

3013-567

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FILED

GRENDEN N.

JAN 23 2013

HUMBOLDT SUPERIOR COURT
COUNTY OF HUMBOLDT, STATE OF CALIFORNIA

SUPERIOR COURT OF CALIFORNIA
COUNTY OF HUMBOLDT

AFFIDAVIT FOR SEARCH WARRANT

S/W # 1300033

DETECTIVE CHERYL FRANCO, DEPUTY SHERIFF swears under oath that the facts expressed by her in the attached and incorporated statement of probable cause are true and that based thereon she has probable cause to believe and does believe that the property described below is lawfully seizable pursuant to Penal Code Section 1524, as indicated below, and is now located at the locations set forth below. Wherefore, affiant requests that this Search Warrant be issued.

- was stolen or embezzled;
- was used as the means of committing a felony;
- is possessed by a person with the intent to use it as a means of committing a public offense; or is possessed by another to whom he may have delivered it for the purpose of concealing it or preventing its discovery;
- is evidence which tends to show a felony has been committed or a particular person has committed a felony;
- is evidence which tends to show sexual exploitation of a child, in violation of Penal Code Section 311.3 has occurred or is occurring

and request the issuance of a search warrant to search: **The vehicle belonging to [REDACTED] as well as the black AT&T "Pantech" palm style cell phone located on the east lawn of [REDACTED] Copenhagen Road, Loleta.**

THE PREMISES located at and described as:

FURTHER DESCRIBED AS FOLLOWS:

3C13-567

Including basements, attics, storage spaces, appurtenant buildings, the surroundings grounds, and any containers thereon which could contain any of the items sought.

THE CONTAINER(S) located at and described as:

THE VEHICLE(S) 

This vehicle is currently stored at the Humboldt County Sheriff's Office boat shed.

Including the passenger compartment, storage areas such as trunk and glove box, and any containers with the vehicle(s) Which could contain any of the items sought.

THE PERSON(S) OF:

FOR THE FOLLOWING PROPERTY: Firearms, weapons, objects shaped like firearms, bullets, ammunition, gun cases, drugs, drug paraphernalia, proof of ownership for the vehicle, indicia, any evidence pertaining to the entry, direction and travel of any projectiles, photographs, latent prints, cell phones and the forensic analysis of any located cell phones, wallets, purses, backpacks, computers, cameras, any electronic media or devices, and any possible biological evidence.

As well as a forensic analysis of the black AT&T "Pantech" palm style cell phone.

The following attachments indicated below are incorporated into this affidavit by reference as though set forth here word-for-word; probable cause contained herein:

- (X) Narrative statement of probable cause
- () The following official police reports and records; and documents, exhibits and photographs;

(X) State of expertise (and opinion): **DETECTIVE CHERYL FRANCO,**
DEPUTY SHERIFF

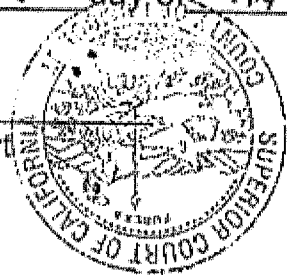
Affiant has reasonable cause to believe that the grounds for the issuance of a search warrant exist based on this affidavit and the above attachments, and prays that a search warrant be issued.

Dated 1/23/13
Affiant

Cheryl Franco

Subscribed and sworn to before me on this 23 day of JAN, 2013

Ol A Remington
Magistrate, Judge of the Humboldt Superior Court



STATEMENT OF PROBABLE CAUSE

MY NAME IS CHERYL FRANCO, I AM A DEPUTY FOR THE COUNTY OF HUMBOLDT AND I AM CURRENTLY ASSIGNED TO THE SHERIFF'S DEPARTMENT CRIMINAL INVESTIGATION DIVISION. I HAVE BEEN A DEPUTY SHERIFF FOR ABOUT 15 YEARS. SEE MY ATTACHED STATEMENT OF EXPERTISE INCORPORATED HEREIN AS IN FULLY SET FORTH.

I learned the following information from Sgt. Ireland's supplemental report to case 201300320. On 1-19-13 @ 0417 hrs. Deputy Moore attempted a traffic stop on a possible DUI driver traveling southbound on Tompkins Hill Rd. Eureka. The vehicle was later identified as a [REDACTED] registered to [REDACTED]. The vehicle failed to yield and a pursuit ensued.

Deputy Moore pursued the vehicle on Tompkins Hill Rd. to Eel River Drive in Loleta. As the vehicle approached Loleta Drive, the [REDACTED] vehicle, lost control and spun out. Sgt. Ireland heard Deputy Moore broadcast over the radio that shots were fired, and the [REDACTED] vehicle attempted to run him over. The pursuit continued to the intersection of Copenhagen Road and Eel River Drive, where the [REDACTED] vehicle again lost control, and came to a stop on the northwest shoulder in the yard to [REDACTED] Copenhagen Rd. The driver fled the scene carrying a firearm in his right hand. Upon arrest the driver was identified as [REDACTED] and a [REDACTED] passenger, was identified as [REDACTED].

On 1-19-13 @ 0530 hrs. I was called in to investigate this case. On 1-19-13 I responded to the scene. I saw the [REDACTED] vehicle, a [REDACTED]. The [REDACTED] vehicle had two holes on the driver's side, which appeared to be bullet holes. One of the bullets appeared to travel through the seat back of the driver's seat. I saw a smashed piece of lead and copper jacket laying in the driver's seat. The vehicle was later towed, and is currently stored, at the Sheriff's Office [REDACTED] as evidence.

I also traveled the path, which [REDACTED] had fled after the second crash. He traveled on the east lawn belonging to the residence located at [REDACTED] Copenhagen Road, Loleta. I saw a black AT&T "Pantech" palm style cell phone lying in the grass. About thirty feet past the cell phone, was a food style-cooking torch. The torch has a black handle, with a chrome circular end piece.

On 1-19-13 [REDACTED] was interviewed. [REDACTED] is a PRCS Parolee, supervised by the Probation Department. [REDACTED] was last sent to prison for a violation of 12020(A)(1) PC- Manufacturing/ Possessing a Dangerous Weapon in 2011.

[REDACTED] stated he was driving southbound on Hwy 101 when he noticed a Deputy driving behind him. He drove towards College of the Redwoods when the Deputy tried to pull him over. [REDACTED] said he doesn't have a drivers license, had been using drugs all day, so he decided to flee, instead of pulling over. He continued to Loleta Drive, where his vehicle spun out. [REDACTED] said he was trying to get the car into gear, as the Deputy was pointing a gun at him. When the car started to move the Deputy fired two shots at his car. As he turned onto Eel River Drive he felt a pain in his back and believed he had been shot. He continued to Copenhagen Drive where he crashed the vehicle. He fled northbound on foot. [REDACTED] denied having a gun or any other object in his hand. [REDACTED] stated he had purchased the [REDACTED], about three days prior, for \$1000.00. He took the license plates off of his wife's vehicle, as they had current registration, and put them on the [REDACTED]. [REDACTED] admitted in his interview that he had drugs and drug paraphernalia inside his vehicle.

On 1-20-13 Deputy Moore was interviewed and stated when the [REDACTED] vehicle spun out at Eel River Dr. and Loleta Dr., He attempted to do a felony car stop. He pulled his gun, and commanded the driver to stop the vehicle, and put his hands up. Deputy Moore recognized the driver as [REDACTED]. Deputy Moore had information that [REDACTED] was the [REDACTED]. [REDACTED] is also known to carry firearms. As Deputy Moore slowly approached the vehicle he could see a [REDACTED] passenger, sitting motionless. Deputy Moore also saw [REDACTED] reaching down in the area between the two front seats. He then saw [REDACTED] right hand raise up, holding a firearm. As [REDACTED] vehicle started moving forward, [REDACTED] pointed the firearm at Deputy Moore. Deputy Moore fired two shots, from his duty weapon, into the moving vehicle. The [REDACTED] vehicle also ran over Deputy Moore's left foot as it fled the scene. The pursuit continued to the intersection of Copenhagen Road and Eel River Drive, where the [REDACTED] vehicle had an accident. Deputy Moore saw [REDACTED] flee northbound holding a firearm in his right hand. The [REDACTED] passenger fled southbound.

An extensive search of the field, located adjacent and north of [REDACTED] Copenhagen Road, revealed no firearm.

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Based on my training and experience I know that [REDACTED] who have previous weapon convictions, are likely to possess weapons again. I also know [REDACTED] frequently take photos of themselves [REDACTED], most often [REDACTED]. Additionally Deputy Moore saw [REDACTED] possessing a firearm.

Based on the aforementioned information I am requesting a search warrant to search the [REDACTED]

[REDACTED] for the following items: Firearms, weapons, objects shaped like firearms, bullets, ammunition, gun cases, drugs, drug paraphernalia, proof of ownership for the vehicle, indicia, any evidence pertaining to the entry, direction and travel of any projectiles, photographs, latent prints, cell phones and the forensic analysis of any located cell phones, wallets, purses, backpacks, computers, camera's, any electronic media or devices, and any possible biological evidence.

In addition I am requesting to forensically search the found black AT&T "Pantech" palm style cell phone, allegedly belonging to [REDACTED]

THIS AFFIDAVIT WAS PREPARED ON 1-22-13.

**Statement of Expertise
Detective Cheryl Franco**

I have been employed in Law Enforcement for the past 15 years. I was employed as a Probation Officer for Humboldt County for 2 ½ years (1996-1998) prior to being employed by the Humboldt County Sheriff's Office. I have worked as a Deputy Sheriff since October 18, 1998. I have worked out of Main Station Patrol. On March 10, 2008 I was assigned to the Criminal Investigation Division (CID) as a Detective. I base my opinions on the following specialized training and expertise.

1. In 1995 I received my Bachelor of Arts degree in Psychology from Humboldt State University.
2. In May of 1998 I successfully completed the Basic Police Academy at the College of the Redwoods. The Academy included training in sexual assault and homicide investigation.
3. I have received my POST Basic, Intermediate and Advanced certificates.
4. I have attended a 40-hour POST certified course in Homicide Investigation.
5. I have attended a 80-hour POST certified course in Death Investigation.
6. I have attended a 40-hour POST certified course in sexual assault.
7. I have attended a 40-hour POST certified course in Interview and Interrogation.
8. I have attended a 16-hour POST certified course in Child Physical Abuse Investigation.
9. I have attended a 16-hour POST certified course in Drug Abuse Recognition.
10. I have investigated numerous felony and misdemeanor cases including but not limited to: murder, attempted murder, rape, child sexual assault, domestic violence, suspicious deaths and missing persons.



County of Humboldt
Office of the District Attorney
INVESTIGATIVE REPORT

DEFENDANT / SUSPECT NAME	DATE	CASE NUMBER
[REDACTED]	1/19/2013	DA13-0017
CROSS REFERENCE AGENCY	AGENCY CASE NUMBER	SUPPLEMENTAL NUMBER
HCSO	2013-00320	

CRIME

Assault on a Police Officer

CHARGES

TYPE	CODE SECTION	DESCRIPTION
1. Felony	245(d)(2) PC	Assault on a Peace officer with a semi-auto firearm
2. Felony	2800.2 PC	Fleeing an officer with willful and wanton disregard

NAME	DATE OF BIRTH	ADDRESS	PHONE
[REDACTED]		[REDACTED]	[REDACTED]
[REDACTED]		[REDACTED]	[REDACTED]
[REDACTED]		[REDACTED]	[REDACTED]
[REDACTED]		[REDACTED]	[REDACTED]

SUMMARY / PROPERTY

On 1/19/2013 at 0417 hours, Deputy Conan Moore initiated a traffic stop on a black Honda Civic for erratic driving on HWY 101 South of Fields Landing. The driver failed to yield and Deputy Moore initiated a pursuit. The pursuit followed Tomkins hill road to Eel River drive in Loleta. The vehicle crashed on Loleta Drive at Eel River Drive. Deputy Moore exited his vehicle and attempted to direct the driver and [REDACTED] passenger stop. Moore recognized the driver as [REDACTED]. [REDACTED] grabbed a handgun and pointed it at Moore. The [REDACTED] then pulled away in his vehicle. As the vehicle was pulling away Moore feared for his life and he fired twice at [REDACTED]. Both rounds missed [REDACTED]. The vehicle ran over Moore's left foot as it pulled away. [REDACTED] drove his vehicle Northbound on Eel River Drive and crashed on Copenhagen road. [REDACTED] then exited his vehicle and ran Northbound into a swamp. He was subsequently apprehended by EPD K9 Officer, LaFrance. Two firearms were located during the [REDACTED] vehicle search.

NARRATIVE

On 1/19/2013 at 0500 hours, I received a phone call notifying me of Critical Incident Response Team (CIRT) callout. I responded to the Sheriff's office and made contacting with Lt. Dave Morey. Lt. Morey assigned investigator Bernstein and me to interview [REDACTED] who was a passenger in the vehicle pursuit. Bernstein and I interviewed Winnop at [REDACTED]

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	Probation	Parole	Other:			1 of 7
INVESTIGATOR	ID	DATE	APPROVED BY	DATE		
W. F. Honsal [Signature]	7k8	1/24/2013	[Signature]	1-24-13		



County of Humboldt
Office of the District Attorney
INVESTIGATIVE REPORT

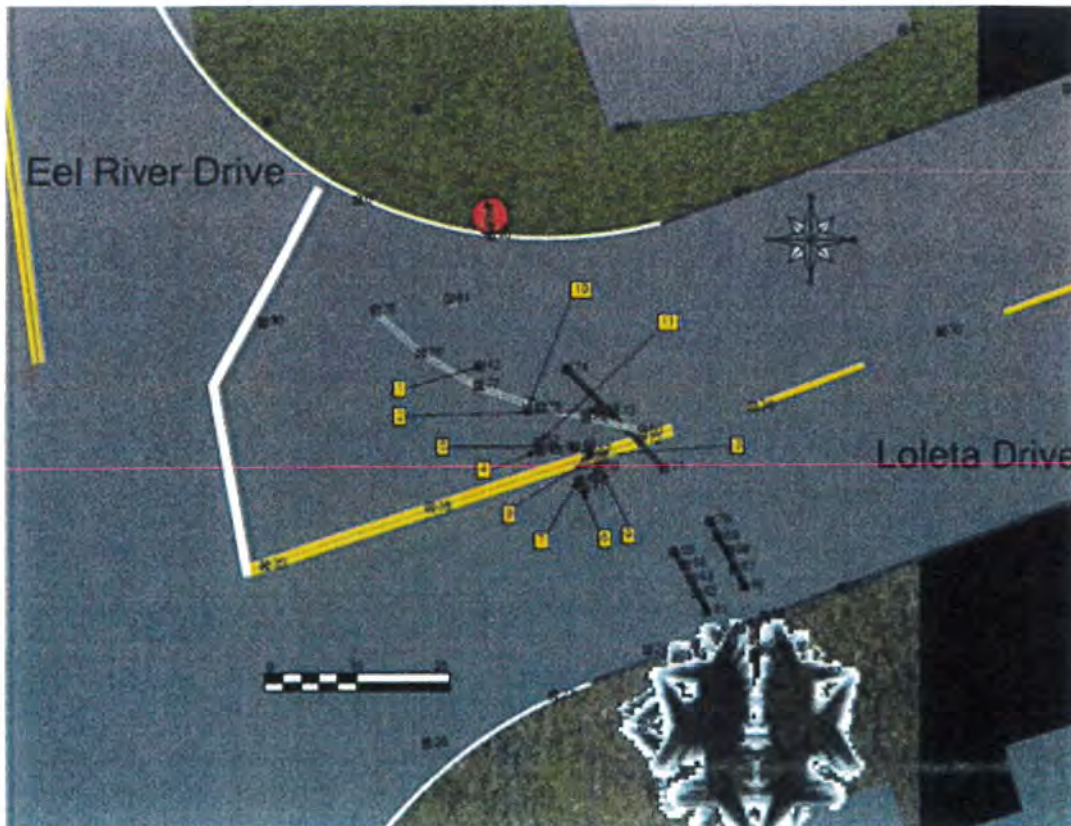
	██████ / ██████ NAME	DATE	CASE NUMBER
	██████ ██████ ██████	1/19/2013	DA13-0017
RIME	CROSS REFERENCE AGENCY	AGENCY CASE NUMBER	SUPPLEMENTAL NUMBER
Assault on a Police Officer	HCSO	2013-00320	

the District Attorney's office. Refer to investigator Bernstein's report for details.

After the interview, ██████ was booked into the Humboldt County Jail for delaying and resisting arrest.

Crime Scene:

At 1015 hours, Investigator Bernstein and I responded to the scene in Loleta. We were assigned to document the crime scene at Loleta Drive and Eel River Drive. The roadway was blocked off and secured by crime scene tape. Evidence markers 1-11 were placed in the roadway documenting items of evidence. I used a Nikon DTM 352 Data Collector (Total Station) to electronically measure the crime scene and evidence located at the scene. I plotted the scene using the data collector. All evidence was collected by CSI Karen Quenell.



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INVESTIGATOR	ID	DATE	APPROVED BY	DATE		
W. F. Honsal	7k8	1/24/2013				



County of Humboldt
Office of the District Attorney
INVESTIGATIVE REPORT

	██████████ / SUSPECT NAME	DATE	CASE NUMBER
JME	██████████	1/19/2013	DA13-0017
	CROSS REFERENCE AGENCY	AGENCY CASE NUMBER	SUPPLEMENTAL NUMBER
Assault on a Police Officer	HCSO	2013-00320	

It was arranged by Lt. Morey to have Deputy Moore interviewed with his Attorney on Sunday January 20, 2013. I contacted Moore's Attorney, ██████████ and requested that they meet us at Loleta Drive and Eel River drive at 1400 hours to conduct a scene walk through.

Investigation Continued:

On 1/20/2013, at 1400 hours, Detective Franco, Investigator Bernstein, Deputy Moore, his attorney ██████████ and I arrived on scene at Loleta and Eel River Drive. We got into Investigator Bernstein's vehicle and I advised Moore that I would like him to narrate on video his observations regarding the pursuit and the events that led up to the discharge of his firearm. Moore agreed. Due to the serious nature of the events, I read Moore his Miranda Rights which he waived by stating he understood and he would speak to me. Moore sat in the front seat and narrated his observations regarding the pursuit and the discharge of his firearm. Refer to the attached CD for details.

After the scene walk through, we responded to the Sheriff's Office where Investigator Bernstein and I interviewed Moore. The following is a summary of his statement. For complete details refer to the attached DVD.

██████████
Deputy Moore has been a Humboldt County deputy sheriff for approximately 4 years. He graduated the Redwoods Police academy in 2009. For the past 4 years he has been assigned to patrol operations. He is currently working swing shift, 1600-0200, patrolling the Southern Humboldt Beat.

On January 18th, 2013, Moore worked his normal swing shift and was asked to hold over 4 hours because the graveyard shift was short staffed. Moore was dressed in his approved green cold weather uniform, with his badge and patches prominently displayed. He also wore a black baseball hat that displayed "Sheriff" on the front. Moore was driving his assigned patrol vehicle ██████████ (Ford Expedition) which was properly marked with the Sheriff's star on the doors and reflective decals. The vehicle was fully equipped emergency lights and siren. Moore advised that he checks the vehicle's equipment and lighting prior to his patrol shift every day. All of the emergency equipment was functioning and fully operational.

At approximately 0417 hours, Moore was driving Southbound on Hwy 101 at Fields Landing. At

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		Probation	<input type="checkbox"/>	Parole	<input type="checkbox"/>	Other:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
INVESTIGATOR	ID	DATE	APPROVED BY	DATE							
W. F. Honsal	7k8	1/24/2013									



County of Humboldt
Office of the District Attorney
INVESTIGATIVE REPORT

	██████████ / SUSPECT NAME	DATE	CASE NUMBER
	██████████	1/19/2013	DA13-0017
CRIME	CROSS REFERENCE AGENCY	AGENCY CASE NUMBER	SUPPLEMENTAL NUMBER
Assault on a Police Officer	HCSO	2013-00320	

this time there wasn't a lot of traffic on the roadway. It was a cold foggy night, with the roadway being wet in some areas. Moore observed a black Honda Civic hatchback merging onto S/B Hwy 101 from Fields Landing. The vehicle immediately caught his attention because of its inability to maintain a lane. The vehicle was driving over the fog line and then from the #2 lane over to the #1 lane. Due to the erratic driving, Moore believed the driver could be intoxicated and the impairment was affecting his driving ability. Deputy Moore got behind the vehicle and ran the license plate through dispatch, CA LIC. # ██████████. The vehicle came back registered as a 2002 Honda Coupe, R/O ██████████ ██████████, Fortuna, CA. Moore could not see inside the cab of the vehicle and he did not know who was driving. Moore followed the vehicle as it turned onto Tompkins Hill Road from Hwy 101. As the vehicle crossed back under the highway, Moore decided to initiate a traffic stop for a possible DUI investigation. Moore turned on his overhead emergency lights. The vehicle then sped up and it failed to yield, proceeding Southbound on Tompkins Hill Road, in excess of 60 mph. Moore initiated a vehicle pursuit by turning on his siren and all of his emergency lights. Moore pursued the vehicle past College of the redwoods and through the sharp turns of Tompkins Hill Road. When the driver approached the turns, the vehicle merged into the Northbound Lane and drove on the opposite side of the road. The vehicle maintained speeds around 60 mph, in the posted 35 mph zones. Moore did not see any other vehicles or pedestrian traffic on the road during the pursuit.

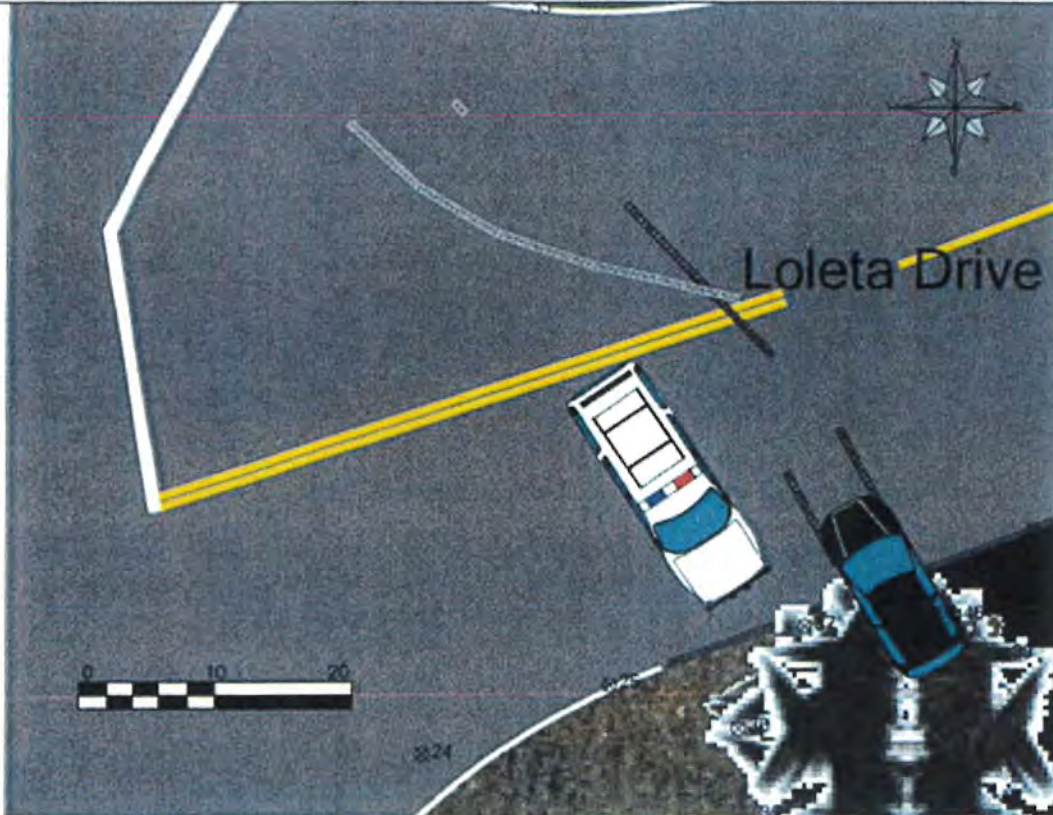
Moore continued to pursue the vehicle from Tomkins Hill Road to Hookton Road. He followed Hookton Road, over HWY 101 and then Southbound on Eel River Drive. He followed the vehicle updating dispatch of his locations and the conditions of the pursuit. Moore continued to notice that on every right turn in the roadway, the driver would drive on the opposite side of the road. The vehicle continued into the town of Loleta. As the vehicle approached Loleta Drive, it merged into the Northbound Lane and drove across the Westbound lane of Loleta Drive as it attempted an Eastbound turn. The vehicle lost control on Loleta Drive due to the rapid turning movement. The vehicle turned 180 degrees and the back end collided with the South curb of Loleta drive. The force of the collision sent the back end of the vehicle into a large bush on the side of the road. The vehicle was high centered on the South Curb of Loleta Drive, and temporarily immobilized. Deputy Moore pulled his vehicle to the West side (driver's side) of the car and his lights illuminated the cab of the Honda Civic. He advised Dispatch the vehicle had crashed.

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INVESTIGATOR	ID	DATE	APPROVED BY		DATE						
W. F. Honsal	7k8	1/24/2013									



County of Humboldt
Office of the District Attorney
INVESTIGATIVE REPORT

	██████ / ██████ NAME	DATE	CASE NUMBER
	████ ██████████	1/19/2013	DA13-0017
TIME	CROSS REFERENCE AGENCY	AGENCY CASE NUMBER	SUPPLEMENTAL NUMBER
Assault on a Police Officer	HCSO	2013-00320	



When he exited his vehicle he pulled his handgun from his holster and yelled at the occupants of the vehicle, "Sheriff's Department turn off the vehicle." The flashlight from his handgun further illuminated the cab of the vehicle. When he looked at the driver he instantly recognized him as being ██████ ██████ is a wanted parolee who was suspected of being involved in a burglary ring in the Southern Humboldt area. Moore also noticed a ██████ in the front passenger seat. The ██████ appeared to be in shock and did not move. Moore ordered ██████ to turn off the car. ██████ looked directly at him and he refused as he continued to accelerate in attempt to get off the curb. The revving engine created a lot of noise. Moore approached the car on the driver's side and ordered ██████ to stop the car. As he approached he observed ██████ right hand digging for something in between the front seats. In the meantime his left hand was firmly gripping the steering wheel. The vehicle then broke loose from the curb and proceeded to drive away in Moore's direction. Moore observed ██████ right hand come from the center console area with a sliver semi automatic

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INVESTIGATOR	ID	DATE	APPROVED BY	DATE		
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County of Humboldt
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	NAME	DATE	CASE NUMBER
		1/19/2013	DA13-0017
TITLE	CROSS REFERENCE AGENCY	AGENCY CASE NUMBER	SUPPLEMENTAL NUMBER
Assault on a Police Officer	HCSO	2013-00320	

handgun. The car then drove directly at Moore. Moore backed out of the way of the oncoming car as he yelled, "Drop the gun." Moore was forced a half step back into his patrol vehicle as the car was driving by him. Moore had no where to retreat. [REDACTED] then raised the handgun at Moore as he was driving by him. Moore observed the rectangular slide and the barrel of the gun pointed at him. Due to the close proximity Moore believed that [REDACTED] was going to shoot him with the firearm. Moore shot his handgun twice at [REDACTED] in self defense. Moore's torso was approximately 18-24" away from the vehicle when he shot. The rounds went through the "B" post on the driver's side and the driver's side rear window. He believed he had shot the driver after the rounds were discharged. Moore did not shoot a third shot because the vehicle was driving away at a rapid speed. The shot could have missed and went into one of the dwellings next to the roadway. [REDACTED] drove around the patrol vehicle and preceded Northbound on Eel River Drive.

Moore advised dispatch that shots were fired and that he vehicle was Northbound on Eel River Drive. Moore got back into his patrol vehicle and followed after [REDACTED]. As Moore passed Cannibal Island road he observed [REDACTED] crash his vehicle on the Northwest corner of Copenhagen and Eel River Drive. As he arrived at that intersection he observed [REDACTED] exit a vehicle with what appeared to be a handgun in his right hand. [REDACTED] then ran around the front of the crashed vehicle and then Northbound behind a private residence. Moore lost visual of [REDACTED] when he went behind the building. Moore looked back at the vehicle and observed a [REDACTED], later identified as [REDACTED], running Southbound across Copenhagen and into the brush Southwest of the intersection.

Moore exited his vehicle and waited for back up to arrive to conduct the search for the [REDACTED]. When Moore was waiting, his left foot started to ache. He looked down and saw a fire mark across his foot. He believed that he had been run over by [REDACTED] when he discharged his firearm. He doesn't have an independent memory of being run over, but he knows his left foot was forward when he shot. And he was very close to the vehicle.

Deputy Moore subsequently assisted K9 officer, LaFrance in locating [REDACTED] and taking him into custody.

Deputy Moore kept his handgun in the same condition and did not unload it or change magazines after the shooting. Moore did not deploy or use any other firearm during this incident. Moore also commented that this wasn't the first incident when a firearm has been pointed at him. On a previous occasion a firearm was pointed at him but due to the great

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County of Humboldt
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	██████ ██████	1/19/2013	DA13-0017
ME	CROSS REFERENCE AGENCY	AGENCY CASE NUMBER	SUPPLEMENTAL NUMBER
Assault on a Police Officer	HCSO	2013-00320	

distance, he did not perceive that as an imminent threat. This circumstance was very different. The threat was so close that he believed ██████ was going to shoot him with the handgun.

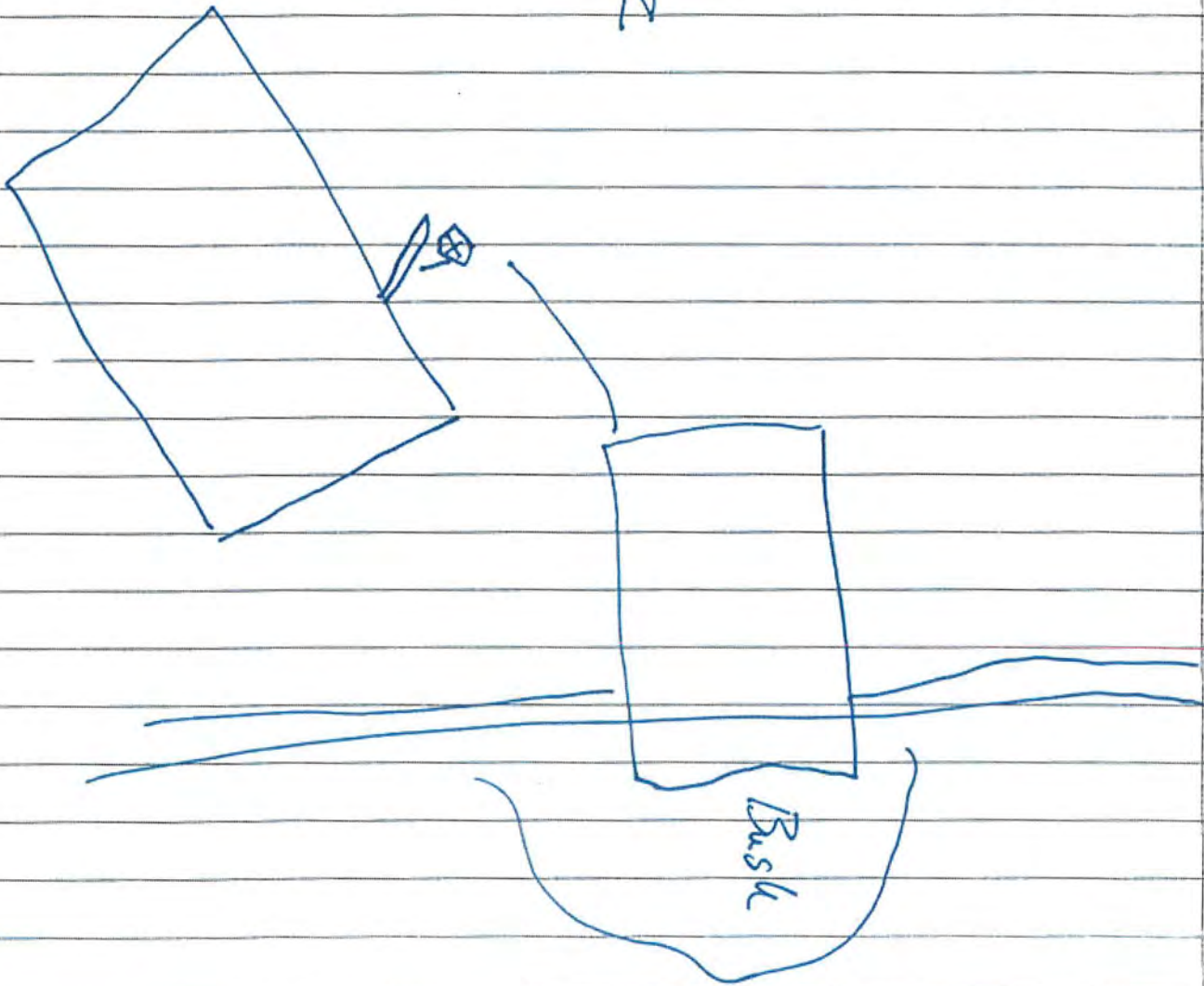
Moore advised that his foot was checked out by an emergency room physician at St. Joseph's hospital. His foot was X-rayed and no damage was detected. He advised that his foot appeared to be swollen but he was able to walk without any real discomfort.

DISPOSITION

Case referred for prosecution

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INVESTIGATOR	ID -	DATE	APPROVED BY	DATE							
W. F. Honsal	7k8	1/24/2013									

DRAWN BY DEANN MOORE ON 1/20/13
DURING INTERVIEW



5/1/2013
Deann Moore

Humboldt District Attorney

██████ - 245 PC

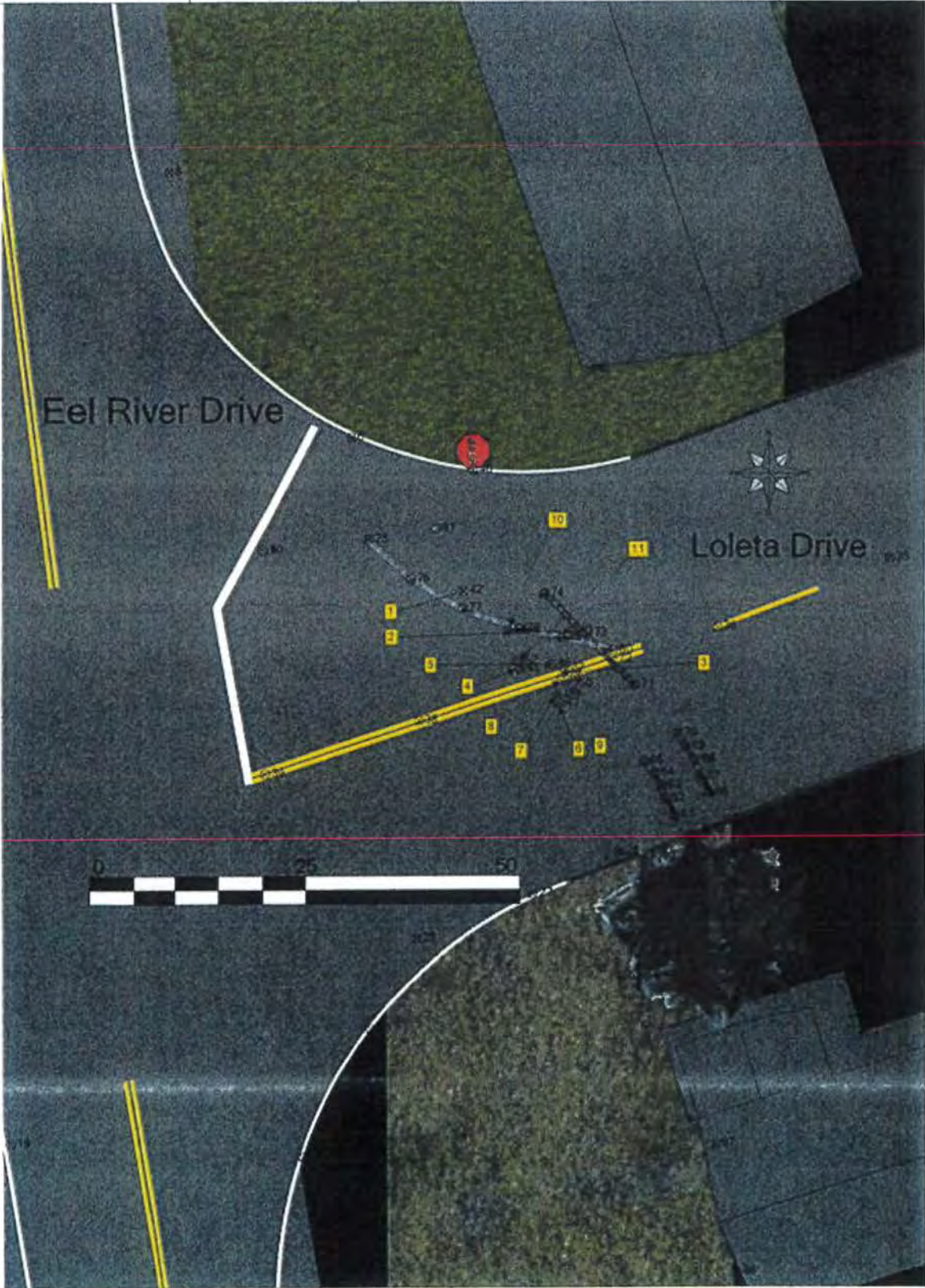
Case Number
DA13-0017

Drawn By
William Honsal

Date Drawn
1/20/2013

Incident Date 1/20/2013
Location: Loleta CA

Scale
1" = 17.25'





District Attorney, County of Humboldt

Measurement Data Log

File Number	DA13-0017	Scene Measured By	William Honsal
Incident Date/Time	20-Jan-2013 04:17 PM	ID Number (measured by)	7K8
Incident Location	Loleta, CA	Scene Assisted By	Jack Bernstein
Date Measured On	20-Jan-2013	ID Number (assisted by)	7K9
Weather Description	Clear	Reference Point Description	Westbound lane of Loleta Dr. near Li
Road Description	Asphalt - Dry	Secondary Reference Point	
		Visibility Description	Limited

Narrative

People vs. [REDACTED] - 245 PC against Peace Officer

Point	X	Y	Z	Description	Notes
1	0.0000	0.0000	0.0000	RP	
2	87.0100	25.6540	4.2260	N CURB LOLETA	
3	67.8480	20.5260	3.1520	N CURB LOLETA	
4	51.0600	14.3080	2.2680	N CURB LOLETA	
5	16.7740	23.2180	1.1580	N CURB LOLETA	
6	10.3200	13.3320	0.1680	N CURB LOLETA	
7	0.3000	21.9680	-0.1000	N CURB LOLETA	
8	-10.8000	44.4620	-0.5020	E WHT LINE ERD	
9	-20.9220	74.5920	-0.5240	E WHT LINE ERD	
10	-23.9320	100.4800	-0.8180	E WHT LINE ERD	
11	-27.7520	134.7500	-1.2300	E WHT LINE ERD	
12	-53.7620	134.5940	-1.5960	W WHT LINE ERD	
13	-51.1600	109.2740	-1.4760	W WHT LINE ERD	
14	-50.4800	84.6740	-1.1000	W WHT LINE ERD	
15	-45.7400	61.7540	-0.7180	W WHT LINE ERD	
16	-43.2120	32.1560	-0.2620	W WHT LINE ERD	
17	-39.7180	7.7240	-0.0480	W WHT LINE ERD	
18	-33.5220	-42.0540	0.6180	W WHT LINE ERD	
19	-29.1660	-69.1780	0.8680	W WHT LINE ERD	
20	-26.9500	-88.4880	0.9240	W WHT LINE ERD	
21	-21.9460	-111.7540	1.1420	W WHT LINE ERD	
22	5.5160	-122.2100	0.6340	E C ERD	
23	3.4520	-93.9060	0.3500	E C ERD	
24	4.4000	-70.7500	0.1280	S C LOLETA	
25	12.3900	-56.0720	0.1040	S C LOLETA	

Point	X	Y	Z	Description	Notes
25	12.3900	-56.0720	0.1040	S C LOLETA	
26	17.7020	-45.5260	0.0900	S C LOLETA	
27	31.3160	-40.3880	0.2900	S C LOLETA	
28	41.4100	-35.5080	1.0140	S C LOLETA	
29	62.4860	-28.8020	2.2000	S C LOLETA	
30	86.1040	-20.8200	3.4300	S C LOLETA	
31	106.9420	-13.4940	4.5560	S C LOLETA	
32	128.2060	-6.3640	5.7380	S C LOLETA	
33	108.6120	11.7560	5.8120	LANE LINE	
34	93.9960	6.1960	5.0140	LANE LINE	
35	73.2320	-1.0280	3.7920	LANE LINE	
36	52.8340	-9.1840	2.7780	LANE LINE	
37	38.1740	-14.0620	1.8740	LANE LINE	
38	18.0460	-20.0960	1.1300	LANE LINE	
39	0.1940	-26.3400	0.6100	LANE LINE	
40	24.5940	9.4260	1.4040	STOP SIGN	
41	129.9600	-8.0900	5.8780	25 MPH SIGN	
42	23.3820	-4.8340	1.2800	EV 1	
43	36.0620	-9.5860	1.9560	EV 2	
44	34.8420	-14.4780	2.2180	EV 3	
45	29.9640	-14.0140	1.9440	EV 4	
46	33.5620	-13.5000	2.1740	EV 5	
47	34.5480	-18.1200	2.1260	EV 6	
48	34.0620	-17.2360	2.0800	EV 7	
49	34.6680	-15.3660	2.1660	EV 8	
50	36.0300	-15.8900	2.1660	EV 9	
51	28.5380	-9.5000	1.9520	EV 10	
52	29.7040	-13.1200	1.9940	EV 11	
53	41.6880	-50.0380	0.3260	BUSH	
54	40.7900	-43.6160	0.2980	BUSH	
55	45.6360	-36.0500	0.7700	BUSH	
56	53.7280	-35.1700	0.7600	BUSH	
57	60.1700	-38.0980	0.9860	BUSH	
58	54.0060	-31.7920	1.9120	CURB MARK	
59	51.4720	-32.9460	1.7400	CURB MARK	
60	49.8200	-33.4800	1.6100	CURB MARK	
61	47.8160	-31.3400	1.5680	TIRE MARK	
62	46.6680	-29.3900	1.6740	TIRE MARK	
63	46.2660	-27.7980	1.7940	TIRE MARK	
64	45.5100	-26.3480	1.8700	TIRE MARK	
65	44.2640	-24.9620	1.9740	TIRE MARK	
66	51.7820	-28.6220	1.8840	TIRE MARK	
67	50.8280	-26.7960	2.0140	TIRE MARK	
68	50.2460	-24.7820	2.1380	TIRE MARK	

Point	X	Y	Z	Description	Notes
68	50.2460	-24.7820	2.1380	TIRE MARK	
69	49.0540	-23.2960	2.2440	TIRE MARK	
70	48.1680	-21.6500	2.2860	TIRE MARK	
71	43.2420	-15.8940	2.1420	TIRE MARK	
72	40.6760	-12.9480	2.1360	TIRE MARK	
73	37.7960	-9.8680	1.9540	TIRE MARK	
74	32.7100	-5.1520	1.6580	TIRE MARK	
75	12.2500	1.2800	0.6740	CENT MARK	
76	17.1040	-3.4100	0.9420	CENT MARK	
77	23.3300	-6.8960	1.3160	CENT MARK	
78	29.9060	-9.3080	1.6940	CENT MARK	
79	34.7120	-10.3760	1.8520	CENT MARK	
80	40.7660	-11.8860	2.1700	CENT MARK	
81	20.1700	2.5440	0.9360	SUSP MARK	
82	38.3240	21.1780	2.0000	HOUSE	
83	68.9640	31.9160	3.4680	HOUSE	
84	92.1080	-41.0500	2.8220	HOUSE	
85	76.4260	-43.9360	1.5720	HOUSE	
86	54.9700	-84.0700	0.2260	HOUSE	
87	52.3920	-69.3720	0.1220	HOUSE	
88	56.4920	-35.2140	0.8640	TIRE MARK	
89	53.1240	-35.8020	0.7600	BUSH DAMAGE	
90	0.0000	0.0000	0.0000		



County of Humboldt
Office of the District Attorney
INVESTIGATION REPORT

PAGE 1 OF 3

REPORT NAME [REDACTED]	CRIME OIS	DATE 01/23/2013	COURT CASE NUMBER	DA CASE NUMBER
TYPE OF REPORT Critical Incident Investigation		CROSS REFERENCE AGENCY Humboldt County Sheriff		CROSS REFERENCE CASE NUMBER 201300320

CHARGES		
TYPE	CODE SECTION	DESCRIPTION

VICTIMS
1. [REDACTED]

SUSPECTS
1. [REDACTED]

WITNESSES
1. [REDACTED]

SUMMARY

Assisted in the investigation of an officer involved shooting incident. Following report is the interview with passenger [REDACTED]

NARRATIVE

On January 19th, 2013 I was assigned to assist in a Critical Incident Response Team investigation involving a Humboldt County Sheriff Deputy discharging his firearm at a vehicle and driver. The following report is a summary of my Interview with [REDACTED] [REDACTED] was in custody and was brought up to the District Attorney's Office where the interview was conducted. District Attorney Investigator Honsal and I conducted the interview at approximately 0900 hours. This interview was recorded and a copy has been provided.

[REDACTED] was advised of her Miranda warnings and she indicated she understood her rights. [REDACTED] seemed sleepy and I asked her if she could acknowledge she understood her rights with a verbal response. She indicated she thought she had the right to remain silent. I asked her if she understood her rights and she said she did.

I advised her that we were investigating the vehicle pursuit in which she was a passenger. [REDACTED] refused to provide the drivers name, she indicated that she knew his name but

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	<input type="checkbox"/> Probation	<input type="checkbox"/> Parole	<input type="checkbox"/> Other:		
INVESTIGATOR Bernstein	ID 7K9	DATE 1/24/2013	APPROVED BY	DATE	

INVESTIGATION REPORT

REPORT NAME	CRIME	DATE	COURT CASE NUMBER	DA CASE NUMBER
People V [REDACTED] Walsh	OIS	1/24/2013		

refused to provide it. She described him as tall with some tattoos.

[REDACTED] was asked some basic questions about where she lived and she asked how the "remain silent thing worked?" I asked her if she wished to remain silent and explained that we were trying to figure out why the vehicle pursuit happened. She responded that she had no idea why the pursuit happened. She related that she had no idea why they got pulled over or why he kept going.

[REDACTED] indicated that she was encouraging the driver to stop during the pursuit. Due to her sleepiness I asked her if she was on any sort of drugs. She indicated she was only tired. She explained that she is in the middle of a custody battle and could not afford to get into trouble. She has a pending drug charge [REDACTED] [REDACTED] [REDACTED]. She had been arrested for possession of heroin a few months prior.

[REDACTED] was asked if she was aware that a police officer had been run over. She indicated she was not aware of that. She was asked if she was aware that a shooting had taken place during this pursuit and she said, "yah I guess." She remembered hearing two or three shots. She remembered the sound of the bullets hitting metal. When asked about the driver's reaction to the shots she explained that the driver stated he had been hit in the back.

I asked [REDACTED] about guns inside the vehicle she was in. She denied seeing the driver with any guns or him throwing any guns out the window. She added that there was a lot of stuff in the car and she was not sure of all the contents. She denied that the driver ever had a gun out while she was in the car and denied that the driver ever pointed a gun at the officer.

She described that the officer came out of his patrol vehicle and approached on the driver's side. She did not hear him say or yell anything. She acknowledged that she did see the "cop with the gun." She was very unclear as to the positioning of the vehicles and her memory was not clear as to how the events unfolded. She indicated she was scared. She could not hear what the officer was saying she could only hear "pop, pop, pop." They were driving away when the shots happened.

[REDACTED] denied using any drugs with the driver or seeing him use any drugs. She did acknowledge that she would test positive for heroin if a drug test was conducted.

See DVD for complete interview

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	<input type="checkbox"/> Probation	<input type="checkbox"/> Parole	<input type="checkbox"/> Other:		
INVESTIGATOR	ID	DATE	APPROVED BY	DATE	
Bernstein	7K9	1/24/2013			

INVESTIGATION REPORT

REPORT NAME	CRIME	DATE	COURT CASE NUMBER	DA CASE NUMBER
People V [REDACTED] [REDACTED]	OIS	1/24/2013		

DISPOSITION
Refer to case file for prosecution and discovery.

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	<input type="checkbox"/>	Probation		<input type="checkbox"/>		Parole		<input type="checkbox"/>		Other:	
INVESTIGATOR	Bernstein		ID	7K9		DATE	1/24/2013		APPROVED BY	DATE	



County of Humboldt
Office of the District Attorney
INVESTIGATION REPORT

PAGE 1 OF 4

REPORT NAME [REDACTED]	CRIME OIS	DATE 01/23/2013	COURT CASE NUMBER	DA CASE NUMBER
TYPE OF REPORT Critical Incident Investigation		CROSS REFERENCE AGENCY Humboldt County Sheriff		CROSS REFERENCE CASE NUMBER 201300320

CHARGES

TYPE CODE SECTION DESCRIPTION

VICTIMS

1.

SUSPECTS

1. [REDACTED]

WITNESSES

1. [REDACTED]

SUMMARY

Assisted in the investigation of an officer involved shooting incident. Following report is the interview with [REDACTED].

NARRATIVE

On January 19th, 2013 I was assigned to assist in a Critical Incident Response Team investigation. The following report is a summary of my interview with [REDACTED] was in custody at the Humboldt County Correctional Facility and was brought to the Humboldt County Sheriff's interview room where Detective Cheryl Franco and I conducted an interview concerning his involvement in a vehicle pursuit and shooting incident in Loleta the same morning. The interview was recorded and a copy has been provided.

The interview took place on January 20th, 2013 at approximately 1232 hours and I advised [REDACTED] of his Miranda Warnings. He indicated he understood his rights and agreed to talk with us concerning the incident.

[REDACTED] asked about his possessions that had been taken from him at the time of his arrest and we assured him that we would find out where they had been booked.

After being advised of his Miranda rights he asked what he was being charged with. I told him that I was not sure at this time that we were investigating the officer involved shooting.

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	<input type="checkbox"/> Probation	<input type="checkbox"/> Parole	<input type="checkbox"/> Other		
INVESTIGATOR Bernstein	ID 7K9	DATE 1/24/2013	APPROVED BY	DATE	

INVESTIGATION REPORT

REPORT NAME	CRIME	DATE	COURT CASE NUMBER	DA CASE NUMBER
People V [REDACTED] [REDACTED]	OIS	1/24/2013		

[REDACTED] then said, "the cop shooting me in my back when I didn't have no weapon?" I told him that this was his opportunity to be honest and tell his side of the story.

[REDACTED] indicated that he had left a friends house in Eureka and was intending to take the Tompkins Hill exit "the back way" because he didn't have a driver's license. A cop pulled in behind him and he decided he wasn't going to stop. He acknowledged he saw the red lights behind him and he kept going. He eventually took a left turn in Loleta and spun out going into the grass causing the rear of the vehicle to be off into the grass.

The Deputy pulled in and exited his vehicle pointing his gun at [REDACTED] [REDACTED] car had stalled momentarily. When he got the car started up he drove off and the Deputy began shooting at him. [REDACTED] acknowledges he saw the patrol vehicle; he observed a deputy and saw a gun in the Deputy's hand. [REDACTED] indicated the Deputy was only a few feet away.

[REDACTED] does not know if the Deputy was saying anything to him he was concentrating on getting unstuck and driving off. When he drives off the Deputy was off to his side pointing the gun at him. He remembers hearing a couple of shots and seeing muzzle blast.

[REDACTED] remembers hearing two, three or four shots as he drove off. He felt one of the shots hit his back. He believed it must have just grazed his back. He was already 20 or 30 feet passed the Deputy when he felt the shot in his back.

[REDACTED] denied having anything in his hand and denied having a weapon. He denied that there was a gun in his car or a gun ever pointed at the Deputy.

[REDACTED] indicated he had no knowledge of striking the Deputy with his vehicle. Suggesting that if he had hit the Deputy with his car he doubted he would have been able to come down into the brush to arrest him. He indicated that he does not believe the Deputy was hit with the vehicle.

[REDACTED] drove off only making it a few blocks before he wrecked again. He jumped out of his car and ran. He denied having anything in his hand when he exited the car. His cellular phone fell out of his pocket when he was running.

Once into the cow pasture he waited for what he estimated to be only a couple of minutes until the dog arrived. He laid down with his hands out to his side and "they still let the dog chew on my ass." He indicated he never resists a dog but they still let the dog chew on him. He said it took two officers to tackle the dog and pull it off of him. He was then placed into the back of the patrol unit. Later an ambulance arrived and he received medical attention.

COPIES TO:		<input checked="" type="checkbox"/> DA	<input type="checkbox"/> HCSO	<input type="checkbox"/> FPD	<input type="checkbox"/> EPD	<input type="checkbox"/> CHP
	<input type="checkbox"/> Probation	<input type="checkbox"/> Parole	<input type="checkbox"/> Other:			
INVESTIGATOR	ID	DATE	APPROVED BY	DATE		
Bernstein	7K9	1/24/2013				

INVESTIGATION REPORT

REPORT NAME	CRIME	DATE	COURT CASE NUMBER	DA CASE NUMBER
People V [REDACTED] [REDACTED]	OIS	1/24/2013		

I asked him about drug use on this evening. He admitted that he had been using heroin and speed. I asked him how long before being lit up by the police his last use was. He indicated, "not very long," "10 minutes, 15 minutes." He indicated that he would have paraphernalia and drugs in the car. He indicated he was an addict and acknowledged that it potentially played a part in the reason he ran from the police. He later indicated that he had smoked heroin as well as mixed heroin and speed and injected them before leaving Eureka.

[REDACTED] was unable to estimate how much he injects indicating that he puts as much as he can into the syringe, adds water, cooks it up and as long as he stays conscious its good. He estimated that he has been using continually every day and all day for at least the previous two weeks.

I asked him about the blow torch device found not far from his cellular phone. He indicated that that was something that might have been in his pocket. I asked him if the torch could have been in his hand and he quickly said "not a chance." I asked him when and he said not a chance in hell it was in his hand when he was driving. He was then able to describe the torch's color and size. He then added it was in his hooded sweatshirt pocket, "it fits perfect." [REDACTED] then added, "it makes it easier to smoke dope." The last time it had been in his hand was when he was using it in Eureka.

I asked him about his passenger and indicated that they are only friends. She had only been in the car for a few minutes. He said, he should have stopped and let her out.

I asked him if he believed that his perception of events could have been a little off due to his use of drugs. He indicated, "maybe to an extent." [REDACTED] added, "I was high as fuck."

When asked about the car he indicated he had just purchased it a few days prior and he had put his wife's license plats on the car. He did this because he didn't want to get pulled over when he took it to get smogged. His wife didn't know he did this. His car was not currently registered.

[REDACTED] was asked about his previous possession of firearms. He indicated that he had been arrested in the past with a shotgun. He described it as a "sawed of .410." He denied regularly carrying firearms. When asked again about the blow torch being in his hand he denied that it was in his hand when the Deputy shot at him.

When asked if there was anything dangerous in his vehicle he indicated that he didn't know because there had been some "tweakers" loading his car up while he was working on the breaks in Eureka.

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	<input type="checkbox"/> Probation	<input type="checkbox"/> Parole	<input type="checkbox"/> Other:			
INVESTIGATOR	ID	DATE	APPROVED BY	DATE		
Bernstein	7K9	1/24/2013				

INVESTIGATION REPORT

REPORT NAME	CRIME	DATE	COURT CASE NUMBER	DA CASE NUMBER
People V [REDACTED] W [REDACTED]	OIS	1/24/2013		

DISPOSITION
Refer to case file for prosecution and discovery.

COPIES TO:	<input checked="" type="checkbox"/>	DA	<input type="checkbox"/>	HCSO	<input type="checkbox"/>	FPD	<input type="checkbox"/>	EPD	<input type="checkbox"/>	CHP	<input type="checkbox"/>
	<input type="checkbox"/>	Probation		<input type="checkbox"/>		Parole		<input type="checkbox"/>		Other:	
INVESTIGATOR	ID	DATE	APPROVED BY	DATE							
Bernstein	7K9	1/24/2013									

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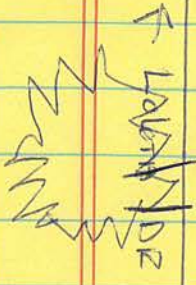
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EEL RIVER DR

STOP SIGN



46
Lolita DR

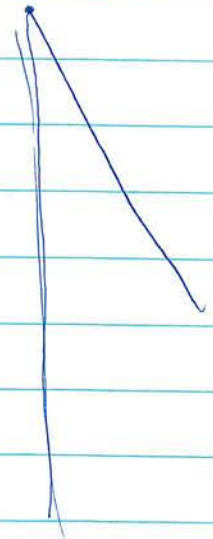


← Lolita DR

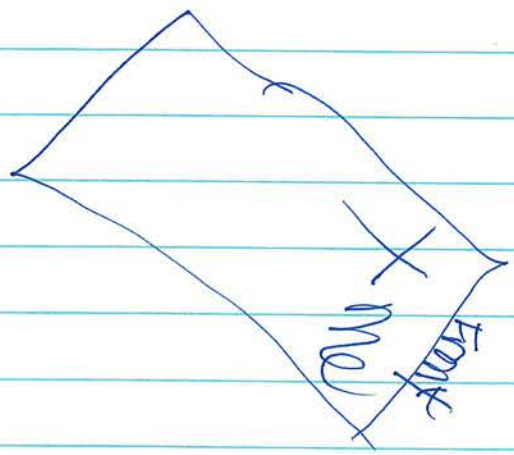
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← Lolita DR →

← Montgomery →



GR



1 CLASSIFICATION: Agency Assist/CIRT callout

2
3 VICTIM: State of California

4
5 SUSPECT: [REDACTED]

6
7 **SUPPLEMENTAL REPORT**

8
9
10
11
12
13 SUMMARY:

14 On 1-19-13, at about 0417 hours, a HCSO deputy pursued a vehicle on Eel River Drive
15 in Loleta. The pursued vehicle lost control and became high centered on a curb at the
16 intersection with Loleta Drive. As the deputy confronted the [REDACTED] from the cover of
17 his patrol vehicle door, he saw the [REDACTED] driver brandish a handgun at him. Suddenly,
18 the driver [REDACTED] freed the vehicle and it drove forward, striking the deputy's
19 vehicle door and running over his foot. Simultaneously, the deputy fired two rounds into
20 the vehicle. The deputy's gunfire did not harm the driver or his [REDACTED] occupant. The
21 pursuit re-started. The [REDACTED] vehicle lost control again near the intersection of Eel
22 River Drive and Copenhagen Road. The [REDACTED] escaped into the darkness of a box
23 canyon. EPD K9 officer LaFrance arrived and his K9 tracked and captured the [REDACTED]

24
25 NARRATIVE:

26 On 1-19-13, at about 0513 hours, I was contacted at home by Detective Sgt Nova and
27 advised the HCSO had an officer involved shooting and they had enacted the county's
28 Critical Incident Response Team (CIRT) protocol. Sgt Nova asked that I respond to
29 assist the HCSO.

30
31 At about 0600 hours, I met with HCSO Lt Morey and District Attorney Investigator Bill
32 Honsal, at HCSO HQ in Eureka. I was given the assignment to assist the HCSO's
33 Evidence Technician Karen Quenell process the two scenes.

34
35 Crime scenes:

36 There were two crime scenes, one at the intersection of Eel River Drive and Loleta
37 Drive and the second scene was located near the intersection of Eel River Drive and
38 Copenhagen Drive.



Det. RONALD B HARPHAM

447 01/30/2013



Supervisor

- 1. Cleared by Arrest
- 2. Cleared and Released
- 3. Booked Cited Released
- 4. PCB49b
- 5. Unfounded
- 6. Documentation
- 7. Cleared: Admin
- 8. Open
- 9. Closed
- 10. Suspended
- 11. Cleared Recovery
- 12. Cleared Partial Recovery
- 13. Cleared: Other Agency
- 14. Cleared Restitution
- 15. Warrant Request
- 16. To Property Clerk
- 17. To D.A.
- 18. To Other Agency
- 19. Owner Notified
- 20. Medical Release Needed
- 21. Cleared Cr. Bk
- 22. Cleared Extradition
- 23. CID
- 24. NOP

DISTRIBUTION 1. Briefing 3. D.A. 5. Probation 7. Coroner 9. Other COPIED BY
2. CID 4. Parole 6. CPS 8. ABC

70 HCSO - DA 1-30-13 [initials]

39

My primary role at the first scene was to assist Evidence Technician Quenell. We searched the scene for evidence and ensured the proper scene boundaries. The only evidence to be collected was two .40 caliber shell casings and pieces of glass from the suspect vehicle's broken window. I assisted E.T. Quenell in the collection of evidence. (See Evidence Technician Quenell's report). District Attorney Investigator Bill Honsal and Jack Bernstein memorialized the scene using the "Total Station" electronic surveying system.

47

Video surveillance;

48

At the second scene, I was informed by Detective Sgt Freese, that a residence located two houses west of the traffic collision scene, [REDACTED] had a security surveillance system which may have captured the pursuit.

52

At about 1300 hours, I met [REDACTED], the resident of [REDACTED]. [REDACTED] said he had a QSee video surveillance system installed in his house. [REDACTED] bought the system from Costco. [REDACTED] believed his system captured some of the event. I inspected the surveillance system. The video system has it's own DVR recorder and memory storage. It is a standalone device set up in a small closet. The system has four camera's, the DVR and a small monitor.



59

Camera 1 is mounted on the east side of the residence. The camera's view covers the side door entrance and driveway. On the right edge of the camera, a short part of Eel River Drive is visible. At 1-19-13 at about 04:19:49, the [REDACTED] vehicle is visible driving south bound on Eel River Drive. The deputy's vehicle is close behind. At 04:19:53, both vehicles disappear out of view. At 04:20:45, the [REDACTED] vehicle is now seen travelling north bound on Eel River Drive. At about 04:20:50 the suspect vehicle slows a bit and goes out of sight. At 04:20:55, Deputy Moore arrives on scene. At about 04:21:00, Deputy Moore is seen slowing as he turns into the driveway of the residence to the east of [REDACTED] Copenhagen Road.

69

Camera 3 is located over the front door on the south side of the residence. The camera views part of Eel River Drive all the way to Loleta Drive, (the scene of the first event). Because of the hours of darkness, the camera primarily records headlights and tail lights. Camera 3 picks up Deputy Moore and the [REDACTED] vehicle at 04:19:52 travelling south bound on Eel River Drive. The two vehicles continue for several seconds until they stop. At 04:20:14, lights for both vehicles go blank. It appears that Deputy Moore's vehicle blocks the headlights for the [REDACTED] vehicle. It is not obvious why Deputy Moore's light bar was not visible. At 04:20:21, the [REDACTED] vehicle's headlights come

77

 **Det. RONALD B HARPHAM 447 01/29/2013**  **Supervisor**

- 1. Cited by Arrest
- 2. Cited and Released
- 3. Booked Cited Released
- 4. PC849b
- 5. Unfounded
- 6. Documentation
- 7. Cleared: Admin
- 8. Open
- 9. Closed
- 10. Suspended
- 11. Cleared Recovery
- 12. Cleared Partial Recovery
- 13. Cleared: Other Agency
- 14. Cleared Restitution
- 15. Warrant Request
- 16. To Property Clerk
- 17. To D.A.
- 18. To Other Agency
- 19. Owner Notified
- 20. Medical Release Needed
- 21. Cleared Cr. Bk
- 22. Cleared Extradition
- 23. CID
- 24. MOP

DISTRIBUTION 1. Briefing 3. D.A. 5. Probation 7. Coroner 9. Other COPIED BY
2. CID 4. Parole 6. CPS 8. ABC

78 into view. At 04:20:44 the deputy appears to rejoin the pursuit. At 04:20:47 the [REDACTED]
79 vehicle goes out of view just shy of the second crash site. Nine seconds later, at
80 04:20:58, Deputy Moore arrives on scene.

81
82 I compared the real time "time stamp" on the surveillance system by comparing the time
83 to my Verizon cell phone time. Both times were reading exactly the same. I contacted
84 the HCSO dispatch and compared their CAD times to my Verizon phone and their
85 system was two minutes faster. HCSO CAD records show the pursuit passing
86 Copenhagen Road at 0422 hours. [REDACTED] surveillance system shows the pursuit
87 passing Copenhagen Road at 04:19:50, which is approximately two minutes slower than
88 the CAD time.

89
90 Because of lack of proper equipment at the time, I was not able to download the video
91 segments for camera 1 and camera 3. I videotaped the monitor as the incident played
92 out on screen, on my Nikon, Coolpix L20 digital camera. I captured two video files and
93 booked them onto the department media storage as evidence item RH2.

94
95 I took photographs of the surveillance system in place, establishing its make and model
96 number.

97
98 I took photographs of the exterior of [REDACTED], showing the location of
99 surveillance camera 1 and 3.

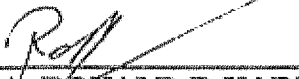

100
101 At about 1550 hours, I assisted Detective Franco and E.T. Quenell search the area of the
102 marsh where the [REDACTED] was captured. During that process, I took photographs of the
103 marsh area.

104
105 In total I took 34 digital photographs on my Nikon Coolpix L20 camera. The
106 photographs were uploaded onto the department's secure media storage as item RH1.

107
108 Search Warrant on [REDACTED] [REDACTED]

109 On 1-23-13, at about 1000 hours, HCSO Detective Cheryl Franco asked me to serve a
110 search warrant that she authored and was signed by Judge Reinholtsen. The search
111 warrant authorized the search of [REDACTED] [REDACTED]'s [REDACTED] Honda Civic. HCSO Evidence
112 Technician Karen Quenell would conduct the search and I would assist.

113
114 The [REDACTED] Honda Civic was stored at the HCSO's "boat shed" located at [REDACTED]
115 [REDACTED] I served the warrant at about 1100 hours. E.T. Quenell began the process by
116 photographing the exterior of the car. We began the search from the rear hatchback area


Det. RONALD B HARPHAM 447 01/29/2013  Supervisor

1. Cited by Arrest 6. Documentation 11. Cleared Recovery 16. To Property Clerk 21. Cleared Crt. Bk
2. Closed and Released 7. Cleared: Admin 12. Cleared Partial Recovery 17. To D.A. 22. Cleared Extradition
3. Booked Cited Released 8. Open 13. Cleared: Other Agency 18. To Other Agency 23. CID
4. PC849b 9. Closed 14. Cleared Restitution 19. Owner Notified 24. NOP
5. Unfounded 10. Suspended 15. Warrant Request 20. Medical Release Needed

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117 and worked forward. E.T. Quenell photographed periodically throughout the process
118 whenever new areas were uncovered for view or when some item to be collected was
119 discovered. When an item was seized by either of us, we showed the other. I packaged
120 many of the items, however most items were packaged by Quenell. I recorded all of the
121 findings.

122

123 Of significant importance to the case, E.T. Quenell found a Russian made Izhevsk /380
124 caliber handgun in the center console. The firearm was loaded with one bullet in the
125 chamber and seven bullets in the magazine. I was in the front driver's seat searching
126 next to the console when E.T. Quenell found the firearm. E.T. Quenell was searching
127 the front passenger compartment at the time she found the firearm. I personally
128 witnessed the find.

129

130 Upon searching and removing from the vehicle the items to be seized, E.T. Quenell and
131 I examined and photographed the two bullet strikes into the driver's side door post and
132 rear hatch window. Upon examining the bullet impact areas, I did not see any evidence
133 of powder discharge or stippling that may have occurred by a firearm being of close
134 proximity to the glass. The bullet that struck the window post did not pass through the
135 post. The bullet remnants were still in the hollow door post.

136


137 E.T. Quenell and I examined the driver's seat. The seat appeared to have received a
138 bullet impact hole in the head rest and an exit hole in the upper part of the driver's seat.
139 E.T. Quenell removed the seat cover which contained what appeared to be a bullet hole
140 in the headrest area and an exit hole on the seat. We examined the head rest and driver's
141 seat by cutting through the covering and into the foam. We found many more bullet
142 fragments, (*copper jacket fragments*), and a new exit point for a portion of the bullet.

143

144 It appears the bullet entered through the left rear hatch back glass, into the headrest and
145 then struck a hard plastic grommet, mounted on the top of the seat. (*The grommet
146 created an eyelet for the headrest's metal post to slide up and down in*). The hard
147 plastic grommet split the jacket from the bullet. It appears one or the other, either exited
148 the seat from the area of the grommet on the top of the seat or exited the seat several
149 inches below the top of the seat. (*A large mangled lead bullet and a mangled copper
150 jacket were located on the driver's seat. Both were collected by E.T. Karen Quenell at
151 the scene prior to the vehicle being towed*).

152

153 Our last step was to attempt to locate latent prints inside the vehicle, to tie specific
154 individuals to the vehicle. The vehicle presented itself as a poor environment for latent
155 prints because of the black primer paint on the exterior and being in a very dirty


Det. RONALD B HARPHAM

447 01/30/2013


Supervisor

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156 condition. E.T. Quenell and I decided to search the mirrors, doors and interior
157 windshield glass for latent prints. These areas appeared to be the best printable surfaces.
158 I searched the driver's side and interior windshield for latent prints and found only a set
159 of finger smudges on the top of the exterior glass in the driver's door window. E.T.
160 Quenell did not locate any latent or patent prints. E.T. Quenell did collect the rear view
161 mirror to inspect for latent prints back at HCSO headquarters.

162

163 **Evidence Seized:**

164 The following is a list of evidence seized by E.T. Quenell and I. The items are in the
165 possession of E.T. Quenell and she will be assigning each item an evidence item
166 number. The below list is in the order I recorded the item, not the order in which it was
167 found or collected. The list will explain who found the item and where it was found:

- 168 1) Two 12 Gauge shotgun rounds were located in a plastic bag in the trunk by E.T.
169 Quenell. The items were seized because the warrant allowed for the seizure of
170 ammunition.
- 171 2) Two long slender glass tubes were found in the trunk by me. The tubes were
172 wrapped in a quilted jacket. I was aware that [REDACTED] said in his interview that he
173 used the glass tubes to make [REDACTED] pipes. The warrant allowed the
174 seizure of [REDACTED].
- 175 3) One 12 gauge shotgun round, Winchester brand, was found by me lying loose in
176 the trunk.
- 177 4) I located a black Osprey back pack in the trunk. Upon inspection, I found a
178 sawed off, 12 Gauge double barreled shotgun. The shotgun was a Spanish made
179 firearm with fine engraving. The brand name was Churchill and the serial
180 number was [REDACTED]. The shotgun was collected because it was contraband and
181 authorized for seizure by the search warrant. Also found in the back pack were
182 eighteen 12 gauge rounds and three 38 special rounds.
- 183 5) A Mountain Dew bottle and a Mountain Dew Volt can were found on the front
184 passenger floorboard by E.T. Quenell. These items were collected for later
185 inspection for latent prints. This was authorized by the search warrant.
- 186 6) A brown purse was found on the front passenger floor board by E.T. Quenell. I
187 searched the purse. I found three ID's for [REDACTED] and a small plastic
188 container that contained 19 unidentified pills. There were several different types
189 of pills and they appeared to be illegal to possess without a prescription. The
190 purse was not collected. The three ID's were collected to establish [REDACTED]
191 connection to the vehicle. The pills were collected because they appeared to be
192 contraband.


Det. RONALD B HARPHAM 447 01/30/2013  **Supervisor**

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- 193 7) A U.S. Cellular LG cell phone was located by E.T. Quenell underneath the front
194 passenger seat. The phone was collected per authority of the search warrant and
195 to help establish specific individuals connected to the vehicle.
- 196 8) E.T. Quenell found three items in the glove box that were seized. The first item
197 was the title for another vehicle. This item was seized because it appeared to be
198 stolen property and thus contraband. The second item was a butterfly knife
199 which is illegal to possess in public in the state of California and by [REDACTED]
200 [REDACTED]. The search warrant also authorized the seizure of weapons.
201 The third item found was a set of DMV papers for the [REDACTED] Honda Civic being
202 searched. This item was seized per the warrant. Its investigative value was to
203 help establish who had possessory rights of the vehicle.
- 204 9) A steel blue .380 caliber semi auto handgun, was located in the center console by
205 E.T. Quenell. I was present as she opened the console. The firearm was a
206 Russian made Izhevsk, model number IJ-70-17A. The serial number was
207 [REDACTED]. The firearm was loaded with one round in the chamber and seven
208 rounds in the magazine. This item was seized by authority of the warrant. Its
209 investigative value is to help establish alleged charges against [REDACTED] as well as
210 establishing self defense rights for the involved officer.
- 211 10) I found a glasses case on the driver's side floor board. Inside the case were
212 several [REDACTED], a glass [REDACTED] several [REDACTED]
213 [REDACTED]. These items were
214 seized by authority of the warrant and help establish the DUI charges against
215 [REDACTED]
- 216 11) E.T. Quenell found three more items in the center console. The first item was
217 three [REDACTED]. The second item was a .40 caliber round. The third item was two
218 more 12 gauge shotgun rounds. All of the above items were seized by authority
219 of the search warrant.
- 220 12) E.T. Quenell found a friendship card under the passenger side sun visor. The
221 item was collected as indicia per authority of the search warrant.
- 222 13) I found a large blue travel bag in the back seat. The bag contained mostly male
223 clothes, hygiene products, and several personal items. The pants all had a size
224 length of 32. The shoes were size 15. Three items were collected. The first item
225 was a Motorola cell phone. The second item was a Metro PCS cell phone and
226 the third item was a Benchmade folding knife with a blade longer than 2 1/2".
227 The two phones were collected per authority of the search warrant and to help
228 establish specific individual connections to the vehicle. The knife was collected
229 per authority of the warrant and because the knife would violate [REDACTED] parole
230 restrictions.

 **Det. RONALD B HARPHAM 447 01/30/2013**  **Supervisor**

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4. PCS49b 9. Closed 14. Cleared Restitution 19. Owner Notified 24. NOP
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- 231 14) E.T. Quenell found several O'Reilly Auto Parts receipts throughout the car. The
232 receipts are all dated within several days of 1-19-13. The receipts were collected
233 as one item. The receipts may help establish a specific individual's connection to
234 the vehicle. Their collection was authorized by the search warrant as indicia.
235 15) E.T. Quenell collected the rear view mirror from the vehicle for the purposes of
236 collecting latent prints. The search warrant allowed for the collection of latent
237 prints.
238 16) Both E.T. Quenell and I inspected the bullet path through the seat and head rest
239 together. Around the top of the seat where the hard plastic grommet was
240 impacted by the bullet, we both found several copper fragments. It was a two
241 person process collecting these fragments. These items were authorized for
242 seizure by the search warrant.
243 17) E.T. Quenell found a Target receipt on the rear passenger floor board. The
244 receipt was collected as indicia per the search warrant and helps to establish the
245 statements given by the two [REDACTED]
246
247

248 **DISPOSITION:** Supplemental. To HCSO


Det. RONALD B HARPHAM 447 01/29/2013  **Supervisor**

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2. CID 4. Parole 6. CPS 8. ABC

CASE NUMBER: SC13-261

ASSOCIATED CASE: _____

**EUREKA POLICE DEPARTMENT
PROPERTY / EVIDENCE BOOKING AND RELEASE REPORT**

OF _____

- PROPERTY CODES * 178
 S - Stolen
 R - Recovered for Return
 RA - Recovered (For Other Agency)
 RE - Recovered Evidence
 F - Found
 D - Damaged
 L - Lost
 E - Evidence
 K - Safekeeping
 C - Contraband For Disposal

DATE STORED <u>1-23-13</u>	TIME STORED	DATE OF INCIDENT <u>1-19-13</u>	CRIME <u>PC 69 / AGENCY ASSIST</u>
(VICTIM) LAST NAME <u>STATE of CAL</u>	FIRST	MIDDLE	ADDRESS
(FINDER) LAST NAME	FIRST	MIDDLE	ADDRESS
LOCATION PROPERTY WAS FOUND / INCIDENT OCCURRED (LOCATION TYPE 3) <u>LOLETA DR @ EEL RIVER DRIVE</u>			

- ADULT ARREST
 JUVENILE ARREST
 SEARCH WARRANT # _____
 PROPERTY CLAIMED BY FINDER
 FIELD PROPERTY RECEIPT PROVIDED

PROPERTY / EVIDENCE LISTING

CODE	ITEM NO.	ARTICLE	BRAND/MODEL	QTY.	DESCRIPTION	SERIAL NO.	VALUE	ENTERED N/C	LAB WORK	STORAGE LOCATION	DISPOSITION
E	RH1	DIGITAL IMAGES		34	PHOTOGRAPHS UPLOADED TO MEDIA SOLVE						
E	RH2	DIGITAL VIDE		2	VIDEOS of SURVEILLANCE VIDEO UPLOADED TO MEDIA SOLVE						

PROPERTY/EVIDENCE ASSOCIATED TO

ITEMS NO.	<input type="checkbox"/> SUSPECT <input type="checkbox"/> OWNER	LAST	FIRST	MIDDLE	DOB	ADDRESS	PHONE	NOTIFIED
<u>1 & 2</u>		<u>EPD</u>						

REQUEST FOR LAB EXAMINATION

ITEMS NO.	PURPOSE OF EXAMINATION	<input type="checkbox"/> YES PRESUMPTIVE TEST COMPLETED	DATE	BY	AGENCY DELIVERED TO	DATE	DELIVERED BY		
		<input type="checkbox"/> YES PRESUMPTIVE TEST COMPLETED							
		<input type="checkbox"/> YES PRESUMPTIVE TEST COMPLETED							
		<input type="checkbox"/> YES PRESUMPTIVE TEST COMPLETED							
		(SUSPECT) LAST	FIRST	MIDDLE	DOB	(SUSPECT) LAST	FIRST	MIDDLE	DOB

BOOKING OFF? <u>Ron K. ZOHAM</u>	IBM NO. <u>447</u>	REPORT DATE <u>1-23-13</u>	SUPERVISOR REVIEW <u> </u>	IBM NO. <u>400</u>	REPORT DATE <u>1-29-13</u>
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EUREKA POLICE DEPARTMENT

604 C Street, Eureka, CA 95501
CA0120300



CASE NUMBER
3C13-00567
HCSO# 201300320

SUPPLEMENTAL REPORT

CLASSIFICATION: PC 664/187 – ATTEMPTED HOMICIDE (ON PEACE OFFICER)
PC 69 – RESIST PEACE OFFICER W/ VIOLENCE
PC 245(a)(1) – ASSAULT W/ DEADLY WEAPON
PC 148(a)(1) – RESIST / DELAY / OBSTRUCT PEACE OFFICER
PC 1203.2 – PROBATION VIOLATION
VC 2800.2(a) – EVADING PEACE OFFICER
PC 3455(a) – PRCS REVOCATION / FELONY WARRANT

STATE OF CALIFORNIA
HCSO DEPUTY MOORE

);

DISPATCH:

On 01.19.13, at about 0419 hours, I was dispatched to assist the Humboldt County Sheriff's Department in locating two outstanding subjects who were wanted in connection with a vehicle pursuit and felony assault on a peace officer (HCSO Deputy Moore).

Dispatch further advised the [redacted] was believed to be [redacted] and [redacted] had a felony warrant for PRCS revocation and was on PRCS for PC 12021(a) – Possession of Firearm by Felon and 12316 – Possession of ammunition by prohibited person. [redacted] was described as a white male adult, 6'6" and 240 lbs.

Upon authorization from my supervisor, I responded from the City to meet with HCSO Deputies at Eel River Dr. / Copenhagen Rd. in Loleta. EPD Officer Sopoaga also responded to assist.

Upon my arrival, I was contacted by HCSO Sgt. Ireland. He relayed the following information to me:

Approximately 30-40 minutes prior, HCSO Deputy Moore had attempted a traffic stop on black Honda in the Loleta area. The driver failed to yield and a pursuit ensued. During the pursuit, the Honda spun out of control and Deputy Moore attempted a high risk traffic stop. The [redacted] driver brandished a handgun at Deputy Moore and then struck Deputy Moore with his vehicle as he again fled. I was advised Deputy Moore then discharged his firearm at the [redacted] as [redacted] fled north on Eel River Drive in the Honda.

Deputy Moore began pursuing the [redacted] in his patrol vehicle. During the pursuit, the [redacted] apparently lost control and the Honda ran off the road on the northwest corner of Eel River Drive and Copenhagen where it came to rest. The [redacted] then exited the Honda holding the handgun and ran north behind [redacted] Copenhagen's garage (east side). I was also told the [redacted] passenger had exited and fled south along the west curb of Eel River Drive.

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(REFER TO HCSO CASE #201300320 FOR DETAILS OF THE ABOVE CIRCUMSTANCES.)

1 Cleared by Arrest	6 Documentation	11 Cleared Recovery	16 To Property Clerk	21 Cleared Court Booking	26 Cleared Other Charges
2 Cleared and Released	7 Cleared Admin	12 Cleared Partial Recovery	17 To DA	22 Cleared Extradition	
3 Book Cite Released	8 Open	13 Cleared Other Agency	18 To Other Agency	23 To CID	
4 PC 849B	9 Closed	14 Cleared Restitution	19 Owner Notified	24 To NOP	
5 Unfounded	10 Suspend	15 Warrant Requested	20 Released Medical	25 To PCP	

OFFICER LA FRANCE	IBIM NO 4011	REPORT DATE 01.21.13	SUPERVISOR REVIEW V. J.	IBIM NO 441	REVIEW DATE 01/21/13
DISTRIBUTION	1 Briefing	3 D.A.	5 Probation	7 Coroner	9 Other
	2 C.O.	4 Parole	6 CPS	8 ABC	10 Gang Unit

9 HCSO ATTN: Det. Flores

EUREKA POLICE DEPARTMENT

604 C Street, Eureka, CA 95501
CA0120300



CASE NUMBER
3C13-00567
HCSO# 201300320

SUPPLEMENTAL REPORT

28 I was told HCSO Deputies were attempting to set up an area of containment. HCSO Deputies initially
29 checked the immediate area of the two nearby residences ([redacted] and [redacted] Copenhagen) for the [redacted] but then
30 back out upon learning EPD had a K-9 on duty. Due to the severity of the call, several other officers from
31 allied agencies also responded to assist.

32
33 Sgt. Ireland confirmed the driver / wanted [redacted] had been identified as [redacted] [redacted] and [redacted] was wanted for
34 attempted homicide on a peace officer (Deputy Moore). [redacted] also had an active PRCS felony warrant
35 and [redacted] [redacted] [redacted]. Sgt. Ireland requested the assistance of my K-9 in
36 locating [redacted]. Based on the above listed information, I determined a search with my K-9 fell within
37 EPD K-9 policy and we could assist. However, based on the severity of the crime and the potential threat to
38 the search team, it was decided I take the following personnel as cover officers: Sgt. Ireland, Deputy Waxler,
39 Deputy Moore, and Officer Sopoaga. Prior to deploying my K-9 to search, the above officers and I had a
40 tactical briefing.

41
42 SCENE DESCRIPTION:

43 The Eel River Drive / Copenhagen intersection is located in a rural area of Loleta. Eel River Drive travels
44 north and south. Copenhagen travels east and west. Copenhagen Road intersects Eel River Drive at a 'T'
45 intersection. [redacted] Copenhagen Rd. was located on the north side of road directly west of Eel River Drive. [redacted]
46 Copenhagen Rd. was also located on the north side of the road directly west of [redacted] Copenhagen Rd. The
47 northern yards of north residences have a connected 3-4 foot wire fence perimeter.

48
49 The area north of the residences (beyond the northern fence perimeter) was a down slope embankment. The
50 down slope embankment consisted of dense brush / forest vegetation with various cattle trails. At the bottom
51 of the down slope embankment was a flat area consisting of deep mud and large tufts of grass.

52
53 Upon my arrival, I observed a black Honda Civic hatchback [redacted] [redacted] in the northwest corner of Eel
54 River Dr. and Copenhagen. (This is also the southeast corner of [redacted] Copenhagen.)

55
56 SEARCH:

57 Based on the seriousness of the crime (PC 664/187 - Attempted Homicide), I deployed K-9 Vex to locate
58 [redacted]. In preparation to search and because the [redacted] was believed to be armed, I placed Vex in his
59 ballistic vest.

60 I did not give a K-9 announcement prior to searching for [redacted] for the following reasons:

- 61 • [redacted] was wanted for attempted homicide of a Peace Officer.
- 62 • [redacted] was observed fleeing the Honda with a handgun.
- 63 • [redacted] was on PRCS for PC 12021(a) and PC 12316.
- 64 • [redacted] showed a willingness to use any means necessary, including homicide, to escape
65 capture.
66

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1 Cleared by Arrest	9 Documentation	17 Cleared Recovery	25 To Property Clerk	33 Cleared Court Booking	41 Cleared Other Charge(s)
2 Cleared and Released	10 Cleared Admin	18 Cleared Partial Recovery	26 To D.A.	34 Cleared Expiration	
3 Book Cite Released	11 Open	19 Cleared Other Agency	27 To Other Agency	35 To CID	
4 PC 843B	12 Closed	20 Cleared Resubmit	28 Counsel Notified	36 To NCP	
5 Unfounded	13 Suspended	21 Warrant Requested	29 Released Medical	37 To POP	

OFFICER LA FRANCE	IBM NO 4011	REPORT DATE 01.21.13	SUPERVISOR REVIEW KH	IBM NO 444	REVIEW DATE 01/21/13
DISTRIBUTION	1 Briefing	3 O.A.	5 Probation	7 Counsel	9 Other
	2 CID	4 Parole	6 CPS	8 AOC	10 Gang Unit

HCSO - ATTY DET GILVERO

EUREKA POLICE DEPARTMENT

604 C Street, Eureka, CA 95501
CA0120300



CASE NUMBER
3C13-00567
HCSO# 201300320

SUPPLEMENTAL REPORT

- 67 ■ It was dark. The area to which [REDACTED] was seen fleeing into contained concealment and
- 68 cover. Based on my training, this would allow an armed [REDACTED] to have a tactical
- 69 advantage for an ambush.
- 70 ■ I believed [REDACTED] posed and immediate and serious threat to law enforcement
- 71 personnel and the public.

72
73 I scented Vex on the area [REDACTED] was last seen by Deputy Moore. That area contained foot imprints into
74 the frost covered grass next to the Honda's open driver door. From this location, my K-9 indicated an odor
75 trail and began trailing north away from the Honda towards the eastern side of [REDACTED] Copenhagen's unattached
76 garage. (This was the location [REDACTED] was observed fleeing on foot by Deputy Moore.) At the northeast
77 corner of the garage, Vex continued trailing west between the north side of the garage and the 3-4 foot wire
78 perimeter fence. Vex continued trailing past the garage and west into the eastern yard of [REDACTED] Copenhagen Rd.
79 Once in the yard, Vex trailed northwest toward the wire perimeter fence. At this location, Vex indicated odor
80 north of fence approximately 5-10 yards east of the fence's gate.

81
82 Upon opening the fence's gate, Vex continued trailing north down an embankment through an area of dense
83 brush and northeast through the flat area containing deep mud. After trailing approximately 10 yards into the
84 flat area, Vex gave a proximity alert indicating the [REDACTED] was to the east of us. Believing the [REDACTED] was
85 extremely close and had a position of advantage (he was possibly concealed but could watch our approach), I
86 illuminated an area approximately 10 yards in front of me. Behind a large patch of grass, I noticed what I
87 believed to be the [REDACTED] legs. The [REDACTED] was lying on [REDACTED] right side with [REDACTED] knees bent towards [REDACTED] chest
88 facing away from us. The male's upper body was concealed by the large patch of grass. I immediately
89 shouted, "Police, show me your hands." After receiving no response and believing we were in imminent
90 danger, I sent Vex to apprehend [REDACTED].

91
92 Vex apprehended [REDACTED] by biting [REDACTED] on the left buttocks. The force of the impact drove [REDACTED] onto [REDACTED]
93 stomach. [REDACTED] began violently flailing about and swinging [REDACTED] arms behind [REDACTED] back attempting to strike
94 Vex. I immediately approached to assist Vex and ordered [REDACTED] to "stop resisting", to "stop fighting the
95 dog", and to place [REDACTED] hands behind his back. [REDACTED] was slow to comply and continued fighting the dog. I
96 explained to [REDACTED] the K-9 would not be released until [REDACTED] complied with my instructions and was
97 handcuffed. [REDACTED] stated [REDACTED] would comply and [REDACTED] did not have a gun. I was able to place [REDACTED] in handcuffs.

98
99 I coordinated with my back up officers to take physical control of [REDACTED] as soon as the dog released. Due
100 to the unstable footing (deep suctioning mud) and the fact I was continually being pulled off balanced while
101 attempting to hold the dog as the [REDACTED] intermittently moved, I grabbed Vex's collar and began to give the
102 release command. Just as I did so, the [REDACTED] moved again causing the dog to clamp down. There was a
103 delay of several seconds before [REDACTED] was still enough for the dog to release. The Deputies took physical
104 control of [REDACTED]. The only injury sustained to [REDACTED] from the apprehension was a bite wound to the
105 left buttocks.

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106
107 I returned to my patrol car with my K-9, checked him for injuries and then secured him inside.

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3 Book Cite Released	8 Open	13 Cleared Other Agency	18 To Other Agency	23 To CID	
4 PC M99B	9 Closed	14 Cleared Resolution	19 Charge Noted	24 To NIP	
5 Unfounded	10 Suspended	15 Warrant Requested	20 Released Medical	25 To POP	

OFFICER LA FRANCE	ICM NO 4011	REPORT DATE 01.21.13	SUPERVISOR REVIEW vit	ID# NO 444	REVIEW DATE 01/21/13
DISTRIBUTION	1 Briefing	3 D/A	5 Probation	7 Coroner	Other
	2 CID	4 Parole	6 CPS	8 AIBC	10 Gang Unit

OPD DATE 08-09

Here ATTY DET. LANCE

EUREKA POLICE DEPARTMENT

604 C Street, Eureka, CA 95501
CA0120300



CASE NUMBER
3C13-00567
HCSO# 201300320

Page 4
of 9

SUPPLEMENTAL REPORT

108 I took digital photographs of the scene.
109
110 [REDACTED] was taken by City Ambulance to Redwood Memorial Hospital for medical treatment and clearance.
111 Per EPD policy, I also responded and took digital photographs of [REDACTED] person and injury.
112
113 HCSO Detective Franco arrived and took over the investigation.
114
115 Later at EPD, I booked the digital photographs into property as evidence.
116
117 Attached to this report are maps via Google Earth of the search area.
118
119 **DISPOSITION: CLEARED BY ARREST**
120 **FORWARD TO HCSO; ATTENTION DET. FRANCO**

CONTROLLED/CONFIDENTIAL

1 Cleared by Arrest	6 Documentation	11 Cleared Recovery	16 To Property Clerk	21 Cleared Court Booking	26 Cleared Other Charge(s)
2 Collar and Released	7 Cleared Admin	12 Cleared Partial Recovery	17 To DA	22 Cleared Extrajurisdiction	
3 Book Cite Released	8 Open	13 Cleared Other Agency	18 To Other Agency	23 To CID	
4 PC 849B	9 Closed	14 Cleared Restitution	19 Owner Notified	24 To NCP	
5 Unfounded	10 Suspended	15 Warrant Requested	20 Released Medical	25 To POP	

OFFICER LA FRANCE	IBM NO 4011	REPORT DATE 01.21.13	SUPERVISOR REVIEW Kut	IBM NO 444	REVIEW DATE 01/21/13
DISTRIBUTION	1 Beating	3 D.A.	5 Probation	7 Coroner	Other
	2 CID	4 Platte	8 CPS	8 ABC	10 Gang Unit
					COPIES BY

HCSO ATTN DET. FRANCO

CASE NUMBER: 3C13-00567

ASSOCIATED CASE: HCSO # 201300320

EUREKA POLICE DEPARTMENT
PROPERTY / EVIDENCE BOOKING AND RELEASE REPORT

- PROPERTY CODES * 128
 S - Stolen
 R - Recovered for Return
 RA - Recovered (For Other Agency)
 RE - Recovered Evidence
 F - Found
 D - Damaged
 L - Lost
 E - Evidence
 K - Safekeeping
 C - Contraband For Disposal

DATE STORED	TIME STORED	DATE OF INCIDENT	CRIME	ETC		
01.20.13	0430	01.19.13	PC 644/187, PC 67 VC 28002(G), PC 245(a)(1), PC 148(a)(1)	PHONE	DOB	
(VICTIM) LAST NAME	FIRST	MIDDLE	ADDRESS	PHONE	DOB	
STATE OF CALIFORNIA						
(FINDER) LAST NAME	FIRST	MIDDLE	ADDRESS	PHONE	DOB	
LOCATION PROPERTY WAS FOUND / INCIDENT OCCURRED (LOCATION TYPE #)						
EA 2200 DAZZO / COPPINHAGEN, LORETA, CA						

- ADULT ARREST
 JUVENILE ARREST
 SEARCH WARRANT # _____
 PROPERTY CLAIMED BY FINDER
 FIELD PROPERTY RECEIPT PROVIDED

PROPERTY / EVIDENCE LISTING

CODE	ITEM NO.	ARTICLE	BRAND/MODEL	QTY.	DESCRIPTION	SERIAL NO.	VALUE	ENTERED NCIC	LAB WORK	STORAGE LOCATION	DISPOSITION
F	116L	DIGITAL IMAGER	-	20	OF SCENE / [REDACTED] INQUIRY	/	/	/	/	E10	
<div style="border: 2px solid red; padding: 5px; width: fit-content; margin: auto;"> <p>CONTROLLED DOCUMENT DUPLICATION OR REISSUANCE CONTROLLED BY [REDACTED] HCSO - Det. Francis [REDACTED] Date: 1/20/13 By: [REDACTED] - Department</p> </div>											

PROPERTY/EVIDENCE ASSOCIATED TO

ITEMS NO.	<input type="checkbox"/> SUSPECT <input type="checkbox"/> OWNER	LAST	FIRST	MIDDLE	DOB	ADDRESS	PHONE	NOTIFIED
ITEMS NO.	<input type="checkbox"/> SUSPECT <input type="checkbox"/> OWNER	LAST	FIRST	MIDDLE	DOB	ADDRESS	PHONE	NOTIFIED
ITEMS NO.	<input type="checkbox"/> SUSPECT <input type="checkbox"/> OWNER	LAST	FIRST	MIDDLE	DOB	ADDRESS	PHONE	NOTIFIED
ITEMS NO.	<input type="checkbox"/> SUSPECT <input type="checkbox"/> OWNER	LAST	FIRST	MIDDLE	DOB	ADDRESS	PHONE	NOTIFIED

REQUEST FOR LAB EXAMINATION

ITEMS NO.	PURPOSE OF EXAMINATION	<input type="checkbox"/> YES PRESUMPTIVE TEST COMPLETED	DATE	BY	AGENCY DELIVERED TO	DATE	DELIVERED BY
ITEMS NO.	PURPOSE OF EXAMINATION	<input type="checkbox"/> YES PRESUMPTIVE TEST COMPLETED	DATE	BY	AGENCY DELIVERED TO	DATE	DELIVERED BY
ITEMS NO.	PURPOSE OF EXAMINATION	<input type="checkbox"/> YES PRESUMPTIVE TEST COMPLETED	DATE	BY	AGENCY DELIVERED TO	DATE	DELIVERED BY

(SUSPECT) LAST	FIRST	MIDDLE	DOB	(SUSPECT) LAST	FIRST	MIDDLE	DOB	(SUSPECT) LAST	FIRST	MIDDLE	DOB
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]

BOOKING OFFICER LA FRANCO	IBM NO. 4011	REPORT DATE 01/20/13	SUPERVISOR REVIEW [Signature]	IBM NO. 444	REPORT DATE 01/21/13
------------------------------	-----------------	-------------------------	----------------------------------	----------------	-------------------------

Evidence Search, Loleta Ca. Jan. 20-21, 2013

The Humboldt County Sheriff's Posse was assigned to provide personnel to conduct an evidence search for a firearm at Copenhagen Road and Eel River Drive near the town of Loleta, Humboldt County Ca.

Nine (9) search volunteers arrived on scene at 0930hrs on 1/20/13 and were briefed by investigator Sgt. Diana Freese. A close spaced grid search plan was organized and searchers were deployed to the field. The main searched area (see map) was low, wet bottom land and hillside pasture partially overgrown with small trees, brush and blackberry patches offering good cover for disposing of a firearm. The search was terminated at 1500hrs. Searchers indicated a probability of detection (POD) of the firearm in the assigned area of 50-60%.

Six (6) Posse searchers were recalled to the area at 0930hrs on 1/21/13. A plan was developed to improve the POD from the previous day by concentrating 25 feet on either side of the probable line of flight of the suspect across the pasture to the wet bottom area where he was apprehended. The search effort was terminated at 1230hrs. Searchers indicated a POD of 50%-60% in the area covered.

Combining the two POD resulted in a final POD of 75%-84% in the area searched twice.

On day one (1) a roadside search was conducted along Eel River Drive between Copenhagen Drive and Main Street, Loleta. The area on the west side of Eel River Drive from Copenhagen Drive to where the [REDACTED] was apprehended was searched extensively including the adjacent pasture. The remainder of the Eel River Drive was searched on both the east and west side to the fence line with negative results.

John Hokman Search leader





A handwritten signature in cursive script, appearing to read "John Hokman", written in black ink.

CASE NUMBER: 201300320

HUMBOLDT COUNTY SHERIFF'S OFFICE
PROPERTY/EVIDENCE BOOKING REPORT

[REDACTED]

PROPERTY/EVIDENCE LISTING

BarCode	Item #	Recovering Officer / Date / Address	Item Type / Description
 115377	1	Franco, Cheryl - 1076 01/23/2013 Recovery Address: 825 4TH ST. Recovery Location: HCSO	Miscellaneous PAPER WORK ON [REDACTED] WALIN TAKEN OFF OF DEPUTY MOORE'S POSEY BOX
 115378	2	Franco, Cheryl - 1076 01/23/2013 Recovery Address: 825 4TH ST. Recovery Location: VEHICLE [REDACTED]	Currency DAMP MONEY LOCATED IN BAG ON PASSENGER SIDE FLOOR BOARD
 115379	3	Franco, Cheryl - 1076 01/23/2013 Recovery Address: 825 4TH ST. Recovery Location: VEHICLE [REDACTED]	Clothing ONE DAMP SOCK LOCATED IN BAG ON PASSENGER SIDE FLOOR BOARD
 115380	4	Franco, Cheryl - 1076 01/23/2013 Recovery Address: 825 4TH ST. Recovery Location: VEHICLE [REDACTED]	Purse/Wallets BLACK MEN'S WALLET WITH MISC CONTENTS, FOUND IN BAG ON PASSENGER SIDE FLOOR BOARD

CASE NUMBER: 201300320

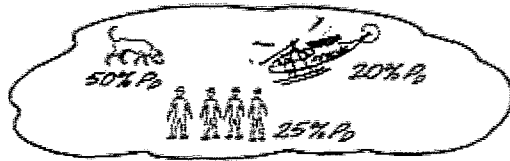
HUMBOLDT COUNTY SHERIFF'S OFFICE
PROPERTY/EVIDENCE BOOKING REPORT



PROPERTY/EVIDENCE LISTING

BarCode	Item #	Recovering Officer / Date / Address	Item Type / Description
 115590	5	Franco, Cheryl - 1076 01/19/2013 Recovery Address: LOLETA Recovery Location: LOLETA	Audio/Video Statements - Agency Created CANVASS OF NEIGHBORHOOD 9 STATEMENTS
 115591	6	Franco, Cheryl - 1076 01/19/2013 Recovery Address: REDWOOD MEMORIAL HOSPITAL Recovery Location:	Photo CD - Agency Created PHOTO'S OF
 115592	7	Franco, Cheryl - 1076 01/24/2013 Recovery Address: HCSD Recovery Location:	Audio/Video Statements - Agency Created CD FROM DISPATCH CONTAINING RADIO TRAFFIC AND 911 INFORMATION
 115593	8	Franco, Cheryl - 1076 01/20/2013 Recovery Address: HCSD Recovery Location:	Audio/Video Statements - Agency Created DVD OF DEPUTY MOORE'S STATEMENT
 115594	9	Franco, Cheryl - 1076 01/31/2013 Recovery Address: HCSD Recovery Location:	Audio/Video Media EPD DETECTIVE HARPAM'S DVD CONTAINING 3 VIDEO'S AND 34 PICTURES

COMPUTING MULTIPLE COVERAGE



1.0 COMPUTING MULTIPLE COVERAGE

- 1.1 Rarely should an area be searched only once. Usually it is searched several times using different patterns or different resources.
- 1.2 A mathematical formula exists to compute the cumulative POD for multiple coverage:

Cumulative POD% = $1 - (a \times b \times c) \times 100$; where,

- 1 - (POD% of 1st search) = a
- 1 - (POD% of 2nd search) = b
- 1 - (POD% of 3rd search) = c
- Etc.

Example: - An area is searched first with a helicopter (POD = 20%); then with dogs (POD = 50%); then with a grid team (POD=25%)

$$a = (1 - .20) = .80$$

$$b = (1 - .50) = .50$$

$$c = (1 - .25) = .75$$

$$\begin{aligned} \text{Cumulative POD\%} &= 1 - (a \times b \times c) \times 100 \\ &= 1 - (.8 \times .5 \times .75) \times 100 \\ &= 1 - (.3) \times 100 \\ &= 70\% \end{aligned}$$

PROBABILITY OF DETECTION

P_D

DEFINITION:

What are the chances of spotting the subject or clues?

POD THIS SEARCH

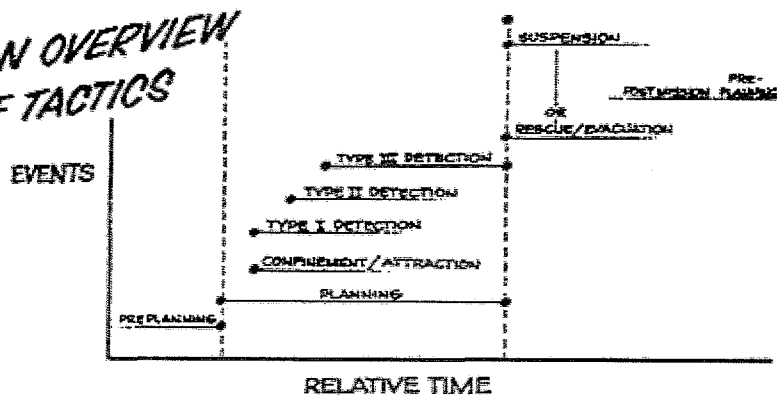
5	10	15	20	25	30	35	40	45	50	55	60	65	70	75	80	85	90	95
5	10	15	20	25	30	35	40	45	50	55	60	65	70	75	80	85	90	95
10	15	20	25	30	35	40	45	50	55	60	65	70	75	80	85	90	95	95*
15	20	25	30	35	40	45	50	55	60	65	70	75	80	85	90	95	95	95*
20	25	30	35	40	45	50	55	60	65	70	75	80	85	90	95	95	95	95*
25	30	35	40	45	50	55	60	65	70	75	80	85	90	95	95	95	95	95*
30	35	40	45	50	55	60	65	70	75	80	85	90	95	95	95	95	95	95*
35	40	45	50	55	60	65	70	75	80	85	90	95	95	95	95	95	95	95*
40	45	50	55	60	65	70	75	80	85	90	95	95	95	95	95	95	95	95*
45	50	55	60	65	70	75	80	85	90	95	95	95	95	95	95	95	95	95*
50	55	60	65	70	75	80	85	90	95	95	95	95	95	95	95	95	95	95*
55	60	65	70	75	80	85	90	95	95	95	95	95	95	95	95	95	95	95*
60	65	70	75	80	85	90	95	95	95	95	95	95	95	95	95	95	95	95*
65	70	75	80	85	90	95	95	95	95	95	95	95	95	95	95	95	95	95*
70	75	80	85	90	95	95	95	95	95	95	95	95	95	95	95	95	95	95*
75	80	85	90	95	95	95	95	95	95	95	95	95	95	95	95	95	95	95*
80	85	90	95	95	95	95	95	95	95	95	95	95	95	95	95	95	95	95*
85	90	95	95	95	95	95	95	95	95	95	95	95	95	95	95	95	95	95*
90	95	95	95	95	95	95	95	95	95	95	95	95	95	95	95	95	95	95*
95	95	95	95	95	95	95	95	95	95	95	95	95	95	95	95	95	95	95*

PREVIOUS CUMULATIVE POD

1. Find the previous cumulative POD in the left column.
2. Find the POD for this search in the top row.
3. Locate the box where the row and column meet.

Example: 1. Previous cumulative POD = 45%.
 2. POD this search = 15%.
 3. New cumulative POD = 53%.

AN OVERVIEW OF TACTICS



SEARCH TACTICS: THE PROBABILITY OF DETECTION (POD)

Probability of Detection (POD) = The Probability that the subject or clue will be detected by the search action if it is in the search area.

TO SEARCH ONE SQUARE MILE

SPACING	HOURS	SEARCHERS	SEARCHER-HOURS	POD
100'	3.5	53	185.5	50%
60'	3.5	88	308.0	70%
20'	3.5	264	924.0	90%

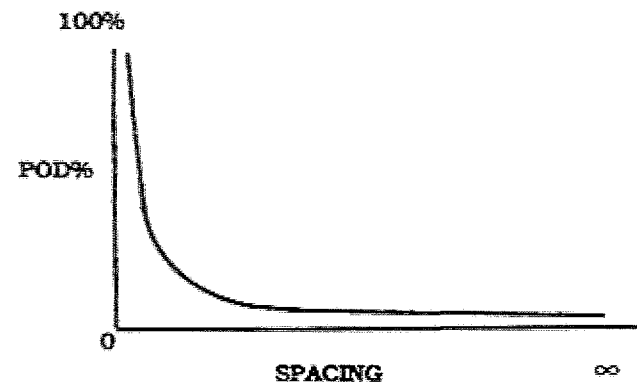
In addition, a mathematical formula has evolved with which we can calculate the POD for any desired spacing:

$$\text{POD}\% = 100 - (.5 \times \text{spacing})$$

Example: - For 40' spacing

$$\begin{aligned} \text{POD}\% &= 100 - (.5 \times 40) \\ &= 100 - 20 \\ &= 80\% \end{aligned}$$

The best calculations are the ones you test in your area, using the resources available.



Mathematically, POD calculations can range between 0 and 100% for POD's and spacing can range between near 0 to infinity. The curvilinear graph above reflects the reality that the extremes, while approached, may never be reached. Search managers must recognize that there is an optimum spacing (that varies depending on terrain, sight distance, searcher conscientiousness, etc.) beyond which the returns diminish.

Grid Searchers To search one square mile:

P_d (%)	Spacing (feet)	Searchers	Hours*	Total Searcher Hours
5	190	27.8	3.5	97.2
10	180	29.3	3.5	102.7
15	170	30.1	3.5	106.7
20	160	33	3.5	115.5
25	150	35.2	3.5	123.2
30	140	37.7	3.5	132
35	130	40.6	3.5	142.2
40	120	44	3.5	154
45	110	48	3.5	168
50	100	53	3.5	185.5
55	90	58.7	3.5	205.3
60	80	66	3.5	231
65	70	75.4	3.5	264
70	60	88	3.5	308
75	50	105.6	3.5	369.6
80	40	132	3.5	462
85	30	176	3.5	616
90	20	264	3.5	924
95	10	528	3.5	1848
100				

*Average trained grid team takes 3.5 hours to go 1 mile.






NOTE: Refer to text Search Is An Emergency for further detailed discussion on POD.

CASE NUMBER: 201300320

HUMBOLDT COUNTY SHERIFF'S OFFICE
PROPERTY/EVIDENCE BOOKING REPORT

Victim: STATE OF CA
[REDACTED]

PROPERTY/EVIDENCE LISTING


BarCode	Item #	Recovering Officer / Date / Address	Item Type / Description
 115399	1	Freese, Diana - 0896 01/19/2013 Recovery Address: [REDACTED] Recovery Location: DEPUTY CONAN MOORE	Clothing GREEN HCSO JUMPSUIT CONTAINING HCSO BADGE [REDACTED]
 115400	2	Freese, Diana - 0896 01/19/2013 Recovery Address: [REDACTED] Recovery Location: DEPUTY CONAN MOORE	Miscellaneous BLACK STREAMLIGHT FLASHLIGHT
 115401	3	Freese, Diana - 0896 01/19/2013 Recovery Address: [REDACTED] Recovery Location: DEPUTY CONAN MOORE	Clothing BLACK SHERIFF BASEBALL CAP
 115403	4	Freese, Diana - 0896 01/19/2013 Recovery Address: [REDACTED] Recovery Location: DEPUTY CONAN MOORE	Miscellaneous BLACK GUN BELT (SEE COMMENTS)
 115404	5	Freese, Diana - 0896 01/19/2013 Recovery Address: [REDACTED] Recovery Location: DEPUTY CONAN MOORE	Miscellaneous RIGHT SHIRT SLEEVE REMOVED FROM GREEN JUMPSUIT (AT HOSPITAL)

CASE NUMBER: 201300320

HUMBOLDT COUNTY SHERIFF'S OFFICE
PROPERTY/EVIDENCE BOOKING REPORT



PROPERTY/EVIDENCE LISTING

BarCode	Item #	Recovering Officer / Date / Address	Item Type / Description
 116553	1	Quenell, Karen - 1302 03/11/2013 Recovery Address: HCSO EVIDENCE FACILITY Recovery Location:	Photo CD - Agency Created 37 DIGITAL PHOTOGRAPHS OF RECOVERED FIREARMS TRANSFERRED TO CD ROM

3C13-567

FILED¹⁸

JAN 29 2013

HUMBOLDT SUPERIOR COURT
COUNTY OF HUMBOLDT, STATE OF CALIFORNIA

SUPERIOR COURT OF
COUNTY OF HUMBOLDT

RETURN TO SEARCH WARRANT
S/W #

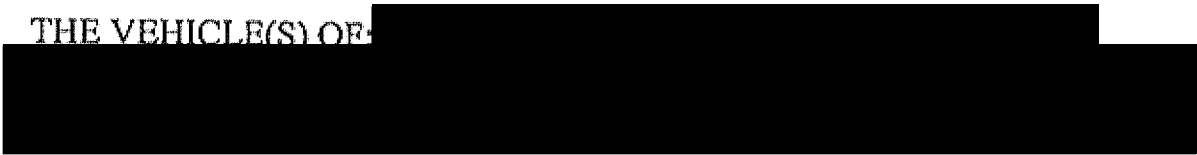
The personal property on the inventory attached hereto was taken from the premises located at and described as:

THE PREMISES located at and described as:

FURTHER DESCRIBED AS FOLLOWS:

Including basements, attics, storage spaces, appurtenant buildings, the surroundings grounds, and any containers thereon which could contain any of the items sought

THE VEHICLE(S) OF:



This vehicle is currently stored at the Humboldt County Sheriff's Office boat shed.

Including the passenger compartment, storage areas such as trunk and glove box, and any containers with the vehicle(s) Which could contain any of the items sought.

THE PERSONS) OF:

pursuant to the search warrant dated the 23rd day of JANUARY, 2013, issued by Judge Reinholdtser of the Humboldt Superior Court and executed on 1-24-2013, 2013.

I, Deputy Ron Harriman, by whom this warrant was served, do swear that the attached inventories contain(s) a true and detailed account of all the property taken during the service of this search warrant.

All the property seized, which was listed on the search warrant, will be retained in

3013-567

19

SEARCH WARRANT INVENTORY

DATE ITEMS REMOVED 1-23-13 1100^{hrs}

CASE NUMBER 2013-00320

DEPUTY SHERIFF SEIZING ITEMS Ron Harpham
Karen O'neal

SEARCH WARRANT NUMBER

ITEMS REMOVED FROM ADDRESS/LOCATION HCSD BOAT SHED/ BLACK [REDACTED] HONDA CIVIC [REDACTED]

Page 1 2 12 GAUGE SHOTGUN "HUNTER" - PLASTIC BAG REAR CARGO

2 GLASS TUBES wrapped in SHIRT - TRUNK

1 12 GA Winchester LOOSE IN BACK TRUNK

~~Brown Osprey PACK 38 x3~~ SPECIMENS - 12 GAUGE ROUNDS x 18

~~Brown Osprey PACK 12 GA D&B BARN~~

38 S&L RDS x 3

12 GAUGE RDS x 18

12 GAUGE D&B BARREL SHOTGUN CHURCHILL [REDACTED]

OSPREY BACK BACK

MOUNTAIN Dew BOTTLE

MOUNTAIN Dew VOCT CAN

3 10' FOR [REDACTED]

SMALL CONTAINER 17 UNIDENTIFIED PILES

1 LG CellPhone - US CELLULAR

PINK SLIP GLOVE BOX

BUTTER FLY KNIFE GLOVE BOX

PINK SLIP x DMV PAPERS FOR MISSISSIPPI

1 380 MAG + 7 RDS 390 SEMI AUTO

1 RD FROM [REDACTED]

HYPER KIT - GLASSES CASE

SYRINGES - PIKE - METH - HEROIN

3 SYRINGES

PASSENGER FLOOR BOARD

Brown Purse Passenger

FLOOR BOARD

UNDER PASSENGER SEAT FRONT

~~UNDER FRONT PASSENGER SEAT~~

GLOVE BOX

CENTER CONSOLE

DRIVERS SIDE FLOOR BOARD

CENTER CONSOLE

1-23-13

1415
TIME

SIGNATURE OF DEPUTY SHERIFF

PIN#

DISTRIBUTION: ORIGINAL - LEAVE AT SCENE OF SEARCH WARRANT SERVICE YELLOW - RETURN TO COURT WITH ORIGINAL SEARCH WARRANT

3C13-567

20

SEARCH WARRANT INVENTORY

DATE ITEMS REMOVED 1-23-13

CASE NUMBER 201300320

DEPUTY SHERIFF SEIZING ITEMS Ron Hardham
Karen Quenell

SEARCH WARRANT NUMBER _____

ITEMS REMOVED FROM ADDRESS/LOCATION HCSO Boat yard / NISSAN [REDACTED]

1 40 GA RD

2 12 GA SHOT GUN SHELLS

1 12 GA SHOT GUN SHELL

FRIENDSHIP CARD

MOTOROLA CELL PHONE

METRO PCS

BENCH MADE FOLDING KNIFE

O'Reilly Receipts

REAR VIEW MIRROR

METAL FRAGMENTS DRIVERS SEAT

TARGET Receipt

Center console

" "

under Rear seat

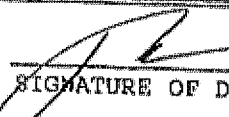
Passenger VISEM

From Blue Travel Bag - IN BACK SEAT

MULTIPLE INSIDE LOCATIONS

PASSENGER FLOOR REAR

1-23-13
DATE TIME


SIGNATURE OF DEPUTY SHERIFF PIN#

DISTRIBUTION: ORIGINAL - LEAVE AT SCENE OF SEARCH WARRANT SERVICE YELLOW - RETURN TO COURT WITH ORIGINAL SEARCH WARRANT

3C13-567

21

FILED

HUMBOLDT SUPERIOR COURT
COUNTY OF HUMBOLDT, STATE OF CALIFORNIA

JAN 29 2013

SUPERIOR COURT
COUNTY OF HUMBOLDT

SEARCH WARRANT
S/W #

THE PEOPLE OF THE STATE OF CALIFORNIA, to any sheriff, policeman, or peace officer, proof by affidavit having been made before me by

CHERYL FRANCO, DEPUTY SHERIFF

that there is probable cause to believe the property described hereinafter may be found at the locations set forth and that such property is seizable under Penal Code Section 1524 in that it:

- was stolen or embezzled;
- was used as the means of committing a felony;
- is possessed by a person with the intent to use it as a means of committing a public offense; or is possessed by another to whom he may have delivered it for the purpose of concealing it or preventing its discovery;
- is evidence which tends to show a felony has been committed or a particular person has committed a felony;
- is evidence which tends to show sexual exploitation of a child, in violation of Penal Code Section 311.3 has occurred or is occurring.

YOU ARE THEREFORE COMMANDED TO SEARCH: The vehicle belonging to [REDACTED] as well as the black AT&T "Pantech" palm style cell phone located on the east lawn of [REDACTED] Copenhagen Road, Loleta.

THE PREMISES located at and described as:

FURTHER DESCRIBED AS FOLLOWS:

Including basements, attics, storage spaces, appurtenant buildings, the surroundings grounds, and any containers thereon which could contain any of the items sought

THE CONTAINER(S) located at and described as: N/A

THE VEHICLE(S) described as:

This vehicle is currently stored at the Humboldt County Sheriff's Office boat shed.

Including the passenger compartment, storage areas such as trunk and glove box, and any containers with the vehicle(s) Which could contain any of the items sought.

THE PERSON(S) OF:

FOR THE FOLLOWING PROPERTY: Firearms, weapons, objects shaped like firearms, bullets, ammunition, gun cases, drugs, drug paraphernalia, proof of ownership for the vehicle, indicia, any evidence pertaining to the entry, direction and travel of any projectiles, photographs, latent prints, cell phones and the forensic analysis of any located cell phones, wallets, purses, backpacks, computers, camera's, any electronic media or devices, and any possible biological evidence.

As well as a forensic analysis of the black AT&T "Pantech" palm style cell phone.

and to seize it or any part thereof and retain such property in your custody subject

3C13-567

23

to order of this court, pursuant to Penal Code Section 1536.

GOOD CAUSE HAVING BEEN SHOWN BY AFFIANT, you may do the following, which bears my initials:

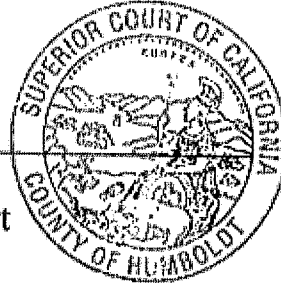
This Search Warrant and incorporated Affidavit was sworn to as true and subscribed before me this 23 day of JAN, 2013, at 8:55 A.M. Wherefore, I find probable cause for the issuance of this Search Warrant and do issue it.

 You may serve this warrant at any time of the day or night, under Penal Code Section 1533.

Ol A Permilton

Judge of the Humboldt

Magistrate
Superior Court



201300320

FILED
FEB 05 2014

SUPERIOR COURT OF CALIFORNIA
COUNTY OF HUMBOLDT

1 GLENN BROWN, Attorney SBN 60678
2 HUMBOLDT COUNTY ALTERNATE COUNSEL
3 931 Third Street
4 Eureka, California 95501
5 Telephone: (707) 441-5350

6 Attorney for Defendant [REDACTED]

7
8 SUPERIOR COURT OF CALIFORNIA
9 COUNTY OF HUMBOLDT

10
11
12 THE PEOPLE OF THE STATE OF CALIFORNIA,)

NO. CR1305517

13 Plaintiff,

14 vs.

STIPULATION AND ORDER
FOR RETURN OF PROPERTY

15 [REDACTED]
16 Defendant.

17
18 IT IS HEREBY STIPULATED that the following personal property seized by the
19 Humboldt County Sheriff's Office in the above-entitled matter shall be returned to [REDACTED]

20 [REDACTED] forthwith:

RECEIVED

JAN 31 2014

Theresa W.

SUPERIOR COURT OF CALIFORNIA
COUNTY OF HUMBOLDT

Bar Code #	Item#	Description
115489 ✓	4	Contents of defendant's right jeans pocket,
115493 ✓	8	Black/blue hooded sweatshirt;
115495 ✓	10	Blue/white/tan tennis shoe size 15 right;
115496 ✓	11	Blue/white/tan tennis show size 15 left;
115519 ✓	11	Cert. of title paperwork: [REDACTED]
115422 ✓	15	Turquoise/black "FOX" baseball cap;

ORDER

The matter having been stipulated to,

IT IS HEREBY ORDERED that the following personal property seized by the Humboldt County Sheriff's Office in the above-entitled matter shall be returned to

<u>Bar Code #</u>	<u>Item#</u>	<u>Description</u>
115489	4	Contents of defendant's right jeans pocket;
115493	8	Black/blue hooded sweatshirt;
115495	10	Blue/white/tan tennis shoe size 15 right;
115496	11	Blue/white/tan tennis show size 15 left;
115519	11	Cert. of title paperwork: [REDACTED]
115422	15	Turquoise/black "FOX" baseball cap;
115541	18	Greeting card address to [REDACTED]
115542	19	Blue/black cell phone missing back cover;
115543	20	Black cell phone missing back cover;
115550	27	Blue/black tennis shoes size 15; and

IT IS SO ORDERED.

Dated: 2-4-14

DALE A. REINHOLTSEN

JUDGE OF THE SUPERIOR COURT



BILL OF SALE

A Public Service Agency

VEHICLE/VESSEL DESCRIPTION				
IDENTIFICATION NUMBER	YEAR MODEL	MAKE	LICENSE PLATE/CF #	MOTORCYCLE ENGINE #
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	

I/We [REDACTED] (PRINT SELLER'S NAME(S)) sell, transfer, and deliver the above vehicle/vessel

to [REDACTED] (BUYER'S NAME(S)) on 01 16 2013 for the amount of \$ [REDACTED] (SELLING PRICE)

If this was a gift, indicate relationship: _____ (e.g., parents, spouse, friend, etc.) \$ [REDACTED] (GIFT VALUE)

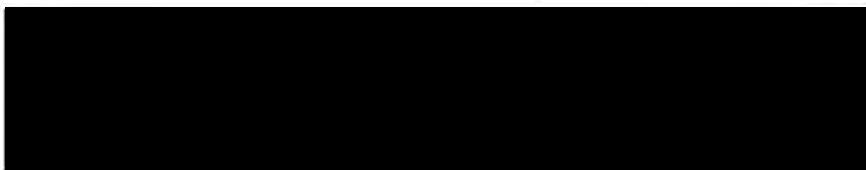
SELLER

I certify (or declare) under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

PRINT NAME	[REDACTED]	DATE	DL ID OR DEALER #
[REDACTED]	[REDACTED]	01/16/2013	
PRINT NAME	SIGNATURE	DATE	DL ID OR DEALER #
[REDACTED]	X		
MAILING ADDRESS	CITY	STATE	ZIP
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]

BUYER

PRINT NAME	[REDACTED]		
PRINT NAME	[REDACTED]		
MAILING ADDRESS	CITY	STATE	ZIP
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]



FILED

MAR 10 2014

SUPERIOR COURT OF CALIFORNIA
COUNTY OF HUMBOLDT

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GLENN BROWN, Attorney SBN 60678
HUMBOLDT COUNTY ALTERNATE COUNSEL
931 Third Street
Eureka, California 95501
Telephone: (707) 441-5350

Attorney for Defendant

SUPERIOR COURT OF CALIFORNIA
COUNTY OF HUMBOLDT

THE PEOPLE OF THE STATE OF CALIFORNIA,)
Plaintiff,)
vs.)
)
Defendant.)

NO. CR1305517

SUPPLEMENTAL
STIPULATION AND ORDER
FOR RETURN OF PROPERTY

IT IS HEREBY STIPULATED that the following personal property seized by the Humboldt County Sheriff's Office in the above-entitled matter shall be returned to forthwith:

Wallet belonging to and all non-contraband contents contained therein.

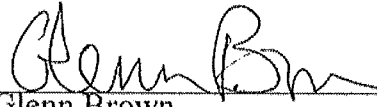
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IT IS SO STIPULATED.

Dated: 3/4/14


Glenn Brown
Attorney for Defendant

Dated:


Zach Curtis
Deputy District Attorney



HUMBOLDT COUNTY SHERIFF'S OFFICE

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

SUPPLEMENT 1 - SUPPLEMENTAL

201300320

On 01/19/2013 at approximately 0417 Hrs, I was on uniform patrol in a marked unit traveling N/B on Broadway in Eureka. I heard Deputy Moore broadcast over the radio that he was traffic and that his location was S/B on Tompkins Hill RD at the College of the Redwoods overpass. Then next transmission I heard broadcast by Deputy Moore was that he was in pursuit of the vehicle and that the reason for the initial stop was suspected DUJ driver. I then turned around to assist and responded with my emergency lights and sirens activated. Deputy Hass also broadcast that he was en route to assist.

I heard Deputy Moore continue to update the pursuit via radio. Deputy Moore broadcast that the pursuit traveled South on Tompkins Hill RD to West on Hookton RD to South on Eel River RD, and there was no other vehicular traffic. The top speed reached during the pursuit was 65 MPH. I heard Deputy Moore broadcast that the [redacted] vehicle had a traffic collision located at Eel River DR and Loleta DR at approximately 0422 HRS. I then heard Deputy Moore broadcast that there were shots fired and that the driver of the [redacted] vehicle had attempted to strike him with the vehicle. Deputy Moore then broadcast that the [redacted] vehicle fled N/B on Eel River RD. Deputy Moore broadcast that he was continuing to pursue the vehicle N/B on Eel River RD. I was traveling S/B on Hwy 101 just North of the Loleta DR exit at this time. I advised Dispatch to have all available unit respond to assist. At approximately 0423 HRS, Deputy Moore then broadcast that the [redacted] vehicle crashed at the corner of Copenhagen RD and Eel River DR. Deputy Moore broadcast that the driver, later identified to be [redacted] fled on foot from the vehicle towards the back of the residence located at [redacted] Copenhagen RD and that the passenger, later identified to be [redacted] fled from the vehicle on foot S/B on Eel River DR and into the brush. Deputy Moore broadcast that the driver had a firearm in his hand as he fled on foot away from the [redacted] vehicle.

I arrived on scene at approximately 0426 HRS. Deputy Hass arrived one minute before me. I met with Deputy Moore who advised me of the direction of travel for both occupants of the vehicle. Deputy Moore stated that he had identified the driver of the vehicle to be last of [redacted] Deputy Moore advised me that driver of the [redacted] vehicle had driven the vehicle over his foot when he fled from the location of the first TC at Eel River DR and Loleta DR. Deputy Moore was still present at the location of the second TC upon my arrival and had not pursued either [redacted] on foot. I observed foot prints in the frosted grass of [redacted] Copenhagen RD that led in a North West direction from the location of the TC. It appeared that the [redacted] had fled into a large pasture area that was North/North West of the residence located at [redacted] Copenhagen RD. Deputy Waxler arrived on scene next to assist. I was advised by Dispatch that Eureka Police Department had a K-9 unit on duty and was offering to assist. I requested that the EPD's K-9 unit respond. Myself and Deputies Waxler and Moore searched the perimeter of [redacted] Copenhagen RD for the [redacted] and then returned to the driveway to await for EPD's K-9 unit.

I observed that the [redacted] vehicle had come to a stop just North of the corner of Copenhagen RD and Eel River DR on a steep grassy embankment of a drainage ditch that ran adjacent to Eel River RD. The front of the [redacted] vehicle was facing West. The [redacted] vehicle was a Honda two door hatch back. I observed what appeared to be a bullet hole in the rear driver side window. I also observed what appeared to be a bullet hole in the back rest of the driver seat and bullet fragments laying on the driver seat area. I did not observe any physical signs of injury or trauma within the vehicle.

Fortuna Officer Primofiore arrived on scene to assist followed by Deputies Lamp, Gagnon, and Mathieson. CHP Officers Bowen, Aguilar, and Yoast also arrived to assist. I had units begin a perimeter along Eel River DR between Copenhagen RD and Table Bluff RD and West along Copenhagen RD. I was advised that shell casing had been located near Eel River DR and Loleta DR. I had a CHP unit respond to the location of the shell casing and secure the scene. I then contacted LT Knight and advised him of the situation.

EPD Officers La France and Sopoaga arrived on scene and Officer La France made his K-9 unit ready. At approximately 0458 HRS; Myself, Deputies Moore and Waxler, and Officers La France, his K-9, and Sopoaga began to search for [redacted] of foot. Officer La France's K-9 began to track in Northwesterly direction into the pasture area that was located to the North of [redacted] Copenhagen RD. The terrain was down hill, wooded and covered in brush. Our track led down hill into a drainage that had standing water and deep mud. At approximately 0507 Hrs, Officer La France's K-9 located and apprehended a [redacted] who was later identified to be [redacted] was laying in a prone position in the water and mud at the time the K-9 located him. Officer La France's K-9 took hold of [redacted] with it's teeth in the area of his right buttocks. Officer Sopoaga handcuffed [redacted] while Deputy Waxler and myself covered with our firearms. Officer La France removed his K-9 from [redacted] once he was handcuffed. Deputy Waxler conducted a high risk search of [redacted] and no firearm or items of contraband were located. I asked [redacted] were the firearm was located. [redacted] denied ever having a firearm. I observed that [redacted] had an injury on the right side of his buttocks caused by the K-9 apprehension. I observed no other signs of injury to [redacted] Deputy Waxler assisted [redacted] to a standing position. We escorted [redacted] out of the pasture area and back to where our patrol vehicles were located. [redacted] was able to walk without assistance.

[redacted] was placed in the back seat of Deputy Moore's vehicle. Deputies Moore, Lamb, Hass, Gagnon, and Mathieson retrace the route [redacted] took when he ran from his vehicle in an attempt to locate the hand gun. They were unable to locate a hand gun. I maintained observation of [redacted] while he sat in the back seat of Deputy Moore's vehicle. I spoke with [redacted] several times and inquired about his well being. [redacted] answered all my questions and stated that he was cold. I had Deputy Moore turn on the heater within his vehicle upon his return. At approximately 0526 Hrs, CHP Officer Aguilar located [redacted] hiding in the brush just West of Eel River DR and approximately 100 to 200 yards South of Copenhagen RD. [redacted] was brought back to our location in handcuffs and placed in Deputy Waxler's patrol vehicle.

At approximately 0550 Hrs, Deputy Hass advised me that [redacted] had an injury that was located on his back and between his

CONTROLLED DOCUMENT

Prepared By:	Date:	Approved By:	Date:
1340 IRELAND, KERRY	01/19/2013	0884 STEWART, ERNEST D	



HUMBOLDT COUNTY SHERIFF'S OFFICE

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

SUPPLEMENT 1 - SUPPLEMENTAL

201300320

shoulder blades that may be a gun shot wound. I informed Dispatch to have medical respond Code 3 for a possible GSW. Fire and medical personnel responded and transported [REDACTED] to Redwood Memorial Hospital. Deputy Lamb responded with medical on board the ambulance and Deputy Hass followed behind in his patrol vehicle. It was later determined by medical staff at Redwood Memorial that the injury to [REDACTED] back was not a GSW but an injury caused by a bite from Officer La France's K-9.

I maintained security of the scene at [REDACTED] Copenhagen DR until 0845 HRS where I was relieved by Deputy Dennison.

No further action taken.

CONTROLLED DOCUMENT

Prepared By:

1340 IRELAND, KERRY

Date:

01/19/2013

Approved By:

0884 STEWART, ERNEST D

Date:



HUMBOLDT COUNTY SHERIFF'S OFFICE

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

SUPPLEMENT 4 - SUPPLEMENTAL

201300320

On 1-19-13 at about 0425 hrs. Deputy Mathieson and I were dispatched to the area of Copenhagen Rd. and Eel River Dr., Loleta, for a report of shots fired involving Deputy Moore, see case #201300320 for more information. We responded code 3 with emergency lights and siren. While en route Deputy Moore requested we establish a perimeter point at the intersection of Table Bluff and Eel River Drives. Deputy Mathieson and I arrived at about 0443 hrs., and blocked the Southbound lane of Eel River Drive. At approx. 0440 hrs. Sgt. Ireland requested we respond to the Eel River and Copenhagen Rd. location.

We arrived and assisted Deputies Lamb, Waxler, Hass and Moore with a search of a field to the North of the above location. During our search I located a light blue baseball cap in a bush. Deputy Moore dropped a bag to mark the cap as having been located. I did not locate any further items in the field.

We then responded to the intersection of Loleta and Eel River Drives. Two shell casings were located in the roadway. The area had been marked off with crime scene tape and flares prior to my arrival. Deputy Mathieson and I maintained scene security at this location until approx. 0720 hrs., when we were relieved by Deputy Musson.

For information only

Nothing Further.

CONTROLLED DOCUMENT

Prepared By: 1672 GAGNON, DENNIS	Date: 01/19/2013	Approved By: 0884 STEWART, ERNEST D	Date:
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HUMBOLDT COUNTY SHERIFF'S OFFICE

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

SUPPLEMENT 3 - SUPPLEMENTAL

201300320

On 1-19-13 at about 0425 hours, I responded to the area of Eel River Dr. in Loleta for a report of shots fired. Deputy Moore had been involved in a vehicle pursuit in that area and broadcast shots fired over the radio. While en-route, Deputy Moore advised the [REDACTED] vehicle had crashed near the intersection of Eel River Dr. and Copenhagen Road.

Upon arrival at about 0427 hours, I contacted Sgt. Ireland and Deputies Moore and Hass. Deputy Moore stated the [REDACTED] later identified as [REDACTED] had fled from the vehicle and ran northbound from the scene. Deputy Moore stated [REDACTED] was armed with a handgun. Deputy Moore also advised a [REDACTED] passenger, later identified as [REDACTED] fled southbound on Eel River Drive.

Sgt. Ireland informed us a Eureka Police Department K-9 Officer was responding to assist. Prior to EPD arriving on scene, Sgt. Ireland, Deputies Moore, Hass, and myself performed a search of the surrounding area and secured the scene. EPD K-9 Officer La France and Officer Sopoaga arrived on scene a short time later.

Once on scene, Officer La France deployed his K-9 and we (myself, Sgt. Ireland, Deputy Moore, Officers La France and Sopoaga) began searching the area. Officer La France's K-9 led us in a northerly direction over a barbed wire fence and into a open field with numerous bushes and trees. The K-9 then led us northwest from the field and into a wet marshy area. The area was covered in knee deep mud and small pools of standing water. A few seconds after walking into the area, I heard Officer La France's K-9 barking and Officer La France yelling commands. I ran over to his area and observed Officer La France's K-9 biting onto the buttocks of a [REDACTED]. The [REDACTED] was laying face down in the prone position behind a small bush, and he had both arms tucked under his body. After a short struggle, the [REDACTED] placed his hands behind his back and he was detained in handcuffs by Officer Sopoaga. The [REDACTED] then identified himself as [REDACTED]. I moved behind [REDACTED] and performed a high risk weapons search of his person. I did not locate a firearm on [REDACTED] and he denied having one. [REDACTED] complained of pain around his buttocks from the dog bite and complained of being cold. I escorted [REDACTED] back to the scene and placed him in the back of Deputy Moore's patrol car.

A short time later, I was contacted by the CHP who informed me they located the [REDACTED] just south of the Eel River Dr. Copenhagen Rd. intersection. CHP Officer Agular walked the [REDACTED] to my location and I took custody of her. The [REDACTED] identified herself as [REDACTED] complained of being cold so I placed her in the back of my patrol car with the heat on.

At about 0637 hours, Sgt. Ireland requested I transport [REDACTED] to the HCSO and escort her to the CID office. I drove [REDACTED] back to the HCSO and released her to LT. Morey, and DA investigator Honsal.

For further information refer to Sgt. Ireland's and Deputy Hass' narratives.

CONTROLLED DOCUMENT

Prepared By:	Date:	Approved By:	Date:
1768 WAXLER, BRYAN E	01/19/2013	0884 STEWART, ERNEST D	



HUMBOLDT COUNTY SHERIFF'S OFFICE

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

SUPPLEMENT 2 - SUPPLEMENTAL

201300320

On 01.19.13 at about 0417 hours, I responded towards the area of Deputy Moore who was in pursuit of a black Honda that failed to yield during an attempted traffic stop.

While enroute, I heard Deputy Moore via radio inform the vehicle he was pursuing had T/C (traffic collision) at the intersection of Eel River Dr. and Loleta Dr. I then heard Deputy Moore broadcast "Shots Fired" and that he was back in pursuit of the vehicle traveling northbound on Eel River Dr. Deputy Moore then broadcasted the vehicle had T/C'ed at the corner of Copenhagen Rd. at Eel River Dr. and both passengers, a [REDACTED] and a [REDACTED] fled on foot.

I arrived to Deputy Moore's location at about 0425 hours and I saw Deputy Moore using his patrol vehicle as cover. I stopped and parked my patrol vehicle off setting the rear of Deputy Moore's patrol vehicle and I exited my patrol vehicle and used the driver's side front door for cover as I unholstered my department issued Glock .40 handgun. Deputy Moore quickly briefed me on where he last saw the [REDACTED] identified as, [REDACTED] [REDACTED] [REDACTED], and informed me he was still in possession of a silver pistol when he saw him run behind the unattached garage located on the property where we were located.

Sgt. Ireland arrived on scene with us and we conducted a sweep of the area in an attempt to locate [REDACTED]. We checked the surrounding area where Deputy Moore lost site of [REDACTED] and we did not locate him. We returned back to our patrol vehicles and stood by while additional units from HCSO, FPD, CHP and EPD including their K9 unit.

Once CHP arrived on scene, Sgt. Ireland instructed me to begin checking the surrounding area for the [REDACTED] [REDACTED] who fled on foot. CHP Officers and I checked the area in our patrol vehicles and were unable to locate the [REDACTED].

I returned to the incident location after hearing the [REDACTED] [REDACTED] was taken into custody with the assistance of EPD Cpl. Sopoaga, and EPD Officer LaFrance and his K9, Vex.

Sgt. Ireland instructed FTO Gagnon, Deputies Lamb, Moore, Mathieson and I to begin checking the path and surrounding area where [REDACTED] was taken into custody for the unaccounted for firearm.

We checked the area and Deputy Lamb immediately located a cellular telephone lying in the side yard about 25 yards in front of the [REDACTED] vehicle in the front yard of the residence. The cell phone was marked with a small paper bag and we continued our check of the area. Deputy Moore located a butane lighter lying on the grass in between the garage and a water tank. A paper bag was left next to the lighter to mark where it was. We continued along the fence line and crossed into the pasture located behind the neighboring residence through a make shift gate in the barbwire fence. Deputy Moore and I walked to the marshy area where [REDACTED] was taken into custody and began checking the area for the firearm. Deputy Moore and I located a deep round hole in the mud where [REDACTED] was laying and it appeared as it could possibly have been made by a hand shoving something into the muddy ground. Deputy Moore marked this area with a bag to be checked by Detectives once further resources were on scene. As Deputy Moore and I walked back up the hill, Deputy Gagnon asked Deputy Moore if [REDACTED] was wearing a hat and that he had located one (1) lying on the ground next to a thick area of bushes. Deputy Moore advised Deputy Gagnon that [REDACTED] was wearing a hat and he marked it with a paper bag.

CONTROLLED DOCUMENT

Prepared By: 1729 HASS, MICHAEL

Date: 01/19/2013

Approved By: 0884 STEWART, ERNEST D

Date:



HUMBOLDT COUNTY SHERIFF'S OFFICE

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

SUPPLEMENT 2 - SUPPLEMENTAL

201300320

Deputies Lamb, Mathieson, FTO Gagnon and I continued to check the area while Deputy Moore returned to his vehicle and Sgt. Ireland's location. No other items were located during the remaining check of the pasture area.

Deputy Lamb and I returned back to patrol vehicles and Sgt. Ireland instructed me to check remove [REDACTED] from Deputy Moore's and secure him in my patrol vehicle. Sgt. Ireland also requested that I check [REDACTED] for any possible injuries caused by gunshot.

I instructed [REDACTED] to exit Deputy Moore's patrol vehicle and asked [REDACTED] if he hurt anywhere other than where he was bit by the K9. [REDACTED] told me he had severe pain in the middle of his upper back just under his right shoulder blade. I pulled up [REDACTED] shirt and saw a horizontal laceration about 1" long just under his right shoulder blade. The laceration was bleeding and there was a large lump around it that was red in color. Deputy Lamb said it looked like a cut and not an entry wound for a bullet. [REDACTED] made the spontaneous statement, "It's where he fucking shot me".

I informed Sgt. Ireland of the possible gunshot wound and he requested medical respond code 3.

[REDACTED] was moved from Deputy Moore's patrol vehicle and into the backseat area of my patrol vehicle.

Loleta Volunteer Fire Dept. arrived and began checking [REDACTED] injuries. The ambulance arrived on scene and [REDACTED] was transported to Redwood Memorial Hospital in Fortuna for medical treatment and a legal blood draw. Deputy Lamb rode with [REDACTED] in the ambulance and I followed behind them to the Hospital.

[REDACTED] was treated for his injuries and the ER Doctor informed us the wound to [REDACTED] upper back / shoulder blade was not a gunshot wound and was possibly an additional dog bite wound.

I collected and bagged [REDACTED] clothing in the ER. Deputy Helm arrived and we turned [REDACTED] over into Deputy Helm's custody. Detective Franco arrived a short time after Deputy Helm and we informed her that [REDACTED] clothing was bagged and showed her where they were.

Deputy Lamb and I returned to the incident location and met with Sgt. Ireland. Sgt. Ireland instructed me to complete the Booking and Probable Cause Forms and meet with Deputy Helm at HCCF when he transported [REDACTED] for booking.

I arrived to HCSO and completed the Booking and Probable Cause Forms and gave them to Deputy Helm in the Sally Port area of HCCF.

Forms attached.

NF.

CONTROLLED DOCUMENT

Prepared By:	Date:	Approved By:	Date:
1729 HASS, MICHAEL	01/19/2013	0884 STEWART, ERNEST D	



HUMBOLDT COUNTY SHERIFF'S OFFICE

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

SUPPLEMENT 5 - SUPPLEMENTAL

201300320

On Saturday 01-19-13 at about 0417 hrs., I was working patrol in the McKinleyville area when I heard radio traffic from Deputy Moore that he was involved in a pursuit near Thompkins Hill Road. I listened to Deputy Moore's radio updates concerning the pursuit until about 0422 hrs., when he broadcast shots had been fired.

I started driving south toward Eel River Drive and Copenhagen Road, Loleta, where I heard Deputy Moore say the [REDACTED] vehicle had crashed. Sgt. Ireland requested all available Sheriff Office units respond to the site of the crash and I informed dispatch that I would be en route "Code-3". I arrived at Eel River Drive and Copenhagen Road at about 0444 hrs.

Sgt. Ireland directed me to patrol the area from Hawk Hill Road and Copenhagen to Eel River Drive and Table Bluff Road to search for [REDACTED] who Deputy Moore had broadcast had fled on foot from the crash. I continued searching the area as directed until I heard [REDACTED] had been located and was in custody.

I returned to the crash site at about 0508 hrs., and was directed by Sgt. Ireland to search the area north of the crash site and directly behind [REDACTED] Copenhagen Road. Deputies Moore, Hass, Gagnon, Mathieson, and I searched from the location of [REDACTED] vehicle to where he was located. During the search we located a cell phone and baseball hat, both believed to belong to [REDACTED]. The area where [REDACTED] had fled and was located was covered in calf high grass, up to 6 foot tall trees, large berry briar clumps, and other assorted bushes of random size. At the time of our search there was a heavy frost on the ground covering almost everything in sight with a sparkling sheen.

After searching the area Sgt. Ireland requested I take pictures of [REDACTED] injuries while he was being checked by medical personnel. At about 0613 hrs., Sgt. Ireland then directed me to travel with the ambulance, which was transporting [REDACTED] to Redwood Memorial Hospital. Deputy Hass was to follow the ambulance in his patrol unit and meet us at the hospital. While the ambulance, driven by [REDACTED], was en route, Paramedic [REDACTED] continued providing emergency care to [REDACTED]. I observed [REDACTED] cut off [REDACTED] shirts, and made sure that the clothing was later recovered. We arrived at RMH at about 0627 hrs., and [REDACTED] was taken into the emergency room. Medical staff removed all of [REDACTED] clothing (white shoes, muddy socks, dark muddy pants, and plaid boxers) and all items were collected in bags. [REDACTED] conducted the examination of [REDACTED] and told me that [REDACTED] had no bullet wound.

I took additional pictures of [REDACTED] injuries while in the emergency room.

At about 0653 hrs., Detective Franco arrived and was briefed on [REDACTED] condition and the location of his clothing. Deputy Hass and I cleared the Hospital leaving [REDACTED] with Detective Franco and Deputy Helm.

NF

CONTROLLED DOCUMENT

Prepared By:

1260 LAMB, CHARLES

Date:

01/19/2013

Approved By:

Date:



HUMBOLDT COUNTY SHERIFF'S OFFICE

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

SUPPLEMENT 6 - SUPPLEMENTAL

201300320

On 01/19/2013, at approximately 0425 hours, Deputy Gagnon and I were dispatched for officer assistance of shots fired at Eel River Dr. at Copenhagen in Loleta. Deputy Gagnon and I responded code 3 from Mckinleyville Ave and Hiller Rd. in Mckinleyville.

At approximately 0443 hours, Deputy Gagnon and I arrived on scene and set up a perimeter at Eel river Dr. at the south exit of Table Bluff Road. Deputy Gagnon and I kept watch for any sign of the [REDACTED]

At approximately 0508 hours, I was dispatched to the incident scene at Eel River Dr. at Copenhagen in Loleta. I assisted in a search for the weapon with multiple other deputies. I did not locate any items.

At approximately 0545 hours, I was directed to relieve California Highway Patrol at the first traffic collision scene at Eel River Dr. and Loleta Dr. in Loleta for crime scene security. I parked my patrol car in the intersection of Eel River Dr and Loleta Drive. Deputy Gagnon and I ensured the safety of the crime scene.

At approximately 0720 hours, I was relieved by a day shift unit..

Information only.

CONTROLLED DOCUMENT

Prepared By:
1923 MATHIESON, LUKE

Date:
01/20/2013

Approved By:
0884 STEWART, ERNEST D

Date:



HUMBOLDT COUNTY SHERIFF'S OFFICE

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

SUPPLEMENT 7 - SUPPLEMENTAL

201300320

On Saturday, January 19, 2013, I was assigned to patrol in a marked HCSO patrol vehicle. At about 0930 hours, I was assigned to relieve Deputy Dennison from the crime scene at Eel River Drive and Copenhagen Road in Loleta. I arrived at about 1000 hours and relieved Deputy Dennison. My duty was to protect and keep the onlookers away from the crime scene.

Detective Franco later asked me to complete a CHP 180 for the [REDACTED] Honda Hatchback with California License Plate [REDACTED] attached to the vehicle.

While completing the CHP 180, I noticed the Vehicle Identification Number [REDACTED] for the return on the California License Plate [REDACTED] did not match with the VIN of [REDACTED] on the [REDACTED] Honda Hatchback.

I notified Detective Franco and Evidence Technician, Karen Quenell about the VIN of the vehicle did not match to the license plate on the vehicle.

According to the computer system, the license plate [REDACTED] comes back to a [REDACTED] Honda coupe with a VIN of [REDACTED], and the registered owner is [REDACTED].

A records check of the actual VIN of [REDACTED] on the Honda Hatchback through HCSO Dispatch shows the vehicle is a [REDACTED] Honda Hatchback with a California License Plate [REDACTED] and the registered owner is [REDACTED].

After the [REDACTED] Honda Hatchback was processed by the Evidence Technician, Karen Quenell, the vehicle was impounded for evidence for vehicle code section 22655.5 (b). The Humboldt Towing transported the Honda Hatchback on their flatbed truck to the HCSO Boat Shed at [REDACTED] in Eureka.

I followed the tow truck to the HCSO Boat Shed, where the vehicle was stored underneath the awning. With latex gloves on, I opened the driver's door and removed the vehicle key out of the ignition. I then closed the door and placed an evidence tape across the door and labeled my initial, PIN number and time on the evidence tape. I later gave the vehicle key to the Evidence Technician, Karen Quenell.

I later sent a copy of the CHP 180 to HCSO Dispatch and requested they entered the vehicle into the computer system as an impounded vehicle, and placed a copy in the Sergeant's office. I gave the original CHP 180 to Sgt. Freese.

Nothing Further.

CONTROLLED DOCUMENT

Prepared By: 1735 CAO, BANG	Date: 01/20/2013	Approved By: 1191 DANIELS, JASON S	Date: 01/23/2013
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HUMBOLDT COUNTY SHERIFF'S OFFICE

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

SUPPLEMENT 8 - SUPPLEMENTAL

201300320

On Saturday, 01/19/13, at about 1020 hours, I responded to the area of Loleta Dr. at Eel River Dr. to assist the HCSO detectives, concerning Deputy Moore's case. Upon arrival, Sergeant Freese requested I attempt contact with possible witnesses in the area. I contacted seven witnesses, and the following is a summary of their statements.

[redacted] stated on 01/19/13, between about 0830 hours and 0900 hours, he was standing outside, near his front door. [redacted] said he heard what sounded like three gun shots, and heard an additional two shots fired five minutes later. During this time, [redacted] witnessed a vehicle heading East on Cannibal Island Rd. in Loleta. [redacted] could not provide a description of the vehicle. [redacted] then entered his apartment. About ten minutes later, [redacted] heard another three shots fired. [redacted] believes he heard the shots coming from a Northern direction.

[redacted] stated on 01/19/13, sometime during the morning at an unknown time, she awoke from her sleep to the sound of gun shots. [redacted] had gone to bed with the television on, and believed the sound of gun shots had come from her television. [redacted] was not concerned, and went back to sleep. [redacted] could not recall any other information concerning the gun shots.

[redacted] stated on 01/18/13, between about 2300 hours and 2400 hours, she heard sirens heading in a Northern direction on Eel River Dr. [redacted] stated [redacted] did not speak English, but [redacted] could interpret for her. [redacted] stated [redacted] said she too heard the sirens at the same time, heading in a Northern direction on Eel River Dr. Neither [redacted] nor [redacted] could recall any further information.

[redacted] stated on 01/19/13, she had fallen asleep on her couch. Between about 0420 hours and 0430 hours, [redacted] awoke from her sleep to the sound of sirens. [redacted] further heard what sounded like two vehicles driving fast, heading South down Eel River Dr. [redacted] got up and used the restroom, and upon her return to the living room, she peered outside her front door window. [redacted] stated she observed a HCSO patrol vehicle driving North on Eel River Dr., shining a spotlight as the officer drove slowly past her residence. [redacted] could not recall any further information.

[redacted] stated on 01/19/13, during the morning at an unknown time, she awoke to the sound of sirens, and flashing lights shining through her window. [redacted] stated she further heard vehicles driving fast. [redacted] then fell back asleep.

[redacted] stated on 01/19/13, at about 0200 hours, she was awake in her living room. [redacted] heard vehicles driving fast, accompanied by sirens, heading South down Eel River Dr. [redacted] stated she then heard three gun shots, coming from a Southern direction. Shortly after hearing the gun shots, [redacted] again heard vehicles driving fast, accompanied by sirens heading North on Eel River Dr. [redacted] could not recall any further information.

End of report, nothing further.

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Prepared By:

1917 HAVENS, HILARY

Date:

01/21/2013

Approved By:

1191 DANIELS, JASON S

Date:

01/21/2013



HUMBOLDT COUNTY SHERIFF'S OFFICE

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

SUPPLEMENT 10 - SUPPLEMENTAL

201300320

On Saturday, 01/19/13, I responded to the area of Loleta Dr. at Eel River Dr. in Loleta to assist HCSO detectives, concerning Deputy Moore's case. During this time, I interviewed several witnesses (please refer to my supplemental from 01/21/13 for further information). I then responded to the area of Eel River Dr. at Copenhagen Dr. in Loleta.

After the HCSO Detectives initial investigation, Sergeant Freese requested I drive Deputy Moore's patrol vehicle back to the HCSO Main Station, and place the key's to the vehicle in her office. Evidence Technician Karen Quenell advised me to park Deputy Moore's patrol vehicle in the basement of the HCSO Main Station, in the Evidence Technicians parking space. Evidence Technician Karen Quenell further advised me to seal the vehicle by taping all of the vehicle's doors and windows shut using evidence tape, and write my name, pin number, date and time on the evidence tape.

Once at the HCSO Main Station, I parked Deputy Moore's patrol vehicle in the basement, in the Evidence Technician parking space. I then proceeded to seal the vehicle shut, as Evidence Technician Karen Quenell had instructed. Once I sealed the vehicle, I took the key's to Deputy Moore's patrol vehicle and placed them in Sergeant Freese's office.

End of report, nothing further.

CONTROLLED DOCUMENT

Prepared By:

1917 HAVENS, HILARY

Date:

01/22/2013

Approved By:

1191 DANIELS, JASON S

Date:

01/23/2013



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

SUPPLEMENT 11 - SUPP. REPORT

201300320

On 01/19/2013, at 0430 hours, I was called at my residence by dispatch. I was told there was an officer involved incident and Lt. Knight was requesting I respond to the office and activate the Critical Incident Response Team. I was also told Lt. Morey was responding to the office and I was to meet with him there. I attempted to gather further information from dispatch and they told me that Deputy Moore had been involved in a vehicle pursuit and there had been a traffic accident. There were two outstanding subjects one [REDACTED] and one [REDACTED]

I arrived at the office and met with Lt. Morey who told me the following: Deputy Moore had attempted to conduct a traffic stop on a suspected DUI driver. The driver of the vehicle failed to stop and a vehicle pursuit was initiated. The [REDACTED] vehicle was involved in a traffic accident at Eel River Drive and Loleta Drive. At this location Deputy Moore's foot was run over by the fleeing [REDACTED] vehicle. Deputy Moore fired at the vehicle as it attempted to run him over. There was a report of the [REDACTED] the driver, having a firearm in the [REDACTED] vehicle. The [REDACTED] fled the from Eel River Drive and Loleta Drive location and crashed the vehicle at Copenhagen Road and Eel River Drive. Lt. Morey told me it had been reported when the [REDACTED] fled from the vehicle on foot he was seen carrying a firearm. A passenger of the vehicle, a [REDACTED] also fled from the vehicle in a different direction.

I contacted Detective Franco and asked her to respond. Lt. Morey told me he had already contacted Eureka Police Department and DA Investigators. They were all going to meet at the HCSO Office for a briefing.

Lt. Morey told me the [REDACTED] [REDACTED] had been detained, and I heard over the radio that the [REDACTED] [REDACTED] had a gun shot wound in the back. I also heard over the radio that the [REDACTED] [REDACTED] had been detained.

Lt. Morey told me he would like Detective Franco to respond to Redwood Memorial Hospital to assess the [REDACTED] [REDACTED] injuries. I contacted Detective Franco, and advised her of Lt. Morey's directions. It was determined, I would respond to the scene to photograph Deputy Moore and transport him to St. Joseph's hospital for a blood draw and to have his foot examined.

At 0635 hours, I responded to Eel River Drive and Copenhagen Road, and contacted Deputy Moore who was sitting in his assigned vehicle. Deputy Moore's assigned vehicle is a 2011 Ford Expedition, unit number [REDACTED], Plate Number [REDACTED] This vehicle is an SUV that is marked with Sheriff's Department graphics and equipped with emergency light bar. Deputy Moore stood outside his vehicle while I photographed his person. He was dressed in an approved HCSO green gortex cold weather suit. Deputy Moore's suit had Sheriff's Department patches on both arms. His name is embroidered in black on his right chest, "C. MOORE." On his left chest area, he wore a metal Humboldt County Sheriff's Department Badge. Deputy Moore had a black ball cap with gold embroider word, "SHERIFF, " across the front of the cap. He wore a black leather duty belt that included the following: double handcuff case, key keeper, Taser (x-26), Patrol radio, small tactical flashlight, glove pouch, expandable baton, firearm in holster, pepper spray in holster, a double magazine pouch and 5 belt keepers. In a narrow cargo pocket on Deputy Moore's pant leg, he had a Stream Light flashlight. His patrol radio was on and on "C" repeater. Deputy Moore wore a radio microphone that was attached to the zipper area of his suit. He also wore an ear microphone or ear bud that was attached to his radio.

Deputy Moore was muddy. He was covered with drying mud up to his knees. He had drying mud in

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0896 FREESE, DIANA M	01/31/2013	0616 MOREY, DAVID M	02/01/2013



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many places on his clothing. The most notably was his right side right arm and right leg. This is not to say, these were the only spots on his uniform that were dirty and mud covered.

I transported Deputy Moore to St. Joseph hospital where he consented to a blood draw at my request. Sergeant Daniels was already waiting at the Hospital as an advocate for Deputy Moore. Sergeant Stewart was also present. The attending nurse asked Deputy Moore, to take his boot and sock off the foot he had injured. He complied. I photographed his left foot and collected his sock and boot. I did not see any visible injury to Deputy Moore's foot. The attending nurse had Deputy Moore zip off the sleeve of his suit so she could take his blood pressure. I collected the sleeve.

At approx. 0740 hours, [REDACTED] [REDACTED] [REDACTED] [REDACTED] arrived for the blood draw. I observed her use a swab to wipe the area of his arm, where the draw was taken. I also watched her take one vile of blood from Deputy Moore's arm. I collected the blood draw, and the packaging form the swab and later booked them into evidence at HCSO.

Deputy Roy Reynolds arrived at the hospital and, gave me a Glock 22 and three magazines as replacements firearm for Deputy Moore.

Deputy Moore's LDF attorney [REDACTED] [REDACTED] arrived at 0820 hours. At 0825 hours, Deputy Moore was taken to the X-Ray room where his foot x-rayed. At about 0900 hours, Deputy Moore was advised his foot was not broken and he was released.

I transported Deputy Moore to his residence in [REDACTED]. Attorney [REDACTED] followed us to the residence and was present in this living room of the home while I collected the remainder of Deputy Moore's relevant clothing and duty belt. At about 0940 hours, I once again photographed Deputy Moore. I collected his second boot, sock, cold weather suit, ballistic vest, ball cap, his duty belt and flashlight. He was allowed to keep his wallet, and under clothing. All items were collected in the front room of the home. I assisted Deputy Moore in taking off his duty belt without taking off the keepers. I simply had him remove his trouser belt while pulling it through the keepers and belt loops. The belt was placed in a cardboard box. I offered for Deputy Moore to go to the privacy of his home to change, but he was fine changing where he was. I turned my back while he removed his cold weather suit and put on pants. I had previously asked him to consent to signing a medical release form, which he and his attorney agreed. (See attached.)

At 1047 hours, I arrived at the incident location, and was briefed on the status of the investigation. I responded to the area of Copenhagen Drive and Eel River Drive and started to canvas the area. Their are two homes in this location. I contacted the owners of [REDACTED] Copenhagen Road, [REDACTED] and [REDACTED] [REDACTED]. Both told me they were not alerted to the incident until about 0600 hours, when they let there dog out of the house. [REDACTED] [REDACTED] told me he has a surveillance system set up in his home. He told me the system is from Costco and equipped with infrared. He explained he did view the system, and he did see that the incident was captured. He explained there were no details other than car lights and the deputies flashing lights passing down Eel River Drive and coming back again. [REDACTED] [REDACTED] told me he was not familiar with the system enough to assist me with getting a copy of the footage, but was willing to allow me to get help in doing so.

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Detective Ron Harpham, who was assisting Evidence Technician Quenell, arrived at my location to assist. See his report for details. We were able to view the surveillance for the relevant times 0417-0422 hours. I observed the video at this time of the morning was in infrared. Due to the fact that the vehicles are in the distance, you are only able to see vehicle headlights, and the emergency lights from Deputy Moore's vehicle. At 0419.51 hours, you can see headlights traveling southbound on Eel River Drive with Deputy Moore following with emergency lights activated. At 0420.07, it appears as if the vehicles are stopped, and at 0420.48, the vehicles are seen moving northbound again with Deputy Moore some distance behind the [REDACTED] vehicle at 0421.59 both vehicles are off video. The above listed times are relevant to CAMERA #3.

We were not able to make a copy of the relevant surveillance information at this time due to the fact we lacked the proper formatted USB drive. Detective Harpham was able to use his camera and videotape the surveillance systems screen to preserve the footage.

At 1630 hours, I left the area, and responded to the office. I secured all items of evidence collected by me in my office. Each item was in a paper bag and sealed with evidence tape. The duty belt was packed in the cardboard box I had collected it in and sealed with evidence tape. All items were secured in my locked office.

I spoke with Lt. Morey and he instructed me to return Deputy Moore's ballistic vest to him, as the department had no other ballistic vest to loan him at this time.

On 01/20/2013, at 0900, I arrived at Copenhagen Road and Eel River Drive. At 0930 hours, I met with 11 search and rescue volunteers. I briefed them on the incident, and explained we were looking for any potential items of evidence including firearms. We established a search area from the barbed wire fence along the west side of Eel River Drive to a designated area in the field to the west, north to the boggy creek bottom where the [REDACTED] was located, and south to the area of the traffic accident location Eel River Drive and Copenhagen Road. See attached coy of Google maps for the search area marked "Search area 01/20/2013" We also search along both sides of Eel River Drive, from Copenhagen Road to Main Street, Loleta. We found nothing of evidentiary value. The search team told me that the probability of detection was about 50-60%.

Again on 01/21/2013, at 0930 hours, I met with 9 search and rescue volunteers and we conducted a second search, specifically in the most logical path the [REDACTED] fled during the time of the incident. Nothing of evidentiary value was located. The search team told me the probability of detection was 70-75%. But, the area in water and boggy marsh the probably of detection was 5-10%.

On 01/23/2013, at about 1045 hours, I met with DA Investigator William Honsal in CID. We examined Deputy Moore's clothing and duty belt. I photographed each item as we examined them. (See the photograph for details.)

The Cold Weather suit is a typical gortex suit. There were Humboldt County Sheriff's Department patches on each arm. There were three pens in the pocket area of the left chest area. There was a

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Humboldt County Sheriff's Department metal badge on the left chest area. In the left chest pocket, there was a window center punch, a finger print inkpad, and digital recorder. We listened to the three recordings and none of them pertained to this incident. The name "C. MOORE," is in black embroider letters on his right chest area. In the right chest pocket, there were three calendar books and several agency referral cards. In the back left rear pocket of the suit, I located a patrol notebook that had a year old stolen vehicle "hot sheet" taped to the pad. There was nothing of evidentiary value in the note pad.

The duty belt is a typical leather basket weave. The following is a list of items in the duty belt from left to right: buckle, Double handcuff case with two sets of hinged handcuffs, key holder with 2 sets keys. Belt keeper, Taser X-26 in holster, [REDACTED] and two Taser cartridges. The Taser was function tested and was operable with a battery life of 84. The flashlight function is selected and is operable as well as the red laser pointer. Patrol radio holster with a Kenwood Patrol Radio. The radio was on "C" repeater, and in good working order. There was a lapel microphone attached to the radio. Small "Sure Fire" LED flashlight in black plastic holster upside down. The flashlight is operable. Belt keeper. Glove Pouch containing three sets of gloves. Expandable baton holder holding an ASP baton. The baton was operable and had normal ware from operation. Belt keeper. Gun Holster and gun. The gun is a Glock 22, .40 caliber, [REDACTED] with operable night sights, there was an operable tactical light affixed to the gun. The tactical light is a SL TLR 1. There was one live round in the chamber. The magazine in the gun was loaded with 13 rounds. All bullets examined were Winchester .40 caliber jacketed hollow point. Pepper spray holder with a can of OC MK4 3 ounce can, not function tested but there was spray in the can. Belt keeper. Magazine pouch containing two magazines. Each magazine was loaded with 15 rounds. All rounds were .40 caliber Winchester jacked hollow point.

Black HCSO Departmental issued "Stream Light" flashlight in operational condition. This flashlight was originally located in the cargo pocket of the cold weather suit that Deputy Moore was dressed in, but was removed upon collection of the clothing.

All items were examined photographed and placed back in brown paper bags and sealed. They were booked into evidence. Previously, there had been a meeting with Humboldt County District Attorney's office. ADA Kelly Neal stated all items collected from Deputy Moore, could be return to him. The items were booked into evidence with instructions that they are to be turned over to Deputy Moore.

On 01/23/2013 at 1500 hours, DA Investigator Martin Perroni and myself went to [REDACTED] Loleta Drive to get the surveillance recording. Investigator Perroni was able to download the surveillance information. See his report for details.

On 01/24/2013, I contacted [REDACTED] [REDACTED] the registered owner of the Honda Civic California Plate [REDACTED] [REDACTED] agreed to speak with me and told me he was in the Courthouse on other business and would come to my office. [REDACTED] arrived at my office at 1000 hours; [REDACTED] had sold the vehicle to [REDACTED] two to three days prior to the 19th. The car was never listed for sale and it was, " a word of mouth thing." He is not friends with [REDACTED] but has spoken to him two to three times in the past. The agreed sale price of the vehicle was \$1500.00. [REDACTED] gave him \$1000 for the car, and was to pay him reaming \$500 in a few days. [REDACTED] told me he cleaned the vehicle out and left nothing, but the spear tire prior to selling it to [REDACTED] He did give [REDACTED] some brake parts, the DMV paperwork, and two car

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rims that were white in color. [REDACTED] left no personal items in the vehicle. [REDACTED] told me he saw the vehicle where it had crashed on Eel River Drive on the 19th. He saw that the front rims had been changed. He told me the rims on the car, were not the rims that were on the car when he sold it, and they were not the two additional rims he gave [REDACTED] when he purchased the vehicle.

See all related reports and photographs for further details. Any further information will be made matter of report at a later date.

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Prepared By: 0896 FREESE, DIANA M	Date: 01/31/2013	Approved By: 0616 MOREY, DAVID M	Date: 02/01/2013
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On 1-19-2013 @ 0530 hours, I was contacted by Sgt. Freese, concerning an Officer Involved Shooting. She respond to the Sheriff's office, to have a briefing, as the Critical Incident Response Team (CIRT) protocol activated. Upon clearing my residence, I was instructed by Sgt. Freese and Lt. Morey, to respond to Memorial Hospital. The [REDACTED] was being treated at the hospital for a potential wound.

I arrived at Redwood Memorial Hospital at approximately 0645 hours. I met with Deputy Helm and E. LaFrance. Officer LaFrance had responded with his K-9, Vex, who apprehended [REDACTED]. Refer to his supplemental report 3C13-00567.

I collected three bags of clothes belonging to [REDACTED]. The clothing had already been removed from [REDACTED] staff. The clothing was placed into the three bags prior to my arrival. [REDACTED] was lying on a hospital bed, with a large bandage on his left buttocks area. This is where K-9 Officer Vex had bitten [REDACTED] during his apprehension. I requested the hospital conduct a felony blood draw on [REDACTED]. Deputy Helm witnessed the blood draw. For report. I then collected the blood evidence from Helm. I attempted to wake [REDACTED] for an interview, by talking and shaking him, but he refused to wake up. I photographed him as he slept. I copied the photos to a CD, later booked into evidence.

At 0729 hrs., [REDACTED] was released from the hospital. Deputy Helm transported and booked [REDACTED] into the County Correctional Facility, without incident. Refer to his supplemental report.

I contacted Lt. Morey, who told me the registered owner of the [REDACTED] vehicle, was [REDACTED] of Fortuna. Lt. Morey briefed me on what he knew had occurred. I learned Deputy Moore had attempted a traffic stop, on a DUI driver. A pursuit ensued, from Tompkins Hill Rd. to Eel River Drive in Loleta. At Eel River Drive, the [REDACTED] vehicle had a traffic collision. Deputy Moore got out of his vehicle, to apprehend the [REDACTED]. [REDACTED] then fled, in the vehicle, running over Deputy Moore's foot. The [REDACTED] also had a firearm in his hand. Deputy Moore shot twice into the [REDACTED] vehicle. The [REDACTED] vehicle continued northbound on Eel River Dr., where it had a traffic collision at the intersection of Copenhagen Road. The driver, who had been identified as [REDACTED], fled into a field, where he was eventually apprehended. Lt. Morey stated Sgt. Freese was at St. Joseph's Hospital with Deputy Moore. She was going to handle any evidence collection from Deputy Moore.

Lt. Morey also advised [REDACTED] had a [REDACTED] passenger, whom had been apprehended. [REDACTED] was later identified by District Attorney Investigators (D.A.I.) Honsal and Bernstein were in the process of interviewing [REDACTED]. Evidence Tech. Karen Quenell was out at the scene. Lt. Morey requested I respond to the scene to turn over the clothing and blood draw to Evidence Tech. K. Quenell.

I arrived at Loleta Dr. and Eel River Dr. at approximately 0750 hours. Deputy Muson was securing the crime scene with crime scene tape securing the intersection area of Loleta Dr. and Eel River Drive. Inside the taped off area, I saw two shell casings. The shell casings were just east of the intersection, near the midline. Refer to Evidence Tech. Karen Quenell's supplemental report.

I then drove to the intersection of Eel River Dr. and Copenhagen Road. The residence located on the north side of Copenhagen Road. The [REDACTED] vehicle had lost control and crashed in the southeast corner yard of the residence on Copenhagen Road. On scene were Evidence Tech. Karen Quenell, EPD Detective Ron Harpham, and Detective Dennison, who were securing the scene. Detective Harpham and Evidence Tech. Karen Quenell determined [REDACTED].

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Prepared By:	Date:	Approved By:	Date:
1076 FRANCO, CHERYL R	01/31/2013	0896 FREESE, DIANA M	02/07/2013



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would work together on processing both scenes and evidence. Detective Harpham walked me through the Copenhagen Road. I saw a [REDACTED] [REDACTED] Honda Civic with what appeared to be two gun shot holes in the exterior.

Detective Harpham walked me along a path, possibly taken by [REDACTED] when he fled. The path went from t northbound, past a detached garage at [REDACTED] Copenhagen Road. It continued behind the detached garage, ov wire fence, into a large pasture. The pasture sloped downward into a large wetland area. Along the route Harpham pointed out a black cell phone, a food cooking style butane torch, a baseball hat and a possible ap location.

I then drove back to Loleta Drive and Eel River Drive scene. I spoke with a neighbor, [REDACTED] [REDACTED]s, a The interview was recorded and later transferred to a CD, which was booked into evidence. The foll summary of his statement.

[REDACTED] is visiting his brother, [REDACTED] [REDACTED] at [REDACTED] [REDACTED] [REDACTED] Loleta. [REDACTED] lives in [REDACTED] [REDACTED]o, currently staying in a 5th wheel trailer located on the southern portion of the driveway of his brothers' residen been visiting for about two weeks. [REDACTED] said Loleta is very quiet, compared to his home in [REDACTED] [REDACTED] Th sirens awakened him. [REDACTED] started to stir and heard a cars motor, sirens and screeching of tires. He thoug the car, turn up the street, just north of Loleta Dr. [REDACTED] then concluded the car had to have taken the fir than another right, ultimately traveling westbound onto Loleta Dr. As the vehicle came to the intersection, spun out. He thought the vehicle stopped with its back end in the yard or tree of the residence, located on th corner, of Loleta Dr. and Eel River Drive. [REDACTED] thought he heard the police vehicle spin out as well. He scrape marks on the roadway could have been from the police vehicle. [REDACTED] said he heard two gunshots. aforementioned account was what [REDACTED] heard. He did not actually see any of these events.

When [REDACTED] came out of his trailer, he saw a police SUV with its emergency lights on quickly traveling i on Eel River Drive. The police car appeared to be pursuing a smaller car. He thought the smaller car cras way up Eel River Drive. [REDACTED] couldn't remember actually seeing the small car, but said it sounded l burner." [REDACTED] was standing outside his trailer and was prepared to direct other officers, upon their arriv heard someone yell, "Drop the Gun!" [REDACTED] thought he heard a muffled sound, which could have been a ca Within seconds to a minute, he heard the Deputy yell, "Drop the gun!" A few minutes later [REDACTED] saw : police vehicles, rounding the corner of Loleta Drive and Eel River Dr., heading to the vehicle accident. Deputies location.

[REDACTED] said he walked out into the roadway, and stood by the spent shell casings, until a CHP came, and to crime scene. He had no further information.

I then spoke with [REDACTED] [REDACTED] at his residence, [REDACTED] Eel River Drive, around 0850 hours. The inte recorded and transferred to a CD, which was booked into evidence. The following is a summary of his staten

[REDACTED] had woken up just prior to the incident. He was walking to get a drink of water. He was on the se southeast corner of the residence, near a window. The window looks out, to the intersection of Eel River Loleta Drive. [REDACTED] said he heard screeching of tires, saw lights and heard three shots. [REDACTED] said outside when he saw the flashing lights. He saw the police vehicle and thought the vehicle was making a U

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Prepared By:	Date:	Approved By:	Date:
1076 FRANCO, CHERYL R	01/31/2013	0896 FREESE, DIANA M	02/07/2013



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Loleta Drive, ultimately driving northbound on Eel River Drive. The [redacted] vehicle was already driving on Eel River Drive. [redacted] didn't see the other vehicle. After that, he heard other police vehicle's arrival no further information.

I spoke with [redacted] [redacted] at his residence, [redacted] Loleta Drive. The interview was recorded and transferred which was booked into evidence. The following is a summary of his statement.

It should be noted, when the [redacted] vehicle lost control on Loleta Dr., it ran into [redacted] yard/tree, but did damage. [redacted] stated around 0415 to 0420 hrs, he was awoken to the sound of sirens. He thought he chase, like a car accelerating. He heard some sort of a crash and two gunshots. [redacted] never saw anything the above. His wife encouraged him to get up and look out the window. When he did, he saw a few Sheriff's go driving by. [redacted] said he saw two guys standing in the middle of the street, shining flash lights, appeared to be shell casings. He also saw the Sheriff's cars searching north on Eel River Drive, with their Around 0545 hrs, he received a call for a gun shot victim, as he is on the volunteer fire dept. He had information.

I then went to the apartment complex located at [redacted] Loleta Dr. No one was home in Apt. [redacted] I went to Apt. [redacted] with [redacted] [redacted] and his girlfriend, [redacted] [redacted]. The interview was recorded and later transferred to a CD, [redacted] booked into evidence. The following is a summary of their statements.

[redacted] said early in the morning, he heard sirens, and some gunshots. [redacted] thought he heard three shots, I thought one of the shots, could have been a vehicle backfire. [redacted] said he looked out a window, which face Drive. He saw the back end of a smaller car, like a Toyota, driving northbound, on Eel River Dr. He saw the SUV at the corner of Loleta Dr. and Eel River Drive. The Sheriff's car front end, was facing northeast, at [redacted] then ran downstairs and outside. He met up with a neighbor and saw the spent shell casings. He had information.

I then spoke with [redacted]. She said she heard sirens, and screeching of tires. Then it was quite. She then he "Pop". [redacted] said she looked out the bedroom window, and saw Sheriff's vehicles, driving westbound, on She said they were the sedans. [redacted] thought she saw the Sheriff's sedans, before she heard the gunshot thought the sedans she saw, were the involved vehicles, not the back up officers. She had no further information.

I then spoke with [redacted] [redacted] in [redacted] # [redacted]. The interview was recorded and later transferred to a CD, which [redacted] into evidence. The following is a summary of his statement.

[redacted] said he heard the sirens, early in the morning. [redacted] heard the sounds of a motorcycle or a "rice bike speeding off, with sirens in the distance. He never heard any shots being fired, and didn't think much of it. He had no further information.

I then spoke with [redacted] [redacted] in [redacted] # [redacted]. The interview was recorded and later transferred to a CD, which [redacted] into evidence. The following is a summary of her statement.

[redacted] stated she heard sirens early in the morning, and then she heard, "Pop..Pop..Pop." She thought it [redacted]

CONTROLLED DOCUMENT

Prepared By:	Date:	Approved By:	Date:
1076 FRANCO, CHERYL R	01/31/2013	0896 FREESE, DIANA M	02/07/2013



HUMBOLDT COUNTY SHERIFF'S OFFICE

826 4TH ST EUREKA, CA 95501 707-445-7251
SUPPLEMENT 12 - SUPPLEMENTAL REPORT

201300320

0130 hours, in the morning. She had no further information.

I then spoke with [redacted] [redacted] in [redacted] # [redacted]. The interview was recorded and later transferred to a CD, booked into evidence. The following is a summary of his statement.

[redacted] said he heard a sports car revving its engine. He thought he heard a police car, right behind the [redacted] but thought the sports car, made a "pop..pop" sound, as it changed gears. The car then roared away. Later a couple of guys standing in the street. He had no further information.

I then spoke with [redacted] [redacted] who resides at [redacted] Copenhagen Road. The interview was recorded and transferred to a CD, which was booked into evidence. The following is a summary of his statement.

[redacted] said he is hard of hearing. This morning he heard a little noise, and thought to himself, "well, it's a newspaper", and went back to sleep. He had no idea a vehicle, had crashed in his front yard. He was alerted to the incident, when his neighbor's called him at 0630 hrs.

Evidence Tech Karen Quenell and EPD Detective Harpham collected all evidence at both crime scenes.

D.A.I. Bernstein and Honsal utilized the "Total Station" diagram equipment, at the crime scenes, located at [redacted] Drive and Loleta Drive.

Deputy Bang Cao completed the CHP 180 for the [redacted] vehicle, [redacted] Honda Civic. It should be noted that license plate # [redacted] was attached to the vehicle. Deputy Bang Cao informed me the license plate did not match the vehicles VIN [redacted]. I later learned those license plates, belonged to [redacted] [redacted] vehicle, per a state report from [redacted]. Evidence Tech. K. Quenell and EPD Detective Harpham later searched the vehicle. They found license plates belonging to the [redacted] Honda Civic, inside the vehicle.

Deputy Moore's vehicle was driven to the basement of the courthouse by Deputy Havens, and sealed with tape.

On 1-20-13 @ 1232 hours, D.A.I. Bernstein and I interviewed the [redacted] [redacted] in the Sheriff's CID interview room. The interview was recorded and the DVD's were given to DAI Bernstein. Refer to DAI Bernstein's report.

On 1-20-13 @ 1400 hours, D.A.I. Bernstein, Honsal and I met with Deputy Moore, and his attorney, in the Sheriff's CID interview room. Deputy Moore did a walk through of the pursuit, and incident. Deputy Moore and his attorney, later met with Sheriff's CID interview room. At 1515 hours, D.A.I. Honsal, Bernstein interviewed Deputy Moore. I was not present for the interview. The interview was recorded and the DVD's were given to D.A.I. Honsal. Refer to D.A.I. Honsal's report.

On 1-22-13 @ 1000 hours, a meeting with CIRT members; DAI Honsal, DAI Bernstein, Lt. Morey, Sgt. F. Detective Harpham, and I, met with ADA Kelly Neel, in the Sheriff's CID briefing area. The incident was reviewed and discussed. It was determined Deputy Moore's, firing his duty pistol, at [redacted] was a justifiable use of force.

On 1-22-13, I wrote a search warrant for the [redacted] Honda Civic, [redacted] # [redacted] as well as AT&T "Pantech" cell phone, located on the east lawn area of [redacted] Copenhagen Rd., Loleta.

CONTROLLED DOCUMENT

Table with 4 columns: Prepared By, Date, Approved By, Date. Contains names and dates for Cheryll R. Franco and Diana M. Freese.



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SUPPLEMENT 12 - SUPPLEMENTAL REPORT

201300320

On 1-23-13 @ 0855 hours, the Honorable Judge Reinholtzen, reviewed and approved, the search warrant.

On 1-23-13 @ 1000 hours, a briefing with DAI Honsal, Bernstein, EPD Detective Harpham, Evidence Tech Quenell, Sgt. Freese and I took place. It was determined, EPD Detective Harpham and Evidence Tech Kar would process the [REDACTED] Honda Civic. EPD Detective Harpham would also process the AT&T "Pantech" ce provided EPD Detective Harpham with the search warrant. I later learned they located a shotgun, and pi Honda. Refer to their attached reports.

DAI Honsal and Sgt. Freese processed Deputy Moore's clothing, and duty belt, and gear. Refer to their attach

DAI Bernstein and I processed Deputy Moore's patrol vehicle, a Ford Expedition, unit [REDACTED]

On 1-23-12 @ 1023 hours, D.A.I. Bernstein and I, inspected Deputy Moore's patrol vehicle, Unit [REDACTED] vehicle was parked in the Court House basement, with evidence tape on each of the doors. None of the tap tampered with. We found all lights and sirens in working order. On the front passenger floorboard, we locat paper bag, containing [REDACTED] wallet, some US currency, and a wet sock. I also located [REDACTED] DMV probation information, warrant information and mug shot of [REDACTED] attached to Deputy Moore's "Posse Bo Bernstein checked Deputy Moore's patrol shotgun, and patrol rifle. They were locked in the firearm gun lock/ lock release was working properly. The shotgun, a Remington 870, serial # [REDACTED] was loaded wi in the shell tube. There was not a round in the chamber. This is a standard patrol load for the shotgun. serial# [REDACTED] had a fully loaded, 30 round magazine attached to the rifle. The chamber was empty. standard patrol load for the M-16. There were no expended rounds, or shell casings, located inside the vehi was no new damage to the exterior of the vehicle. D.A.I. Bernstein photographed the vehicle, and items seiz and I both counted the US currency and agreed that [REDACTED] had \$1,600.75 in total. I seized [REDACTED] belo booked them into evidence. I booked in his wallet with misc. contents, U.S. currency (\$1600.75), and one v also booked in the information on [REDACTED] located on Deputy Moore's posse box.

Around 1-24-13, I received a CD from dispatch, containing the radio traffic and 911 information.

On 2-6-13 I received the attached Search and Rescue report concerning the search for the firearm.

Refer to all attached reports and documentation, EPD Detective Harpham's and EPD Officer LaFance's su reports, EPD case# 3C13-567, and D.A.I. Honsal and Bernstein's supplemental reports, case DA13-001' information is received a supplemental report will be submitted.

NFI

CONTROLLED DOCUMENT

Prepared By:	Date:	Approved By:	Date:
1076 FRANCO, CHERYL R	01/31/2013	0896 FREESE, DIANA M	02/07/2013



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SUPPLEMENT 13 - [REDACTED]

201300320

On Monday, May 20, 2013 at about 1000 hours, I was at court room #5 regarding the preliminary hearing for this case. I was asked by ADA Kelly Neel to conduct a presumptive test on the [REDACTED] located in the [REDACTED] vehicle. I went down stairs to the HCSO evidence lab.

At about 1014 hours, Evidence Tech collected Items 13B, 13D, 13C, and 13A for this case. Inside the lab next to the evidence tech, I cut a small slit into each bag and tested the contents one at a time. Item 13B, 13A, and 13C all tested [REDACTED] using the Narco Marquis 902 and 923. Item 13D tested positive for [REDACTED] Narco Marquis 902. I resealed each of the bags and they were placed back into the evidence room.

Forward to DA's Office.

Clear with Supplemental.

Nothing Further.

CONTROLLED DOCUMENT

Prepared By:

1798 MOORE, CONAN R

Date:

05/20/2013

Approved By:

0896 FREESE, DIANA M

Date:

05/28/2013



HUMBOLDT COUNTY SHERIFF'S OFFICE

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SUPPLEMENT 9 - EVIDENCE REPORT

201300320

On January 19, 2013 at approximately 0515 hours, I was contacted by Sgt. Freese regarding an officer involved shooting investigation. I was instructed to start enroute to Eel River Drive at Loleta Drive. I arrived on scene at approximately 0730 hours and met with Deputy Muson who was securing the scene. I was informed that a second crime scene was located on Eel River Drive and Copenhagen Rd. I was told that Deputy Moore had attempted to initiate a traffic stop on a vehicle and a pursuit ensued. I was told a traffic accident had occurred involving the [REDACTED] vehicle on Loleta Drive at Eel River Drive. I was told the [REDACTED] had run over Deputy Moore's foot with the vehicle. I was told the vehicle then traveled north on Eel River Drive and crashed at Copenhagen Rd. I was told the two occupants had exited the vehicle and fled on foot. I was told both occupants were in custody.

I met with Lt. Knight who took me to the second scene located at Copenhagen Rd. I observed a [REDACTED] Honda Civic on the side of the embankment at this scene. I was instructed to process the scene at Loleta Drive and then process the scene at Copenhagen Rd. Lt. Knight transported me back to Loleta Drive. I was informed that Eureka Police Dept. Detective Ron Harpham would be assisting me with the evidence.

Det. Harpham and I conducted a walkthrough of the scene. The scene was secured with yellow crime scene tape. I observed two expended cartridge cases located in the westbound lane of Loleta Drive. The expended cartridge cases were marked with orange paint. I observed overspray of the orange paint on the expended cartridge cases. I observed black tire marks in the eastbound lane that ran north-south. On the south side of the tire marks was a cement curb containing vegetation/moss. I observed some of this vegetation/moss located on the roadway and damage to the cement curb. Beyond the curb was a large shrub and grass. I observed a mark in the grass consistent with a tire. I noticed the shrub contained broken branches at the bottom. We examined the roadway and located several pieces of glass near the centerline.

Using a Nikon digital camera, I proceeded to take photographs. I took photographs throughout the search. After taking initial photographs, we proceeded to mark the expended cartridge cases and pieces of glass with numbered evidence markers. I took additional photographs.

While on scene, I took possession of [REDACTED] [REDACTED] [REDACTED] clothing from Det. Franco. Det. Franco informed me that Lt. Morey had instructed her to give the clothing to me to be booked into evidence.

I was informed that DA Investigators Bill Honsal and Jack Bernstein would be documenting the scene with a Total Station laser measuring device. Refer to their reports for details.

EPD Detective Harpham and I proceeded to collected the expended cartridge cases and pieces of glass. The numbered evidence markers were left in place to be documented by the DA's Office Investigators.

We collected the following items of evidence:

1. Winchester .40 caliber expended cartridge case (containing orange paint)
2. Winchester .40 caliber expended cartridge case (containing orange paint)
3. Glass fragment(s)
4. Glass fragment(s)

CONTROLLED DOCUMENT

Prepared By:

1302 QUENELL, KAREN

Date:

01/22/2013

Approved By:

0896 FREESE, DIANA M

Date:

01/16/2014



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SUPPLEMENT 9 - EVIDENCE REPORT

201300320

- 5. Glass fragment(s)
- 6. Glass fragment(s)
- 7. Glass fragment(s)
- 8. Glass fragment(s)
- 9. Glass fragment(s)
- 10. Glass fragment(s)
- 11. Glass fragment(s)

These items were later booked into evidence at the HCSO evidence storage facility.

I took a total of 69 digital photographs. The digital photographs were later transferred to CD ROM and booked into evidence.

At approximately 1105 hours, we proceeded to the second location on Eel River Drive at Copenhagen Rd. and met with Det. Franco and Lt. Morey. Additional law enforcement personnel were on scene. Refer to crime scene log for details.

I observed a [REDACTED] Honda 2-door hatchback on the embankment on the northwest corner of Copenhagen Rd. and Eel River Drive. The front of the vehicle was facing west. I observed two apparent bullet holes in the driver's side rear window. I was told a cell phone, butane lighter and baseball cap had been located by law enforcement.

The vehicle contained the license plate [REDACTED]. Deputy Cao informed me that the license plate did not match the vehicle's VIN. Refer to Deputy Cao's report for details. I observed that the driver's door was open. The passenger and driver windows were partially rolled down.

I observed a Sheriff's Department SUV parked in the driveway at the residence located at [REDACTED] Copenhagen Rd. I was told this vehicle had been driven by Deputy Moore. I was told that [REDACTED] [REDACTED] had fled on foot in a northwest direction through a pasture on the north side of the residence and was located in a swamp area at the bottom of the hill.

Using a Nikon digital camera, I proceeded to take photographs. After taking initial photographs, I was informed that the Honda would be towed to the HCSO Boat Yard to be processed at a later date. I took additional photographs of the vehicle. I observed metal fragments on the driver's seat. In order to preserve the possible evidence, the metal fragments were collected prior to the vehicle being towed. The metal fragments were later booked into evidence. I secured the window containing the apparent bullet holes with paper bags and tape. I placed evidence seals on the doors and hood. I placed my initials, the date and the time (1316 hours) on the seals.

After the vehicle was removed, I conducted a search of the crash site. I did not locate any significant evidence in that area.

I examined Deputy Moore's vehicle. I did not locate any apparent fresh damage to the vehicle.

CONTROLLED DOCUMENT

Prepared By: 1302 QUENELL, KAREN	Date: 01/22/2013	Approved By: 0896 FREESE, DIANA M	Date: 01/16/2014
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SUPPLEMENT 9 - EVIDENCE REPORT

201300320

I proceeded to mark the items of possible evidence with numbered evidence markers and took photographs. I marked and photographed the following items:

- 12. AT&T Pantech cell phone located on the east lawn of [redacted] Copenhagen Rd.
- 13. Red and black butane torch lighter located on the east lawn of [redacted] Copenhagen Rd.
- 15. Turquoise/black "Fox" baseball cap located on the hillside north of [redacted] Copenhagen Rd.

Note: Item #14 consisted of the metal fragments removed from the driver's seat of the Honda.

I collected these items and later booked them into evidence.

We proceeded to search the pasture on the north side of [redacted] Copenhagen Rd. where [redacted] [redacted] was found. I was told that (s) [redacted] had brandished a firearm at Deputy Moore. Refer to Detective's reports for details.

Using a metal detector, we searched the area where the baseball cap was located and northwest to the swamp area. We did not locate any firearms.

We concluded our search at approximately 1545 hours. I took a total of 101 digital photographs. The digital photographs were transferred to CD ROM and booked into evidence.

I transported all of the evidence to the HCSO Evidence Storage facility. The items I received from Detective Franco were wet. I placed the wet in the HCSO drying facility. I later booked in the following items:

- 1. Blood sample: [redacted] [redacted] [redacted] DOB: [redacted]-[redacted]-[redacted]
- 2. Hanes blue/white plaid boxer shorts cut
- 3. Buffalo David Britton blue jeans w/black belt cut
- 4. 2 pieces of Canel's chewing gum removed from left front pocket of jeans
- 5. 2 - \$20 bills; Mike Rowe Works silver colored wrist watch; Crown Club instructions Card; 6 pennies, 7 nickels and 6 dimes removed from right front jeans pocket
- 6. 2 white socks, dirty
- 7. Paper used to dry jeans and contents of pockets/underwear and socks
- 8. Metal Mulisha black/blue hooded, zipper front sweatshirt cut
- 9. Red biohazard bag used to transport items
- 10. Adidas blue/white/tan tennis shoe, size 15, right
- 11. Adidas blue/white/tan tennis shoe, size 15, left
- 12. Sinsister red thermal style, long sleeve shirt, size XL cut
- 13. Raw State black/red/gray/white t-shirt, size XX Large cut
- 14. Paper used to dry red shirt and black shirt

I was told the items were cut by medical personnel while (s) [redacted] was being treated for injuries. Refer to Detectives reports for details.

CONTROLLED DOCUMENT

Prepared By:	Date:	Approved By:	Date:
1302 QUENELL, KAREN	01/22/2013	0896 FREESE, DIANA M	01/16/2014



HUMBOLDT COUNTY SHERIFF'S OFFICE

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SUPPLEMENT 9 - EVIDENCE REPORT

201300320

On January 23, 2013 at approximately 1000 hours, I arrived at the HCSO Storage Facility located on Myrtle Ave. and met with EPD Det. Harpham. Detective Franco requested we serve a search warrant she had prepared on the black Honda.

Det. Harpham served the search warrant and we proceeded to process the vehicle for possible evidence. Using a Nikon digital camera, I took photographs throughout the search.

We located the following items during our search:

1. 2 clear glass tubes (hollow) approx. 40.5 and 18.5 inches long hatchback area
2. 2 Hunter - 12 gauge shotgun shells, red in color rear cargo area
3. Winchester 12 gauge shotgun shell, red in color rear cargo area
4. Osprey Helios 14 black backpack (contents removed and booked in separately)
 - 4a. 2 Remington 12 gauge shotgun shells removed from backpack
 - 4b. 3 - .38 caliber cartridges SPL+P removed from backpack
 - 4c. 16 Hunter and 2 Winchester 12 gauge shotgun shells removed from backpack
 - 4d. Federal .380 Auto cartridge removed from backpack
 - 4e. Ignition starter with 2 keys removed from backpack
 - 4f. Churchill by Kassnar Windsor I 12 GA double barrel shotgun w/barrel length of
Approx. 12.5 inches removed from backpack
5. Indicia: [REDACTED] insurance card, visa debit card, Golden State ADV card and 20 pills removed from purse on front passenger floorboard
6. 20 oz. plastic Mountain Dew bottle located on front passenger floorboard
7. 12 oz. can Mountain Dew Voltage (unopened) located on front passenger floorboard
8. LG black/gray US Cellular cell phone w/micro SD card under front pass. Seat
9. Indicia: Certificate of Title: [REDACTED] located in glove compartment
10. Duck [REDACTED] purple/silver butterfly knife blade approx. 3.5 inches located in Glove compartment
11. Indicia: Cert. of Title/paperwork for [REDACTED] Honda [REDACTED] Located in glove compartment
12. Baikal IJ-70-17A .380 ACP pistol w/magazine, S/N [REDACTED] and 1 WIN .380 Auto Cartridge removed from chamber and 4 - G.F.L. .380 Auto hollow point cartridges And 2 WIN .380 Auto cartridges removed from magazine located in center console Storage compartment
13. Red eyeglasses case containing suspected drugs/paraphernalia
 - 13a. Clear plastic bag tied w/a knot containing white substance approx. 1.8 grams removed from red eyeglass case
 - 13b. Clear plastic bag tied w/a knot containing white substance approx. 3.0 grams removed from red eyeglass case
 - 13c. Clear plastic bag w/red bulldogs containing white substance approx. 1.2 grams removed from red eyeglass case
 - 13d. Clear plastic bag containing brown substance approx. 9 grams removed from red eyeglass case
14. 3 hypodermic syringes w/needles located in center console compartment

CONTROLLED DOCUMENT

Prepared By: 1302 QUENELL, KAREN	Date: 01/22/2013	Approved By: 0896 FREESE, DIANA M	Date: 01/16/2014
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SUPPLEMENT 9 - EVIDENCE REPORT

201300320

- 15. CBC .40 S&W cartridge located in center console compartment
- 16. 2 Winchester 12 gauge sabot slug shotgun shells, black in color located in center console compartment
- 17. Hunter 12 gauge shotgun shell, red in color located under driver's side rear passenger seat
- 18. Greeting card addressed to [REDACTED]
- 19. Metro PCS blue/black cell phone missing back cover removed from suitcase on rear passenger seat
- 20. Motorola black cell phone missing back cover removed from suitcase on rear passenger seat
- 21. Benchmade green/black folding knife blade approx. 3.5 inches w/broken tip removed from suitcase on rear passenger seat
- 22. 3 O'Reilly Auto Parts Fortuna receipts various locations inside vehicle
- 23. Rearview mirror
- 24. Metal fragments removed from driver's seat
- 25. Target receipt: 01-18-2013 05:11 PM Cash passenger side rear floorboard
- 26. Driver's seat cover
- 27. Pair of Etnies blue/black tennis shoes, size 15 rear cargo area

These items were later booked into evidence.

We proceeded to process the vehicle for latent prints. We dusted the driver and passenger doors and windows and mirror and the interior dashboard and gear shift. We were unable to locate any useable latent prints.

We concluded our search at approximately 1415 hours. I took a total of 210 digital photographs. The digital photographs were later transferred to CD ROM and booked into evidence.

The firearms will be processed for latent prints at the HCSO Laboratory.

Any further investigation will be a matter of report

CONTROLLED DOCUMENT

Prepared By:	Date:	Approved By:	Date:
1302 QUENELL, KAREN	01/22/2013	0896 FREESE, DIANA M	01/16/2014

3C13-567

34

SEARCH WARRANT INVENTORY

DATE ITEMS REMOVED 1-23-13 1100^{hrs}

CASE NUMBER 2013-00320

DEPUTY SHERIFF SEIZING ITEMS Ron Harporth
Karen O'Connell

SEARCH WARRANT NUMBER

ITEMS REMOVED FROM ADDRESS/LOCATION HCSD BOAT SHED/ BLACK [REDACTED] HONDA CIVIC [REDACTED]

- 1 2 12 GAUGE SHOTGUN "HUNTER" - PLASTIC BAG REAR CARGO
- 2 GLASS TUBES wrapped in SHIRT - TRUNK
- 1 12 GA Winchester LOOSE IN BACK TRUNK
- ~~FROM OSPREY PACK - 38 x3 SPECIALS - 12 GAUGE ROUNDS x 18~~
- ~~FROM OSPREY PACK - 12 GA D&D BARREL~~
- 38 S&W RDS x 3
- 12 GAUGE RDS x 18
- 12 GAUGE D&D BARREL SHOTGUN CHURCHILL [REDACTED]
- OSPREY BACK PACK
- MOUNTAIN Dew BOTTLE
- MOUNTAIN Dew VOLT CAN
- 3 10' FOR [REDACTED]
- SMALL CONTAINER 19 UNIDENTIFIED PILLS
- LG CELLPHONE - US CELLULAR
- PINK SLIP GLOVE BOX
- BUTTER FLY KNIFE GLOVE BOX
- PINK SLIP x DMV PAPERS FOR MISSION
- 1 380 MAG + 7 RDS 390 SEMI AUTO
- 1 RA FROM CHAIRMAN [REDACTED]
- HYPO KIT - GLASSES CASE
- SYRINGES - PINK - [REDACTED]
- 3 SYRINGES

- PASSENGER FLOOR BOARD
- BROWN PURSE PASSENGER
- FLOOR BOARD
- UNDER PASSENGER SEAT FRONT
- UNDER FRONT PASSENGER SEAT
- GLOVE BOX
- CENTER CONSOLE
- DRIVERS SIDE FLOOR BOARD
- CENTER CONSOLE

1-23-13 1415
 VTE TIME SIGNATURE OF DEPUTY SHERIFF PIN#

DISTRIBUTION: ORIGINAL - LEAVE AT SCENE OF SEARCH WARRANT SERVICE YELLOW - RETURN TO COURT WITH ORIGINAL SEARCH WARRANT