED] comments on his Facebook page. I phoned Sergeant Freese and asked that she send a preservation letter to Facebook for [REDACTED] Facebook account. I was advised a short time later by Sgt. Freese that the letter had been faxed to Facebook.

At around 1330 hours, while looking at a [REDACTED] double wide trailer at the beginning of [REDACTED] driveway, Criminalist [REDACTED] advised me there was possible bullet strikes on the South side of the trailer. I reviewed the Search Warrant and found this trailer was not on the warrant. I

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Prepared By:	Date:	Approved By:	Date:
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phoned HCSO Investigator T. Fulton and advised him of the situation and requested he author a warrant for the trailer. At around 1440 hours, Investigator Cooke and I departed the scene to attempt an interview with [REDACTED] who had been booked into the Humboldt County Correctional Facility. I phoned Investigator Fulton and asked him to call Investigator Cooper who was standing by on scene to serve the warrant. At 1500 hours, Investigator Fulton phoned Investigator Cooper advising him the warrant had been signed by the Honorable Judge A. Rosenfeld.

Investigator Cooke and I returned to the Sheriff's Office in Eureka where we were informed that [REDACTED] had been placed in a security cell [REDACTED] Due to this information, [REDACTED] was not contacted and interviewed on that day. I spoke to Correctional Sergeant. L. Christiansen and asked her to call me when [REDACTED] was clear to be housed. I went off duty for the day at around 1700 hours.

On Friday 10-28-2017 at around 1030 hours, I received a phone call from Sgt. Christiansen who informed me that [REDACTED] was cleared to be housed. Sgt. Christiansen said [REDACTED] wanted to make phone calls. I asked that [REDACTED] be allowed to make the phone calls. I cleared my residence and responded to the HCSO, Criminal Investigations Division to attempt an interview with [REDACTED] I called Investigator Cooke and had him respond as well. Upon arrival at the office, I called Sgt. Christiansen and asked that [REDACTED] be sent over to C.I.D. Sgt. Christiansen advised me that [REDACTED] had made phone calls in processing and would be sent over for the interview. I contacted Detective Turner and asked her to check the jail's phone records and make a copy of any calls made by [REDACTED] I was later advised by Detective Turner that she had listened to the calls and made a copy onto a CD which she booked into evidence. Refer to Detective Turner's report for details.

[REDACTED] interview 10-28-2016 @ 1150 hours in CID.

On 10-28-2016 at around 1150 hours, Investigator Cooke and I met [REDACTED] at the elevator in C.I.D. and walked him to the interview room where Sgt. Freese had activated the audio/video recorder. I had [REDACTED] take a seat at the back of the room. I read [REDACTED] the Miranda Admonishment from my D.A's Office issued card. [REDACTED] stated he understood his rights. I asked [REDACTED] if he was feeling ok, he said yes. I asked [REDACTED] to tell us what was going on Thursday. Investigator Cooke asked [REDACTED] if he had been using some drugs. [REDACTED] said he better talk to an attorney first. I asked [REDACTED] if he had an attorney, he said no. I told [REDACTED] he would be arraigned on Monday and an attorney would be appointed to him then. [REDACTED] said he had a question. I said go ahead. [REDACTED] said "nobody got hurt yesterday right?" I told [REDACTED] that no one was hurt. I told [REDACTED] when he got an attorney to let the jail know he wanted to talk to Detectives. [REDACTED] said he wanted to talk to us but wanted to talk to an attorney first. I called the jail and requested the elevator

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Prepared By:	Date:	Approved By:	Date:
1701 MUSSON, GREGORY	10/31/2016	0896 FREESE, DIANA M	11/08/2016



be sent back for [REDACTED] At this point Investigator Cooke and I walked [REDACTED] back to the elevator.

Sgt. Gomes interview 10-31-2016 @ 1000 hours in C.I.D.

On 10-31-2016 at 1000 hours, Investigator T. Cooke and I met with Sgt. Gomes and his attorney J. Buffington in the conference room in the C.I.D. I activated my digital audio recorder and advised Sgt. Gomes of the Beheler Admonishment. Sgt. Gomes stated he understood the admonishment and agreed to speak with Investigator Cooke and I. Investigator Cooke took the lead on this interview and agreed to write the report documenting the interview. At the conclusion of the interview, I made a copy of the interview and provided it to Buffington for his use. I booked a copy of the interview into evidence. Refer to Investigator Cooke's report for a summary of the interview.

On 11-17-2016 at around 0850 hours, I contacted Evidence Property Technician [REDACTED] and requested the rifle used by Sgt. Gomes and the magazine with 27 rounds of .223 ammunition be checked out to me so I could take it to the California Department of Justice lab in Eureka. I checked out the two items and took them to the D.O.J. lab on Wabash Street where they were accepted for analysis and function check. I was given a copy of the Physical Evidence Submission form which I attached to this case.

Disposition: Closed by report. Further information will be submitted via supplemental report.

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Prepared By:	Date:	Approved By:	Date:
1701 MUSSON, GREGORY	10/31/2016	0896 FREESE, DIANA M	11/08/2016



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SUPPLEMENT 10 - SUPPLEMENTAL REPORT

201605403

On 10/27/16, I was notified of an officer involved shooting that had occurred in Hoopa, California. I was advised that Sgt. Gomes was the officer involved and [REDACTED] was the [REDACTED]. It was requested that I prepare a search warrant for [REDACTED] residence, which was described to me as [REDACTED] Hwy 96 in Hoopa, California. The residence was described as being down the third driveway to the right after mile [REDACTED] on Hwy 96. [REDACTED] residence is described as a [REDACTED] double wide trailer behind a [REDACTED] mobile trailer with a broken window.

I obtained a search warrant for [REDACTED] residence and his person to conduct a legal blood draw. The search warrant was signed by the Honorable Judge John Feeney. I provided the information to Investigator Musson who was assigned as the lead investigator.

On 10/28/16, Investigator Musson requested I attempt to locate any jail phone calls made by [REDACTED] while he was in processing. I located a phone called placed on 10/28/16 at 1118 hours. Due to the fact the phone call was made in processing, it did not list which inmate placed the phone call. The phone number dialed was [REDACTED]. I began listening to this phone call, but the inmate placing the phone call did not identify themselves when prompted by the operating system. I continued listening to the phone call and heard a male subject state, "Hi mom." The [REDACTED] asked the male how he was doing, at which time the male began to cry. The male asked what happened. The [REDACTED] stated, "I don't know, you just went off. You shooting at everybody." The male asked the [REDACTED] if his kids were ok. The [REDACTED] stated everyone was fine. The [REDACTED] told the male that he needed to get help, to which the male replied, "I know." The male then asked the [REDACTED] if she had talked to [REDACTED]. The [REDACTED] stated yes. The male stated he was going to try to get in touch with [REDACTED] and listed her phone number as [REDACTED]. The conversation continued for a short time and then the phone call ended.

At about 1123 hours, I located a phone call placed in processing that called [REDACTED]. When prompted to state his name, the male placing the called stated his name was [REDACTED]. After accepting the phone called, the [REDACTED] asked [REDACTED] if he was feeling better. [REDACTED] stated yes. [REDACTED] asked the [REDACTED] if everyone was ok. The [REDACTED] stated yes. [REDACTED] then stated that he was sorry.

At about 2 minutes and 50 seconds into the phone call, the [REDACTED] stated, "What the fuck [REDACTED] why did you do that?" [REDACTED] responded, "I don't know." [REDACTED] asked the [REDACTED] why he was fire bombed when he was getting arrested. The [REDACTED] asked [REDACTED] what he meant by being fire bombed. [REDACTED] stated, "Someone tried to set me on fire didn't they?" The [REDACTED] told [REDACTED] no, but that the Sheriff's Office was shooting at him. [REDACTED] stated, "Oh, they were shooting at me?" [REDACTED] stated he believed he had been shot in the buttocks area because something stung in that area. The [REDACTED] stated that SWAT had been coming in and he would have been shot. [REDACTED] stated, "I was trying to get shot." The [REDACTED] asked [REDACTED] why [REDACTED] stated, "Because I don't want to live no more." [REDACTED] asked the [REDACTED] again if someone tried to set him on fire. The [REDACTED] stated no. The [REDACTED] asked [REDACTED] what he was shooting up. [REDACTED] stated, "I thought there was people outside shooting at me." [REDACTED] stated again that he believed he had been shot. The conversation ended a short time later.

CONTROLLED DOCUMENT

Prepared By:

1655 TURNER, JENNIFER

Date:

11/04/2016

Approved By:

0896 FREESE, DIANA M

Date:

11/04/2016



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SUPPLEMENT 10 - SUPPLEMENTAL REPORT

201605403

I burned a copy of the two jail phone calls to a CD and later booked the CD into evidence.

I contacted the medical staff at the jail and requested they do a visual inspection of [REDACTED] to make sure he had not been shot. I was later re-contacted by the medical staff from the jail and advised that [REDACTED] had no gunshot injuries on his body.

NFA

CONTROLLED DOCUMENT

Prepared By: 1655 TURNER, JENNIFER	Date: 11/04/2016	Approved By: 0896 FREESE, DIANA M	Date: 11/04/2016
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HUMBOLDT COUNTY SHERIFF'S OFFICE

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SUPPLEMENT 11 - SUPPLEMENTAL REPORT - EVIDENCE COLLECTIO

201605403

On Thursday 10/27/2016, Detective Sergeant Dianna Freese requested that I assist as an Evidence Technician relating to this case. At about 1045 hours, I was teamed up with HCSO Investigator Todd Fulton and Eureka Police Department Senior Detective Ronald Harpham. Let it be noted, everything I did was at the direction of Detective Harpham and Investigator Fulton. I took overall photos of Sergeant Anthony Gomes dressed as he arrived at HCSO Main Station. I took close up photos of Sgt. Gomes' face/head and the front and back of both his right and left hand hands. Close up photos were also taken of Sgt. Gomes' duty belt, firearm (Glock) and ammunition. I took overall photos of the outside and inside of Sgt. Gomes' patrol vehicle 07-172. I took photos of Sgt. Gomes' rifle (Colt M16-A2), two magazines and ammunition.

Investigator Fulton, Detective Harpham and I responded to the HCCF. At about 1200 hours, I took overall photos of [REDACTED]. I also took close up photos of [REDACTED] right and left knees and front and back of his right and left hands showing no injuries. I assisted Detective Harpham in collecting [REDACTED] clothing. The following items were collected: "No Fear" gray size 34 cargo shorts, gray/black "Nike Air" right and left shoe and a black t-shirt size XL. Detective Harpham and I transported [REDACTED] clothing to CID where we laid them out on white paper and I took photos of each item.

I uploaded the photos to a CD and booked it into HCSO evidence. A copy of the CD was made for Detective Musson and Investigator Fulton. Deputy Rondie Buzzard gave me an envelope containing a vial of [REDACTED] blood (taken during the legal blood draw at St. Joseph's hospital) and requested that I book it into evidence.

Detective Harpham and Investigator Fulton packed items 1-SH through 6-SH. I booked in the following items into property as evidence:

Item #1-SH Colt M16-A2, .223, serial# [REDACTED]

Collected from truck area of vehicle [REDACTED]

Item #2-SH Magazine from item#1-SH, containing 27 .223 rounds

Collect from item #1-SH space between item and #

Item #3-SH Magazine containing 30 rounds

Collect from rifle bag in truck area of vehicle [REDACTED]

Item #4-SH "No Fear" gray, size 34, cargo shorts

Item #5-SH Gray/Black "Nike Air" right and left shoe

Item #6-SH Black t-shirt, size XL

All collected from [REDACTED] person

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Prepared By: [REDACTED] 2060

Date: 11/14/2016

Approved By: 1377 TAYLOR, BRIAN

Date: 11/25/2016



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SUPPLEMENT 11 - SUPPLEMENTAL REPORT - EVIDENCE COLLECTIO

201605403

Item #7-SH Blood draw from [REDACTED]

Item #8-SH 126 photos of Sgt. Gomes', vehicle [REDACTED] and [REDACTED]

Nothing further at this time. Any further information will be documented in a supplemental.

CONTROLLED DOCUMENT

Prepared By:
2060 HANSON, STACY

Date:
11/14/2016

Approved By:
1377 TAYLOR, BRIAN

Date:
11/25/2016



HUMBOLDT COUNTY SHERIFF'S OFFICE

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SUPPLEMENT 12 - EVIDENCE

201605403

On 10/27/2016 at approx. 1115hrs I responded to the HCSO command van located on Hwy 96 across from Boozer In, Hoopa to assist with processing the scene of an Officer Involved Shooting. I signed into the crime scene log shortly after arriving. The weather was overcast with intermittent rain. I was briefed on scene of the situation and locations of possible evidence. Deputy Maus's patrol vehicle was parked near the head of a long driveway that leads up to a [redacted] modular, which is the [redacted] residence. Parallel to the patrol vehicle was a [redacted] uninhabited modular. Across Hwy 96 on the south side of boozer lane was Deputy Steele's patrol vehicle. It was parked next to a vehicle that had the back window shot out. An uninhabited [redacted] modular to the west of the vehicle had a suspected bullet hole through one of its windows. I took overall photos of the area facing east from Hwy 96. Cal DOJ arrived on scene and began documenting and collecting evidence.

Deputy Maus turned over the [redacted] weapon to me which was located in the locked trunk of his patrol vehicle. The weapon was a Smith & Wesson Springfield handgun. [redacted] There was one round in the chamber and 1 round in the magazine. The rounds were Tulammo 9mm Luger. The gun was photographed by DOJ and released to them.

I used a Leica C10 3D scanner to take 5 scans with photos to document the scene. A scan plan was created, showing the general locations of scanworlds. A 4ft long standard was used in the first scan for later use in verifying scanner accuracy. The interior of the blue modular house was not scanned.

Detective Musson used the metal detector along the driveway and in the brush along the driveway looking for spent shell casings. This was done from the edge of the [redacted] modular to where the driveway turns north towards the [redacted] modular. No casings were located.

DOJ and I searched the exterior and interior of the [redacted] modular for bullet strikes. We were unable to determine any holes were caused by bullet strikes and did not locate any bullets in the [redacted] modular.

2 casings were photographed and collected by DOJ underneath a tree approx. 75 yards south of the [redacted] modular. This was the tree where Sgt. Gomes was located when firing his weapon at the [redacted] modular.

I walked through the [redacted] modular and assisted DOJ with locating evidence. Located in several rooms of the residence were shell casings and bullet holes. Deputy Steele assisted with searching the [redacted] modular for drugs. We did not locate any. I took close up photos of shell casings that were located on the front porch of the [redacted] modular. Close up photos were also taken of 1 apparent bullet hole in the west wall to the north of the front door of the [redacted] modular. Two apparent bullet holes in two windows of the west wall to the south of the front door were photographed.

I collected a [redacted] Apple I-phone from the couch in the family room of the [redacted] modular. Cameras were located on the exterior of the [redacted] modular; however the surveillance system was not plugged in to a power supply and therefore was not collected.

I filled out a search warrant inventory form of all the evidence DOJ collected from the interior of the [redacted] modular. A copy of it and the search warrant were left in the residence. I was informed by DOJ after I had

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Prepared By:	Date:	Approved By:	Date:
2015 [redacted]	11/16/2016	0896 FREESE, DIANA M	11/18/2016



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SUPPLEMENT 12 - EVIDENCE

201605403

left the scene that they additionally collected an expended bullet (item #33) and a loaded .22 magazine (item 34). They wrote these items on the copy of the inventory form which was left in the residence. I returned to the HCSO and booked the Apple I-phone into evidence. The raw data from the 3D scanner was downloaded to a thumb drive and booked into evidence. The photos I took were burned to a DVD and booked into evidence. See Cal DOJ's report for details on all evidence collected.

CONTROLLED DOCUMENT

Prepared By:

2015 [REDACTED]

Date:

11/16/2016

Approved By:

0896 FREESE, DIANA M

Date:

11/18/2016

SUPERIOR COURT OF CALIFORNIA

County of Humboldt NOV 01 2016

SEARCH WARRANT



SUPERIOR COURT OF CALIFORNIA
COUNTY OF HUMBOLDT

**The People of the State of California
To Any Peace Officer in Humboldt County**

Warrant No. SW1600438

The affidavit below, sworn to and subscribed before me, has established probable cause for this search warrant which you are ordered to execute as follows:

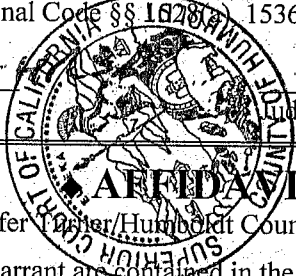
Place(s) to be searched: Described in Exhibit 1A, *attached* hereto and incorporated by reference.

Property to be seized: Described in Exhibit 1B, *attached* hereto and incorporated by reference.

Night service: [If initialed by judge] For good cause, as set forth in the Statement of Probable Cause, night service is authorized: _____

Disposition of property: All property seized pursuant to this search warrant shall be retained in the affiant's custody pending further court order pursuant to Penal Code §§ 18280-18284, 1536.

10/27/16 1032
Date and time warrant issued



[Signature]
Judge of the Superior Court
John T. Feehey

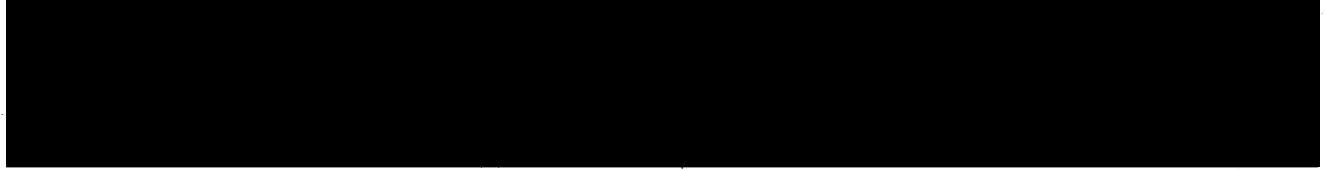
AFFIDAVIT

Affiant's name and agency: Detective Jennifer Turner/Humboldt County Sheriff's Office

Incorporation: The facts in support of this warrant are contained in the Statement of Probable Cause which is incorporated by reference. Incorporated by reference and *attached* hereto are Exhibit 1A, describing the place(s) to be searched; and Exhibit 1B, describing the evidence to be seized.

Evidence type: (Penal Code § 1524)

- Stolen or embezzled property.
- Property or things used as a means of committing a felony.
- Property or things in the possession of any person with the intent to use it as a means of committing a public offense, or in the possession of another to whom he or she may have delivered it for the purpose of concealing it or preventing it being discovered.
- Property or things that are evidence that tends to show a felony has been committed, or tends to show that a particular person has committed a felony.
- Property or things consisting of evidence that tends to show that sexual exploitation of a child, in violation of Penal Code § 311.3, or possession of matter depicting sexual conduct of a person under the age of 18 years, in violation of Penal Code § 311.11 has occurred or is occurring.
- Firearms, deadly weapons: The warrant authorizes a search for a deadly weapon in the following premises:



Night Service: [If checked] Authorization for night service is requested based on information contained in the Statement of Probable Cause, filed herewith.

Declaration: I declare under penalty of perjury that the information within my personal knowledge contained in this affidavit, including all incorporated documents, is true.

10/27/16
Date

[Signature]
Affiant

EXHIBIT 1A

1.) [REDACTED] residence, located at [REDACTED] Hoopa, California. The residence is described as being [REDACTED] residence is described as a [REDACTED]

2.) The person of [REDACTED]

EXHIBIT 1B

Weapons, firearms, ammunition, shell casings, cleaning equipment, holsters, firearm discharge evidence, bodily fluids, trace evidence, human hairs, fingerprints, palm, foot and shoe prints, soil and vegetation samples, clothing fibers, clothing or other objects bearing bodily fluids. Photographs, videos, writings of any nature and any kind which appear to have a direct relationship to the investigation; such as death threats, statements acknowledging responsibility for the assault, and statements by the suspect/victim indicating fear or concern about his/her personal safety. Items of indicia indicating control of the premises including, keys, wallets, purses, cell phone, checks, letters or other writings; bills, diaries, utility company receipts, canceled mail, business cards, items which may have been touched by the suspect(s) or left behind by the suspect(s).

Answer, record, monitor, note, and converse with callers who appear to be calling in regards to the crime being investigated, on any telephone or cellular phone within the location(s), vehicle(s) and/or person(s) to be searched without revealing the officer(s) identity. Access any telephone numbers, or any messages stored within the memory of any cellular phone located during the search, for the purposes of calling or identifying suspect(s) and/or witnesses. Seize cellular phones to be examined later. Seize, note and record phone numbers and other messages within and received on any telephonic beeper, digital beeper, or pager within the location(s) and/or vehicle(s) and/or person(s) to be searched. For the purposes of calling and identifying those person(s) paging the suspect(s) and/or victim(s) to determine if the page was regarding the crime being investigated and the peace officer may do so without revealing their identity.

Written documentation, whether typed or hand written, including, but not limited to, computer manuals and instructions for the use of any computers and their accessories as well as documentation containing passwords.

Investigating officers are authorized to employ the use of outside experts, acting under the direction of the investigating officers, to access and preserve computer data, cellular telephone data. Any digital evidence found during the execution of this search warrant will be seized, transported from the scene, and analyzed at a later time pursuant to additional search warrants that describe each item to be examined specifically. If no evidence of criminal activity is discovered relating to the seized computer systems and associated peripherals, the system will be returned promptly.

It is further ordered that the peace officers executing this warrant be authorized, pursuant to Penal Code section 1530, to bring onto the premises whatever professional or expert assistants or consultants that he/she considers necessary in order to, among other things, properly preserve the premises and physical evidence, conduct tests, experiments and re-enactments, draw floor plans, and collect physical evidence.

It is further ordered that the peace officers executing this warrant be authorized, pursuant to Penal Code section 1530, to bring onto the premises persons knowledgeable about the premises and/or its occupants, furnishings, and other items of personal property normally found within the premises, in order to, among other things, determine if any items of personal property are missing or otherwise out of place.

It is further ordered that the peace officers executing this warrant be authorized to conduct or order whatever experiments, tests, or scientific evaluations are necessary and proper on said seized items of evidence. All such items shall thereafter be maintained and preserved in an appropriate manner according to commonly accepted policies, standards and appropriate law.

If necessary, searching officers are authorized to employ the use of outside experts, acting under the direct control of the investigating officers, access and preserve and computer data.

SEARCHING OFFICERS ARE AUTHORIZED TO VIDEOTAPE AND/OR PHOTOGRAPH THE ENTRY AND SEARCH OF THE PREMISES DESCRIBED HEREIN, AT THE DISCRETION OF THE SEARCHING OFFICERS.

It is further ordered to promptly obtain a sample of the arrestee's blood and submit the sample to an approved laboratory for the purpose of determining its alcohol and/or drug content. This sample shall be obtained in a medically approved manner by a person who is certified to draw blood.

STATEMENT OF PROBABLE CAUSE

On 10/27/16, at about 0245 hours, ██████ contacted the Sheriff's Office stating he wanted to speak with deputies. ██████ re-contacted the Sheriff's Office stating that there was a shootout involving 20 people and he was shooting out his window. Dispatchers were unable to hear gunshots or any other voices other than ██████. Deputies were dispatched to ██████ residence, which is described as ██████ on Hwy 96, to conduct a welfare check (further described in Exhibit 1A).

Dispatch received 911 calls from ██████ neighbor who stated they heard gunshots. The neighbors described the gunshots coming from the direction of ██████ residence.

Deputies arrived on scene at ██████ residence, but did not go up to the residence due to ██████ firing shots out of the residence. Deputies tried to get ██████ to come out of his residence, but he refused to do so. Deputies were on scene for several hours trying to get ██████ to come out of the residence. While deputies were on scene, ██████ continued to contact dispatch and at one point made vague statements that he was going to kill himself. While on the phone with ██████ dispatch was able to hear what they believed were gunshots in the background. ██████ stated to dispatchers that he was too much of a coward to shoot himself, so he was going to blow himself up instead. ██████ stated his residence was about to go up in flames.

Deputies remained on scene attempting to get ██████ to come out of the residence, but ██████ was still refusing to do so. At about 0711 hours, Deputies heard ██████ fire several shots out of a window of the residence, but were unsure of what direction ██████ was firing. ██████ continued to fire shots out of the windows for about an hour.

At about 0800 hours, ██████ exited his residence with a firearm in his hand. Deputies heard ██████ fire another shot, and then ██████ ran back inside his residence. At about 0804 hours, ██████ again exited the residence and began walking up a driveway. Deputies were able to see a firearm in ██████ hand, which he was pointing at a patrol vehicle. At about this time, deputies reported a physical altercation and a short time later, ██████ was detained by deputies. Sgt. Gomes, who was on scene reported an officer involved shooting incident. ██████ was then taken into custody. It was reported that even though an officer had fired their weapon, no one was injured as a result of the officer or ██████ firing their weapons.

It is my training and experience in dealing with investigations where a ██████ is acting in a manner that is out of control, such as shooting out windows and walking up and down the driveway with a firearm in hand, that the ██████ is likely under the influence of alcohol and/or controlled substances.

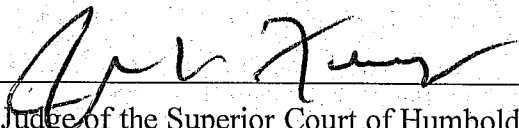
Weapons and the location of weapons tend to establish the likelihood the ██████ was or was not armed at any time prior to or during the assault. The evidence of dominion and control as described is necessary in establishing who was present the premises and who controlled the premises. Such evidence is necessary to the identification of the perpetrator, and such evidence is normally left or maintained within premise by those in control or by those visiting such premises. Handwritings and fingerprints are subject to positive identification by experts. Also, clothing, photographs, cancelled mail and the like are routinely maintained in a person's premises as necessary and incident to maintaining such premises. Persons frequently have taped voice messages on answering machines, home videos and pagers which also will reveal identification. In addition, by intercepting phone calls at the premises while the search warrant is being executed, I expect to talk with persons who are familiar with the persons in control of the premises and will so testify. Such callers and described dominion and control evidence is vital to proving control over the described property to be seized. A thorough search of the premises is necessary in order to establish the exact location of the assault, its extent and the circumstances surrounding the assault. Your affiant is aware that many people now use personal computers, personal digital assistants (PDA's), digital cameras, cellular telephones and other electronic storage devices to store names, addresses, telephone numbers, bank records, letters and other documentation which may tend to show circumstances surround the assault or assist in identifying the suspect(s).

If such computer equipment or items capable of storing digital media are located and seized pursuant to this search warrant, those items will be secured and transported to the Humboldt county Sheriff's Office where they will be booked into evidence. At a later time, additional search warrants will be obtained for these items and each item will be described with particularity. At that point, a complete forensic download/search of these devices will be conducted to locate evidence relevant to the incident being investigated.

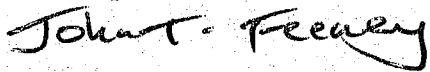
Your affiant seeks permission to remove all items described above for examination at the Humboldt County Sheriff's Office, or other facility, because the contents of these items or containers are not readily apparent by visual inspection. The items may require the use of special equipment to see if it contains material described above. In the event that one or more of the items described above are located, it would take hours or even days to go through on the premises. This would lead to undue interference with the place to be searched and would represent an undue interference with your affiants other assigned duties.

Therefore, based on my training and experience, and the above facts, I believe I have substantial cause to believe the above-described property or a portion thereof will be at the described premises when the warrant is served.

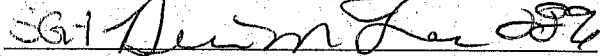
I, Jennifer Turner, hereby pray a search warrant be issued for the seizure of said property, or any part thereof, from said premises at any time of the day, good cause being shown therefore, and the same be brought before this magistrate or retained subject to the order of this court.



Magistrate, Judge of the Superior Court of Humboldt County

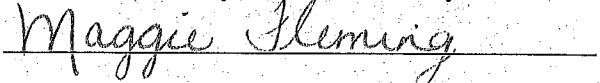


Humboldt County Sheriff's Office Supervisor



Date: 10/27/2016

Humboldt County District Attorney



Date: 10/27/16

Statement of Expertise
Detective Jennifer Turner

I have been employed with the Humboldt County Sheriff's Office since June 19th, 2006 working as a Deputy Sheriff. I have worked out of Main Station Patrol, in the greater Eureka and Northern Humboldt Areas. From June of 2011 until April of 2012, I was assigned as a bailiff in the Court Operations Division. On June 23rd, 2013, I was assigned to the Criminal Investigation Division as a Detective.

I base my opinions on the following specialized training and expertise:

1. In June of 2006 I successfully completed the 929-hour Basic Police Academy at the College of the Redwoods. The Academy included training in sexual assault and homicide investigation.
2. I have received my POST Basic and Intermediate certificates.
3. I have attended a 32-hour POST certified course in Crisis Intervention Team Training.
4. I have attended a 21-hour Child Sexual Abuse Forensic Interview Course.
5. I have attended a 16-hour POST certified Search Warrants A-Z Course.
6. I have attended an 80-hour POST certified Defensive Tactics Instructor Course.
7. I have attended a 60-hour POST certified course in Crime Scene Investigating.
8. I have attended a 40-hour POST certified Basic Instructor Course.
9. I have attended a 16-hour POST certified Defensive Tactics Instructor Update Course.
10. I have attended a 16-hour POST certified Electronic Weapons Instructor Course.
11. I have attended a 16-hour POST certified course on H&S 11550-Drug Influence.
12. I have attended an 80-hour POST certified ICI Core Course.
13. I have attended a 40-hour POST certified ICI Child Abuse Investigation Course.
14. I have attended a 40-hour POST certified ICI Officer Involved Shooting Course.
15. I have attended a 24-hour POST certified Force Encounters Analysis Course.
16. I have attended an 8-hour POST certified Electronic Wiretap Course.
17. I have investigated or assisted in the investigation of numerous felony and misdemeanor cases, including but not limited to; aggravated assault, domestic violence, suspicious deaths, missing persons, rapes, forgery and embezzlement, sexual and physical abuse of children, officer involved shootings and homicides.



SUPERIOR COURT OF CALIFORNIA
County of Humboldt

FILED
NOV 01 2016
BRENDA N.

SEARCH WARRANT RETURN
and
INVENTORY

SUPERIOR COURT OF CALIFORNIA
COUNTY OF HUMBOLDT

Search Warrant No. SW1600438
 Address of place searched: [REDACTED] Hwy96 Hoopa, California
 Issuing Magistrate: Judge Feeney
 Name of affiant: Detective J. Turner
 Date warrant issued: 10-27-2016
 Date warrant executed: 10-26-2016
 Person served and title: No person on scene. Warrant copy left on scene
 Manner of warrant service: Personal service Mail Fax

I, the affiant for this search warrant, state the following:

- (1) The information listed above is correct.
- (2) During the execution of the search warrant, the following property was seized:
See attached inventory sheet.

I declare under penalty of perjury that the foregoing is true.

Date: 11-1-16

[Signature] #1701
Affiant

GIVEN under my hand and dated this 1 day of November, 2016.



[Signature]
Deputy Clerk of the Superior Court of California,
County of Humboldt.

SEARCH WARRANT INVENTORY

DATE ITEMS REMOVED 10/27/16

CASE NUMBER 201605403

DEPUTY SHERIFF SEIZING ITEM [REDACTED]

SEARCH WARRANT NUMBER _____

ITEMS REMOVED FROM ADDRESS/LOCATION [REDACTED] Hwy 96 Hoopa Ca

[REDACTED] double wide trailer

K19 - PMC 9mm luger case	Bathroom Master
K20 - WMA 14 case	Bathroom Master
K21 - WMA 14 case	Bathroom Master
K23 - WMA 14 round	Bathroom Master
K13 - FC 9mm luger case	Master Bedroom
K18 - Win 9mm luger case	Master Bedroom
K24 - WMA 14 case	Master Bedroom
K26 - 2 7.62x39, 1 PMC 9mm luger	Master Bedroom nightstand
1 Tulammo 9mm luger, Rem 22 rounds	Master Bedroom nightstand
K14 - WMA 14 case	Master Bedroom closet
K15 - FC 9mm luger case	Master Bedroom closet
K16 - FC 9mm luger case	" "
K17 - FC 9mm luger case	" "
K22 - WMA 14 case	" "
K29 - Box of assorted 22 rounds	" "
K12 - PMC 9mm luger case, FC 9mm luger	Living room
K11 - WMA 14 case	Living room
K10 - FC 9mm luger case	" "
K30 - Smith & Wesson 10 round magazine empty	" "

10/27/16

1930

DATE

TIME

2015

PIN#

SEARCH WARRANT INVENTORY

DATE ITEMS REMOVED 10/27/16

CASE NUMBER 201605403

DEPUTY SHERIFF SEIZING ITEMS [REDACTED]

SEARCH WARRANT NUMBER

ITEMS REMOVED FROM ADDRESS/LOCATION

Hwy 96 Hoopa Ct

[REDACTED] double wide trailer

K9 - PMC 9mm Luger case

Kitchen

K31 - Apple iPhone in black case

Family room

K27 - ~~Bullet~~ fragment

Family room

K28 - Bullet expended

Bathroom #2

K32 - FC 9mm Luger case

Master Bedroom closet

K-25 - Win 9mm luger round

Storage room

10/27/16

1930

DATE

TIME

[REDACTED] 2015

PIN#

DISTRIBUTION: ORIGINAL - LEAVE AT SCENE OF SEARCH WARRANT SERVICE

YELLOW - RETURN TO COURT WITH ORIGINAL SEARCH WARRANT