HUMBOLDT COUNTY DISTRICT ATTORNEY'S OFFICE
INVESTIGATION REPORT

DATE: March 1, 2007
[redacted]: [redacted]
[redacted]: State of California
CASE: 200701191
DOCKET: N/A
OFFENSE: P.C. 664/187

BY: DA Investigator T. Cooke

Involved Persons:

[redacted]
[redacted] Table Bluff Rd.
Loleta, CA
[redacted]
[redacted]

[redacted]
[redacted] Hookton Cemetery Rd.
Loleta, CA
[redacted]

Anthony NMN Lagarda [redacted]
Humboldt County Sheriff's Office (Deputy)

On 3-1-07, at about 0520 hrs., I received a phone call at my residence from Chief District Attorney Investigator Mike Hislop. He informed me that there had been an Officer involved shooting in Loleta and requested I respond to the Office.

At about 0630 hrs., members of the Critical Incident Response Team (CIRT), (including myself) met with Lt. George Cavinta in the Sheriff's Office Detective Bureau. Cavinta gave us a brief rundown of the incident. In short, he stated that Deputies had been called out to an incident at [redacted] Table Bluff Rd., involving a [redacted] [redacted] who was acting violent and suicidal. Deputy Bishop had deployed a taser, and Deputy Daniels had fired one shot. [redacted] had been taken to the hospital. Cavinta indicated the scene was currently secure, he also indicated Detective Quenell would be in charge of the case.

After the briefing, Chief Investigator Hislop, Inv. Cox, Inv. Losey and I proceeded to the incident location. We arrived at about 0805 hrs. We met with Sgt. Hanson outside the main residence. He indicated Deputy Troy Garey was inside with the

family. There was crime scene tape up preventing access to the cabin, which was about 50 yards from the main house. We viewed the cabin from a distance, but did not approach it. After reviewing the scene, we proceeded back to CID to brief. I was instructed to interview the [redacted] mother [redacted] with Sgt. Hanson. I proceeded back to the residence.

At about 1340 hrs., Sgt. Hanson and I met with [redacted] at her residence. We spoke to her in her bedroom away from other family members. I recorded our conversation with my department issued digital recorder. The following is a brief summary of what she relayed:

INTERVIEW WITH [redacted] (3-1-07 @ 1340 HRS.)

Last night, she was sleeping in bed with her husband Mark [redacted] They woke up when her son [redacted] threw the door open at about 0200 hrs. [redacted] was mad and was saying something. He was holding a machete and struck an electrical outlet with it. He also hit stuff on the wall with the machete. [redacted] said his hand was bloody. [redacted] thought he might have turned the light on. She had since swept the debris up into a pile in the hallway. She said he was swinging the machete all around. [redacted] then grabbed the combo to the safe, which was in a drawer. [redacted] said the guns are kept in this safe. [redacted] said he was going to get the guns and kill himself, and left the room. His dad followed him. She tried to call 911 on the phone and couldn't make it work. She ran to the dining room and grabbed her cellular phone. She went outside to the greenhouse shed and called 911. [redacted] said she was scared. She waited in the greenhouse until the officers arrived. While she was waiting, she heard thrashing about inside the main house.

Once more Deputies were on scene, she heard her husband say that [redacted] had ran out of the house. They eventually checked the main house and did not find [redacted] [redacted] said she and her husband and [redacted] ([redacted] wife) had a plan to leave the house. They eventually went back inside the main house ([redacted] [redacted] and herself). They then learned that [redacted] was back at the cabin, so they did not leave. [redacted] said the dispatcher was also in the house with them. They heard [redacted] yell a couple of times; she did not know what he yelled. They heard a pop, and her husband thought it was a taser or something. She could not hear what was being said down there. She was inside the house with the door closed. Later one of the officers told them that [redacted] had been shot and was taken away in an ambulance. [redacted] said [redacted] has been on suicide watch before. She said he has been to Semper Virens before. [redacted] said [redacted] had been drinking. I read to [redacted] out loud a consent to search form, which she signed. [redacted] said they got the machete for [redacted] a long time ago.

INTERVIEW WITH NEIGHBOR [redacted] (3-1-07 @ 1450 HRS.)

After my interview with [redacted] I briefed Evidence Technician [redacted] and Detective Steve Quenell on what she relayed. Det. Quenell requested I speak to one of the neighbors to see if they witnessed anything. Sgt. Hanson and I walked

through a field to [redacted] Hookton Cemetary Rd. At about 1450 hrs., we spoke to [redacted] inside his residence. The conversation was audio recorded. [redacted] relayed the following: [redacted] did not see or hear anything out of the ordinary last night. He did discover that his truck ([redacted] Dakota 2 door lic. [redacted]) had been rummaged through. His truck was left unlocked and nothing was missing. I later informed Det. Quenell of this information and cleared the scene.

On 3-2-07 at about 0830 hrs., members of the CIRT team met at the Sheriff's Office. Det. Quenell requested that Sgt. Hanson and I interview Deputy Pat Bishop and his recruit Deputy Anthony Lagarda. Hanson made arrangements for the interviews.

INTERVIEW WITH DEPUTY ANTHONY LAGARDA (3-2-07 @ 1306 HRS.)

At about 1306 hrs., Hanson and I met with Deputy Lagarda in the District Attorney's Office. We spoke to him in a conference room. Our conversation was audio recorded. The following is a brief summary of what he relayed; He is currently in his 9th week of the Field-training program. On the day in question, he was assigned the 22 beat for swing shift. He was partnered with his FTO, Deputy Bishop. He was in the office working on a report when he heard the call for service via the inter office radio. The call had something to do with a person with a machete. He and Deputy Bishop responded to the scene. Deputy Bishop drove. They left the office at about 0300 hrs.

Once at the scene, they met with Deputy Daniels near the cabin. Daniels informed them that there was a [redacted] barricaded inside with a machete. He could hear the person inside the cabin yelling and breaking things. He said items were also being thrown outside the windows. He said Deputy Braud was speaking to the [redacted] inside whose name was [redacted] The [redacted] inside was saying something about his shot glass not breaking. He said Deputy Braud was trying to de-escalate the situation. He said the following Deputies were at the scene; Bishop, Daniels, Silva, Braud and himself. Lagarda also drew a diagram for me of where everyone was at when he first arrived. He thought they were on scene about 10 minutes before the serious incident occurred.

Lagarda wasn't sure who said it, but someone said door. At this point, his attention and everyone else's turned towards the door. The door to the cabin came open and he saw light and somebody running out. Lagarda drew his firearm. He knew Deputy Bishop had a taser. The [redacted] had the machete in his right hand. The blade was pointed up and it was at least mid-body height. He said everybody started yelling commands such as show me your hands, drop the knife. Lagarda thought he was yelling commands also. Lagarda saw the red laser light on the [redacted] back, and heard the taser deploy. Lagarda was surprised at how much continued movement the [redacted] made. Lagarda said he had been tased before and he wouldn't have been moving. He was surprised at the continued momentum this person had. He said the [redacted] was running more towards Deputies Braud, Silva and Daniels. He thought the [redacted] continued another 5 or 10 feet. Lagarda was very

close to firing his weapon. He started thinking maybe the taser didn't hit properly. He then heard a gunshot. Lagarda couldn't say exactly when he heard that. If he had to say, it was after the taser was deployed. The [redacted] then fell to the ground, (he thought face down.)

Lagarda noticed a knife in the [redacted] back waistband. One of the Deputies grabbed it and threw it. Another Deputy got the machete. He thought it might have been Silva who threw the machete. Lagarda estimated the Deputies were probably within 20 or 25 feet of the cabin. Lagarda applied handcuffs on the [redacted] When he did this, he noticed the wires of the taser. Deputy Daniels clarified on scene that he had fired. Daniels also requested medical response. Lagarda said they talked to the [redacted] who was conscience. Deputy Bishop took photographs of the scene. At my request, Lagarda drew (on the back of his initial diagram), the location of the Deputies at the time the cabin door came open and the [redacted] came out. Lagarda said if the [redacted] hadn't have gone down at that moment, he would have fired his weapon. Lagarda said the [redacted] was a deadly threat to every Deputy there.

The [redacted] was eventually taken away in an ambulance. Lagarda did not recall hearing the [redacted] make any direct verbal threats towards the Deputies. He thought he heard (possibly on a radio) something about the [redacted] desire to do suicide by cop. Lagarda did not recall smelling an odor of alcohol about the [redacted] Deputy Braud left with the [redacted] in the ambulance. Deputy Daniels and Silva followed in their patrol vehicles. He and Deputy Bishop remained at and secured the scene. They remained on scene for maybe and hour and half longer. Deputy Fulton relieved them, and began a logbook. Lagarda and Bishop then returned to the station. Lagarda and Bishop put crime scene tape up.

Also on 3-2-07, at about 1500 hrs., I was present for an interview with Deputy Patrick Bishop. His Attorney [redacted] and Sgt. Wayne Hanson were also present. See Sgt. Hanson's report for details of this interview.

NOTE: These are brief summaries of the interviews. For complete details see the compact disks.

Upon completion of this report, I will hand deliver the 2 audio disks, report, consent form, and drawing by Deputy Lagarda to Detective Steve Quenell.

NFA

3/7/07

Tom Cooke Date:

HUMBOLDT COUNTY SHERIFF'S DEPARTMENT
EVIDENCE REPORT
SUPPLEMENTAL REPORT

Classification: Officer Involved Shooting | Case: 200701191

Evidence Tech: [redacted] | Investigator: C.I.R.T.

Occurred: [redacted] Table Bluff Rd.
Loleta, Ca | Date Reported: 03-01-2007

[redacted]

On March 1, 2007 at approximately 0430 hours, I was contacted at my residence by HCSO Dispatch Center. I was informed an Officer Involved Shooting had occurred in Loleta and Detectives were requesting my assistance with evidence processing. I was instructed to start enroute to St. Joseph's Hospital to meet with Detective Kirkpatrick. I was told the [redacted] was being treated for his injuries.

At approximately 0542 hours, I arrived at St. Joseph's Hospital and met with Detective Kirkpatrick. Also on scene were Lt. Thomas, Sgt. Paris, [redacted] HCSO Dispatcher [redacted] and Deputy Stockton. I was told [redacted] had been on a ride-a-long with Deputy Daniels on the morning of the incident.

Detective Kirkpatrick briefed me on the incident. I was told that Deputy Daniels had fired one shot at [redacted] during the incident. I was told that [redacted] was currently undergoing surgery for a gunshot wound to the abdomen. I was told he was in critical condition. I took possession of a blood sample drawn from Deputy Daniels. I later booked this item into evidence. I took possession of a blood sample drawn from [redacted]. I later booked this item into evidence.

Detective Kirkpatrick informed me that Sgt. Paris was in possession of Deputy Daniels patrol vehicle, which was parked in the Hospital Emergency Room parking lot. The vehicle contained California Exempt license plate number [redacted] and Unit # 07198. Using a Nikon digital camera, I took photographs of the exterior and interior of the vehicle. The digital photographs were later transferred to CD ROM and booked into evidence.

Detective Kirkpatrick informed me he had taken digital photographs of [redacted] prior to being taken to surgery. Detective Kirkpatrick told me he was in possession of [redacted] clothing. I was told the clothing was collected and bagged by Deputy J. Braud and Deputy Silva. I took possession of the following items: 2 black and white "DC Shoe Co." tennis shoes, size unreadable; blue Hanes boxer shorts, size unreadable (cut); 1 white blanket with red staining; 1 blue bed sheet with red staining; Levi's Carpenter

jeans, size 34x34 (cut), red leather belt and chain clipped to belt buckle with key and wallet attached; contents of wallet: Pierson's receipt 02-01-07, phone numbers, 1 - $20 bill, [redacted] Brookings High School I.D. for [redacted] registrant receipt PC 457.1 [redacted] 02-14-07, Blockbuster card, Blue Cross card, State Health card for [redacted], photo and lock of hair; contents of right front pocket: photo and blue lighter; contents of left rear pocket: Sentry Gun Safe paperwork with combination and tape attached, 18 - $5 bills, 3 - $10 bills, 1 - $20 bill; green exacto knife, phone numbers, [redacted], Applebees card, Target card, Benefits I.D. card [redacted] DMV form DL suspension [redacted]. 07-27-06 and 1 gray sweatshirt. These items were later booked into evidence.

Detective Kirkpatrick instructed me to start enroute to the HCSO Main Station. I was told the Deputies involved in the incident were standing by for photographs and weapon inspections. I was told Deputy Daniels was with HDSO Union Representative Bryan Quenell at the [redacted]

I cleared the hospital at approximately 0608 hours and went to the HCSO Main Station.

I met with Detective Quenell who instructed me to take photographs of the Deputies involved and perform inspections on the Deputies weapons with D.A. Investigator Steve Dunn. Prior to the weapon inspections, I took possession of an Advanced Taser M26 06/02, [redacted] with cartridge [redacted] in a black canvas holster from F.T.O. Bishop. I later booked this item into evidence.

D.A. Investigator Dunn and I met with Deputy J. Braud, Deputy Silva, F.T.O. Bishop, Deputy Lagarda and HCSO Dispatcher [redacted] in the Main Station report writing room. We met with each person individually in the Main Station Interview Room.

0653 hours Deputy J. Braud:

Glock 22 .40 caliber semi-auto pistol with an M3 Tactical light, [redacted]
1 - .40 caliber cartridge in chamber
3 magazines containing 15 - .40 caliber cartridges each
No taser

0656 hours Deputy C. Silva:

Remington 870 Police Magnum 12 GA shotgun with tactical light, [redacted]
6 – 12 GA shotgun shells in chamber
4 – 12 GA shotgun shells in butt stock shell carrier
Glock 22 .40 caliber semi-auto pistol, [redacted]
1 - .40 caliber cartridge in chamber
3 magazines containing 15 - .40 caliber cartridges each
No taser

0705 hours F.T.O. Bishop:

Glock 22 .40 caliber semi-auto pistol with M3 Tactical light, [redacted]
1 - .40 caliber cartridge in chamber
3 magazines containing 15 - .40 caliber cartridges each
Taser deployed (collected earlier)

0711 hours Deputy Lagarda:

Glock 22 .40 caliber semi-auto pistol, [redacted]
1 - .40 caliber cartridge in chamber
3 magazines containing 15 - .40 caliber cartridges each
No taser

0727 hours HCSO Dispatcher [redacted]
Photographs only

While photographing Deputy Lagarda, I noticed what appeared to be blood on his uniform shirt. Deputy Lagarda informed me he had handcuffed the [redacted] after he was wounded. I collected Deputy Lagarda's shirt, which was a tan Flying Cross Deputy Sheriff uniform shirt, size 15.5,33. I collected two black Hatch neoprene gloves size M-9. I later booked these items into evidence. Deputy Lagarda informed us his duty weapon, a Glock 22 .40 pistol, had been fired at the range with Deputy Peterson on February 28, 2007, however, Deputy Lagarda did not fire his weapon during the incident at [redacted] Table Bluff Rd. We did not notice any possible blood on any of the other Deputies or Dispatcher.

At approximately 0755 hours, Detective Quenell briefed the investigators on the incident. We were told the call originated as a domestic dispute. We were told [redacted] had been drinking. We were told [redacted] lives in a cabin, with his wife, on the same property as his parents. We were told [redacted] entered his parent's residence with a machete and was swinging it at the walls and other items in the house. We were told the spent cartridge case, from Deputy Daniels weapon, had not been located. We were told the incident occurred outside [redacted] cabin and there were several items located on the ground including a baseball cap, knives and a machete. We were told that Deputy Chandler was securing the scene and that ambulance crews had been on scene following the incident. Refer to C.I.R.T. Investigator's reports for details. I was informed the Eureka Department of Justice Laboratory had been contacted to assist with evidence processing.

After briefing, DA Investigator Dunn and I were instructed to go to the [redacted], and meet with Deputy Daniels. I was instructed to take photographs of Deputy Daniels, collect Deputy Daniels clothing and duty equipment and collect a GSR kit.

At approximately 0906 hours, I arrived at the [redacted] located between Fourth and Fifth Streets at Broadway in Eureka and met with DA Investigator Dunn. Dunn and I went to [redacted] and met with Deputy Daniels, HDSO Representative Bryan Quenell and [redacted].

Using a Nikon digital camera, I proceeded to take photographs of Deputy Daniels. The photographs were later transferred to CD ROM and booked into evidence.

DA Investigator Dunn and I proceeded to collect Deputy Daniels clothing and equipment. I collected the following items: Motorola MT2000 hand held radio with holder, S/N [redacted]; 1 baton; small black Streamlight flashlight [redacted]; Stream MK-4 O.C. spray; 2 – Glock 22 .40 caliber magazines containing 15 - .40 caliber cartridges each (located on duty belt); 2 pairs of handcuffs, [redacted]; black leather duty belt; Glock 22 .40 caliber semi-auto pistol with magazine containing 14 - Winchester .40 caliber cartridges, [redacted]; 1 – Winchester .40 caliber cartridge removed from chamber; 4 gun belt keepers, Deputy Sheriff's Badge # 1066; black belt; Smith and Wesson Special Ops folding knife; 2 black Galls neoprene gloves, Blauer OD Green uniform pants size 40 REG; Blauer tan Deputy Sheriff's uniform shirt with contents of pockets: pen, pencil, handcuff key, flat key, Renner card, EPAS card and handwritten notes; and 2 black Danner boots size 12. I later booked these items into evidence. I took photographs of Deputy Daniels bulletproof vest. This item was not collected.

Deputy Daniels stated he was not utilizing a taser. I proceeded to collect a GSR kit from Deputy Daniels' right and left hands. Deputy Daniels informed me he had used an alcohol based hand sanitizer following the incident. I later booked the GSR kit into evidence. Deputy Daniels stated he had used his Department Issued Streamlight flashlight during the incident. The flashlight had been left inside his patrol vehicle. I later took possession of the Streamlight flashlight, [redacted] from Lt. Cavinta. This item was booked into evidence.

At approximately 0938 hours, DA Investigator Dunn and I cleared the motel and returned to the HCSO Main Station.

At approximately 1145 hours, I attended the Investigator's briefing. I was instructed to start enroute to the scene. I was told a search warrant was being prepared for the property.

At approximately 1215 hours, I arrived at the main residence, located at [redacted] Table Bluff Rd. in Loleta, and met with Sgt. Hanson and Detective Garey. Deputy Chandler was securing the cabin where the incident occurred. DOJ Criminalist [redacted] arrived at approximately 1238 hours.

The residence was located on the east side of Table Bluff Rd. approximately ¼ mile down the gravel driveway. The front of the residence faced in a southeast direction. The cabin was located east of the main residence and down a hill. Deputy Braud's patrol vehicle, Unit # 07191, was parked in the driveway to the main residence.

The south side of the residence contained two windows. The window, located towards the front of the structure, was broken. I was told [redacted] had broken this window. There

was a phone line box, which was located on this same side of the residence. Several of the phone lines had been cut.

Using a Nikon digital camera, I proceeded to photograph the exterior of the residence, the broken window and the damaged phone lines.

At approximately 1430 hours, I was informed that Investigators had received consent to search the main residence from owners, [redacted]. Per D.A. Investigator Losey, I was to collect all evidence and book it into the Humboldt County Sheriff's Office Evidence/Property Room. I was assisted by DOJ Criminalist [redacted]. While [redacted] and I processed the interior of the residence, DA Investigator Wayne Cox and Chief DA Investigator Mike Hislop constructed a diagram of the exterior crime scene. Refer to their reports for details.

Using a Nikon digital camera, I proceeded to take photographs. I continued to photograph throughout the search.

The front entrance opened into the combined living room and kitchen area. An island separated the living room and kitchen. There was a set of stairs located to the left of the front entrance. The stairs led to the upstairs portion of the residence. The upstairs contained a small open area with a door leading to a large room. There was a door located in the kitchen, which led to a deck on the north side of the residence. [redacted] stated [redacted] exited through this door. There was a hallway located off of the kitchen leading to the south side of the residence. There was a bathroom, bedroom and storage room/sewing area on the left side of the hallway. There was a laundry room, bathroom and closet located on the right side of the hallway and a room located at the end of the hallway. The storage room contained a sliding glass door, which separated the storage room from the sewing area. This room contained the broken window that was visible on the south exterior of the residence. The sewing room contained a gun safe. The stationary portion of the sliding glass door was shattered.

We proceeded to search the residence for possible evidence. The hallway contained several pieces of broken ceramic. [redacted] stated these were pieces of broken items that had been hanging on the walls. They stated [redacted] had knocked these items off the walls when he came through the house with a machete. They stated they had swept the debris into piles on the floor. We notice several cuts in the walls and doorframes in the hallway. I photographed these areas. We noticed a broken electrical outlet in the bedroom on the left side of the hallway. The outlet was located to the left of the doorway on the west wall. We noticed an alarm clock located on the dresser next to the outlet. The electrical cord was lying on the floor and had been cut into two pieces. We noticed several items located in the sewing room had been broken or cut including an iron, a lamp and a quilter's square.

We noticed possible blood in several areas of the residence. We proceeded to collect possible items of evidence. The following items were collected: blood swab and control swab from the deadbolt mechanism on the interior of the front door; blood swab and

control swab from the interior light switch to the left of the front door (from inside); blood swab and control swab from wall in hallway above first light switch on left; blood swab and control swab sewing room light switch right of sliding glass door; blood swab and control swab wall in sewing room right of sliding glass door; blood swab and control swab gun safe in sewing room; glass sample sliding glass door in sewing room; glass sample window in sewing room; blood sample and control sample wall near light switch first bedroom on the left; blood swab and control swab sliding door in sewing room. The items were later booked into evidence.

We were told that [redacted] had entered the first bedroom on the left to find the safe combination. We were told the safe combination was taped underneath a drawer of the dresser located on the south wall of the bedroom. I examined the underside of the top drawer and noticed a piece of tape. The safe combination was missing.

I constructed a schematic diagram of the interior of the residence. The diagram will be attached to this report.

We did not locate any significant evidence in the upstairs portion of the residence.

We concluded our search at approximately 1617 hours.

I took a total of 98 digital photographs. The digital photographs were later transferred to CD ROM and booked into evidence.

After searching the main residence, we were informed that the search warrant for the cabin had been signed. Detective Quenell served the search warrant on the cabin. At approximately 1430 hours, Enns and I proceeded to process the exterior of the cabin for evidence. Per DA Investigator Losey, any evidence seized would be collected by DOJ Criminalist [redacted]. [redacted] was instructed to collect, bag and seal the evidence. I was instructed to take possession of the sealed evidence and book it into the Humboldt County Sheriff's Office Evidence/Property Room.

Using a Nikon digital camera, I proceeded to take photographs. I continued to photograph throughout the search.

The cabin was located east of the main residence. A grass covered walkway led from the north side of the main residence to the front of the cabin. The front of the cabin faced south and contained a front door and two windows. The front windows were broken. There was a lumber pile located to the right of the walkway leading to the front door. I noticed several household items strewn about the front yard including broken plates, pots and pans and food items. There was a [redacted] Mazda Protege, with Oregon license plate [redacted], parked in the driveway east of the cabin.

We were told the [redacted] was inside the cabin prior to the shooting. We were told [redacted] ran out the front door towards the Deputies. We were told [redacted] had a machete in his hands. We were told [redacted] had been tased by one of the Deputies.

Refer to Investigator's reports for details. We were told [redacted] fell to the ground a few feet from the front door.

During our search, we located several items of possible evidence. I placed numbered evidence markers by the following items: #1 display portion of cell phone (broken) located in ditch across the driveway from the cabin, #2 dial portion of cell phone (broken) located in ditch across the driveway from the cabin, #3 machete located on the ground between the front of the vehicle and the southeast corner of the cabin, #4 knife with black handle (broken) located near the front of the lumber pile, #5 key located on a piece of wood at the front of the lumber pile, #6 knife with black handle located in the walkway to the front door, #7 taser cartridge case with wire and darts located on the grass covered walkway leading to main residence, #8 Metallica baseball cap laying next to #7, #9 denotes the area of the two taser darts and approximate area where [redacted] fell to the ground and #10 expended copper jacketed bullet.

After photographing, DOJ Criminalist [redacted] proceeded to collect and seal the items of evidence. After [redacted] collected the items, we proceeded to search for Deputy Daniels spent cartridge case. We searched the driveway in front of the cabin and the ditch. We were unable to locate the spent cartridge case.

Due to poor lighting conditions, the investigators determined the crime scene would be secured for the night and the processing would continue on March 2, 2007.

All of the evidence markers were left in place. Using a Nikon digital camera, I took several photographs of the interior of the cabin.

Per my request, [redacted] transported the evidence to the Eureka DOJ Laboratory for storage. I told [redacted] I would retrieve the evidence on the following day.

I cleared the scene at approximately 1845 hours.

On March 2, 2007 at approximately 1005 hours, Deputy Garey and I returned to the crime scene located at [redacted] Table Bluff Rd. in Loleta. Deputy Chandler was on scene securing the area until our arrival. Deputy Chandler cleared the scene shortly after our arrival.

Using a Nikon digital camera, I proceeded to take additional photographs of the exterior of the cabin. All of the numbered evidence markers were still in place.

At approximately 1050 hours, Detective Quenell and D.A. Investigator Losey arrived on scene.

I proceeded to take a video of the crime scene, interior of the cabin and exterior of the main residence. The video was later transferred to DVD ROM and booked into evidence.

At approximately 1105 hours, Deputy Daniels arrived on scene with HDSO Attorney [redacted] Detective Quenell and D.A. Investigator Losey requested I take video of a re-enactment narrated by Deputy Daniels. [redacted] was present during the video. The re-enactment was started at approximately 1120 hours and ended at approximately 1130 hours. The video was later transferred to DVD ROM and booked into evidence.

Deputy Garey and I proceeded to search the exterior of the cabin for Deputy Daniels expended cartridge case. At approximately 1135 hours, Deputy Garey located the expended cartridge case in the driveway in front of the cabin. The expended cartridge case was later identified as a Winchester .40 caliber. Refer to DOJ Criminalist [redacted] report for details. I placed evidence maker number 11 by the expended cartridge case and took additional photographs. Per D.A. Investigator Losey, I contacted DOJ Criminalist [redacted] and informed her of the additional evidence. Criminalist [redacted] stated she would start enroute to the scene to collect the expended cartridge case. Criminalist [redacted] arrived at approximately 1225 hours. Criminalist [redacted] photographed, collected and packaged the cartridge case. Per my request, Criminalist [redacted] had brought the evidence collected on the previous day to the scene. At approximately 1220 hours, I took possession of the following items of evidence: top half of cell phone, bottom half of cell phone, machete knife, knife w/black handle (broken handle), key, sm. steak or kitchen knife, taser cartridge case with wires and darts, baseball cap, expended copper jacketed bullet and expended cartridge case. The items were sealed by Criminalist [redacted] and labeled with evidence numbers DRE01-DRE11 respectively. Per D.A. Investigator Losey, I later booked these items into evidence at the Humboldt County Sheriff's Office Evidence/Property Room.

Deputy Garey and I took measurements of the expended cartridge case in relationship to the cabin. We measured approximately 25 feet 6 inches from the southwest corner of the residence to the expended cartridge case. We measured approximately 35 feet 8 inches from the northwest corner of the residence to the expended cartridge case.

While awaiting the arrival of Criminalist [redacted] Deputy Garey and I proceeded to process the interior of the cabin. Using a Nikon digital camera, I took photographs of the interior. I continued to photograph throughout the search.

The cabin contained one room and a bathroom. There was a kitchen area located to the right of the front door. The front door opened into an area containing carpet. There was a bed located in the northeast corner of this area. There was a separate room containing the bathroom located in the southeast corner of the cabin. The cabin was completely ransacked. We noticed damage to several areas of the interior walls and kitchen window frame. These areas contained slash marks and holes. We noticed what appeared to be blood located on the interior of the front door, walls, kitchen floor and on the bathroom door. I noticed a handwritten note on the interior portion of the bathroom door. The note read:

[redacted]

[redacted]

I took digital photographs of the note written on the bathroom door.

We noticed several items inside the cabin had been damaged and contained slash marks. There were two windows located on the east wall of the cabin, one window located above the kitchen sink and a window located inside the bathroom. All of the windows were broken. I noticed the words "I love you" carved into the sheetrock on the north wall. I located a flashlight on the bathroom floor. The flashlight appeared to contain sheetrock debris on the glass portion. We noticed 2 – 24 oz. Old English 800 malt liquor cans inside the cabin. One was located on the kitchen counter and one was located on the floor behind the door.

After taking photographs, Deputy Garey and I proceeded to search for possible evidence. The evidence was marked with numbered evidence markers (starting with #12) and photographed. I collected the following items from the interior of the cabin: folder containing letters, indicia, photographs, paperwork and notebook located on the floor next to the bed; letters, photographs and indicia located on the floor outside the bathroom door; letters located on the loveseat next to the bed; indicia for [redacted] located on the floor between the loveseat and bed; blood swab: floor below the kitchen sink; control swab: floor below the kitchen sink; blood swab: interior of front door; control swab: interior of front door; blood swab: interior wall to the right of the front door; control swab: interior wall to the right of the front door; blood swab: bathroom door near writing; and control swab: bathroom door near writing. I later booked these items into evidence.

I constructed a schematic diagram of the interior of the cabin. The diagram will be attached to this report.

While processing the scene, [redacted] arrived and asked us if we had located any money inside a jar in the cabin. We told [redacted] we had located a glass mason jar that contained change. [redacted] stated there was approximately $140 inside a glass jar. We searched the interior and exterior of the cabin however; we did not locate the money.

Note: While booking [redacted] clothing into evidence, I located a total of $160.00 inside his pants pockets and wallet.

We concluded our search at approximately 1332 hours.

I took a total of 122 digital photographs on March 1, 2007 and March 2, 2007. The digital photographs were later transferred to CD ROM and booked into evidence.

On March 2, 2007 at approximately 1435 hours, I retrieved Deputy Daniels duty belt, equipment and firearm from the HCSO Evidence/Property Room. I met with D.A. Investigator Dunn in the HCSO Criminal Investigations Division to perform a weapon inspection on Deputy Daniels firearm.

Using a Nikon digital camera, I took photographs of the duty belt, equipment and firearm. The firearm was a Glock 22 .40 caliber semi-automatic pistol with S/N [redacted]. D.A. Investigator Dunn removed 1 - .40 caliber cartridge from the chamber. The magazine was removed from the firearm. We counted 14 - .40 caliber cartridges inside the magazine. Deputy Daniels' duty belt contained 2 additional magazines with 15 - .40 caliber cartridges in each magazine.

I took a total of 10 digital photographs. The digital photographs were later transferred to CD ROM and booked into evidence.

These items were returned to the HCSO Evidence/Property Room.

On March 6, 2007 at approximately 0900 hours, I met with USCG Pilots at the airbase located in McKinleyville. We were airborne by 0915 hours and started enroute to [redacted] Table Bluff Rd. in Loleta. Using a Nikon digital camera, I took a total of 16 aerial photographs of the crime scene. I later transferred the aerial photographs to CD ROM and booked them into evidence.

A copy of the CD ROM will be given to D.A. Investigator Cox for construction of the diagram.

On March 9, 2007 at approximately 0900 hours, I retrieved Deputy Daniels' duty belt, equipment and firearm from evidence. Per D.A. Investigator Losey, I proceeded to examine these items for possible blood. Using Hemastix Reagent strips, I tested the following items for the possibility of blood: Streamlight flashlight S/N [redacted] Motorola MT2000 handheld radio S/N [redacted], asp, Stream MK-4 spray, Glock .40 caliber pistol S/N [redacted] and 3 magazines, 2 pairs of handcuffs S/N [redacted] and [redacted], black duty belt, and 4 belt keepers. I received a positive reaction on the flashlight near the on/off button, the Motorola radio near the transmit button and the Stream MK-4 spray. The positive reaction is a presumptive test for the possibility of blood. I did not observe any visible signs of blood on any of these items.

After examining these items, I returned them to the HCSO Evidence/Property Room

On March 12, 2007 at approximately 1510 hours, I retrieved Deputy Daniels uniform from the HCSO Evidence/Property Room. D.A. Investigator Losey requested I examine the clothing for possible blood.

Using an alternative light source, I examined the following items of clothing: uniform shirt, uniform pants and right and left boots. I observed fluorescence on the bottom heal of the right boot. Using Hemastix reagent strips, I performed a presumptive test for blood on the heal of the boot. The results were positive for the possibility of blood. I did not observe any fluorescence or visible signs of blood on the other items of clothing.

Deputy Daniels uniform was returned to the HCSO Evidence/Property Room.

All equipment and clothing that tested presumptive positive for blood will be sent to the Eureka Department of Justice Laboratory for further testing.

Any further investigation will be a matter of report.

[redacted]

7-24-07 1000 hrs.
Date/Time

Sgt Hanson 7/24/07
Approved by Sgt. Hanson

Humboldt County Sheriff's Office
Criminal Investigation Division
Supplemental Report

CASE: 2007-01191

INVESTIGATOR: Sergeant Wayne Hanson

DATE: 03-01-2007

CRIME: Officer Involved Shooting

WITNESS: Deputy Patrick Bishop

[redacted]

LOCATION: [redacted] Table Bluff Road, Loleta

On 03-02-2007 at 1505 hours, DA Investigator Tom Cooke and I interviewed Deputy Patrick Bishop at Attorney [redacted] office located at 730 [redacted] Street, Eureka, regarding this incident. Attorney [redacted] was present during our interview with Deputy Bishop. I recorded our interview on a digital recorder. I later transferred the interview onto a CD-R, which I booked into evidence.

This is a summary on what Deputy Bishop relayed to us, regarding this incident that occurred on 03-01-2007. Deputy Bishop told me that he has been employed with the Humboldt County Sheriff's Office for approximately 4 ½ years. Deputy Bishop told me that he is currently assigned as a Field Training Officer on patrol out of our Eureka office. Deputy Bishop told me that his normal shift is swingshift, Tuesday through Friday, 1600 to 0200 hours. Deputy Bishop told me that he is currently training a new Deputy Sheriff named, Anthony Legarda (Tony). Deputy Bishop told me that Deputy Legarda has been employed with our office for approximately 9 weeks.

Deputy Bishop told me that when he came to work on 02-28-2007 he was assigned to work the south beat with Deputy Legarda from 1600 hours to 0200 hours. Deputy Bishop said his call sign was S-22. Deputy Bishop told me that the south beat covers from Pinehill south to Redcrest, west to Petrolia and east to Dinsmore. Deputy Bishop said the only other deputy on duty out of our Eureka office was Deputy

Justin Braud, who was assigned the central beat and his call sign would have been S-18. Deputy Bishop told me that Sergeant Garcia normally is assigned to his shift, but he had taken the night off.

Deputy Bishop told me that Deputy Daniels, call sign B-18 and Deputy Silva call sign, B-22 were assigned to graveyard shift on 02-28-2007 from 2000 to 0600 hours. Deputy Bishop said that Sergeant Freese had gone home [redacted] shortly after she came to work for graveyard on 02-28-2007. Deputy Bishop said that Deputy Daniels was then the Officer in Charge or OIC for the Sheriff's office for the evening. Deputy Bishop told me that there were a total of five deputies on duty out of the Eureka office from 2000 hours to 0200 hours, because of the overlap of swingshift and graveyard shifts.

I asked Deputy Bishop at some point during his shift did he learn of an incident occurring in Loleta. Deputy Bishop told me that himself and Deputy Legarda were at the Eureka office completing reports at the end of their shift when he overheard radio transmissions from dispatch over a speaker system in the office. Deputy Bishop told me he heard that Deputies Silva, Braud and Daniels were responding to a call for service in the Loleta area code three.

Deputy Bishop said when he first heard the deputies responding to the Loleta area, he was unsure on what type of call they were responding too. Deputy Bishop said he believes it was approximately 0200 hours when he first heard the deputies responding to Loleta. Deputy Bishop told me that while he was still in the office writing reports he heard radio transmissions from Deputy Daniels at approximately 0256 hours, requesting all available units respond to his location in Loleta and to bring a taser to his location.

Deputy Bishop said that himself and Deputy Legarda then responded in the same vehicle towards Deputy Daniels location in Loleta at 0301 hours. Deputy Bishop said that he brought a taser with him. Deputy Bishop said that that arrived at [redacted] Table Bluff Road, Loleta at 0316 hours. Deputy Bishop said while they were traveling towards Loleta he learned from radio transmissions that the [redacted] was barricaded in a residence with a machete and was threatening suicide by cop.

Deputy Bishop told me that [redacted] Table Bluff Road is a rural and secluded property. Deputy Bishop said when they arrived at [redacted] Table Bluff Road he parked his patrol vehicle next to several other patrol vehicles that were already on scene. Deputy Bishop said that himself and Deputy Legarda then got out of their vehicle and attempted to locate the other deputies that were on scene. Deputy Bishop told me he was unsure of the deputies exact location. Deputy Bishop said that after a few seconds he heard what he believed to be Deputy Braud's voice talking and a unknown male voice yelling. Deputy Bishop told me that the male voice yelling was not a deputy. Deputy Bishop said he could not tell what the [redacted] was yelling.

Deputy Bishop said he and Deputy Legarda started walking towards the voices, but he was unsure on how to walk to their location. Deputy Bishop said he then saw a trail next to a garden that led in the direction of the voices. Deputy Bishop said that he then walked on that trail. Deputy Bishop told me after approximately 30 seconds he found Deputy Daniels, Deputy Braud and Deputy Silva. Deputy Bishop said that Deputy Legarda was standing right next to him when he located Deputy Daniels. Deputy Bishop told me that Deputy Braud had his handgun in his hand and Deputy Silva was holding a shotgun. Deputy Bishop said that believes that Deputy Legarda had his handgun in his hand. Deputy Bishop could not remember if Deputy Daniels had is handgun out or not.

Deputy Bishop said that when he located Deputy Daniels he saw what he described to me as a cabin approximately 25' to 30' long. Deputy Bishop told me that Deputy Daniels advised him that there was a male [redacted] inside of the cabin armed with a machete, who was refusing to come out. Deputy Bishop told me while he was speaking to Deputy Daniels he saw the male [redacted] stick something out a window, but he could not tell what it was. Deputy Bishop said he saw the male [redacted] throwing things out the window. Deputy Bishop said he heard the male [redacted] yell, I do not want to go back to prison. Deputy Bishop said the male [redacted] also stated something about breaking his shot glass.

Deputy Bishop said he could hear Deputy Braud speaking to the male [redacted] inside of the cabin telling the [redacted] to come out peacefully. Deputy Braud was telling the [redacted] to come out, nothing was going to happen to you. Deputy Braud was telling the male [redacted] to come out, because we do not want to end this the way you want to end this.

Deputy Bishop said that Deputy Daniels told him that he had spoken to Lt. Thomas on the cellular telephone regarding this incident. (Lt. Thomas is the on-call Duty Officer that was called and woken up at his residence) . Deputy Bishop said that Deputy Daniels had asked Lt. Thomas for the Special Enforcement Team or SET to be called out to assist with the barricaded [redacted] armed with a machete.

Deputy Bishop said that Deputy Daniels asked him if he brought the taser . Deputy Bishop told me that he advised Deputy Daniels that he had the taser with him. Deputy Daniels told Deputy Bishop if the male [redacted] comes out of the cabin he wanted Deputy Bishop to deploy the taser if it was necessary to gain control of the [redacted]

Deputy Bishop said that himself and Deputy Legarda then walked over to the south/ west corner of the cabin approximately 5 feet from the front door. Deputy Bishop said that all the deputies were within 30' feet of each other around the front of the cabin.

Deputy Bishop said when he was standing 5 feet away from the front door of the cabin Deputy Braud was still attempting to talk to the male [redacted] to have him

come outside peacefully. Deputy Bishop said that Deputy Braud told the other deputies that he could see the male [redacted] walking towards the front door. Deputy Bishop said he believes that Deputy Braud saw the male [redacted] through the front window. Deputy Bishop said he then saw a shadow moving through the opening on the bottom of the door frame.

Deputy Bishop said as he was still standing approximately 5 feet away from the front door to the cabin he heard the male [redacted] inside of the cabin state, "Fuck it.". Deputy Bishop said at this point he had the taser in his right hand and he turned the taser on.

Deputy Bishop said the front door to the cabin then rapidly opened and the male [redacted] sprinted outside. Deputy Bishop said that the door opened inwards. Deputy Bishop said that when the male [redacted] opened the door he was holding a machete in his right hand. Deputy Bishop described the machete as being approximately 2 ½ feet in overall length. Deputy Bishop said that the male [redacted] was holding the machete with the tip pointing upwards. Deputy Bishop could not recall how high he was holding the machete with his hand. Deputy Bishop said the male [redacted] was holding a smaller knife, approximately 6 to 8 inches in length in his left hand. Deputy Bishop said that this smaller knife looked similar to a steak knife.

Deputy Bishop said when the male [redacted] sprinted from the front door he raised the machete to above his head. Deputy Bishop said that the male [redacted] took 2 or 3 steps out of the cabin when he deployed the taser towards the male [redacted] back. Deputy Bishop said he saw both of the taser probes hit the back of the male [redacted] who continued to run . Deputy Bishop said it appeared that the taser did not work. Deputy Bishop said that the male [redacted] was running towards the direction of Deputy Daniels and Deputy Silva. Deputy Bishop said that the male [redacted] was wearing blue jeans and a black tee shirt and a black/white baseball cap.

Deputy Bishop said that after he deployed the taser he heard the taser cycling, which is a loud continuous popping sound. Deputy Bishop said that the male [redacted] still had the machete in his hand, but was unsure about the smaller knife. Deputy Bishop said 1 to 2 seconds after he deployed the taser, he heard a single gunshot. Deputy Bishop said that Deputy Daniels is the one who fired his weapon at the male [redacted]

Deputy Bishop said that the male [redacted] took one or two more steps after the gunshot then he feel to the ground on his back. Deputy Bishop said that Deputy Daniels then gave verbal commands for the male [redacted] to roll over onto his stomach, but he refused. Deputy Bishop said that he then told the male [redacted] to roll over to his back or he would use the taser again to gain compliance.

Deputy Bishop said the male [redacted] then said he could not roll over. Deputy Bishop said that believes Deputy Daniels and Deputy Braud rolled the [redacted] over to his stomach so he could be handcuffed. Deputy Bishop said that he believes that Deputy

Legarda then handcuffed the male [redacted] hands behind his back. Deputy Bishop said that Deputy Daniels then advised dispatch that a [redacted] had been shot and to have medical respond to their location. Deputy Bishop was unsure on how long it took for medical to arrive on scene. I asked Deputy Bishop if any first aid was provided to the male [redacted] and he told me, no.

I asked Deputy Bishop what happened to the machete the male [redacted] was holding in his hand. Deputy Bishop told me that Deputy Silva kicked it out of his hand, because he was still holding it when he fell to the ground after he was shot. I asked Deputy Bishop what happened to the smaller knife and he told me he was unsure. Deputy Bishop said that he saw a third knife in the male [redacted] waist band when they rolled him over. Deputy Bishop said that one of the deputies grabbed that knife form his waist band and threw it away so he could not use it on them.

Deputy Bishop said that if the male [redacted] was not shot by Deputy Daniels, he believes the male [redacted] would have attacked one of the deputies on scene.

Deputy Bishop told me that he was on scene 15 to 20 minutes before the male [redacted] ran out the front door of the cabin and was shot by Deputy Daniels.

Deputy Bishop said that he took photographs of the scene and male [redacted] after the shooting. Deputy Bishop said that Deputy Braud rode with the male [redacted] when he was transported to the hospital. Deputy Bishop said that Deputy Daniels and Deputy Silva then left the scene. Deputy Bishop said himself and Deputy Legarda then secured the scene until approximately 0500 hours when Deputy Fulton relieved them. Deputy Bishop said that himself and Deputy Legarda then responded back to our main office in Eureka.

I asked Deputy Bishop if the male [redacted] ever spoke after being shot. Deputy Bishop told me he remembers the male [redacted] stating twice, "Law suit".

I asked Deputy Bishop to draw a diagram regarding the cabin and where the deputies were standing when the male [redacted] came outside. (See attached diagram to this report). Deputy Bishop used X's for the deputies and a O to how where the male [redacted] ended up after he was shot by Deputy Daniels.

I ended the interview with Deputy Bishop at 1603 hours.

3/6/07
Sergeant Wayne Hanson

LT. LANIER
Supervisor
3/6/07

HUMBOLDT COUNTY SHERIFF'S OFFICE
PROPERTY/EVIDENCE BOOKING AND RELEASE REPORT

CASE NUMBER: 200701191

PAGE 1 OF 1

DATE STORED	TIME STORED	DATE OF INCIDENT	CRIME
3/1/07	0841	3/1/07	Officer Involved Shooting

☐ ADULT ARREST
☐ JUVENILE ARREST
☐ SEARCH WARRANT NO.

[redacted]	DOB	ADDRESS	PHONE
NAME OF FINDER (ADDITIONAL VICTIM)	DOB	ADDRESS	PHONE

LOCATION PROPERTY WAS FOUND (INCIDENT OCCURRED)
[redacted] Table Bluff Rd.

TYPE OF PROPERTY
☒ EVIDENCE ☐ FOUND ☐ SAFEKEEPING

[redacted]	DOB	[redacted]	DOB
[redacted]	DOB	[redacted]	DOB

PROPERTY CODES *178

S	- Stolen	D	- Damaged
R	- Recovered	L	- Lost
RA	- Recovered (For Other Agency)	E	- Evidence
F	- Found	K	- Safekeeping
		C	- Contraband

PROPERTY/EVIDENCE LISTING

CODE	ITEM NO.	QTY.	DESCRIPTION	VALUE	NCIC	WEIGHT	DISPOSITION
E	1	2	(2) Rolls of 35mm film				

OWNERS OF PROPERTY

ITEMS NO.	NAME	DOB	ADDRESS	PHONE	NOTIFIED
ITEMS NO.	NAME	DOB	ADDRESS	PHONE	NOTIFIED
ITEMS NO.	NAME	DOB	ADDRESS	PHONE	NOTIFIED

LAB WORK REQUIRED

ITEMS NO.	PURPOSE OF EXAM
1	Process as needed.
ITEMS NO.	PURPOSE OF EXAM
ITEMS NO.	PURPOSE OF EXAM

BOOKING OFFICER	PIN	REPORT DATE	SUPERVISOR REVIEW	PIN	REPORT DATE
P. Bishop	1396	3/1/07			

HCSD 0410.1A, 01/04

CASE FILE COPY

HUMBOLDT COUNTY DISTRICT ATTORNEY'S OFFICE
INVESTIGATION REPORT

DATE: 03/05/07

[redacted]

[redacted] Deputy Jason Daniels

AGENCY CASE: HCSO 2007-01191 DOCKET:

OFFENSE: Officer Involved Shooting BY: Mike Losey ML

On 03/01/07, at about 5:05AM, I received a phone call from District Attorney Chief Investigator Mike Hislop regarding an officer involved shooting. He advised that the Humboldt County Sheriff's Office, (HCSO), had responded to a residence in Loleta and ended up shooting a man who was alive at St. Joseph Hospital. Hislop requested that I respond and meet him at the District Attorney's Office.

On 03/01/07, at about 6:00AM, I arrived at the DA's office and met with Chief Mike Hislop. Chief Hislop advised that I would be the DA's lead investigator in this case. DA Investigator Wayne Cox, Steve Dunn and Tom Cooke were also present and we all went to the Sheriff's Department Detective Bureau. HCSO Lt. George Cavinta was present and had began assembling briefing information for the investigation. Lt. Cavinta advised that Sheriff's Detective Steve Quenell would be the lead detective for his agency but that Detective Quenell was at the scene in Loleta.

Lt. Cavinta advised that the location of the shooting was [redacted] Table Bluff Road in Loleta, and that at about 1:30AM the Sheriff's Department responded to that location on a call of a domestic violence situation. The Deputies on scene encountered an individual armed with a machete, who had attacked the deputies with the machete and had been shot once in the torso. The person who was shot was identified as [redacted] living at [redacted] Table Bluff Road with his wife [redacted] his father [redacted] and mother [redacted] [redacted] and [redacted] were living in a cabin on the property and his parents were living in the main house near the cabin. Lt. Cavinta advised that deputies reported "shots fired" at 3:30AM, after deputies attempted to negotiate with [redacted] to give up.

On 03/01/07, at about 8:05AM, Chief Investigator Mike Hislop, DA Investigators Cooke, Cox, Dunn, and I arrived at the location of [redacted] Table Bluff Road to become familiar with the layout of the scene. We met HCSO Sgt. Wayne Hansen who provided

us with information and showed us the main house in relation to the cabin. We were on the scene for about twenty minutes and met back at the HCSO Detective Bureau.

On 03/01/07, at about 9:00AM, we arrived back at the Sheriff's Department at which time Detectives Schlesiger and Quenell were interviewing Deputy Cyrus Silva for information to write a search warrant. At the conclusion of the interview Detective Schlesiger began the search warrant and Detective Quenell completed a briefing and assignments were made.

Sgt. Wayne Hansen and DA Investigator Tom Cooke were assigned to interview [redacted] mother, Detective Marvin Kirkpatrick and DA Investigator Steve Dunn were assigned to interview [redacted] father, and Detective Quenell and I were assigned to interview both Deputy Daniels and [redacted] These investigators were also assigned to assist in the processing of the scene. Arrangements were made for DOJ Criminalist [redacted] to also assist with the processing of evidence at the scene.

On 03/01/07, at about 1:30PM, I arrived back at the scene on Table Bluff Road. I learned that the search warrant had not been signed yet but that consent to search forms had been signed by both [redacted] and [redacted] I conferred with Detective Quenell who advised that since the warrant was forthcoming and we had the signed consent to search forms in hand to start processing the scene at the main house. [redacted] HCSO Evidence Technician and DOJ Criminalist [redacted] were advised that they could start with the main house. I assisted them with locating evidence as they photographed and collected.

At about 3:20PM, we were advised that the search warrant had been signed by Humboldt County Superior Court Judge J. Michael Brown. Detective Schlesiger was bringing a copy of the warrant to the scene. DA Chief Investigator Mike Hislop and DA Investigator Wayne Cox began a computer assisted diagram of evidence, buildings and items of interest at the cabin. The other investigators assisted in the processing of the scene which had not been completed by nightfall. One missing piece of evidence was the shell case which had been ejected from Deputy Daniels' firearm during the firing process. The case had not been located despite a complete and detailed search of the immediate area of where we felt it might have landed. Nightfall made further searching for the small shell case impossible. The HCSO assigned a deputy to remain on scene for the evening until relieved the next morning. The main house had been processed and the [redacted] were advised that we were finished with their house. They were also advised that the cabin was not completed and that there would be a deputy stationed there for security. The area around the cabin remained taped off with evidence tape and the deputy was parked next to the cabin. I cleared from the scene at about 6:45PM.

On 03/02/07, at about 8:30AM, I met with HCSO Detective Steve Quenell at his office. We went over the information collected including statements and evidence from the day before and discussed what was left to be done. We needed to interview [redacted] as well as Deputy Daniels. Detective Quenell and I completed a briefing and assignments for the day.

On 03/02/07, at about 9:45AM, Detective Quenell and I arrived at St. Joseph Hospital to interview [redacted] Detective Quenell read [redacted] his miranda rights via a miranda card. [redacted] said he understood his rights but as we were talking to him, he would nod off from time to time. I asked [redacted] if he knew where he was. He said he was in a hospital. I asked him if he knew where. He said he did not know. I asked him if he knew what had happened to him. He said he got tased. I asked him if he knew the day or time. He did not. We told [redacted] that if it was alright with him we would come back the next day and talk to him because it appeared to us that he was not able to keep his concentration. He agreed that we could come back the next day.

On 03/02/07, at about 11:05AM, Detective Quenell and I met with Deputy Daniels and his attorney [redacted] at [redacted] Table Bluff Road in Loleta. Deputy Daniels agreed to complete a video taped walk through of the scene. I narrated the taped walk through with assistance from Detectives Troy Garey, and Steve Quenell. Evidence Technician [redacted] video taped the walk through. Toward the end of the taping, Deputy Daniels was asked to position himself, at the time that he fired the shot and then place Detective Troy Garey in the position [redacted] would have been, to the best of his recollection. That distance was measured at approximately twelve feet between where Deputy Daniels would have been when he fired the shot and where [redacted] would have been when he was struck by the bullet.

On 03/02/07, at about 11:50AM, with the video taping completed, Detective Troy Garey estimated the location of where the missing shell case might be located, knowing the approximate location of where Deputy Daniels had been standing when the shot was fired. Detective Garey positioned himself at the estimated location and looked down at his feet. There between his feet was a shell case, in the grass. The shell case was marked where it was discovered and later collected by DOJ Criminalist [redacted]

On 03/02/07, at about 12:15PM, HCSO Detective Quenell and I met with Deputy Jason Daniels and his attorney, Patrick Griego at the Humboldt County Sheriff's Department Conference room. The interview was tape recorded and they were advised of that fact. The following is a summary of that interview. The beginning of the interview was recorded by a digital recorder but after several minutes that recorder indicated that it was full and we switched to a cassette tape recorder. This summary was taken from both the digital recorder and cassette tape.

Deputy Daniels agreed that he was giving a statement voluntarily that there were no promises or threats against him to have him give a statement. Deputy Daniels said that he was on duty the night of 03/01/07 and the call came out from dispatch at about 1:30AM, as a disturbance involving a parolee with a violent past history including arson. Deputy Cyrus Silva working the south beat was assigned the call. Deputy Daniels was working the Eureka beat and he was also the officer in charge because the on duty sergeant went home sick. Deputy Daniels requested that Deputy Braud who was due to go off duty also respond which he did. The deputies received additional information that the male who was creating the disturbance was becoming increasingly violent and began fighting with his father trying to get into a gun safe to get a firearm to commit suicide. The deputies increased their response to code three.

Deputy Silva arrived before Deputies Daniels and Braud. Deputy Daniels arrived just behind Deputy Silva and once he arrived he learned from Deputy Silva that [redacted] the person causing the disturbance had fled from the house with a machete but they did not think he had a firearm. The deputies checked around the residence which is surrounded by woods and is located in a very rural area near Loleta. Deputy Silva initially advised that [redacted] might be back in the residence so the deputies got the family members out of the house and once Deputy Braud arrived the deputies entered the residence and searched for [redacted] Deputy Daniels said he had a dispatcher riding with him and he requested that she stand by in his unit. [redacted] father, told the deputies that [redacted] had broken out a window in the same room the safe was located and that [redacted] had the combination to the safe. Once the deputies verified that [redacted] was not in the house, they learned about [redacted] and his wife living in the cabin several hundred feet away from the main house. The deputies were also notified by their dispatch about the same time, that a 911 call had just come in from [redacted] wife. The deputies then went to the cabin and checked for [redacted] there. They did not find him but [redacted] was there. The deputies checked the inside of the cabin and found that the cabin had been torn apart inside apparently by [redacted]

Assessing the situation at this time, Deputy Daniels said they knew [redacted] was somewhere outside, armed with a machete and that he had been violent. Deputy Daniels advised the family that the best thing to do would be to gather some belongings and go somewhere away from the property, so nobody would get hurt. The family agreed to do that and began getting ready to leave. During this time Deputy Braud was announcing loudly, so that if [redacted] were nearby he would hear it, that they would not hurt him and for him to come out and give up. In the meantime, deputies assisted [redacted] in moving the guns from his safe into the trunk of [redacted] car. Deputy Daniels said that the criminal issues at that point were vandalism but other than that, they were dealing with a suicidal [redacted] so that was the direction they were going, was to try to get [redacted] some help. [redacted] believed all of the guns that were at the house were accounted for and had been loaded up in the trunk. Deputy Daniels said he was thinking that after the family and deputies left the residence they would put out a

bulletin to all agencies to check the welfare of [redacted] if he was located by any other agency and that the Sheriff's Department could come back the next day, when it was light outside, and conduct a thorough search. Deputy Daniels talked to Deputy Silva about vandalism charges so they took photographs of the damage in the main house.

The deputies walked down to the cabin to take photos of the damage there. Deputy Silva and Deputy Daniels were walking toward the cabin when Deputy Daniels shined his flashlight into the cabin and saw [redacted] inside. Deputy Daniels yelled at [redacted] to show his hands but instead [redacted] ran through the cabin to the back side. [redacted] began breaking out glass from the windows in the back of the cabin. Deputy Daniels moved around the back of the cabin and saw that the distance from the windows to the ground at the back of the cabin was too far for anyone to jump and there were no doors out the back side. Deputy Daniels moved back to the front of the cabin and Deputy Braud ran down from the main house to join them. The deputies took up positions around the front of the cabin with Deputy Braud toward the S/E corner, Deputy Silva to the S/W and Deputy Daniels moving back and forth between the two positions in the front of the cabin. [redacted] broke out the kitchen window with a machete and the deputies began yelling at him to drop it. [redacted] began yelling back at the deputies that he was going to kill himself and at one point held the machete to his throat and said he was going to cut it. Deputy Daniels said that at that time he began to negotiate with [redacted] to try to get him to come out. Nothing of a positive nature came out of the negotiations which lasted a long time. As the situation wore on, [redacted] was slowly but progressively becoming more agitated and started talking about suicide by cop. Deputy Daniels requested that the duty officer be contacted. Lt. Thomas, the duty officer requested Deputy Daniels call him as soon as possible but Daniels cell phone was in his patrol unit. The situation with [redacted] was static but he was not talking about coming out either. Deputy Daniels left from the cabin for a short time and retrieved his cell phone and contacted Lt. Thomas. Between Lt. Thomas and Deputy Daniels they came up with two theories, one of which was just to leave and the second was for a SET callout since [redacted] was barricaded. Lt. Thomas agreed to make arrangements for a SET callout and he told Deputy Daniels he would begin to make the necessary contacts. Deputy Daniels then requested any other available units to respond to his location and he returned to the cabin. Deputy Patrick Bishop and his trainee Deputy Laguarda arrived about fifteen minutes later with a taser. Deputy Daniels continued negotiations with [redacted] to try to get him out. [redacted] began throwing items such as pots, pans, plates and food outside at the deputies. [redacted] mentioned suicide again and said he wanted to die by a SWAT team. [redacted] was at the same time, drinking "Old English" beer. Deputy Daniels requested that medical respond to stand by that they had a barricaded suicidal [redacted] [redacted] said several times that he was not going back to prison. Deputy Daniels told him they wouldn't take him to prison but [redacted] said he didn't believe Daniels. Deputy Daniels said [redacted] turned the light inside the cabin on and the deputies turned their flashlights off. [redacted] did that several times and caught on about him being lit up by the interior light. [redacted] then turned off the interior

lights. Deputy Daniels said the machete that [redacted] had looked like a standard type of machete, two to two and a half feet in length, three inch wide dark colored blade and he thought the blade was shiny as if it had been sharpened down. Deputy Daniels said that [redacted] did not sound like he was very intoxicated but he was drinking as they were talking to him. He was not falling down drunk and there was nothing to indicate that [redacted] was really intoxicated. Deputy Daniels said his impression was that [redacted] was just a bad character who talked about suicide by cop. Deputy Daniels said he attempted to negotiate with [redacted] the entire time such as talking about his wife, [redacted] yelled out "fuck my wife", and Daniels asked what about your parents, he yelled "fuck my parents, they don't like me, I don't like them." The only thing [redacted] wanted was a cell phone to talk to his wife, but Deputy Daniels said absolutely not. When [redacted] was talking about suicide by cop [redacted] asked if the swat team was going to respond because he always wanted to die by the hands of the swat team. Deputy Daniels said that during this time, [redacted] was very active inside the cabin hacking things with the machete and yelling threats at the deputies. At one point [redacted] held up what appeared to be an 8 inch steak knife near his throat and said "you see this mother fuckers I have a knife too".

Once Deputies Bishop and Laguarda arrived Deputy Daniels talked to Deputy Bishop and briefed him on where he wanted him to stand in the event that [redacted] came out of the cabin and Bishop could deploy the taser. Deputy Bishop was placed at the S/W corner of the cabin with the taser ready. Deputy Braud was to the far right looking at the front of the cabin, S/E corner, Deputy Daniels was pretty much located toward the center of the cabin and to the left of Daniels were Deputies Silva and Laguarda. At this point things started happening very fast. The door to the cabin flew open and [redacted] came running out. Deputy Daniels said he shined his flashlight onto [redacted] face and he saw just a fierce look on his face. [redacted] had the machete in his right hand and the machete up over his head in a striking position. [redacted] was running right at Daniels, fast. [redacted] made three to four strides toward Daniels when the taser was deployed. Deputy Daniels said he saw that [redacted] was continuing directly at him with the machete still up. Deputy Daniels said he already had his glock pistol pointed directly at [redacted] at what he thought was center mass, and he fired one round at [redacted] Deputy Daniels said that [redacted] very quickly stopped, folded up and immediately fell to the ground. [redacted] fell down with his right arm over him still holding the machete. The deputies started giving [redacted] verbal commands to drop the machete which he did not do. Deputy Silva came up to [redacted] and kicked the machete out of [redacted] hand and the machete flew a distance of about twenty feet away. Deputy Daniels verbally commanded him to role over onto his stomach but he said [redacted] pretty much just moaned and groaned. Deputy Daniels took hold of [redacted] sweatshirt and rolled [redacted] over onto his stomach. Deputy Daniels took one hand and then gave him verbal commands to put his other hand behind his back. [redacted] did place the other hand behind his back and Deputy LaGaurda handcuffed [redacted] behind his back. Deputy Daniels saw a knife in the small of [redacted] back and Deputy Daniels commanded Deputy Braud to take the knife which he did. [redacted] was laying face down and breathing. Deputy Daniels transmitted to his dispatch that shots had been

fired and to respond medical. Deputy Daniels said he could see that the shot went somewhere near the belly button in [redacted] stomach and there was a hole in [redacted] back so he believed the shot went through and through.

Medical showed up awhile later after Deputy Silva went to the main road and flagged them down. Deputy Daniels advised both Lt. Cavinta and Lt. Thomas that they had shots fired. The deputies watched [redacted] to make sure he continued to breath and Deputy Daniels set up who would do CPR if that became necessary. Medical personnel arrived and requested that [redacted] be handcuffed in the front which they did. The medical personnel assisted [redacted] and loaded him into the ambulance. Deputy Braud went in the ambulance with [redacted] Lt. Thomas told Deputy Daniels to go to the hospital and have two deputies stand by at the scene. Deputy Daniels left for St. Joseph Hospital and Deputies Bishop and LaGuarda placed evidence tape and took some photographs at the scene.

I asked Deputy Daniels what they heard or saw on the part of [redacted] just before he charged out of the door. Deputy Daniels said that it was more of a gut reaction than anything he could put his finger on, but that they all felt that [redacted] was getting ready to come out. I asked him if he thought that maybe [redacted] might have been building himself up such as breathing heavy and yelling to pump himself up, to get ready to come out? Deputy Daniels said he definitely thought that [redacted] was building up a lot of pressure for himself and getting himself more agitated. We locked ourselves into what we thought were the best positions and readied ourselves. Deputy Daniels said as soon as the door opened he shined his flashlight directly on [redacted] and he saw the machete in [redacted] hand and what Deputy Daniels said was a "war face" that was on [redacted] face. Deputy Daniels said he saw it coming and he said he made a decision that he just had to shoot. He said he had to shoot very fast because with Deputy Bishop who had fired the taser being just off to Deputy Daniels left side, they were very close to a cross fire situation. He said Deputy Braud was in a cross fire position with Deputy Bishop so he could not have fired. Deputy Daniels said he had to be very careful and termed it as "slicing the pie" to avoid striking Deputy Bishop. Deputy Daniels said he saw [redacted] go down immediately and he was grateful that he did go down immediately. Deputy Daniels estimated the time frame from when [redacted] opened the door of the cabin to the time he fired the shot was only about three, maybe four seconds. Deputy Daniels said that [redacted] had the machete up over his head in a striking position, the entire time, in his right hand and even after [redacted] went down, he did not let go of the machete. Deputy Daniels said he did not hear [redacted] saying anything except screams as he came out of the cabin. Deputy Daniels said once [redacted] was shot and handcuffed, he heard [redacted] mention the word "lawsuit" which the deputy thought rather odd under the circumstances. Deputy Daniels said when he fired his weapon he had no alternatives. Deputy Daniels said he could not have retreated and did not even have a place to run. He said solid brush was directly behind him, to the left was uphill and [redacted] would have been right on top of him, and to the right was just soft muddy terrain. In addition, [redacted] was right on top of him

and he had no time to react as far as backing up anyway. Deputy Daniels said that once medical personnel arrived the deputies helped to lift [redacted] into the ambulance and placed the cuffs in the front, but otherwise they left the medical people to attend to [redacted] Deputy Daniels said prior to [redacted] coming out of the cabin, he tried to come up with a second less than lethal option such as the bean bag but he said he scrapped that idea just because he did not want to give up the shotgun and if [redacted] remained in the cabin, they would have to take a head shot which Daniels did not want to do. He also turned down an idea to use pepper spray on [redacted] and then go inside and get him. Deputy Daniels felt that option to be too dangerous for the deputies. Deputy Daniels said that [redacted] was wearing a black sweatshirt, and jeans.

Deputy Daniels said he has been with the Sheriff's Department for about seven years, and he is an FTO. Daniels was the officer in charge that night because the sergeant on duty had gone home [redacted]. His shift started at 8:00PM, and he was due off at 6:00AM. Daniels was driving a regular marked sheriff's patrol car and was wearing a standard brown uniform with badge and patches. He also wore a blauer coat with patches on each shoulder. Daniels said he is a department hostage negotiator and has assisted in at least one hostage standoff. Daniels said his firearm is a .40 caliber Glock and he keeps 15 rounds in the magazine plus one in the chamber. He said in one magazine he can only get 14 rounds into it. Daniels said he did not have any other firearms on him and he does not carry a second gun. In addition he carries pepper spray and an asp which are the only non lethal weapons he carries. Deputy Daniels said that all of the deputies on scene were in full uniform. Deputy Daniels said that once [redacted] was in custody he placed his firearm into his holster and did not remove it until he was requested to do so by DA investigator Steve Dunn and Detective Marvin Kirkpatrick. The magazine in the gun when it was turned over was the same magazine that was in the gun when the shot was fired. Deputy Daniels was not injured in this incident at all and he said that prior to and during his shift he did not have any alcohol nor had he taken any medication. The interview ended at 1:55PM. I turned over the taped interview and a CD of the digital recording to Detective Steve Quenell.

On 03/03/07, at about 11:30AM, Detective Steve Quenell and I met with [redacted] at St. Joseph Hospital. We interviewed him regarding this incident. See Detective Quenell's summary of this interview for additional info. Detective Quenell tape recorded the interview and kept the tape.

On 03/07/07, at about 2:00PM, I met with City Ambulance EMT driver [redacted] at the ambulance office on Fortuna Blvd in the city of Fortuna. I tape recorded the interview and [redacted] was aware of that. The following is a summary of that interview. [redacted] was on duty the evening of 03/01/07 and had responded to [redacted] Table Bluff Road on a call of an officer involved shooting. [redacted] said they got a call for a barricaded person in the house and they were requested to stand by at the scene. [redacted] was the driver and while in route to the scene they were notified that a shot had been

fired. They arrived on Table Bluff Road and were met by a deputy at an intersection of a dirt road and Table Bluff Road. They were directed to turn down the dirt road and drive to the location of where the shooting had taken place. They drove down the dirt road to where they came upon a house and sheriff's units parked there. They were directed to a small cabin below the large house. The deputies told the EMT's that the [redacted] had been shot once in the abdomen. The [redacted] was handcuffed behind his back and ambulance personnel requested that the cuffs be removed. [redacted] backed the ambulance down the road to where the [redacted] was laying and he assisted with placing the [redacted] on the backboard. [redacted] said while he was backing the ambulance into place, his partner [redacted] was working on the [redacted] attempting to locate the exit wound. They placed [redacted] onto the backboard, strapped him down and put him into the ambulance. [redacted] said that a deputy rode in the ambulance to St. Joseph Hospital. [redacted] said nothing significant occurred during the drive to the hospital and [redacted] had [redacted] on the scope at that time. [redacted] said that during the time of transport [redacted] did not say anything. He was moaning and groaning from the pain. [redacted] said the deputies did not say much other than he was shot once. [redacted] had been with City Ambulance for about a year and is an EMT. He had been a volunteer fireman with Eureka Fire Dept. for several years. He has been through the certified EMT course. I asked him if there was anything about this case that sticks out in his mind as important. He said initially they had a hard time finding the location and they had driven the length of Table Bluff Road and then were met on the road when they were coming back by the deputy. He had nothing to add to the interview. The tape recording was turned over to Detective Steve Quenell.

On 03/07/07 at about 2:10PM, I spoke to [redacted] who was the paramedic on the City Ambulance that responded to this scene. I tape recorded the interview and she was aware of that fact. The following is a summary of that interview. [redacted] said she was on duty the evening of 03/01/07 and was paged to respond to stand by for a suicidal [redacted] with a gun from the Sheriff's Department. [redacted] said she and [redacted] [redacted] responded with [redacted] driving the ambulance. They responded code 2 and they had difficulty in locating the scene even though the dispatch told them it would be very apparent where the sheriff's units were. They got an update that shots had been fired but there was no update on the condition of the patient. They drove out Table Bluff to the reservation and then turned around and drove back, where they met up with a deputy on the Table Bluff Road. They turned onto a dirt road to drive down the hill to the location. [redacted] said she and [redacted] arrived at the cabin eventually and she began tending to [redacted] She asked the deputies what they had and they responded that he had been shot, a single gunshot wound to the abdomen. [redacted] turned to [redacted] and told him to bring the backboard and back the ambulance to where they were. [redacted] said she removed one taser prong from [redacted] back and the other one she might have already walked through not knowing the wires were there, and most likely when she did that pulled out the prong. The one prong she pulled out was in [redacted] back side with the one prong in his jeans. She requested that the deputies remove the handcuffs

or move them to the front which the deputies did. Once [redacted] was loaded into the ambulance they handcuffed [redacted] to the Gurney. They decided to take [redacted] to St. Joseph Hospital rather than Redwood Memorial Hospital. [redacted] said that [redacted] was conscious and said a couple of times that he was hurting. She said he vomited once on the way. [redacted] did not say anything about being shot or how he was hurt. [redacted] asked if the gunshot was self inflicted and the deputy riding with them said no, a deputy shot him. [redacted] had difficulty finding the exit wound but after asking some questions of the deputy she located the secondary wound, (exit wound). [redacted] said nothing really stuck out in her mind other than [redacted] had superficial wounds up and down both of his arms. [redacted] said she asked the deputy in the ambulance if he had seen any other wounds and that was when the deputy told her that he thought there was an injury in the back and she then found the wound in the back. [redacted] clothes were taken by the deputies after they were put into bags. [redacted] said she emptied out his front pocket of the sweatshirt which had cigarettes and maybe a lighter. [redacted] said the only thing put on him at the scene was oxygen. In the ambulance she connected the monitor. [redacted] said she has been a paramedic for sixteen years and with Eureka Ambulance for three years full time. Before that she was at Arcata Mad River Ambulance and before that San Luis Obispo Ambulance for about five years. [redacted] could not think of anything else to add. The tape recording was turned over to Detective Steve Quenell.

For additional information see report by Detective Quenell.

WITNESSES:

[redacted]
City Ambulance
135 W 7TH ST.
Eureka, Ca. 95501
445-4907

[redacted]
City Ambulance
135 W. 7th St.
Eureka, Ca. 95501
445-4907

Mike Losey
Investigator

HUMBOLDT COUNTY DISTRICT ATTORNEY'S OFFICE
INVESTIGATION REPORT

DATE: 03-05-2007

[redacted] Table Bluff Road, Loletta, Ca. 95551

AGENCY CASE: H.C.S.O. # 200701191

OFFENSE: 664 / 187, attempted homicide **WRITTEN BY**: Steve Dunn

SUMMARY: On 3-01-07 at about 0130 hrs, Humboldt County Sheriff's Deputies responded to a disturbance at [redacted] Table Bluff Road in Loletta. While Deputies were on scene, a [redacted] later identified as [redacted] was contacted. [redacted] threatened a Deputy with a machete and was shot once. [redacted] was later transported to the hospital where he recovered from his injuries.

REPORT: On 03-01-2007, at about 0530 hrs, I was contacted at my residence by Chief Investigator Mike Hislop via phone regarding a shooting that occurred in Loletta. Chief Hislop advised me that Deputies had responded to a disturbance and while Deputies were on scene, the [redacted] had been shot.

I responded top the Humboldt County Sheriff's Department and met with other Investigators and Detectives. During this time, Lieutenant Cavinta briefed everyone about what occurred. I was given assignments at this time to assist with this investigation. Refer to Detective Steve Quenell and or D.A. Investigator Mike Losey's report for further.

CONTACT WITH INVOLVED DISPATCHER / DEPUTIES / WEAPON INSPECTIONS

I was assigned to assist H.C.S.O. Evidence Technician [redacted] with photographs and examinations of duty weapons for all H.C.S.O. Deputies at the scene of the shooting. I met with Deputies, individually, in the report writing room at the Sheriff's Office. Each Deputy was photographed in uniform, as they were dressed at the scene. Afterwards, I asked the Deputy to remove their duty weapon and hand it to me for inspection. I confirmed the make and model of the weapon and identified the serial number of the weapon. I also counted the rounds in the

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825 5th Street
Eureka, CA 95501
(707)445-7411
(707) 445-7416 Fax

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712 4th Street
Eureka, CA 95501
(707) 445-7417
(707) 445-7490 Fax

weapon, including spare magazines worn at the time of the incident. During photographs and weapon inspections, I did not interview or ask direct questions of the Deputies.

CONTACT WITH DEPUTY JUSTIN BRAUD

On 3-01-07 at about 0646 hrs, I met with Deputy Justin Braud in the interview room next to the report writing room at the Sheriff's Office. I was present as Evidence Technician [redacted] took several photos of the Deputy and his uniform. I then asked Deputy Braud to see his duty weapon and any extra magazines he carried. Deputy Braud provided me a Glock pistol, model 22, .40 cal. serial # [redacted]

Deputy Braud's handgun was loaded with a full magazine (15 rounds) and he had one round in the chamber. Deputy Braud's handgun was also equipped with a M3 tactical light. Deputy Braud carried "2" extra magazines on a pouch, located on his duty belt. Both of these magazines were loaded with "15" rounds. All of the ammunition in the handgun and spare magazines matched. It was "Winchester brand, 40 cal. ammunition".

Evidence Technician [redacted] also took photos of the handgun and magazines. Refer to Evidence Technician [redacted] report for further.

CONTACT WITH DEPUTY CYRUS SILVA

On 3-01-07 at about 0655 hrs, I met with Deputy Cyrus Silva in the interview room next to the report writing room at the Sheriff's Office. I was present as Evidence Technician [redacted] took several photos of the Deputy and his uniform. I then asked Deputy Silva to see his duty weapon and any extra magazines he carried. Deputy Silva provided me a Glock pistol, model 22, .40 cal. serial # [redacted] Deputy Silva advised me that while he was at the scene in Loletta, he was also carrying his department issued shotgun. Deputy Silva also provided me his shotgun for inspection.

Deputy Silva's handgun was loaded with a full magazine (15 rounds) and he had one round in the chamber. Deputy Silva's handgun was also equipped with a "surefire" brand tactical light. Deputy Silva carried "2" extra magazines on a pouch, located on his duty belt. Both of these magazines were loaded with "15" rounds. All of the ammunition in the handgun and spare magazines matched. It was "Winchester brand, 40 cal. ammunition".

Deputy Silva's shotgun was a Remington, 870 pump, 12 gauge. The shotgun was loaded with "6" shotgun rounds. The rounds were mixed, some "buck shot" and some "slug". The shotgun was loaded in the following sequence: Buck (in chamber), slug, buck, buck, slug, slug. The shotgun was also equipped with a buttstock shell holder that contained "4" bean bag rounds.

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Eureka, CA 95501
(707)445-7411
(707) 445-7416 Fax

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(707) 445-7417
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Evidence Technician [redacted] took photos of the handgun, magazines, shotgun and shells. Refer to Evidence Technician [redacted] report for further.

CONTACT WITH FTO DEPUTY PATRICK BISHOP

On 3-01-07 at about 0710 hrs, I met with FTO Deputy Pat Bishop in the interview room next to the report writing room at the Sheriff's Office. I was present as Evidence Technician [redacted] took several photos of the Deputy and his uniform. I then asked Deputy Bishop to see his duty weapon and any extra magazines he carried. Deputy Bishop provided me a Glock pistol, model 22, .40 cal. serial # [redacted]

Deputy Bishop's handgun was loaded with a full magazine (15 rounds) and he had one round in the chamber. Deputy Bishop's handgun was also equipped with a M3 tactical light. Deputy Bishop carried "2" extra magazines on a pouch, located on his duty belt. Both of these magazines were loaded with "15" rounds. All of the ammunition in the handgun and spare magazines matched. It was "Winchester brand, 40 cal. ammunition".

Evidence Technician [redacted] also took photos of the handgun and magazines. Refer to Evidence Technician [redacted] report for further.

At the time of this incident, FTO Deputy Bishop had a recruit Officer in training with him. FTO Deputy Bishop stated that his recruit was Deputy Anthony Lagarda, who was in about his ninth week of training in the program.

CONTACT WITH DEPUTY ANTHONY LAGARDA

I met with Deputy Anthony Lagarda in the interview room next to the report writing room at the Sheriff's Office. I was present as Evidence Technician [redacted] took several photos of the Deputy and his uniform. I then asked Deputy Lagarda to see his duty weapon and any extra magazines he carried. Deputy Lagarda provided me a Glock pistol, model 22, .40 cal. serial # [redacted]

Deputy Lagarda's handgun was loaded with a full magazine (15 rounds) and he had one round in the chamber. Deputy Lagarda's handgun was not equipped with a tactical light like the other Deputies. Deputy Lagarda carried "2" extra magazines on a pouch, located on his duty belt. Both of these magazines were loaded with "15" rounds. All of the ammunition in the handgun and spare magazines matched. It was "Winchester brand, 40 cal. ammunition".

During the photographs and weapon inspections, Evidence Technician [redacted] noticed what appeared to be blood on Deputy Lagarda's uniform shirt. Evidence technician [redacted] collected the Deputy's shirt as evidence.

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825 5th Street
Eureka, CA 95501
(707)445-7411
(707) 445-7416 Fax

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712 4th Street
Eureka, CA 95501
(707) 445-7417
(707) 445-7490 Fax

Evidence Technician [redacted] also took photos of the handgun, magazines and uniform shirt. Refer to Evidence Technician [redacted] report for further.

CONTACT WITH SENIOR DISPATCHER [redacted]

I was advised that at the time of this incident, Senior Dispatcher (H.C.S.O.) [redacted] was doing a "ride-a-long" with Deputy Jason Daniels. I met with [redacted] at about 0730 hrs in the interview room at the Sheriff's office. [redacted] was photographed by Evidence Technician [redacted] [redacted] did not have any weapons in her possession at the time of this incident. Refer to photographs by Evidence Technician [redacted] for further.

CONTACT WITH DEPUTY JASON DANIELS / [redacted]

At about 0914 hrs on 3-1-07, I responded to the [redacted] west 5th street, Eureka and contacted Deputy Jason Daniels. Daniels is the Deputy that shot [redacted] earlier in the morning. Daniels was with his legal representation, Attorney [redacted] Also present was Daniels union representative, H.C.S.O. Sergeant Brian Quenell.

I stood by and witnessed Evidence Technician [redacted] collect Deputy Daniels duty gear, including his uniform and duty belt. This included Deputy Daniels department issued handgun. During this contact, I did not ask Deputy Daniels any direct questions about this incident.

I responded directly to the Sheriff's Department and met Evidence Technician [redacted] at the 4th street side entrance of the Sheriff's Department. I assisted with unloading the items of evidence and placing them into the evidence locker at the Sheriff's Department. Evidence Technician [redacted] and I agreed to meet the following day to photograph and inspect Deputy Daniels weapon due to other obligations with this investigation. Refer to Evidence Technician [redacted] report for further.

INTERVIEW WITH [redacted]

On 3-01-07 at about 1245 hrs, I conducted an interview with [redacted] in his home at [redacted] Table Bluff Road, Loletta. Detective Marvin Kirkpatrick from the Sheriff's Department was also present during the interview. [redacted] is the father of [redacted] the [redacted] shot earlier in the morning by Humboldt County Sheriff's Department. The interview was recorded via digital recorder by Detective Kirkpatrick.

[redacted] stated that he was in bed sleeping when he woke up to his son [redacted] in his bedroom. [redacted] believed that it was about 0130 hrs to 0200 hrs. [redacted] stated that [redacted] had a machete and was

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Eureka, CA 95501
(707)445-7411
(707) 445-7416 Fax

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712 4th Street
Eureka, CA 95501
(707) 445-7417
(707) 445-7490 Fax

breaking things and was threatening. [redacted] said [redacted] was breaking things on the wall and items located on a dresser in the room [redacted] said tha[redacted] was very angry and told him that he was "drunk". [redacted] stated that [redacted] knew where he hid a combination to a gun safe located in another room of the house. [redacted] stated he thought he had hidden the combination pretty well, but [redacted] found it [redacted] took the combination and went to the gun safe and began trying to open it. [redacted] told [redacted] that he was, "going to watch his son die today". [redacted] said his wife [redacted] tried to call "911" at about this time, but the phone did not work. The telephone wires had been pulled out of the box located outside, on the side of the house [redacted] told [redacted] that he did it. [redacted] also looked for the [redacted] cell phone before he woke them up, but he couldn't find it. [redacted] ended up calling "911" from her cell phone hidden in the bedroom.

[redacted] stated that [redacted] would work on the combination of the gun safe, trying to open it. [redacted] stated he would then step forward and [redacted] would start swinging the machete again. Afterwards, [redacted] would go back and start working on the gun safe again. [redacted] stated that a Sheriff's Deputy arrived on scene and [redacted] saw him pull into the driveway. [redacted] then ran out the back door of the residence. [redacted] was never able to open the gun safe.
[redacted] stated the he could not smell alcohol on [redacted] because he did not get that close to him. [redacted] stated, "alcohol is an enemy of his". [redacted] stated that [redacted] recently got married and last week, moved to a little cabin located away from the main house, but still on the property. [redacted] lives with his wife, [redacted] [redacted] stated that [redacted] works as a bus boy at Applebee's restaurant in Eureka. [redacted] wife also works at Applebee's.

[redacted] stated that after [redacted] ran out, a Deputy stayed with him and his wife at his residence. [redacted] stated he was asked where [redacted] might have gone, but he was not sure. [redacted] stated he was preparing to leave his home when he realized that the Deputies had found [redacted] back at the cabin, below the main house. [redacted] stated that he could not hear what exactly the Deputies were saying to [redacted] because it was very hard to hear, but he could hear "screaming". [redacted] stated that all the Deputies were at the cabin. A Dispatcher who was present stayed at the main house. [redacted] stated the Dispatcher was trying to keep him, his wife and [redacted] from going down to the cabin.

[redacted] stated he heard the gunshot, and was told by the Dispatcher that it was a taser, not a gunshot. [redacted] stated that he had a suspicion that it was in fact a gunshot. [redacted] also stated, "I had a suspicion that [redacted] would push them to it". I asked [redacted] if he thought [redacted] was trying to get the officers to shoot him. [redacted] stated, "yes".

[redacted] stated that [redacted] told him he wanted to kill himself and that was why he wanted to get into the gun safe. [redacted] said he was never afraid for his life because [redacted] threats were against his own life, not his. [redacted] did not believe that [redacted] was trying to murder anyone. [redacted] stated, "he could have taken me down if he wanted to". [redacted] also stated, "I don't believe he was trying to kill anybody, he was trying to get himself killed".

While still recording, Detective Kirkpatrick asked for permission for a "consent to search" of his home and vehicle. I assisted with completing the form. The interview lasted about 38 minutes.

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825 5th Street
Eureka, CA 95501
(707)445-7411
(707) 445-7416 Fax

VICTIM WITNESS ASSISTANCE
712 4th Street
Eureka, CA 95501
(707) 445-7417
(707) 445-7490 Fax

This is only a "summary" of this interview, refer to CD / digital recording for detailed statement.

INTERVIEW WITH [redacted]

On 03-01-07 at about 1326 hrs, I talked with [redacted] at [redacted] Table Bluff Road, Loletta. [redacted] is married to [redacted] the [redacted] shot by the H.C.S.D. earlier in the morning. Detective Marvin Kirkpatrick was also present during the interview. Detective Kirkpatrick recorded the interview via digital recorder.

[redacted] stated that she and [redacted] are husband and wife and were married on December 26, 2006. [redacted] and [redacted] live together in the small cabin below the main residence. [redacted] stated that last night, she and [redacted] got into a "stupid" argument. [redacted] stated she and [redacted] were both drinking alcohol. [redacted] became very emotional and upset. [redacted] stated the argument escalated from there. [redacted] was talking about how he hated himself and his life. [redacted] stated that [redacted] had a very sheltered life and was "mentally" kept away. [redacted] stated his past keeps haunting him. During the argument, [redacted] went outside into [redacted] car that was parked in the driveway. [redacted] was text paging a friend on his cell. [redacted] then went outside and contacted [redacted] [redacted] grabbed the leather case [redacted] phone was in and ripped it accidentally. [redacted] was trying to grab the phone from him and this made [redacted] angrier. [redacted] then went back inside the cabin, started crying and then started breaking everything inside. [redacted] stated that [redacted] broke "everything" including all the windows. At one point, [redacted] threw a coffee table breaking things breaking more things inside the cabin. [redacted] stated that [redacted] broke most of the things inside with his hand.

[redacted] stated that [redacted] just kept going on, breaking things inside the cabin. [redacted] said she called "911" and set the phone down on the table so the dispatcher could hear what was going on inside. [redacted] also stated she did not want [redacted] to find out she called "911" and have him get more upset with her. After [redacted] left, she called "911" a second time.

[redacted] stated she talked with the dispatcher and stated, "I don't know what was going on, but you guys do need to come". [redacted] stated she was really scared for [redacted] [redacted] stated that [redacted] never struck her and nothing happened physical between them. [redacted] stated, "he would never hurt me". [redacted] stated she has never seen [redacted] act like this before. [redacted] also stated [redacted] does not use any illegal drugs, in fact, he is against them. [redacted] stated that [redacted] takes Nexium, prescription pills for his stomach.

[redacted] stated that she told the dispatcher that she wanted them to stay on the phone with her. [redacted] stated that she never left the cabin until the Deputies came and got her. [redacted] stated that Deputies let her get her purse, and then she went up towards the main house. While outside near the patrol car, [redacted] smoked a cigarette. Deputies kept searching the area. Then the Deputies went back down to the cabin. [redacted] could hear [redacted] yelling, but could not tell what he was saying. [redacted] knew Deputies had found [redacted]

CRIMINAL DIVISION
825 5th Street
Eureka, CA 95501
(707)445-7411
(707) 445-7416 Fax

VICTIM WITNESS ASSISTANCE
712 4th Street
Eureka, CA 95501
(707) 445-7417
(707) 445-7490 Fax

[redacted] stated the Dispatcher that was riding along with the Deputies was present and lied to her quite a few times. [redacted] stated that when she heard something like a gun, she was told it was a taser. When [redacted] thought she saw an ambulance, the dispatcher said no, it was a police thing. When [redacted] heard glass break, she was told it was the Deputies, but it was really [redacted] [redacted] stated, "she lied to me a lot".

[redacted] said at some point in time, a Deputy walked in and said, "he's alive". The Dispatcher stated, "I didn't tell them" then walked out the door. [redacted] stated that's when she got really upset and started crying. [redacted] stated that if she would have had an opportunity to talk with [redacted] on the phone, things would not have happened like they did. [redacted] stated, "[redacted] would have never gotten shot". [redacted] stated that [redacted] has not had very good experiences with law enforcement.

[redacted] stated that she did not think [redacted] wanted to hurt anyone, including a cop. [redacted] stated that [redacted] has made statements in the past regarding harming himself, however, he would never really do it. [redacted] stated that [redacted] says those things to get attention and it's a "cry for help".

The interview lasted about 36 minutes. This is only a "summary" of this interview. Refer to CD / digital recording a detailed statement.

INTERVIEW WITH JENNIFER [redacted]

03-02-07 at about 1100 hrs, I met with [redacted] at the Sheriff's Department regarding this incident. [redacted] is a Senior Dispatcher for the Sheriff's Department and was doing a ride-along with Deputy Daniels at the time of the shooting.

The Dispatcher's are required to do 8 hrs of ride-alongs with the patrol Deputy's each quarter as part of their required training. [redacted] got off at about 2300 hrs the night prior, and then joined Deputy Daniels for her ride-along.

[redacted] stated at some point early in the morning, she and Daniels were dispatched to a disturbance. The incident was dispatched as a male [redacted] with an axe and knives breaking out windows. The [redacted] had apparently left one residence and gone to another residence on the same property. While enroute, dispatch updated Deputies advising that the [redacted] was now at his parent's house, fighting with his father and trying to get some firearms. Units then upgraded their response to code 3. [redacted] stated once they arrived, they were advised that the [redacted] had run off with a machete.

[redacted] stated that she stayed at the patrols cars, parked out in front of the residence. [redacted] stated that [redacted] mother at one point came down to her location and smoked a cigarette. [redacted] continued to stay at or near the patrol vehicles. [redacted] stated that the parents were planning on leaving the residence and they started packing their belongings. [redacted] father was packing the guns from inside the residence to his car, parked outside. Before leaving, Deputy Daniels and

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825 5th Street
Eureka, CA 95501
(707)445-7411
(707) 445-7416 Fax

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Eureka, CA 95501
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(707) 445-7490 Fax

Silva walked back down to the cabin to take photographs of the cabin and the damage caused by [redacted]

[redacted] stated that about this time, she heard screaming, like the Deputies saying "get down". Deputy Braud started running towards the other Deputies and left her at the main house. [redacted] stated that [redacted] wife, [redacted] became hysterical and she got her to go inside of the main house. [redacted] mother and [redacted] started arguing, so [redacted] then went outside to smoke a cigarette.

[redacted] stated while outside, she could hear the Officers at the cabin yelling. [redacted] stated she called dispatch to see what was going on. Dispatch advised her that they had a [redacted] barricaded inside the cabin, threatening suicide by cop. [redacted] stated that [redacted] wanted to go down with the Deputies and talk with [redacted] [redacted] stated she told [redacted] that the Deputies had him detained, and they were just talking to him. [redacted] stated this to prevent [redacted] from running down there to the Deputies location.

[redacted] then went back inside with [redacted] parents and [redacted] [redacted] stated she just tried to make conversation. They went back outside again, because [redacted] and [redacted] mother started arguing again. While outside, [redacted] got a call from dispatch advising that the [redacted] was still barricaded inside and Deputy Bishop and his trainee were responding to assist with a taser. [redacted] continued to tell [redacted] that [redacted] was still detained and that he was just being combative.

[redacted] stated that they went back inside when she heard the taser go off and a gunshot right after. [redacted] stated the parents were pretty calm, but [redacted] started crying and screaming. [redacted] told [redacted] that the sound she heard was a "back fire" sound from the taser. [redacted] stated this to keep [redacted] calm. [redacted] stated she called dispatch afterwards and confirmed it was shots fired and a [redacted] was down, medical was enroute. [redacted] stated she was pretty sure the parents knew it was in fact a gunshot and not a taser.

[redacted] said she played it off that [redacted] was being combative, she said this to keep [redacted] calm. [redacted] still wanted to go down where the Deputies were at the cabin. [redacted] then went outside and could see the [redacted] who was shot laying on the ground. Deputies and medical personnel were on scene at this time. [redacted] stated that [redacted] was getting pretty hysterical about the time Deputy Daniels came into the house and stated she ([redacted] had to go. Deputy Daniels stated to the family that [redacted] was going to the hospital. At this time [redacted] told Daniels that she had lied to the family to keep them calm. Daniels told the family at this time that [redacted] had been shot. [redacted] then left the scene with Deputy Daniels.

The interview lasted about 34 minutes. This is only a "summary" of this statement. Refer to CD / digital recording for a detailed statement.

CRIMINAL DIVISION
825 5th Street
Eureka, CA 95501
(707)445-7411
(707) 445-7416 Fax

VICTIM WITNESS ASSISTANCE
712 4th Street
Eureka, CA 95501
(707) 445-7417
(707) 445-7490 Fax

INSPECTION OF DEPUTY JASON DANIELS DUTY WEAPON

On 3-2-07 at about 1445 hrs, I met with Evidence Technician [redacted] at the briefing room of criminal investigations at the Sheriff's Office. While at this location, Evidence Technician [redacted] removed a duty belt and handgun from a brown paper bag. This was the same duty belt collected from Deputy Daniels the day prior.

Evidence technician [redacted] photographed the duty belt and handgun. While wearing latex gloves, I removed the handgun from its holster. I documented the handgun as a Glock, model 22, .40 cal., serial number [redacted] I observed one round in the chamber and 14 rounds in the magazine, one round short of "full" capacity. The handgun was not equipped with a tactical light. I observed the spare magazines and noted each to hold the full capacity, 15 rounds. I noted the make of ammunition as "Winchester, 40 ca. ammunition", the same as other Deputies examined earlier.

Steve Dunn
D.A. Investigator

CRIMINAL DIVISION
825 5th Street
Eureka, CA 95501
(707)445-7411
(707) 445-7416 Fax

VICTIM WITNESS ASSISTANCE
712 4th Street
Eureka, CA 95501
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(707) 445-7490 Fax

CONSENT TO SEARCH

HUMBOLDT COUNTY SHERIFF'S DEPARTMENT

I, [redacted], HAVING BEEN INFORMED OF MY CONSTITUTIONAL RIGHT NOT TO HAVE A SEARCH MADE OF THE PREMISES OR VEHICLE HEREINAFTER MENTIONED WITHOUT A SEARCH WARRANT AND OF MY RIGHT TO REFUSE TO CONSENT TO SUCH A SEARCH, HEREBY AUTHORIZE D.O.J. ~~~~~, AND H.C. DISTRICT ATTORNEY ~~~~~, SHERIFF'S DEPUTIES OF THE COUNTY OF HUMBOLDT, STATE OF CALIFORNIA, TO CONDUCT A COMPLETE SEARCH OF MY RESIDENCE OR VEHICLE LOCATED AT [redacted] TABLE BLUFF RD, LOLETA, CA 95551 / NISSAN MAXIMA [redacted]

THESE DEPUTIES ARE AUTHORIZED BY ME TO TAKE FROM MY RESIDENCE OR VEHICLE ANY LETTERS, PAPERS, MATERIALS OR OTHER PROPERTY WHICH THEY MAY DESIRE.

THIS WRITTEN PERMISSION IS BEING GIVEN BY ME TO THE ABOVE NAMED DEPUTIES VOLUNTARILY AND WITHOUT THREATS OR PROMISES OF ANY KIND.

[redacted]

WITNESSES:

STEVE M. DUNN

MARVIN KIRKPATRICK

DATED 3-1-07 / 1:17 PM

SD 0651.1)

HUMBOLDT COUNTY DISTRICT ATTORNEY'S OFFICE
INVESTIGATION REPORT

DATE: March 5, 2007

[redacted]
[redacted] State of California
CASE: 2007-1191 (HCSO)
DOCKET:
OFFENSE: PC664/187 **BY:** DA Investigator Wayne Cox

REPORT:

On 03-01-06 at approximately 0500 hours, I was contacted by telephone at my residence by Chief Investigator Hislop. He advised me that an officer involved shooting had occurred in the Loleta area and requested that I meet with he and other DA Investigators at the HCDA's Office. Upon arrival, assignments would be given.

In addition to documenting the scene with a Nikon "Total Station" system, which will be documented in an additional report, I was assigned to interview Deputy Braud. Following is a summary of that interview.

Interview with HCSO Deputy Justin Braud

On 03-02-07 at approximately 1500 hours, HCSO Detective Kirkpatrick and I interviewed Deputy Braud at the HCDA's office. The interview was recorded with a digital recorder and the recording was later transferred to CD.

Deputy Braud stated that he has been employed with the HCSO as a full-time Deputy for approximately 4 ½ years. Most of that time has been spent on routine patrol, with the exception of approximately six months when he was assigned to the Humboldt County Drug Task Force.

On 02-28-07, Deputy Braud was assigned to "swing shift, main station". His briefing was conducted at approximately 1600 hours and he was scheduled to end his shift at 0200 hours on 03-01-07. Deputy Braud wore a full police uniform on that evening and operated a fully marked HCSO patrol unit.

Deputy Braud stated that he overheard the original call for service at [redacted] Table Bluff Road at approximately 0130 hours. He stated that the call was "some sort of a disturbance, possibly domestic" and that the female caller reported her husband [redacted] was intoxicated and was "tearing up the house". She also stated that he was armed with "several knives and possibly an axe". The caller also told HCSO Dispatch that [redacted] was "hostile to law enforcement" and had made the comment that he

"wasn't going to go down easy". As Deputies responded to the call, they were advised by Dispatch that [redacted] was on "CDC Parole and had some sort of formal probation through CYA".

Deputy Braud heard Deputies Daniels and Silva being dispatched to the call. There was no Sergeant on duty and Deputy Daniels was the "OIC". Deputy Braud was scheduled to go off duty in approximately ½ hour, but knew that "there were only two units assigned to main station patrol". He contacted Deputy Daniels and asked if he would like him to respond to the call, due to the nature of it, or if he would like him to stay available for other calls for service. Deputy Daniels requested that Deputy Braud respond to Loleta to assist them.

Deputy Braud stated that Deputy Silva arrived on scene first, followed approximately 4-5 minutes later by Deputy Daniels. Deputy Braud estimated that he arrived approximately two minutes after Daniels. While enroute to the call, the Deputies were advised by Dispatch that [redacted] had "forced entry" into his parents' residence and was involved in a "physical altercation with the father, who was trying to keep him from getting firearms out of the safe".

When Deputy Silva arrived on scene, a "Code 33" was called (emergency only radio traffic). Almost immediately thereafter, Deputy Silva advised that [redacted] had ran out the back of the residence armed with a machete, not a firearm.

When Deputy Braud arrived on scene, he contacted Deputies Silva and Daniels in front of the parent's residence. They were "standing out front" talking with the father and soon thereafter, the Deputies again checked the residence to make sure [redacted] was not inside and had no access to the firearms.

As they were exiting the residence, Dispatch advised them that [redacted] wife had again called 9-1-1. Before Dispatch could obtain any further information, the call was disconnected. At that point, the Deputies realized that they needed to go to the cabin, where she was, to ensure her safety. He stated that the cabin was approximately "50 yards" east of the parent's residence and he and the other Deputies "ran down there". Upon arrival, they saw that the lights in the cabin were on and that "all the windows were broken out". Deputy Braud saw the female inside the residence, "talking on a cell phone", and it appeared that she was alone. They then knocked on the door of the cabin and made contact with her. After speaking with her, they checked the cabin for [redacted] verifying that she had been alone inside the residence.

The Deputies spoke with the female and, although Deputy Braud wasn't present for the entire conversation, he heard her say that [redacted] was "intoxicated and upset". Apparently, she had fallen and hit her head, for which [redacted] felt responsible. [redacted] then "got really emotional and started tearing up the place with the machete". While Deputies Silva and Daniels continued their conversation with the female, Deputy Braud searched the area around the cabin, including the brush and some

outbuildings, for [redacted]. He did not locate him and returned to the cabin. The Deputies then told the female that she was "going with (them)" because they "weren't going to search the woods for him, but (they) weren't going to leave people there to become [redacted] if he decided to hurt somebody". Although she had previously made comments that "her life wasn't worth anything" and that the Deputies could leave her there to wait for [redacted] return, she agreed to go with them.

The Deputies and the female then walked up the path to the parents' residence and had discussions with the father. They were concerned about leaving the family at the residence, in case [redacted] returned, and asked if there was anywhere else they could stay for the evening. The Deputies were also concerned because [redacted] "had the combination" to the safe that contained the firearms. The father stated that they could stay elsewhere and, with the assistance of Deputies Silva and Daniels, removed the firearms from the safe, placing them into the rear of his vehicle. Deputy Daniels then photographed the inside of the parent's residence to document the damage. When finished with that task, he and Deputy Silva decided to go back to the cabin to photograph the damage to it as well. At that time, Deputy Braud was to stand by at the parent's residence with the family and an off duty HCSO Dispatcher that was on a ride-along with Deputy Daniels.

Deputies Silva and Daniels walked back to the cabin and "it wasn't more than 30 seconds to a minute later" when Deputy Braud heard Deputy Daniels yelling something to the effect of, "Let me see your hands". Deputy Braud told the family and the dispatcher to stay where they were and began running "down the hill" toward the cabin. As he did so, he heard Deputy Silva make a radio broadcast ("18, get down here") requesting that Deputy Braud assist them at the cabin.

When Deputy Braud got to the cabin, he saw Deputy Silva "at the front of the house", approximately 15 feet from the front door with his shotgun "raised up at the low ready position". Deputy Daniels was, at that time, "off down to the side" of the cabin, yelling at [redacted]. Deputy Braud believes that Deputy Daniels was yelling at [redacted] because he was trying to exit the rear of the cabin through a window. Deputy Braud "ran behind" Deputy Silva to where he could see through the broken window inside the cabin. When he did so, he saw [redacted] inside, holding the machete in his right hand and an aluminum can (which he assumed was a beer) in his left hand.

Deputy Braud "started a dialogue" with [redacted] "trying to get him to come out peacefully". During this time, [redacted] was "irate" and was hitting things inside the cabin with the machete. Deputy Daniels was now positioned in front of the cabin, between Deputies Braud and Silva. Deputy Braud "got pretty close to the window" trying to talk to [redacted] but he began throwing things out the window at him (ie: pots, pans, food items, etc.). Also, [redacted] "hit the (broken) window with the machete" spraying Deputy Braud with broken glass. After that, Deputy Braud used a "spindly little tree" in front of the cabin for cover, using it to deflect the items that were being thrown at him.

Deputy Braud described the dialogue between he and [redacted] as 'back and forth" and stated that it lasted "a long time". Deputy Braud was trying to persuade him to exit the residence to talk to them, that he wasn't in trouble yet, and that maybe he could talk to a counselor. [redacted] in response, made statements including, "Forget it, I'm going to kill myself", "You guys are lying, the cops always screw me over, you guys are gonna have to kill me", and "I'm disappointed you only brought three deputies, I wanted to be killed by the SWAT team". Deputy Braud continued the "back and forth" dialogue with [redacted] during which he continued to scream out the window and hit items within the cabin with the machete. [redacted] made the statement at one point, "I'm not going to come out. You're gonna have to come get me and the first one through the door is gonna die".

Based on the circumstances of the situation, Deputy Daniels requested through Dispatch that the on-duty Commander be notified that they had "a barricaded [redacted] threatening suicide by cop". A short time later, Deputy Daniels walked up the path toward the parent's residence where he made telephone contact with the on-duty Commander. He was gone for approximately 5-10 minutes and when he returned, he stated that the "on-duty was seeing what he could do about a S.E.T. call out". At this time, Deputy Daniels requested, through Dispatch, that additional units respond to the scene with Tasers. Approximately fifteen minutes later, Deputies Bishop (armed with a Taser) and LaGarda arrived on scene.

Deputy Braud had earlier suggested using pepper spray on [redacted] and again offered to do so. He suggested that Deputy Daniels distract [redacted] and that he would "sneak up" and pepper spray him. Deputy Braud thought that deploying pepper spray against him would give the Deputies "a better chance of getting to him without him being able to assault (them) effectively". Deputy Daniels, however, thought that he would have to get "too close" to pepper spray [redacted] and declined Deputy Braud's offer to do so.

The "back and forth" dialogue between Deputy Braud and [redacted] continued, with [redacted] saying at one point that the Deputies "didn't understand" that he was a "mass murderer who just never got the chance to kill". He was also "back and forth" to the door, running "like he was going to come out". Deputy Braud stated that he has dealt with suicidal subjects on many occasions, but this situation was "different because he kept running toward the door like he's really going to charge".

When Deputies Bishop and LaGarda arrived, the Deputies formed a semi-circle near the front of the residence. Deputy Braud stated that he was on the far right, in front of the window where he continued speaking with [redacted] Deputy Daniels was to his left and Deputy LaGarda was slightly behind him. Next was Deputy Silva, and farther left of him, closest to the front door of the cabin, was Deputy Bishop. Deputy Bishop was positioned there because he was going to deploy the Taser at [redacted] if needed.

Eventually, [redacted] "stopped communicating" with Deputy Braud. This concerned him, because it was "different" and up to that point "it had been constant dialogue". Although he wasn't communicating with Deputy Braud anymore, [redacted] continued to pace back and forth inside the cabin, striking items with his machete. After "not talking for a minute or two", [redacted] took a "beeline for the door".

Deputy Braud believed that he was the only Deputy with a view of [redacted], based on their positioning, and advised the others that [redacted] "was going for the door". He stated that everything happened "so fast when he came out", and he wasn't expecting [redacted] to exit the residence like he did. During the incident, Deputy Braud had "imagined" the way the situation might end, and thought that when [redacted] opened the door, "he would be standing there, maybe with the knife, maybe not". When he "came out as fast as he did, it was almost surreal", and Deputy Braud explained that the situation seemed to progress "in slow motion". He stated that to him, it seemed that as soon as he lost sight of [redacted] (as he progressed toward the door), the next thing he knew, [redacted] was exiting the residence at a "full sprint" with the machete "up".

Deputy Bishop deployed the Taser "immediately" when [redacted] exited the residence, followed almost simultaneously by the sound of a gunshot. Deputy Braud didn't know who had shot [redacted] until after the incident had stabilized when he asked, "Who shot?". At that time, Deputy Daniels acknowledged that he had shot [redacted]

Deputy Braud stated that even though Deputy Bishop deployed the Taser immediately, [redacted] was moving so fast that he'd "penetrated" into their semi-circle far enough at that point to get struck by the probes in the side or in the back. He estimated that he was 3-5 feet from the door when he was struck by the Taser probes, but continued "penetrating" another five feet before Deputy Daniels shot him. When [redacted] fell to the ground, Deputy Braud estimated that he was approximately 5-6 feet away from Deputy Daniels.

When [redacted] fell to the ground, he was still holding the machete. The Deputies yelled verbal commands at him to drop the weapon, but he didn't respond. Deputy Silva "kicked" the machete out of [redacted] hands and Deputy Braud estimated that it landed approximately 15-20 feet away. Deputy Braud then approached [redacted] from his left side, removed another knife that was in his belt at the back of his pants, and placed him in handcuffs. The Deputies then called for medical aid, which "was supposed to have been staged already", because they had called for them to stage (based on the circumstances) "a long time ago".

After handcuffing him, awaiting the arrival of medical aid, [redacted] Braud tried to reassure [redacted] Cole by telling him that "he was going to be okay". [redacted] was "groaning" and accused Deputy Braud of "lying" to him. This upset Deputy Braud and he asked [redacted] in a "stern" voice, "Why the hell did you do this?". He explained that he was upset because he'd "given him every notion that he wasn't just going to be thrown back in prison if he came out, which was his main concern".

Deputy Braud stated that it took what seemed like an excessively long period of time for medical aid to arrive, and when they did, they were just "walking up the hill". The Deputies urged them to "hurry" because [redacted] had a gunshot wound and the female member of the ambulance crew "seemed really surprised". She stated that they weren't aware of the full details of the situation and, due to the gunshot wound, they "needed more people". She requested that the Deputies summon additional assistance from the Loleta Fire Department (staffed by volunteers), which Deputy Braud requested through Dispatch. With the Deputies assistance, however, the ambulance crew had already prepared [redacted] for transport before they arrived. Loleta Fire Department was canceled and Deputy Braud was told to ride to the hospital in the ambulance with [redacted] which he did.

Enroute to the hospital, Deputy Braud repositioned the handcuffs several times so the ambulance personnel could attend to [redacted] injuries. During the transport to St. Joseph's Hospital, [redacted] "said that he was cold" and vomited "a couple of times". Once at the hospital, Deputy Braud began "bagging up his [redacted] clothes" as evidence. Deputy Silva arrived shortly after and assisted him in that task, followed shortly thereafter by Deputy Daniels. They told Deputy Daniels to leave, which he did, and was then "isolated in a room" because of the shooting incident. Deputies Stockton and Paris, as well as other HCSO personnel later arrived at the hospital to relieve he and Deputy Silva. They were told to go to the HCSO by Lt. Thomas, where they were to begin writing their reports.

Near the end of the interview, Deputy Braud stated, "I would've shot him if I had a clear sight picture and wasn't compromised by crossfire. I totally think that he was endangering one or all of our lives, I just didn't have a shot. Luckily, Daniels did, and took it". He continued by stating, "If I had been in a position to shoot him, I would have. I felt justified once I saw the depth that he'd penetrated out of the house, with the machete raised up, running at us."

Soon after that statement, Deputy Braud described the weather as being extremely cold and wet during this incident and how he had to exercise his hands during the standoff so they would work if he needed to use his pistol.

The interview was concluded at approximately 1545 hours. The CD recording of the digital interview was later released to HCSO Detective Quennel, the lead investigator in this case.

Disposition: Nothing further at this time.

HUMBOLDT COUNTY DISTRICT ATTORNEY'S OFFICE
INVESTIGATION REPORT

DATE: March 12, 2007

[redacted]: State of California
CASE: 2007-1191 (HCSO)
DOCKET:
OFFENSE: PC664/187 **BY:** DA Investigator Wayne Cox

REPORT:

On 03-01-06 at approximately 0500 hours, I was contacted by telephone at my residence by Chief Investigator Hislop. He advised me that an officer involved shooting had occurred in the Loleta area and requested that I meet with he and other DA Investigators at the HCDA's Office. Upon arrival, assignments would be given.

In addition to interviewing HCSO Deputy Justin Braud (refer to previous report), Chief Investigator Hislop and I documented the scene with a Nikon "Total Station" system.

During this process, I operated the Nikon "Total Station" transit system. Chief Investigator Hislop assisted me by positioning the target pole. Measured for placement at the scene were the evidence items identified by HCSO and DOJ Evidence Technicians. Measurements were made of the scene geography as well (ie: roadway/driveway measurements, cabin measurements, vehicle measurements, etc.).

All measurements, which were based on the Total Station's "0", are documented in the attached "Measurement Data Log". Additionally, two diagrams are also included in this report. One is a Vista FX drawing (ie: factual diagram) of the scene and the associated evidence (Scale: 1"=34.09'). Added, for visual effect are trees/shrubs which generally depict the landscape in this area.

The second diagram includes a scaled aerial photograph (1"=100') of the scene, bordered by evidence photographs of the machete, two knives, and an exterior view of the cabin. Arrows from the evidence photographs point to location where each item was located.

*All photographs referred to and included in this report and the aforementioned diagrams were provided to me by HCSO Evidence Technician [redacted]. For more information regarding the photographs, refer to her reports.

Disposition: Nothing further at this time.

Humboldt County District Attorney's Office

Measurement Data Log

File Number	HCSO #2007-1191	**Scene Measured By**	Inv. Wayne Cox
Incident Date/Time	1-Mar-2007 03:30 AM	**ID Number (measured by)**	7K7
Incident Location	[redacted] Table Bluff Road, Loleta, CA.	**Scene Assisted By**	Chief Inv. Michael Hislop
Date Measured On	1-Mar-2007	**ID Number (assisted by)**	7K1
Weather Description	Raining - Lightly	**Reference Point Description**	Tree (n/of cabin)
Road Description	Gravel	**Secondary Reference Point**	Tree (s/of cabin)
		Visibility Description	Unlimited

Point	N	S	E	W	Elev.	Description
1	0.0000		0.0000		0	ORIGIN
2	17.9800			30.3200	-3.74	MERGE-1
3		50.0400		5.3200	0.02	MERGE-2
4		154.8420	68.1080		-1.474	WROAD-EDGE
5		141.3800	56.0420		-4.31	WROAD-EDGE
6		135.9920	50.1140		-5.248	WROAD-EDGE
7		131.1860	44.6400		-5.632	WROAD-EDGE
8		126.0940	39.6640		-6.052	WROAD-EDGE
9		120.6100	33.9440		-6.26	WROAD-EDGE
10		114.1400	28.7380		-6.306	WROAD-EDGE
11		108.0240	24.9640		-6.124	WROAD-EDGE
12		100.1340	21.2640		-5.884	WROAD-EDGE
13		92.6340	18.3400		-5.488	WROAD-EDGE
14		85.0440	15.4600		-4.974	WROAD-EDGE
15		76.9060	12.8740		-4.16	WROAD-EDGE
16		67.7380	10.0860		-3.176	WROAD-EDGE
17		59.7020	6.5860		-1.848	WROAD-EDGE
18		49.9000	2.2280		-0.234	WROAD-EDGE
19		41.7480		2.3500	0.858	WROAD-EDGE
20		34.6640		8.0180	1.444	WROAD-EDGE
21		29.7080		14.3580	2.068	WROAD-EDGE
22		26.7360		22.6680	2.812	WROAD-EDGE
23		24.3640		29.2780	3.508	WROAD-EDGE
24		22.6040		36.4960	4.208	WROAD-EDGE
25		22.2400		41.7880	4.644	PATH-S.EDGE
26		21.3340		48.8640	5.476	PATH-S.EDGE
27		23.0800		56.0360	6.356	PATH-S.EDGE
28		24.0580		62.8480	7.332	PATH-S.EDGE

Point	N	S	E	W	Elev.	Description
28		24.0580		62.8480	7.332	PATH-S.EDGE
29		28.6980		69.8580	8.662	PATH-S.EDGE
30		33.6120		77.6920	10.07	PATH-S.EDGE
31		36.5780		83.1360	11.266	PATH-S.EDGE
32		149.3660	73.3180		-1.486	E.ROADEDGE
33		137.8640	62.6600		-4.214	E.ROADEDGE
34		132.6920	57.6300		-5.31	E.ROADEDGE
35		123.7820	49.1160		-6.452	E.ROADEDGE
36		116.6560	42.0980		-7.046	E.ROADEDGE
37		110.6760	37.5760		-7.12	E.ROADEDGE
38		104.0880	33.0620		-6.842	E.ROADEDGE
39		94.9420	28.5240		-6.414	E.ROADEDGE
40		86.6060	24.4500		-5.98	E.ROADEDGE
41		77.5460	21.1720		-5.324	E.ROADEDGE
42		69.8860	18.2820		-4.206	E.ROADEDGE
43		62.7200	15.8280		-2.9	E.ROADEDGE
44		56.3520	13.3640		-1.808	E.ROADEDGE
45		47.9700	11.1800		-0.41	E.ROADEDGE
46		25.7780	4.8860		1.256	E.ROADEDGE
47		18.8720		2.0200	1.818	E.ROADEDGE
48		19.4660		10.7060	2.35	E.ROADEDGE
49		16.1480		22.7400	3.454	E.ROADEDGE
50		14.1840		33.4800	4.152	E.ROADEDGE
51		13.2840		39.3980	4.506	PATH-N.EDGE
52		14.8780		50.1040	5.676	PATH-N.EDGE
53		17.0100		64.6420	7.2	PATH-N.EDGE
54		21.3520		77.0120	8.998	PATH-N.EDGE
55		27.2980		88.6840	11.136	PATH-N.EDGE
56		34.3260		102.8640	14.518	PATH-N.EDGE
57		46.8760		120.0580	19.654	PATH-N.EDGE
58		53.1720		126.8840	22.038	PATH-N.EDGE
59		48.5440		157.0280	25.758	GARAGE.NWC
60		62.4540		158.1060	26.198	GARAGE.EWALL
61		12.9860		5.8820	1.954	CAR-RF
62		20.4300		2.1060	1.814	CAR-RR
63		22.8480		7.2280	2.086	CAR-LR
64		15.4380		10.9580	2.52	CAR-LF
65		3.5040		47.1880	3.442	CABIN-SWC
66	0.5580			24.4080	1.924	CABIN-SEC
67	13.9960			26.6840	-0.786	CABIN-NEC
68		21.2780	12.5040		1.082	BRUSHPILE
69		23.0940	17.6380		0.708	BRUSHPILE
70		18.3320	19.5240		0.364	BRUSHPILE
71		16.2980	13.5860		0.724	BRUSHPILE

Point	N	S	E	W	Elev.	Description
71		16.2980	13.5860		0.724	BRUSHPILE
72		13.5540	12.4240		0.464	WOODPILE
73		11.3660	14.4200		-0.066	WOODPILE
74		11.7760	2.0720		1.078	WOODPILE
75		8.9780	1.5460		0.852	WOODPILE
76		7.9800		32.6760	4.746	LUMBERPILE
77		14.5020		15.2560	2.76	PAINT-FENCING
78		37.3420		10.1180	0.828	CELL-1
79		35.5480		15.8340	1.5	CELL-2
80		7.0320		15.9160	2.034	MACHETE-3
81		13.8080		28.8620	3.814	KNIFE-4
82		12.2040		34.2820	4.196	CIGS.KEY-5
83		11.4900		40.0760	4.412	KNIFE-6
84		16.8980		43.1860	5.086	TAZCART-7
85		16.5800		42.5600	5.086	HAT-8
86		10.1860		39.5520	4.322	TAZPROBE-9
87		10.7140		38.6560	4.21	BULLET-10
88	0.0000		0.0000		0	
89	0.0000		0.0000		0	

Humboldt County Sheriff's Office
Supplemental Report

Case#: 200701191
Date: 3/16/07
Charge(s): 664/187 p.c., attempted murder of a police officer
Location: [redacted] Table Bluff Rd.-Loleta, Ca.
[redacted]

Address: [redacted] Table Bluff Rd.-Loleta, Ca.
Phone: [redacted]
[redacted] State of California, Humboldt County Sheriff's Office Deputies Jason Daniels, Justin Braud, Cyrus Silva, Anthony Lagarda and Pat Bishop

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Narrative: On 3/1/07 at about 0630 hours, I cleared my residence through Sheriff's Office Dispatch and was advised by Dispatch to contact them as soon as possible. I telephoned Dispatch via my cellular phone and was advised that there had been a critical incident that had occurred at [redacted] Table Bluff Rd. in Loleta, Ca. Per Sgt. Wayne Hanson, I was to meet with Humboldt County CIRT (Critical Incident Response Team) members at the Sheriff's Office.

At about 0635 hours, I telephone Det. Steve Quenell on his cellular phone. Det. Quenell advised me that he was on scene at [redacted] Table Bluff Rd. Det. Quenell advised me that Sheriff's Office Deputies had responded to the above location. The [redacted] was on scene in his residence threatening the Deputies and threatening his own life. [redacted] was armed with a machete and exited the residence and he was running toward Deputies and was shot by one of the Deputies.

Det. Quenell advised me that he was leaving shortly for the Sheriff's Office and would brief me further when he arrived. At about 0658 hours, I arrived at CID (Criminal Investigations Division) of the Sheriff's Office and met with CIRT members.

I met with Lt. George Cavinta and he advised me that I would prepare a search warrant for the residences and vehicles located at [redacted] Table Bluff Rd. Lt. Cavinta said that [redacted] was currently in St. Joseph's Hospital in Eureka, Ca. and was being operated on for a gunshot wound to the abdomen.

On 3/1/07 at about 0715 hours, Det. Quenell arrived at CID. Det. Quenell briefed the CIRT members on what he knew. Det. Quenell said that the other people involved in this incident were [redacted] father [redacted] mother [redacted] and wife [redacted] Det. Quenell said from the information he had received Deputy Jason Daniels was the Deputy that had shot [redacted] The other Deputies on scene were Deputy Cyrus Silva, Deputy Pat Bishop who had deployed a tazer at [redacted] Deputy Justin Braud and Deputy Trainee Anthony Lagarda who was assigned to Deputy Bishop.

Det. Quenell and I then met with each other and we decided to interview Deputy Silva since he was the first Deputy on scene. I retrieved Deputy Silva from patrol and asked him to meet Det. Quenell and I in my office.

On 3/1/07 at about 0828 hours, we met with Deputy Silva in my office. Det. Quenell and I interviewed Deputy Silva and the interview was digitally recorded and later placed onto CD. The CD was later booked into evidence at the Sheriff's Office. The following is a summary of the interview conducted with Deputy Silva.

I asked Deputy Silva if he had come to my office to give a statement voluntarily and he said this was true.

Deputy Silva told Det. Quenell and I that he had been employed with the Sheriff's Office as a Deputy for the past 6 years.

I asked Deputy Silva to explain to me what had occurred at [redacted] Table Bluff Rd. Deputy Silva said on the above date at about 0130 hours, Deputy Silva was working patrol as "B-22" when he was detailed to [redacted] Table Bluff Rd. for a verbal domestic call that was occurring between [redacted] and [redacted] Deputy Silva said he responded from the Fields Landing area in Eureka. About one minute after this Deputy Silva was radioed by Dispatch with updated information that [redacted] was in a house breaking possessions armed with knives and possibly an axe.

At this point, Deputy Braud and Deputy Daniels were dispatched as backup units. Further information from Dispatch advised that [redacted] and [redacted] were now separated. Shortly after this, Dispatch again radioed Deputy Silva and advised him that [redacted] mother, [redacted] had called and stated that [redacted] was in her residence and was breaking out windows and was in a physical fight with his father, [redacted] and [redacted] was trying to gain access to a gun safe. Deputy Silva said that he and the other units then responded "code 3".

At about 0141 hours, Deputy Silva arrived at [redacted] Table Bluff Rd. and Deputy Silva met with [redacted] told Deputy Silva that [redacted] had came to her and [redacted]'s residence and was breaking windows and was trying to get into the gun safe. [redacted] said that [redacted] had stated that he wanted to die and hated his life and if contacted by law enforcement he would fight. Deputy Silva started walking toward the residence and [redacted] told Deputy Silva not to go in the house or he would be hurt. Deputy Silva explained to [redacted] that he needed to go into the house because [redacted] was fighting with [redacted]

As Deputy Silva approached the porch [redacted] came outside of the residence. [redacted] said that [redacted] ran out the back door of the residence and [redacted] did not gain access to the gun safe. When [redacted] left, he told [redacted] that this would be that last time [redacted] would see him alive. [redacted] was unsure if [redacted] had gone back into the residence.

Deputy Silva drew his duty weapon at this point and searched the exterior of the residence but was unable to locate [redacted]. Deputy Silva returned to his patrol unit, retrieved his shotgun, and waited for Deputy Daniels and Deputy Braud to arrive. They arrived shortly after this and Deputies Silva, Daniels and Braud entered [redacted] and [redacted] residence and secured it.

Deputy Silva said that there was damage to the inside of the residence. In a hallway, numerous collectable dishes were broken lying on the hallway floor. There were also numerous large gashes in the wall that were about 8"-10" in length. Deputy Silva said in the room where the safe was located there was a sliding glass door that had been damaged and the windows broken out of the room. There were items such as lamps that were scattered about the floor.

Deputy Silva said that [redacted] was also attempting to locate the combination to the gun safe because they wanted to secure the guns in the safe because [redacted] had found the combination that was written on a piece of paper that was taped to the underside of a dresser draw in the room the safe was in.

Deputy Silva said about one to two minutes later they received radio traffic from Dispatch that [redacted] had called 911 and the telephone line went dead. Deputies Silva, Daniels and Braud then went on foot to the cabin where [redacted] and [redacted] were living, which was about 50 yards southeast of [redacted] and [redacted] residence.

When they arrived at the cabin they ordered [redacted] out of the cabin and she complied. Deputy Silva said they went into the residence to clear it at this point and [redacted] was not there. Deputy Silva said that all of the windows were broken out of the cabin, the television had been smashed and there were items all over the floor that appeared to have been thrown or knocked to the floor.

Deputy Silva and the other Deputies contacted [redacted] again, talked to her about obtaining some of her property in the cabin, and then leave the property all together because the Deputies felt that [redacted] was still in the area hiding in the wooded areas around the property.

Deputy Silva said that he spoke to [redacted] and she told him that both she and [redacted] had been drinking alcohol. [redacted] said that she was so intoxicated that she had fallen in the cabin and bumped her head and [redacted] was blaming himself because he was unable to help her.

[redacted] said that [redacted] was in the cabin text messaging someone on his cellular phone at one point. [redacted] was laughing while he was doing this and they began to argue. [redacted] went outside of the cabin and got into their vehicle, which was an older [redacted] sedan as far as Deputy Silva could remember. [redacted] followed [redacted] and they both got into the vehicle and were still arguing. [redacted] said that she tried to grab [redacted] cellular phone from him but she was unable to grab it and [redacted] broke the cellular phone inside of the vehicle.

[redacted] and [redacted] both exited the vehicle and went into their cabin and [redacted] began throwing their possessions all over the inside of the cabin.

Deputy Silva, Deputy Daniels, Deputy Braud and [redacted] returned to [redacted] and [redacted]'s residence. Deputy Silva said by the time they retuned to the house [redacted] had found the combination to the gun safe. The guns were removed from the safe and placed into the trunk of [redacted] and [redacted] vehicle, which Deputy Silva could only describe as a white possibly 4-door sedan.

Deputy Silva said that Deputy Daniels photographed the interior of [redacted] and [redacted] residence with his digital camera. [redacted] and [redacted] were undecided if they wanted to pursue charges against [redacted]

Deputy Silva and Deputy Daniels then returned to [redacted] and [redacted] cabin so they could photograph the cabin's damage. Deputy Silva said that he noticed that a light that he had turned off in the cabin was now on and the door to the cabin, which he left ajar, was now closed. Deputy Silva then saw [redacted] in the kitchen window, which was to the right of the door. Deputy Silva ran up to the window and Deputy Daniels ran to the rear of the cabin. Deputy Daniels was yelling to [redacted] to come outside and to show his hands. Deputy Silva said that when he looked through the window he could see that [redacted] was trying to crawl through a window located at the back of the cabin. Deputy Silva said Deputy Braud was still at [redacted] and [redacted]'s residence and Deputy Silva radioed Deputy Braud to respond to his location. Deputy Silva tried to open the door to the cabin but it was locked and [redacted] was unable to crawl through the rear window.

Deputy Silva said that he, Deputy Daniels and Deputy Braud backed off the cabin and took position at the front of it. Deputy Silva was armed with his shotgun and to his right was Deputy Daniels who was armed with his Glock handgun and Deputy Braud was to Deputy Daniels' right also armed with his Glock handgun. Deputy Silva said that he could see [redacted] at the kitchen window and appeared to be armed with a machete. [redacted] was yelling out the broken kitchen window that he wanted to kill himself and wanted the Deputies to shoot him. [redacted] said his parents beat him and "fucked over" his life.

Deputy Silva said he believed that [redacted] could not see him and [redacted] was only conversing with Deputies Daniels and Braud. Deputies Daniels and Braud were trying to tell [redacted] to come out peacefully and that he was not going to jail, the most that was going to happen to him was that he was going to talk to a counselor. [redacted] would reply by telling the Deputies that they were lying and he was not going to go back to prison and his life was over.

At about this time, Deputy Silva said that Deputy Bishop arrived with his trainee Deputy Lagarda. Deputy Lagarda took a position between Deputy Silva and Deputy Daniels. Deputy Bishop went to Deputy Silva's left and stood about 4'-5' to the left of the door to the cabin. Deputy Bishop was armed with a tazer. Deputy Silva said that he and the other Deputies had formed a semi-circle and they were about 10'-15' from the front of the cabin.

Deputy Silva said for about forty minutes they tried talking to [redacted] but he would not come out or give up the machete he was armed with. Deputy Silva said that [redacted] stopped talking for several second and the next thing that happened was that [redacted] came running out the door of the cabin armed with the machete in his right hand holding it above his head. [redacted] was running toward Deputy Daniels and Deputy Braud. Deputy Silva said that he heard the "pop" from Deputy Bishop's tazer and a gunshot simultaneously. [redacted] fell to the ground landing on his chest. Deputy Silva said that he did not see who fired the gunshot or Deputy Bishop fire the tazer but Deputy Silva recalled seeing tazer probes go into [redacted] back.

Deputy Silva said that [redacted] rolled over onto his back and they began [redacted] to roll back over onto his chest but [redacted] said he could not. Deputy Silva approached [redacted] and kicked the machete out of [redacted] right hand and a Deputy other than himself handcuffed [redacted] Deputy Daniels radioed that shots had been fired and medical was needed. Deputy Silva said that the machete had a 14"-16" blade.

Deputy Silva said that he saw a fixed blade knife removed from the rear pants area of [redacted] and it was thrown out of reach of [redacted] Deputy Silva did not know who did this. Deputy Silva also recalled that when [redacted] was handcuffed lying on his chest Deputy Silva saw what he believed to be a gunshot exit wound near [redacted] beltline to the right of his spine.

Deputy Daniels directed Deputy Silva to go to the end of the dirt road to Table Bluff Rd. and direct medical into [redacted] location. Deputy Silva said about five minutes later City Ambulance arrived on scene and they transported [redacted] to St. Joseph's Hospital. Deputy Silva said that Deputy Braud rode in the ambulance with [redacted]

Deputy Silva said that Deputy Daniels told him that they had been directed to follow the ambulance to St. Joseph's Hospital. Deputy Silva said he eventually arrived at St. Joseph's Hospital and went into the trauma room where he met with Deputy Braud who was collecting [redacted] clothing. Deputy Silva said that he and Deputy Braud bagged [redacted] clothing separately in paper bags.

Deputy Silva said after collecting the clothing Sgt. Dan Paris had arrived and advised Deputy Silva and Deputy Braud to return to the Sheriff's Office, which they did.

I asked Deputy Silva if he knew who had shot after this all occurred. Deputy Silva said after [redacted] was handcuffed he asked who had shot and Deputy Daniels said that he had.

I asked Deputy Silva what the lighting conditions were at the cabin. Deputy Silva said the interior lights were on and all of the Deputies that were on scene had their flashlights directed at the cabin.

I asked Deputy Silva what his thoughts were when [redacted] came running out of the cabin. Deputy Silva felt that [redacted] was trying to commit "suicide by cop" and all of the Deputies lives were in danger.

I asked Deputy Silva if anything was moved at the scene. Deputy Silva said as far as he knew nothing had been moved but he was gone for a short while when he went to direct in medical.

Deputy Silva added that if [redacted] had taken one and a half more steps he would have shot [redacted] I asked Deputy Silva why, and he told me that [redacted] was closing quickly on Deputy Daniels and Deputy Braud and [redacted] was a danger to them. This concluded our interview with [redacted]

After speaking with Deputy Silva, I began preparing the search warrant for the property and vehicles located at [redacted] Table Bluff Rd. On 3/1/07 at about 1430 hours, I met with ADA (Assistant District Attorney) Wes Keat in his office. ADA Keat reviewed the search warrant and affidavit I had prepared and approved it for me to meet with a Judge.

At about 1520 hours, I met with Humboldt County Superior Court Judge J. Michael Brown in Courtroom #7 and Judge Brown signed the search warrant I had prepared. At about 1522 hours, I telephoned Sgt. Hanson via cellular phone and advised him that Judge Brown had signed the search warrant. I then went to the Humboldt County Superior Court Operations and had the search warrant logged. The search warrant number assigned to this search warrant was #6234.

On 3/1/07 at about 1604 hours, I arrived at [redacted] Table Bluff Rd. and met with Sgt. Hanson. I provided him with a copy of search warrant #6234. At about 1700 hours, Lt. Cavinta advised me that I could clear from the scene and CIRT members would meet at CID on 3/2/07 at about 0830hours.

On 3/2/07 at about 0830 hours, I met with CIRT members in CID. We were then assigned assignments at this point and I was requested to prepare a search warrant for the cellular phone that [redacted] had in his possession on the night in question.

At about 0845 hours, I met with Sheriff's Office Det. Quenell and ET (Evidence Technician) [redacted] in CID. I spoke to them both and they informed me of the following regarding the service of search warrant #6234.

On 3/1/07 at about 1530 hours, Det. Quenell served search warrant #6234 on the property and vehicles located at [redacted] Table Bluff Rd. At about 1630 hours, on the above date, ET [redacted] advised me that she had located a cellular phone near the cabin located at [redacted] Table Bluff Rd. ET [redacted] said that the cellular phone was about 40' southeast of the cabin. ET [redacted] said the phone was a dark silver color but she did not know the make or model because she did not want to examine it at the scene. ET [redacted] advised me that she did not know if the cellular phone was now operable because it was broken into two pieces. The cellular phone was collected as evidence by DOJ (Department of

Justice) Criminalist [redacted].

After speaking with Det. Quenell and ET [redacted] I met with Det. Marvin Kirkpatrick and District Attorney's Office Investigator Steve Dunn in CID. They advised me that they would contact [redacted] and see if she could provide them with [redacted] cellular phone number since the cellular phone was possibly inoperable.

On 3/2/07 at about 0914 hours, Det. Kirkpatrick met with me in my office. Det. Kirkpatrick said that he had telephoned [redacted] and [redacted] provided Det. Kirkpatrick with [redacted] cellular phone number, which was [redacted] and the cellular provider was Edge Wireless.

At about 0918 hours, I checked the Internet for Edge Wireless and found a phone number for Edge Wireless out of Eureka, which was [redacted]. I then researched the cellular phone number through npac.com on the Internet to make sure the cellular phone number had not been ported to another cellular provided and it had not been. I next went to phonevalidator.com and entered the cellular phone number [redacted] The phone number returned to Edge Wireless out of Eureka.

At about 0940 hours, I telephoned Edge Wireless in Eureka at the [redacted] number that I had located on the Internet. I was transferred to Edge Wireless out of Bend, Oregon and spoke to [redacted] I advised [redacted] who I was and that I was involved in investigating an Officer Involved Shooting. I provided [redacted] with the cellular phone number [redacted] and told her I was attempting to see if this number belonged to [redacted] [redacted] said the cellular phone belonged to [redacted] and it was a pre-paid cellular phone.

I asked [redacted] if she could transfer me to Edge Wireless' Legal Compliance office. [redacted] said she would and attempted to do so but the person I needed to talk to was not available. [redacted] said she would leave a message for someone to contact me.

At about 0956 hours, I received a telephone call in my office from [redacted] who was the Custodian of Records for Edge Wireless in Bend, Or. I told [redacted] that I was going to be preparing a search warrant for the cellular phone number of [redacted] which belonged to [redacted] [redacted] advised me to fax the search warrant attention to her at the following fax number [redacted] The Edge Wireless office was located at SW Columbia Suite [redacted]. [redacted] direct telephone line was [redacted]

On 3/2/07 at about 1012 hours, I telephoned Det. Quenell on his cellular phone. I ascertained from Det. Quenell what portion of [redacted] cellular phone records would he like obtained. Det. Quenell advised me from 2/28/07 at 12:00 a.m. to present.

On 3/6/07 at about 1044 hours, I completed the search warrant for [redacted] cellular phone with the number of [redacted]. At this time, I met with ADA Keat in his office and he reviewed the search warrant and affidavit. At about 1112 hours, I met with

Humboldt County Superior Court Judge Dale Reinholtsen in his chambers. Judge Reinholtsen signed the search warrant at this time. At about 1329 hours, I went to the Humboldt County Superior Court Operations at which time the search warrant was logged and given search warrant #6236.

On 3/6/07 at about 1355 hours, I faxed search warrant #6236 to Edge Wireless at [redacted] to the Custodian of Records, attention [redacted].

On 3/7/07 at about 1308 hours, I telephoned [redacted] office and there was a message that she was out of the office until 4/2/07. The message advised me to telephone [redacted] in [redacted] absence at [redacted]

At about 1309 hours, I telephoned the above number and spoke with [redacted] said that she had received the search warrant for the cellular number of [redacted] and was in the process of obtaining the information I had requested.

On 3/16/07 at about 1000 hours, I received a sealed UPS package in my office in CID. The package was addressed to me from Edge Wireless. I opened the package and it was the information I had requested from Edge Wireless regarding search warrant #6236 and [redacted] cellular phone baring the number of [redacted]

There was a letter addressed to me from [redacted], the Legal Compliance Manager at Edge Wireless listing the items they were able to obtain for me. The original package/information was attached to this case.

On 3/16/07 at about 1345 hours, I returned search warrant #6236 to the Humboldt County Superior Court Operations.

It should be noted that when I prepared the search warrants for this case I believed that [redacted] first name was spelled [redacted]. I later learned that his true name was spelt as '[redacted]

At this time, I have no further information regarding this case. My original supplemental report was turned over to Det. Quenell.

Detective Rich Schlesiger #0931

Sergeant Wayne Hanson #330

HUMBOLDT COUNTY DISTRICT ATTORNEY'S OFFICE
INVESTIGATION REPORT

DATE: 03/23/09

[redacted] [redacted]

[redacted] David Miller

AGENCY CASE: HCSO 2009-01827 **DOCKET:**

OFFENSE: 12021(A)(1)PC, 3007F&G Poaching **BY: Mike Losey**

[redacted]
[redacted]
[redacted]
Eureka, Ca. 95503
[redacted]
No phone

Supplemental Report on CIRT Interview of [redacted] was the driver of the [redacted] Mustang and [redacted] the passenger. They drove up to Kneeland to poach deer, which they had done in the past. At the last place they stopped to shoot deer an armed off duty police officer confronted them and there were shots fired. Nobody was struck by any of the bullets but this interview is part of the officer involved shooting.

On 03/19/09 at about 10:40AM, Eureka Police Detective Ronnie Harpham and I interviewed [redacted] in the Humboldt County Sheriff's Detective Bureau. The interview was video recorded. In addition, Detective Harpham audio recorded the interview. The following is a summary of that interview.

I introduced Detective Harpham and myself and told [redacted] we were assisting with the investigation of the shooting that took place earlier in the morning. I told him that the District Attorney's Office would decide on any charges and that we wanted to give him a chance to tell us his side of what happened.

I told [redacted] that his eyes looked pretty dilated and I asked if he was all right, or if he did any drugs. He said he did [redacted] the night before. I asked him if he understood me ok or if he was having any problems in that regard. He said no that he understood me and he had a college education.

I told him that we would like to get his side of what happened. I asked him if he had heard his Miranda warning before and he said he had. He told me that he had been arrested before but he had no felony conviction. His only misdemeanor arrest he said was expunged. I read his Miranda warning from a DA Miranda card. I told him "you have the right to remain silent, do you understand that?" [redacted] said, "yes sir." I said "anything you say will be used against you in a court of law, do you understand that?" [redacted] said, "yes sir." I said, "you have the right to talk to an attorney and to talk to attorney before and during questioning, do you understand that", and he said "yes?" I asked "do you understand that if you cannot afford an attorney, one would be appointed free of charge to represent you before and during questioning if you desire, do you understand that?" He stated, "yes sir." I said, "you can decide any time to exercise these rights and not answer any questions or make any statements, do you understand that?" He said, "yes sir." I asked him "do you understand all of those?" [redacted] stated, "yes."

I excused myself and a few moments later came back in and told [redacted] that I was sure he realized we had been talking to several people about this case and had information coming in. I told him I wanted to give him a chance to tell me his side of what happened. [redacted] asked if I wanted to ask him questions and I said he could just tell me what happened and we could ask questions after.

[redacted] said that he and [redacted] [redacted] decided to go shooting and they went to several spots, (on Kneeland), and shot. He said the third place they went someone shot at them and [redacted] heard a round go by his window. [redacted] jumped into the car and [redacted] tried to turn the car around. [redacted] said that [redacted] is a felon and cannot be around firearms and that was why they threw the rifle out of the car. [redacted] said they only had the one rifle, and ammunition. The ammunition was 22cal. American Eagle and the rifle was a 22cal. Marlin semi-automatic tube feed. [redacted] said the car he was driving belonged to his aunt [redacted] and he borrowed the car. It was a [redacted] Ford Mustang. [redacted] said he and [redacted] were past a meadow area on Kneeland Rd. and stopped along the road quite a distance from the Kneeland School. [redacted] said a Jeep with a soft top came by but they did not see where it went. [redacted] and [redacted] sat there for a while and then they saw several deer along the road. [redacted] said the Jeep continued down the road and they just stopped paying attention to it. They assumed the Jeep stopped because they thought the person in the Jeep then shot at them. [redacted] said that he heard a shot and the bullet came right by his window. [redacted] said that [redacted] was out of the car and had the rifle at this point. [redacted] admitted that they were poaching deer and had been shooting deer along the Kneeland Rd. [redacted] said they had shot several deer and were planning on going back to collect the deer which he thought were two or three. [redacted] said he would probably be able to find the deer that they had shot and point them out to us. [redacted] said they actually shot two or three.

[redacted] said that there were three shots from the person in the Jeep. According to [redacted] [redacted] was out of the vehicle with the rifle and shot twice at the deer. [redacted] was in the driver's seat. [redacted] heard a shot and heard the bullet whiz by his head on the left side of the car. [redacted] fired his rifle back about four or five times but shot up in the air or into a bank. [redacted] said he just wanted to get out of there and immediately started to turn the car around to get out of there. The other guy had already fired a second time when they were turning around and [redacted] said, "fuck this" and shot the rifle into the bank. As they traveled down the road, the guy fired another shot. The second turn down the road, [redacted] fired maybe ten more rounds but [redacted] said the gun was inside the car but pointed up in the air with the barrel out of the side window. [redacted] was driving the car and [redacted] was sitting in the passenger seat and fired the ten or so rounds in the air as they drove Northbound on Kneeland Rd.

I asked [redacted] to draw a sketch of the area where the shooting took place. [redacted] agreed and pointed out the different areas of what was happening on his sketch as he drew it out. [redacted] drew Kneeland Rd. heading toward hiway 36 and the town of Bridgeville. He drew where the shots had come from. He said he heard the one round at first, and after [redacted] got into the car, he, ([redacted] turned the car around. [redacted] turned hard to the left and attempted to make a turn. He couldn't make the turn all at once because the road was narrow, so he backed up again and turned left again and made the u-turn. [redacted] said that when the first shot happened, he yelled at [redacted] to get in, that the guy was shooting at him and the shot came right by him. [redacted] jumped in and [redacted] started turning. After the second turn another round was fired by the other guy. At that point [redacted] fired four to five shots into the bank. After they got turned completely around, they drove off toward Kneeland and the guy fired his last shot. [redacted] said that there should be many bullet cases inside the car. [redacted] said he never heard anyone yelling at them at any time. I had [redacted] sign and date the sketch he made.

[redacted] said that all of the deer they shot were shot from the vicinity of the road. [redacted] thought [redacted] had hit the deer at the location where the shooting happened. Besides that deer there were two other deer and they all were bucks according to [redacted] [redacted] said that as they drove along toward Kneeland, they passed a Sheriff's patrol car. After they passed the Sheriff, [redacted] threw out a black bag with additional bullets as well as [redacted] out the driver's window. [redacted] woke up [redacted] and told him to throw the gun out the window because the Sheriff's unit just drove by on Kneeland Rd. [redacted] threw the gun out of the window.

I asked [redacted] how he uses [redacted] and he said he [redacted] it. He said the last time he used was about two hours before the shooting incident and he was snorting. He said they were on the Kneeland Rd. when he used it. [redacted] said they got up to the Kneeland area probably around 1:30AM or 2:00AM and had

been up there until the shooting incident.

I asked [redacted] if we needed to talk to him again if he would talk to us. He said he would continue to talk to us and help us by going to Kneeland Rd. and show us where this took place.

The video tape of the above interview was retained by the Sheriff's Dept.

I then assisted in the interview of [redacted] at the Sheriff's Dept. Detective Bureau. [redacted] also provided a sketch of the area where this shooting happened and signed and dated his sketch.

See supplemental report of that interview by Detective Harpham.

Later in the afternoon, I responded to the [redacted] blk of Kneeland Rd. and assisted Sheriff's Detective Steve Quenell in a video tape re-enactment by both [redacted] and [redacted] That tape was made by Sheriff' Evidence Technician [redacted].

I gave the orginal sketches by both [redacted] and [redacted] to Detective Quenell.

Mike Losey
District Attorney Investigator

Humboldt County Sheriff's Office
Supplemental Report

Case #: 200701191
Date: 03/01/07
Charge(s): 664 P.C. / 187 P.C.
Location: [redacted] Table Bluff Road, Loleta Calif.
[redacted] Deputy Jason Daniels
[redacted] [redacted]
Reporting Party: [redacted]
Involved Party:

W-1 [redacted] Table Bluff Road, [redacted]

W-2 [redacted] table Bluff Road, [redacted]

W-3 Deputy Cyrus Silva C/O Humboldt County Sheriff's Office

W-4 Deputy Justin Braud C/O Humboldt County Sheriff's Office

W-5 Deputy Pat Bishop C/O Humboldt County Sheriff's Office

W-6 Deputy Trainee Tony Lagarda C/O Humboldt County Sheriff's Office

W-7 Sgt. Wayne Hanson C/O Humboldt County Sheriff's Office

W-8 Evidence Tech. [redacted] C/O Humboldt County Sheriff's Office

W-9 Detective Troy Garey C/O Humboldt County Sheriff's Office

W-10 Deputy Todd Fulton C/O Humboldt County Sheriff's Office

W-11 Deputy Rick Chandler C/O Humboldt County Sheriff's Office

W-11 Detective Marvin Kirkpatrick C/O Humboldt County Sheriff's Office

W-12 Detective Rich Schlesiger C/O Humboldt County Sheriff's Office

W-13 Investigator M. Losey C/O Humboldt County D.A.'s Office

W-14 Chief Investigator M. Hislop C/O Humboldt County D.A.'s Office

W-15 Investigator S. Dunn C/O Humboldt County D.A's Office

W-16 Investigator W. Cox C/O Humboldt County D.A.'s Office

W-17 Lt. G. Cavinta C/O Humboldt County Sheriff's Office

W-18 Calif. Dept. of Justice Criminalist [redacted]

W-19 Dispatcher [redacted] C/O Humboldt Co. Sheriff's Officer

W-20 [redacted], RN C/O St. Joseph Hospital, Eureka

Narrative: On 03/01/07 at approx. 0345 hrs. Evidence Tech. [redacted] and I were contacted via telephone at our residence regarding a call-out. Humboldt County Sheriff's dispatcher [redacted] said that Sgt. Hanson requested that I respond to [redacted] Table Bluff Road in reference to an officer involved shooting. We were told that the [redacted] in this case had been shot and had been transported via City Ambulance to the St. Joseph's Hospital emergency room for treatment. Deputy Braud was riding along in the Ambulance with the [redacted] Detective Kirkpatrick had been detailed by Sgt. Hanson to respond to the Hospital and conduct any follow-up that was needed while he was there. Sgt. Hanson had advised me via telephone that I was the lead Detective on this case.

Sgt. Hanson had contacted Lt. Cavinta via telephone and they started the C.I.R.T (Critical Incident Response Team) call out process. Evidence Tech. [redacted] was detailed to St. Joseph's Hospital emergency room for evidence processing and to take photos of the [redacted]

I arrived at [redacted] Table Bluff Road at approx .0500 hrs. I parked my vehicle on a driveway that led to a two-story residence. I met Deputy Bishop, Deputy Trainee Lagarda and Deputy Todd Fulton. Deputy Bishop showed me the area where the shooting occurred by pointing toward a small cabin that was located on a road, just southeast of the main house. It was still dark and the area had to be illuminated by our flashlights. At a distance I could see that the small cabin had its windows broken and it's front door was open. I noticed broken plates, a baseball cap, whole raw potatoes, two knives and other kitchen spices and an expended taser cartridge lying on the ground in front of the cabin. Deputy Bishop said that a machete was involved in the shooting and it was just out of my view further away from the cabin.

I requested that Deputy Trainee Lagarda utilize crime scene tape and secure the areas that led to the cabin and the stairway to the main house. Deputy Fulton had already started a crime scene log and was documenting anyone that entered the crime scene. I contacted Sgt. Hanson near his vehicle. Sgt. Hanson said that the only Deputies still on scene that were involved in the shooting were Deputy Bishop and his Trainee Deputy Lagarda. Sgt. Hanson said that Deputy Braud had rode in the Ambulance with the [redacted] to St. Joseph's Hospital. He said that Deputy Daniels was the actual shooter and had discharged his .40 cal. Glock duty weapon at the [redacted], identified by his parents and wife as [redacted] Sgt. Hanson said that Deputy Daniels had a Humboldt Co. Sheriff's dispatcher ride along this evening and she had actually been inside of the [redacted] parent's house when

the shooting occurred. The dispatcher's name is [redacted] She is a full time dispatcher with the Humboldt County Sheriff's Office and is required to ride along with various Deputies for on-going training purposes. Deputy Bishop had discharged his Department issued taser at the [redacted] Deputy Silva had also been present during the shooting. He and Deputy Daniels were told to go to the St. Joseph's Hospital and stand by there with Deputy Braud until they were notified. Note: Lt. Thomas was the on-call duty officer for the evening and had talked to Deputy Daniels after the shooting via telephone, telling him and the other Deputies to respond to the hospital. It was unclear at this point how serious the [redacted] injuries were. Sgt. Hanson said that he had just been with the [redacted] parents and wife, inside of the parent's house. Sgt. Hanson explained that there were actually two crime scenes. The first crime scene was inside of his parent's house. Their son had vandalized a hallway and a small room inside of his parent's house. The [redacted] had damaged the hallway walls and had broken out various windows with a machete that he was carrying at the time of the incident. The second crime scene was the area around the small cabin and inside of the cabin. This was the same area that Deputy Bishop had showed me when I first arrived. Sgt. Hanson showed me the interior damage to the house. I noticed in the hall way that someone had started to sweep the floor area where the [redacted] had gouged at the walls with his machete. This had caused broken plaster to fall to the floor. [redacted] had started to clean up, but had since gone back to bed, per her husband. I asked him not to disturb anything else until our Evidence Tech. could arrive and process the scene. The decision was made to have all of the C.I.R.T. members, including ourselves, meet at the Humboldt County Sheriff's Detective Bureau to discuss this investigation and assign needed follow up. We had the dispatcher contact Det. Troy Garey at his residence and have him respond to our location. He arrived at 0625 hrs. We introduced him to [redacted] and their daughter in law, [redacted]. We explained that Det. Garey would be standing by with them until we returned with other C.I.R.T. team members. Deputy Bishop and Deputy Trainee Lagarda cleared the scene and responded to the Sheriff's Office.

At 0643 hrs., Deputy Chandler arrived and relieved Deputy Fulton. He continued documenting anyone that entered the crime scene. Sgt. Hanson and I cleared the scene and responded to the Sheriff's Office. Upon our arrival we met with Lt. Cavinta and discussed this investigation with the rest of the C.I.R.T. members. Det. Schlesiger started gathering information about the incident so he could write a search warrant for both residences, vehicles and surrounding property. We determined that we needed to talk to Deputy Cyrus Silva so we could obtain needed information for the search warrant. The rest of the Deputies that were involved in the shooting had gone home to sleep due to working the night / early morning shift.

Det. Schlesiger and I talked to Deputy Silva inside of Det. Schlesiger's office. We recorded our conversation with Deputy Silva on Det. Schlesiger's digital recorder. The recording was later transferred to a CD ROM. Refer to Det. Schlesiger's summary of the conversation. The CD ROM was booked into evidence at the Humboldt County Sheriff's Office to be transcribed at a later date. Det. Schlesiger was able to get enough information from Deputy Silva to write the warrants that were needed for processing the

crime scene.

The C.I.R.T. team discussed what information we had regarding this investigation and assignments were made. Chief Investigator Hislop, Investigator Losey, Investigator Dunn, Investigator Cooke and Investigator Cox were all representatives from the Humboldt County District Attorney's Office. Lt. Cavinta, Sgt. Hanson, Det. Schlesiger, Det. Kirkpatrick and myself represented the Humboldt County Sheriff's Office. Humboldt County Sheriff's Evidence Tech. [redacted] and D.O.J. Criminalist [redacted] were also briefed about the shooting.

Evidence Tech. [redacted] and District Attorney Investigator Dunn were assigned to photograph each Deputy that was involved with the shooting. Humboldt County Sheriff's Dispatcher [redacted] was a ride along with Deputy Daniels and was also photographed. Each Deputy was photographed in uniform. Investigator Dunn examined all of their duty weapons. Refer to their supplemental reports for details of photographs and weapon examinations.

The C.I.R.T. team responded to [redacted] Table Bluff Road at approx. 1145 hrs. Refer to crime scene log for individual arrival times. We initiated our crime scene investigation. Detective Kirkpatrick and D.A. Investigator Dunn interviewed [redacted] father) and [redacted] wife). Their separate interviews were recorded on a digital recorder that were later transferred to CDs. The CDs were booked into evidence at the Humboldt County Sheriff's Office. A summary of their interviews will be attached to this report. Refer to the transcribed CDs for complete details. [redacted] mother) was interviewed by D.A. Investigators Wayne Cox and Tom Cooke. Their interview was recorded on a digital recorder that was later transferred to a CD. The CD was booked into evidence at the Humboldt County Sheriff's Office. A summary of their interview will be attached to this report. Refer to the transcribed CD for complete details of the interview. [redacted] and [redacted] both signed Humboldt County Sheriff's consent to search forms for their house and a [redacted] Nissan Maxima, Cal. [redacted] that was parked in front of their residence. The consent to search forms were signed at 1317 hrs. Evidence Tech. [redacted] and D.O.J. Criminalist [redacted] started taking photographs of the exterior of the parent's residence at approx. 1230 hrs. At 1430 hrs., the search of the interior of the main residence started. Evidence Tech. [redacted] and Criminalist [redacted] collected broken glass samples and blood swabs. Refer to their supplementals for details of evidence collection. During the consent search at approx. 1520 hrs., Det. Schlesiger contacted us via cell phone and said that Judge Brown signed the search warrant. D.A. Investigator Losey assisted in the collection of evidence in the main house. The search of the main house concluded at 1617 hrs. I photographed the [redacted] Maxima that was parked in front of the house. I searched it and located the weapons that [redacted] talked about earlier to the Deputies. These were the weapons that [redacted] had stored inside of his safe.

At approx. 1617 hrs., Evidence Tech. [redacted] and Criminalist [redacted] started photographing the area in front of the cabin prior to starting the search. They had located

a broken cell phone near the driveway to the cabin, approx. 40 feet south of the cabin door. A machete was located on the ground near the southeast corner of the cabin. A knife was located near a woodpile, next to the driveway to the cabin. A key was found in a woodpile in front of the cabin. Another knife was located on the ground near the front entrance to the cabin. A taser cartridge and probes were located on the driveway, southwest of the cabin entrance. Next to the taser cartridge was a baseball cap. Evidence Tech. [redacted] located a spent bullet on the ground near the entrance to the cabin. All evidence was marked in place with a numbered plastic placard. Refer to evidence collection reports for complete details. Shortly after we had received confirmation that the warrant had been signed, Chief Investigator Hislop and Investigator Cox started using a "Nikon Total Station Transit System" laser light device for taking measurements relating to the cabin, the area around the cabin and of all of the evidence that had been located by the Evidence Tech. Refer to their supplemental report for complete details of the measuring device. At approx. 1850 hrs., it was too dark to continue processing the scene. Deputy Chandler responded to our location and secured the scene until the following day. All law enforcement personnel cleared the scene except for Deputy Chandler.

On 03/02/07 at approx. 0943 hrs., Investigator Losey and I went to the St. Joseph Hospital to contact [redacted] in room #1225. [redacted] was in a room by himself except for the Sheriff's personnel that had been detailed to guard him. Deputy [redacted] was inside of the room with [redacted] I read [redacted] his Miranda rights from a card that I carry with me. He said that he understood his rights and would talk to us. [redacted] appeared to be too heavily sedated, so we did not start our interview. We left the Hospital at approx. 0950 hrs.

We drove back to the crime scene (cabin area) and met Evidence Tech. K. [redacted] and Det. Garey at 1050 hrs. They had already started processing the scene at approx. 1005 hrs. They had met Deputy Chandler who had been assigned to secure the scene all night. Det. Garey was assisting the Evidence Tech. process the scene. Investigator Losey had made arrangements to have Deputy Daniels and his Attorney, [redacted], meet us at the crime scene. We had discussed having Deputy Daniels show us the positions of the Deputies and [redacted] position when the shooting occurred.

At approx. 1105 hrs., Deputy Daniels and [redacted] arrived at the cabin crime scene. The area was still secured with crime tape. We had made arrangements to have Evidence Tech. Karen [redacted] video Deputy Daniels while he was explaining the locations of all of the Deputies and of [redacted] during the shooting incident. Investigator Losey narrated the video and Detective Troy Garey roll played [redacted] at the direction of Deputy Daniels. The video was later download to a DVD and booked into evidence at the Humboldt County Sheriff's Office by Evidence Tech. [redacted]. Refer to her supplemental for details.

Shortly after we had ended the video, Deputy Daniels and [redacted] were in the process of leaving, Deputy Garey found the casing of a .40 cal. bullet on the driveway in front of

the cabin. This area was previously described by Deputy Daniels as near the location where he had been standing during the shooting incident. Refer to Evidence Tech. [redacted] 's supplemental for details of the location of the casing. Refer to D.A. Investigator Losey's supplemental for details of the video.

On 03/03/07 at approx. 1131 hrs., Investigator Losey and I arrived at the St. Joseph's Hospital. We briefly walked into [redacted] hospital room where I turned on my cassette tape recorder and sat it on the tray next to his bed. We left the room to contact [redacted] nurse, [redacted], and asked him if he thought that [redacted] would be able to understand our questions or if he was too medicated. [redacted] said that he felt that [redacted] would be able to understand our questions. I asked [redacted] if he had to ask [redacted] an important question regarding his medical condition, would he feel comfortable with his answers, considering his current medication. [redacted] said that he would not have a problem talking to [redacted] in his current condition.

At approx. 1139 hrs., Investigator Losey and I re-entered [redacted] hospital room #1225. He was lying in bed and Investigator Losey briefly described the reason for our visit. Deputy Sheriff Julia Oliveira was present and was the current Deputy assigned to guard [redacted] My cassette recorder was still recording and had recorded any conversation that had transpired inside of [redacted] room during the time that we were talking to his nurse.

At approx.1141 hrs., I read [redacted] his Miranda rights from a card that I carry with me. He said that he understood his rights and would talk with us. Refer to transcribed tape for complete details of Miranda reading and our conversation with [redacted] The cassette tape was later booked into evidence at the Humboldt County Sheriff's Office. The following will be a summary of our recorded conversation with [redacted]

[redacted] said he remembers drinking " Old English beer" and getting really upset. He said that he went to his parent's house and got his machete. [redacted] said that he walked around there for a while and then left his parent's house. The next thing he remembers is being inside the cabin and there was a bunch of people talking to him. He then remembered coming outside of the cabin.

[redacted] said that he drank 4-5 cans of " Old English" beer. He said that the cans of beer were 24 oz. [redacted] said that when he drinks alcohol that he just acts normal or he blacks out. He said that sometimes he gets angry when he drinks alcohol. He said that the anger was coming out when he chopped his parent's wall with his machete.

[redacted] said that the reason he went inside of his parent's house was to get a gun so he could shoot himself. He said that he might have hurt himself while he was inside of his parent's house with glass that he had broken by punching it and grabbing it. [redacted] said that similar things have happened to him in the past when he drank alcohol. He said that he most often gets very angry or violent towards himself.

I asked [redacted] if he was on any type of medication prior to coming to this Hospital. He said [redacted] for his stomach. [redacted] said that he does not like any drugs. He said that the night of this incident the only thing that he was under the influence of was "Old English". [redacted] said that he didn't remember getting into a confrontation with anyone inside of his parent's house. He said that everything started happening real fast, so he might have left through his parent's back door.

I asked [redacted] if he remembers any Deputies or other Law Enforcement personnel arriving. He said that he remembers hearing the Sheriff saying something like [redacted] this is the Sheriff's Office", or something like that. [redacted] said that he was in the woods when he heard the Sheriff. I asked him what was running through his mind when he heard the Sheriff's voice and he said that he just needed to get away, go hide. He said that he didn't remember why he wanted to get away and go hide.

[redacted] said that the reason why he went back to the cabin was to find cigarettes, lighter and some shoes. [redacted] had been in the woods without any shoes on. [redacted] said that he still had the machete with him. Investigator Losey asked [redacted] if he started hitting stuff or breaking stuff up while he was inside of the cabin with the machete. He said "no", that must have been earlier. [redacted] said that he was trying to be quiet when he was inside of the cabin.

I asked [redacted] if he heard the Sheriff asking him to come out of the cabin. He said that the Sheriff basically said the same thing to him while he was inside of the cabin that he said when he was hiding in the woods. [redacted] said that he was looking out the little kitchen window, by the stove, and saw two flashlight beams. He said that when he saw the flashlight beams, he thought that he was going to get killed.

[redacted] said that his main idea was to just get away. I asked [redacted] if the thought had ever entered his mind to have a Police Officer kill him, so he wouldn't have to and he said "yeah". He said that he really couldn't kill himself because he is too scared. [redacted] told Investigator Losey that he really hadn't plan on that happening on the night of the shooting, it just happened. I asked [redacted] what he was wearing the night of the shooting. He said a pair of blue jeans, blue sweater, and hooded sweatshirt. He said that he was wearing a black baseball cap with a "Metallica" logo on it. [redacted] said that he thought that he was wearing shoes at the time the incident occurred.

I asked [redacted] if he saw anything else other than the flashlight beams in front of the cabin. He said that he saw the tops of boots, hands or pants and faces. I ask [redacted] if he heard any conversation the Deputies were having while they were in front of his cabin. He said that the only conversation that he heard was after he was shot.

I asked [redacted] if he remembers coming out of the cabin and he said "yeah". I asked him to explain and he said that he had to open the cabin door. He said that he didn't remember what hand the knife was in. He said that he opened the door to the cabin and went outside. He said that he felt something hit his side. [redacted] said that he thought

"oh God" I've been hit, they tazed me, he then hit the ground.

I told [redacted] that he had mentioned coming out of the cabin. That he didn't recall what hand the knife was in. I asked him if we were talking about a knife or was there something else that he had. [redacted] said "machete". I asked him to describe the machete for me. He said that it was long and black. He said that it was about 24 inches. With a black plastic handle. He said that the machete belonged to him. [redacted] said that he couldn't remember what hand he had the machete in. I asked him if he was right handed or left handed and he said that he uses both. [redacted] said that most of the time he uses his right hand.

I asked [redacted] how he was holding the machete when he came out the cabin door. He said down at his side, it might have been partially raised. He said that he didn't know, he just couldn't remember. He said that the first thing he could remember after coming out the cabin door was pain to his stomach and then he hit the ground. He said that he heard someone say, " We have to taze you buddy, we don't want to do that, but we had to. He said that he doesn't remember if he said anything back to the Deputies. [redacted] said that after he went down, that he lost consciousness.

I asked [redacted] if he remembers regaining his consciousness and he said "not all the way". He said that he could remember everyone or his wife, [redacted] talking about whether he was going to die. He said that he was really cold and was lying on his side. Investigator Losey asked [redacted] if he was referring to being cold physically and he said "yeah".

I asked him what he remembered next and he said, being in the Hospital. I asked [redacted] how the windows in the cabin got broken. He said that he broke them earlier with his machete because he was upset. I asked [redacted] about the items that were on the ground in front of the cabin. He said that he was throwing the items out the window to let the Police know that he was not being aggressive. He said that he was just dropping the items out the window. He said that he remembers throwing plates and small kitchen things. I asked [redacted] if there was a back door to the cabin or any windows on the back side of the cabin. He said that there was no back door but there was a rear window. I asked him if he had considered, when the Deputies were in front of the cabin, about getting away through the rear window. He said that there was nowhere to go out the rear window to the cabin. [redacted] said that the window was approx. 8 feet off the ground.

I asked [redacted] whose vehicle was parked in front of the cabin with Oregon plates. He said that it was [redacted] vehicle.

I asked [redacted] if he remembered how many Deputies were in front of the cabin when he came out. He said that he didn't see anything. I asked him if he had anything else in his possession or in his pockets other than the machete. He said that he had some money, cigarettes, lighter and a couple more knives. He described the knives as kitchen knives. He said that he had one of the knives in his back pocket.

I ask [redacted] if he had written anything down, prior to opening the cabin door, relating to him wanting to take his own life. He said that he did write something to his wife, but he couldn't remember what he wrote. He said that he wrote it on the door, window or the wall by the door. I asked him if he remembered what he wrote and he said that he wrote, "I love you" to his wife. I asked him if his message to his wife may have indicated that he was thinking about taking his life and he said," yes". I asked [redacted] what thoughts were running through his mind just prior to going out the cabin door. He said he thought that he was going to die. I asked him why he had thought that and he said because of what he had done earlier. He referred to running around in the woods earlier with a knife, machete, chopping up walls, breaking windows and basically going insane. [redacted] said that it was just a terrible time.

I asked [redacted] about his comment regarding his thoughts about dying after he went out the cabin door. I asked him how he thought that he was going to die. He thought that they were going to shoot him. I asked him why would they shoot him. He said that he figured that if the Deputies saw fast movement or someone coming out of the cabin they would shoot.

I asked [redacted] to clarify the fact that, in his mind, he thought that when he went out the cabin door that he was going to die and that was why he wrote his good-by message to his wife on the door inside of the cabin. [redacted] said that was correct. Investigator Losey told [redacted] that he had explained earlier that while he was in the woods, all he wanted to do was escape or to get away. Investigator Losey asked [redacted] what feeling was more overwhelming when he came out of the cabin, was it to escape or to die. [redacted] said that he didn't know, they were both powerful.

Investigator Losey asked [redacted] that when he originally left his parent's house, did he go to any neighbor's house. [redacted] said he did go to a neighbor's house looking for a lighter for his cigarette. [redacted] said that he didn't contact anyone at the neighbor's house, but he did look inside of their truck for a lighter. [redacted] said that he didn't find a lighter, so he worked his way back to his cabin.

I asked [redacted] that taking everything into consideration, in his opinion what would he have done if the shoe was on the, (before I could finish saying on the other foot), [redacted] spoke up and said " I would have shot me". I asked [redacted] if he thought that he was a threat to the Deputy and he said, drunk guy running around with a machete, "yeah".

I asked [redacted] if he had this thing to do all over again, how different would it have been. He said he would have had his Parole Agent get him into the counseling that he was suppose to get when he first got out. He said that he thought that the counseling would have helped him.

N/F

Steve K. Quenell
Det. S. Quenell #0788

3-26-07 0739 hrs
Date/Time

Sgt Hanson 3/26/07
Approved by Sgt. Wayne Hanson

Humboldt County Sheriff's Office
Criminal Investigation Division
Supplemental Report

CASE: 200901827

INVESTIGATOR: Steven R. Quenell

DATE: 03/19/09

CRIME:O.I.S.

[redacted] Miller, David C/O Arcata Police Dept.

[redacted] #1 [redacted]

#2 [redacted]

LOCATION: [redacted] Kneeland Ca.

On 03/19/09 at approx. 0709 hrs. I was dispatched to the Kneeland Road area near the Kneeland School regarding an Officer Involved Shooting. I was told that Humboldt County Sheriff's Deputies had stopped a vehicle that was involved and two [redacted] were in custody. The [redacted] were still on scene along with their vehicle. An off-duty Arcata Police Officer, identified as David Miller was the involved Officer. Officer Miller was standing by at the shooting location.

I arrived at 0744 hrs.and met with Humboldt Sheriff's Sgt. Miller at the [redacted] Kneeland Rd. He explained to me that the vehicle, [redacted] Ford Mustang, Cal. Lic. [redacted], at this location was involved with the shooting at the [redacted] Kneeland Road. The doors to the Mustang were open and the Mustang was westbound. There were two marked Humboldt County Sheriff's vehicles parked behind the Mustang.
This being the result of a felony car stop. Also present at this location were Deputy Jager, Deputy Aponte, and Deputy Ireland, Deputy Nielsen. Prior to my arrival, C.H.P.

Officer Berry and Arcata Police Sergeant Sligh were on scene and had left the area. Sgt. Sligh responded to the area where the shooting had occurred, [redacted] Kneeland Rd.) Sgt. Sligh was the involved Officer's supervisor. Deputy Lagarda had made the initial felony traffic stop on the [redacted] vehicle with Sgt. Miller and Deputy Jager assisting. Deputy Lagarda was the primary assigned Deputy to this investigation.

The [redacted] had been identified as [redacted] and [redacted] was on Calif. Dept. of Corrections Parole, out of Eureka. Both [redacted] were detained and placed into the rear seat area of Deputy Jager's patrol vehicle. While securing the [redacted] vehicle for any other passengers, Deputy Jager and Deputy Lagarda noticed in plain view .22 cal. live rounds on the driver's seat and .22 cal. empty brass casings on the driver's floorboard. None of the Deputies entered the [redacted] vehicle. No firearm was seen in plain view.

The area and vehicle was secured until my arrival. Once Deputy Aponte arrived, [redacted] was moved from Deputy Jager's patrol vehicle to his vehicle. At approx. 0606 hrs. Deputy Lagarda cleared and responded to the shooting incident location. Sgt. Miller said that before Deputy Lagarda had left this location, that Deputy Lagarda had told him that when he was initially following the [redacted] vehicle, he thought something was thrown out the passenger's window.

At approx. 0812 hrs. Deputy Fulton, Deputy Chandler arrived along with Sgt. Buihner. They started checking Kneeland Road from the [redacted] vehicle location toward the area that Deputy Lagarda thought that he saw something thrown out the window of their vehicle. I recovered a black wallet in the middle of Kneeland Road just east of the [redacted] vehicle location. The wallet had picture identification with [redacted] information on it. I photographed the wallet in place and then placed it into a bag for evidence booking later. I also recovered a small black bag just east of the wallet next to a group of mailboxes. I photographed the black bag in place along with two small boxes of .22 cal. ammunition. I bagged the items up separately for evidence booking later. Deputy Fulton and Deputy Chandler had located a .22 cal. semi.auto.rifle with a scope lying next to Kneeland Road just east of my location. The rifle stock appeared broken. The entire rifle was left in tact at

its location, secured by Deputy Fulton and Deputy Chandler, until Evidence Tech. [redacted] arrived. Refer to Evidence Tech. [redacted] report for details regarding her scene processing of the [redacted] vehicle and the rifle that had been located on Kneeland Road.

Both [redacted] were transported to the Humboldt County Sheriff's Office Detective interview room for questioning. Prior arrangements had been made with D.A. Investigator Losey and E.P.D. Detective Ron Harpham to conduct an interview, due to this being a C.I.R.T. call-out.

At approx. 0900 hrs. I cleared the area near the [redacted] vehicle and evidence that had been located along Kneeland Road. Sgt. Buihner, Deputy Fulton and Deputy Chandler secured the vehicle and remaining evidence until Evidence Tech. [redacted] arrival. I drove to the shooting scene and while I was enroute, Arcata Police Sergeant Sligh passed me going in the opposite direction. Upon my arrival at the scene I met Deputy Lagarda. He was keeping a log of anyone that was driving on Kneeland Road. Arcata Detective Silvers was on scene and was talking to Officer Miller.

Deputy Lagarda told me that he had taken Officer Miller's pistol from him and it was secured in his patrol vehicle trunk. I told Deputy Lagarda to give me the pistol after it was safety cleared. He opened his trunk and picked up the pistol with gloves on. Deputy Lagarda released the pistol's magazine. I saw live rounds inside of the magazine. He worked the pistol's slide, ejecting a live round from the pistol's ejector port. I took possession of the pistol after taking digital photographs of the pistol before and after it was unloaded. I secured the pistol inside of my Detective vehicle.

Deputy Lagarda said that Officer Miller at one point attempted to talk to him about the shooting incident. Deputy Lagarda told him that he didn't want to know about it and a Detective would be the person that would interview him. Deputy Lagarda walked me through the shooting area and showed me two brass .22 cal. casings on the west shoulder of the road. I marked the area with paper for the Evidence tech.

While I was conducting my walk through, I noticed that this area was a very rural setting. There was a driveway just south of my location that was on the left side of the road

for southbound traffic. The driveway made an abrupt turn to the left, then northbound up a hill to a metal gate. The driveway paralleled Kneeland Road. I took digital photographs of the area and included them with this report. I noticed one two-story house from the driveway that was at least 150 yds. from the driveway gate. I noticed that if I was standing on Kneeland Road that I could only see the second story of the house and it's roof. Officer Miller's [redacted] Jeep CJ5 was parked southbound on Kneeland Road, just north of where the .22 Cal. casings had been located. Officer Miller had parked his Jeep there after the [redacted] had left the area.

I approached Det. Silvers and explained to him about me conducting a walk through the scene with Officer Miller. I asked him if Officer Miller had requested an Attorney yet and he said that Officer Miller had not. I approached Officer Miller and asked him if he was okay to do a walk through with me. Officer Miller appeared calm and not visibly upset or agitated. He told me that he knew that he hadn't done anything wrong and was willing to tell me the whole story.

I told Officer Miller that I would be recording our walk through on my digital recorder and he said that was fine. Officer Miller said that he was driving his [redacted] Jeep home from work around 0500 hrs. As he approached his driveway S/B on Kneeland Road, he came up behind a slow moving [redacted] car. The vehicle pulled over to the right at a wide spot in the road and allowed Officer Miller to drive around it. Officer Miller said that he continued on and turned to the left to enter his driveway.

Officer Miller said that his fan belt was loose on his Jeep, so when he pulled up to his gate, he turned the lights and engine off. Officer Miller said that he assumed that the occupants in the [redacted] vehicle thought that he had left the area. Officer Miller said that he got out of his Jeep to unlock his gate and saw the [redacted] spot lighting deer. He said that the [redacted] first shined their lights toward his neighbor's house, (the only house that can be seen from the road). The house is located on the east side of Kneeland Road, northeast from the gate. Officer Miller watched the [redacted] vehicle slowly move forward to the next wide spot in the road.

Officer Miller pointed to a ridge that was on the west side of Kneeland Road and said that he saw the [redacted] shining their spotlights toward deer at that location, (approx. 200 yds. away). Officer Miller said that he continued to watch the [redacted] from his gate. Officer Miller said that he heard three shots and then he yelled at the [redacted] " Hey, you're going to need to clear out of here. He then said, "Your going to knock that shit off".

Officer Miller saw muzzle flash in his direction, followed by two more. He said that he went down for ground cover, (the roll of the land). He said that was when he decided to shoot back. He described the area that he shot toward, as to the right of the [redacted] location and to the left of his location. He said it was to the left of the [redacted] vehicle and he wasn't intending on hitting anybody. Officer Miller said that if someone was shooting at him, then he was going to shoot back. Officer Miller said that he took cover behind a telephone pole, just west of his gate.

Officer Miller said that the [redacted] vehicle went into reverse, turned around and started northbound on Kneeland Road. Officer Miller was not sure if he heard one or two more shots come from the [redacted] vehicle or what direction the shots were fired in. Officer Miller didn't see any muzzle flash, due to the fact that he was trying to stay concealed.

Officer Miller said that he could hear the [redacted] vehicle leaving the area. He said that he actually saw its taillights heading toward Kneeland near the [redacted] Ranch at a good rate of speed. He said that was when he called "911" to report the incident. Officer Miller described the [redacted] vehicle as a [redacted] sedan or coupe.

Officer Miller said that when he first saw the [redacted] vehicle, he really didn't care because he was so tired from working all night. Officer Miller said that he never saw any of the [redacted] and that was why he didn't shoot directly at the car. He said that for all he knew it could have been four kids in the car.

Officer Miller said that after he had phoned "911", he went home and called Sgt. Sligh to report the incident. He said that Sgt. Sligh was his night shift Supervisor. Officer Miller said that Sgt. Sligh drove out to his location and met him at his gate.

Officer Miller said that prior to Deputy Lagarda and Sgt. Sligh showing up, he drove his Jeep home and got his wife's Subaru to meet with them. Officer Miller said that he prevented his Sergeant and Deputy Lagarda from driving through the crime scene. Once Sgt. Sligh and Deputy Lagarda arrived, Officer Miller got permission to drive his wife's vehicle back home and return in his Jeep. Det. Silvers had arrived and accompanied Officer Miller to his house for his vehicle exchange. Officer Miller said that he gave his service pistol to Deputy Lagarda along with an extra full magazine. At one point Sgt. Sligh had showed Officer miller a small chip in his Jeep's windshield. Officer Miller said that the chip was not there previously or prior to this incident.

Officer Miller described his service pistol as a Glock, mdl. #21, .45 cal. He said that the pistol belonged to him, but his department had approved him to carry it while on duty.

Officer Miller said that when he first saw the muzzle flash from the three shots, that he didn't know how far away they were. He knew that there was deer in the area. He said that the first thing in his mind was to take cover. I asked Officer Miller if he felt that his life was in danger when he saw the muzzle flash, he said "most certainly", and they shot in my direction. He said that if someone shoots in his direction, he would think that they were trying to kill him.

I asked Officer Miller if he had discussed this incident with anyone else. He said that he had discussed it with family members and a close friend. He said that the nature of his shots were to intentionally miss the [redacted] vehicle and its occupants standing near by or any residence and livestock. He said that he fired three shots and the [redacted] fired six. He said that when the [redacted] vehicle was leaving, he heard one more shot. Officer Miller said that he didn't know what type of firearm they had, but it sounded like a "light" caliber. He said that it wasn't a large caliber or a high-powered rifle. Officer Miller thought it might have been a .22 caliber. I asked Mr. Miller if he had washed his hands since shooting his pistol and he said that he had not.

During my conversation with Mr. Miller I detected no objective signs of intoxication, including drugs or alcohol. No odor of alcohol or slurred speech etc. I felt that a blood draw was not needed at this point of the investigation. At the conclusion of my interview with Officer Miller I asked him if he was still wearing the same clothes, (civilian attire) that he had on during the shooting incident. He said that he was wearing the same clothes. I told him that per C.I.R.T.protocol that I would need his clothing to book into evidence after I took a digital photograph of him. I had Deputy Lagarda accompany Officer Miller to his residence and collect his clothing, including his holster, magazine pouches and additional loaded magazine that he was carrying at the time of the shooting. All of the items that were collected were placed into separate paper bags that I later booked into evidence at the Humboldt County Sheriffs Office.

At approx. 1231 hrs. I received a cell phone call from D.A. Investigator Losey. He said that E.P.D. Detective Harpham and himself had just finished interviewing both [redacted] involved with this case. (The interviews were recorded onto CD ROMs and later summarized by Det. Harpham and Investigator Losey; refer to their supplemental reports for details) I booked the CDs into evidence at the Humboldt County Sheriffs Office. Investigator Losey said that both of the [redacted] were cooperating and had admitted to being in the area of the shooting for the sole purpose of spotlighting and poaching deer out of season. The [redacted] said that the only thing that they had been shooting at were deer. They said at one point, that after they had shot at a deer that someone started shooting at them. [redacted] said that he thought he heard a bullet go whizzing by his head. He said that he told [redacted] that someone was shooting at them and they needed to get out of there. [redacted] said that he backed their vehicle up, turned around and started driving back toward Kneeland. At this point [redacted] fired multiple shots into the air to aide in their escape out of the area.

Both [redacted] agreed to return to the shooting incident location and show us where they were located when the shooting took place. They also had volunteered to show the different locations that they had shot and killed deer just prior to this shooting incident. I notified Calif. Fish and Game Warden [redacted] and requested that he respond to our

location due to the admitted F&G violations and the possibility of locating the deer that had been shot.

At approx. 1404 hrs Evidence Tech. [redacted], Sgt. Buihner, Investigator Losey arrived at my location. Fish and Game Warden [redacted] arrived shortly thereafter. At approx. 1413 hrs. Deputy Ireland arrived with both [redacted].

At approx. 1417 hrs. Evidence Tech. [redacted] started processing the scene location. I walked her through the crime scene and summarized the aforementioned chain of events. She started taking digital photographs of the area before anything was disturbed. Two .22 cal. casings were recovered in the first turn out prior to getting to Officer Miller's driveway. The driveway is on the west side of Kneeland Road approx.145 yds. Northwest from the telephone pole that Officer Miller utilized for cover after he saw the muzzle flash. We recovered three .45 cal. casing at the base of the wire fence that runs East/West from Officer Miller's gate. The casings were approx. 1-2'N/E of the telephone pole. The casings would cooberate Officer Miller's statement regarding his location when he discharged his pistol. Evidence Tech [redacted] collected all of the evidence at the scene; refer to her supplemental report for details. I showed Evidence Tech. [redacted] the windshield of Officer Miller's Jeep and we determined that the chip was consistent with a small rock or gravel, possibly from the roadway and not related to this incident. Evidence Tech. [redacted] checked the entire area with a metal detector and did not locate any more bullet casings.

During my walk through with Evidence Tech. [redacted] both [redacted] arrived with Deputy Ireland. We had stopped the walk through so she could video my conversation with the [redacted]. Note; the following is a brief narrative summary of the video; refer to the video for complete details. [redacted]. Evidence Tech [redacted] booked the video into evidence at the Sheriff's Office. I had Deputy Ireland walk [redacted] to the shooting scene. At approx. 1422 hrs. Investigator Losey reminded [redacted] that he had already read him his Miranda rights and he agreed that he understood his rights. He indicated that he was driving the [redacted] vehicle when the incident occurred and [redacted] was the passenger. He pointed to the turn out on Kneeland Road where the two .22 casings had been located. [redacted] said that he remembered another vehicle (Jeep) driving around

his vehicle and continues southbound on Kneeland Road. [redacted] said that they saw a deer (buck) approx. 60 yds. off the west side of Kneeland Road [redacted] shot at it from outside of their vehicle. [redacted] said that they had no idea where the Jeep had gone. He said that the rifle that [redacted] was using belonged to [redacted] relatives. [redacted] said that he had bought the .22 ammunition some time ago.

[redacted] said that it was both [redacted] and his idea to come up and get deer meat. [redacted] said that there was other deer along Kneeland Road that they had shot before they had reached this point on the road. He said that he would be willing to show us where the other dead deer, (3-4) were located. I asked [redacted] how they saw the deer if it was dark out and he said that they had used flashlights that belonged to him. I asked [redacted] if he was under the influence of anything when the poaching was taking place. He said that he was under the influence of meth.

[redacted] said that after the shooting incident, they saw a Deputy Sheriff's car turn on them, so they started throwing bullets, other items and the rifle out the passenger window. [redacted] said that just after [redacted] shot at the last deer that he heard a bullet go whizzing by as he was sitting inside of his vehicle. I asked him if he ever heard any voices and he said that he did not. Warden [redacted] asked [redacted] a few questions relating to the F&G violations and we ended the video at 1435 hrs. Deputy Ireland walked [redacted] back to his patrol unit and walked [redacted] to my location.

At approx. 1445 hrs. Evidence Tech. [redacted] started to video [redacted] while he explained to Investigator Losey and I what he remembered about the shooting incident. The following is a brief summary of our conversation with [redacted] refer to the video for complete details of our conversation with [redacted]. Evidence Tech. [redacted] booked the CD into evidence at the Sheriff's Office.

[redacted] was reminded by Investigator Losey that he had already read him his Miranda rights at the Sheriff's Office and that he understood them and that he wanted to talk with us about this shooting incident.

[redacted] said that while they were driving on Kneeland Road, a Jeep came up behind them and then passed them. Shortly after that they saw a deer. [redacted] stopped the car and [redacted] exited to shoot the deer. He shot at the deer and then someone shot at him. He got back into their car and as [redacted] backed up, he shot once into the bank. While they continued N/B on Kneeland road he shot off more rounds into the air.

I asked [redacted] if he was under the influence of anything when the shooting incident occurred and he said that he was not. He said that [redacted] was under the influence of meth. He said it was [redacted]'s idea to poach the deer. [redacted] said that after then Jeep passed them on Kneeland rd. they had no idea where it went. Both [redacted] were taken back to the Humboldt County Correctional facility for processing. Both [redacted] showed Deputy Ireland where the dead deer were located off Kneeland road. He radioed Warden [redacted] and gave him the GPS location for the dead deer.

Fish & Game Warden Wells checked the area and eventually found four dead does. Two of the does were pregnant with twins. He transported the dead deer to the Fish & Game Office for booking into a freezer for evidence purposes.

Once I got back to my office I requested the Dispatch tape of the"911" call to Dispatch from Officer Miller and all of the times for the responding units. Lt. Jimenez made a CD copy of my aforementioned request of the "911" call that I reviewed. The following is a brief summary from the "911" call that had been placed by Officer Miller to the Sheriff's dispatch. Refer to the CD for complete "911" call.

Officer Miller starts his conversation with dispatcher [redacted] by identifying himself as Officer Miller an off-duty Police Officer with Arcata Police Dept. He tells dispatch that he just had someone shoot at him or probably shoot at some deer." They fired six and I gave them three back". He told dispatch that the [redacted] were far enough away that he just scared them.

Officer Miller told the dispatcher that he just wanted someone to F/I (field interview) the [redacted] because he didn't want a Deputy coming there because he just got off duty at 0300 hrs. Officer Miller told the dispatcher that

there was no reason to send any Deputies, unless dispatch wanted him to stand by, otherwise he was going home.

Officer Miller told dispatch that he could still see the taillights of the [redacted] vehicle at a high rate of speed. He said that he wouldn't be bitter if they didn't catch the [redacted] He told Dispatch again, that he just wanted the "F/Id" or "something". He said that it would probably be good for Fish & Game. Dispatcher [redacted] asked Officer Miller if he wanted contact from a Deputy and he said, "no that's okay". Officer Miller's voice sounded very calm during his conversation with dispatcher [redacted] He didn't sound upset or agitated regarding the shooting incident.

This case will be forwarded to the District Attorney's Office for review.

Det. S.Quenell #0788

4-9-09, 1600 hrs.
Date/Time

Approved by Lt. G. Cavinta

S. Quenell

Tue Mar 24 11:18:43 2009

CFS REPORT

ZONES:
NUMBER: 031909-35 DATE/TIME REC'D: 03/19/09 05:13
CASE NUMBER: 200901827 DATE/TIME SENT: 03/19/09 05:13
INC CODE: SHOTSF DESC: SHOTS FIRED DATE/TIME CMPL: 03/19/09 18:12

INC ADDR: B [redacted] APT#: CITY: [redacted]
COMP NAME: MILLER,DAVE/APD COMP ADDR: [redacted] PH#: [redacted]
IN PROG: OFF CONT: PRI: 1 WEAPON: ALARM: PRI UNIT: B16
CALLTAKER: [redacted] DISPATCHER: [redacted]
FINAL DISP: REP

UNITS ATTACHED:

COMMENTS: [redacted] 03/19/09 14:20 ALL UNITS ARE CLR FROM THE [redacted] VEH ON KNEELAND RD, INC ADD UNITS ARE STILL ON SCENE
[redacted] 03/19/09 12:43 MSG RELAYED TO K23.
03/19/09 12:40 [redacted] CONTACTED RE HER VEHICLE REQ A CALL BACK AT [redacted], SAYS SHE JUST REC A CALL FROM A FEMALE DETECTIVE.
03/19/09 12:23 K25 REQ ANY FISH AND GAME WARDEN CALL HIM ON HIS CELL PHONE, FISH AND GAME DISPATCH NOTIFIED
[redacted] 03/19/09 11:44 NO PREV HIST SHOWN
03/19/09 11:43 A7 REQUESTING WE CHECK PREV HIST ITA TO SEE IF THERE WERE ANY OTHER REPORTS OF SHOTS FIRED
[redacted] 03/19/09 08:28 CONTACTED DEL NORTE SO THEY WILL CONTACT HER AND HAVE HER CONTACT X15 ON HIS CELL PHONE
[redacted] 03/19/09 08:27 PER X15 CONTACT [redacted] W/ DEL NORTE CO SAR, SEE IF [redacted] CAN RESPOND W/ A GUN SNIFFING DOG.
[redacted] 03/19/09 08:25 ST JOES ADVISED
[redacted] 03/19/09 08:25 NOTIFY ST JOES, 2 LEGAL BLOOD DRAWS ARE NEEDED.
03/19/09 07:56 REQ Q18 MEET L21 AT THE HOSPITAL W/ 2 JUMPSUITS FROM THE JAIL BOTH 4X
[redacted] 03/19/09 07:21 UTL THE 21 NUMBER, UNLISTED.
03/19/09 07:18 REQ ATL 21 NUMBER FOR [redacted] HAVE THEM COME TO THEIR GATE.
[redacted] 03/19/09 07:15 K25 REQUEST RAPS ON BOTH [redacted]
03/19/09 07:09 L17 NOTIFIED
03/19/09 07:08 L11 FROM FIELDSLANDING
03/19/09 07:08 PER X15 HAVE L11 AND L17 RESPOND TO X11 [redacted] LOCATION
[redacted] 03/19/09 06:41 DIRECTIONS FROM B16 - WHEN YOU'RE [redacted] INTO [redacted]
[redacted] 03/19/09 06:42 B16 ADVISING THAT HE'S IFO THE DRIVEWAY THAT LEADS TO INC LOC.
[redacted] 03/19/09 06:39 B16 AND APD SGT OUT WITH THE RP @ AN UNK ADDRESS, WILL ADVISE
[redacted] 03/19/09 06:37 COUNTY ROADS EN ROUTE
03/19/09 06:35 X11 REQUESTING COUNTY ROADS X 2, FOR TRF CONTROL FOR AN EXTENDED AMOUNT OF TIME
[redacted] 03/19/09 06:24 A1 CALLED, WAS BRIEFED
03/19/09 06:18 CHP ON SCENE
03/19/09 06:07 B16 EN ROUTE RP'S RESIDENCE
03/19/09 06:05 X11 ADVISED.
03/19/09 06:05 A2 REQ X11 CALL HIM ON HIS CELL.
03/19/09 06:05 X11 REQ A2 CALL HIM ON HIS CELL
03/19/09 05:55 CHECKED WITH EPD FOR PREV CONTACTS WITH VEH, NONE
03/19/09 05:52 APD SUPERVISOR ON SCENE
03/19/09 05:51 REQ CHP FOR TRF, WB LANE BLOCKED, UNITS WILL BE 10-6 FOR A WHILE

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[redacted] 03/19/09 05:50 DR number 200901827 assigned for agency HUMBOLDT CO SHERIFF
[redacted] 03/19/09 05:49 X11 REQ 1-2 DAY SHIFT UNITS RESPOND, FOR AT LEAST 2 CRIME SCENES
[redacted] 03/19/09 05:48 JWO 4751 KNEELAND
03/19/09 05:46 B14 EN ROUTE
03/19/09 05:46 X11 REQUESTING B14 RESPOND
03/19/09 05:45 CODE 4 2 DETAINED, CODE 33 CANCELED
03/19/09 05:43 X11 ADVISED IN RESPONSE TO STATUS CHECK "FELONY STOP" NOTHING FURTHER
[redacted] 03/19/09 05:43 B14 ADVISING THAT APD SGT IS EN ROUTE TO THE STOP FROM 3 CORNERS MARKET
[redacted] 03/19/09 05:40 CHP 825 IS EN ROUTE, UNKNOWN ETA
03/19/09 05:38 CHECKED CAD, NO PREV CONTACTS WITH LISTED VEH PLATE
03/19/09 05:36 PER B16 SOMETHING POSS JUST CAME OUT OF THE VEHICLE
03/19/09 05:36 FELONY CAR STOP UNKNOWN BLOCK RANGE
03/19/09 05:36 CODE 33 ISSUED
03/19/09 05:35 UNITS TURNING AROUND ON THE VEHICLE @ THE 4700 BLOCK OF [redacted] KNEELAND
[redacted] 03/19/09 05:33 UNITS @ THE 4300 BLOCK OF KNEELAND
03/19/09 05:29 A2 NOTIFIED, WILL CHECK IN AFTER A BIT
03/19/09 05:27 B14 EN ROUTE TO STAGE @ 3 CORNERS
03/19/09 05:27 APD SGT EN ROUTE
03/19/09 05:25 X11 REQ NOTIFY THE DUTY - A2
03/19/09 05:24 APD EN ROUTE
03/19/09 05:24 X11 REQUESTING APD SUPERVISOR
03/19/09 05:16 RP ISN'T REQUESTING CONTACT UNLESS NECESSARY
03/19/09 05:15 SAYS THAT THE [redacted] VEH IS PASSING THE [redacted] RESIDENCE, ONLY VEH THAT'S ON THE ROAD
[redacted] 03/19/09 05:15 RP SAYS THAT HE'S 4-5 MILES PAST THE KNEELAND AIRPORT
03/19/09 05:14 NO ONE WAS HIT
03/19/09 05:14 FIRED 6 ROUNDS AT THE RP, RP RETURNED FIRE
03/19/09 05:14 RP IS OFF DUTY APD OFFICER, [redacted] COUPE POSS SEDAN, LATE 90S,
OCC X 2 OR MORE, HEADING SOUTH ON KNEELAND TOWARDS THE SCHOOL

VEHICLES:
TYPE: Off Safety
LIC: [redacted] LIS: CA LIT: PC
VYR: [redacted] VMA: FORD VMO: MUSTANG VST: CA VCO: [redacted]
VIN: [redacted] ARMED & DANGEROUS? Yes
MISCELLANEOUS: REG VALID FROM: 11/02/08 TO 11/02/09
LIC# [redacted] YRMD [redacted] MAKE:FORD BTM :CP VIN [redacted]
[redacted] CITY:EUREKA C.C.:12 ZIP#:95501

PERSONS:
Type: Off Safety
[redacted] DOB: [redacted] RAC: W SEX: M
HGT: 509 WGT: 140 HAI: BRO EYE: BLU
ARMED & DANGEROUS?
LSW: [redacted] LICENSE

Type: Off Safety
[redacted] RAC: A SEX: M

20090.1827

Tue Mar 24 11:18:43 2009

[redacted] AGE: 25 HGT: 505 WGT: 190 HAI: BLK EYE: BRO

ARMED & DANGEROUS?

MISCELLANEOUS: [redacted]

RUNTIMES ASSOCIATED WITH CALL:

UNIT	SUBUNIT	STATUS	TIME
A7		DISP	11:07
		OUT_SCENE	11:07
		CODE4	12:08
		AVAIL	12:08
		DISP	12:09
		CODE4	12:09
		AVAIL	14:21
B14	APONTE_S	DISP	05:26
		EN_ROUTE	05:26
		EN_ROUTE	05:29
		EN_ROUTE	05:29
		EN_ROUTE	05:46
		CODE4	06:18
		AVAIL	08:03
B16	LAGARDA	DISP	05:16
		EN_ROUTE	05:17
		CODE4	05:49
		EN_ROUTE	06:06
		OUT_SCENE	06:39
		OUT_SCENE	06:39
	[redacted]	AVAIL	11:02
G10		DISP	10:41
		EN_ROUTE	10:41
		OUT_SCENE	11:10
		CODE4	12:08
		EN_ROUTE	14:21
		EN_ROUTE	14:23
		OUT_SCENE	14:47
		CODE4	16:43
		AVAIL	18:12
K25	QUENELL_S	DISP	07:09
		EN_ROUTE	07:09
		OUT_SCENE	07:44
		EN_ROUTE	08:40
		OUT_SCENE	09:17
		CODE4	12:08
		OUT_STATION	14:46
		OUT_SCENE	14:47
		CODE4	16:43
		AVAIL	18:12
L11	FULTON	DISP	07:05
		EN_ROUTE	07:07
		OUT_SCENE	08:12
		CODE4	12:08
		AVAIL	13:00
L17	CHANDLER	DISP	07:45
		EN_ROUTE	07:45
		OUT_SCENE	08:12

Tue Mar 24 11:18:43 2009

		CODE4	12:08
		AVAIL	13:00
	NILSEN_D	DISP	05:58
		EN_ROUTE	05:58
		OUT_SCENE	06:16
		CODE4	06:18
		ENRT_HOSP	08:05
		OUT_HOSP	08:24
		EN_ROUTE	08:57
		OUT_STATION	09:04
		EN_ROUTE	13:37
		OUT_SCENE	14:24
		ENRT_JAIL	16:10
		OUT_JAIL	17:05
		AVAIL	17:36
L25	JAGER	DISP	05:17
		EN_ROUTE	05:17
		CODE4	05:49
		CODE4	06:18
		AVAIL	08:02
Q18	MORRIS	DISP	06:02
	MORRIS	EN_ROUTE	06:05
		AVAIL	06:11
		DISP	08:12
		ENRT_HOSP	08:12
		OUT_HOSP	08:13
		ENRT_JAIL	08:14
		OUT_HOSP	08:55
		OUT_STATION	09:04
		AVAIL	09:23
	MILLER	DISP	05:17
		EN_ROUTE	05:17
		CODE4	05:49
		CODE4	06:18
		AVAIL	08:43
X15	BUIHNER	DISP	07:26
		OUT_SCENE	07:26
		CODE4	12:08
		EN_ROUTE	14:21
		EN_ROUTE	14:23
		OUT_SCENE	14:47
		AVAIL	15:15
X25	HANSON	DISP	11:05
		OUT_SCENE	11:07
		CODE4	12:08
		AVAIL	14:21
Y1082	IRELAND	DISP	05:58
		EN_ROUTE	05:58
		OUT_SCENE	06:16
		CODE4	06:18
		ENRT_HOSP	08:05
		OUT_HOSP	08:24
		EN_ROUTE	08:57
		OUT_STATION	09:04
		EN_ROUTE	13:37
		OUT_SCENE	14:24
		ENRT_JAIL	16:10
		OUT_JAIL	17:05
		AVAIL	17:36

Curry County Sheriff's Office

P.O. Box 681 Gold Beach, OR 97444 541-247-3242

Fax: [redacted]

D.A. ✓ G.B.P.D. ___
SCF ___ JUV ___
M.E. ___ ST.7 ___
B.P.D. ___ P. P. ___
DMV ✓ O.S.P. ___
Other: Owner check ✓

tl 7-28-06

Incident Report: S20061144

Current As Of: Thursday, July 27, 2006

Rpt Date/ RcvdTime 7/26/2006 10:06 PM *Offense:* DUII *Offense2:* HARASSMENT
BeginDate/ DispTime 10:13 PM *Location:* [redacted] Ln *Offense3:* INTERFERE WITH POLICE
Officer 43512 *EndDate/ArvdTime* 10:16 PM *Apt:* *CityState:* Harbor *Dispatcher:* 39736
ReorderClrdTime 1:02 AM *Grid:* HAR *Disclose:* Yes

Incident Summary

People Involved:

Involvement	Name / Address	Sex / Race Phone/Comment	DOB/ AGE	Citation/Charge/Offense	Date Officer
Complainant	[redacted]	M W [redacted]	18	ASSAULT	7/26/2006
	[redacted] SUNSET STRIP	[redacted]		ASSAULT	WOOD
	BROOKINGS OR				
Involved/Cont	[redacted]	F W [redacted]	19	DUII	7/26/2006
	[redacted] Bathiany Ln			DUII	WOOD
	Brookings OR				

Property Involved:

Make	Model	Serial #	Description	Loss / Recovered Amt.
			Misc.: one intox 5000 card invalid test, ambient air	
			Misc.: one intox 5000 card ,11%	
			Misc.: Oregon uniform Cite #8190	
			Misc.: D07	
			Misc.: Alcohol influence interview repon	
			Misc.: one operator check list	
			Misc.: implied consent form	
			Totals -->	

Vehicles Involved:

Year	Make	Model	Style	Color	Tag State	Tag Number	Owner File#	Impound/ Tow/	Fee
[redacted]	MAZD		4D	[redacted]	OR	[redacted]	[redacted]	1010	

Custody Report:

Involvement Juvenile?	Name/ Address/Phone	Sex/Race DOB /Comments	OLN/State/Offense	RptDate/Incident
Arrestee	[redacted] Table Bluff Rd	M W [redacted]	DLN: [redacted] CA DISPUTE	7/26/2006 [redacted]

Incident Report: S20061144

Current As Of: Thursday, July 27, 2006

Loleta

Arrestee	[redacted]	F W	DLN: [redacted]	OR	7/26/2006
	[redacted] English Dr	[redacted]	INTERFERE WITH POLICE		[redacted]
	Brookings				
	[redacted]				

CONFIDENTIAL

Incident Report: S20061144

Current As Of: Thursday, July 27, 2006

I made contact with [redacted] and obtained her statement.

I learned that [redacted] had drank some Yukon Jack. I also learned that [redacted] was not twenty-one years of age.

I then made contact with [redacted] and obtained her statement. I learned that [redacted] had punched the window out of the vehicle that they were in.

I learned from both [redacted] and [redacted] that [redacted] had not hit or hurt either one of them, but he had drank a half pint of Yukon Jack at camp in Smith River then drove the vehicle to this location.

I returned to [redacted] to question him about drinking and driving and [redacted] Stated "Screw this shit." and attempted to walk past me towards [redacted]. I grabbed [redacted] by her left hand and she swung around raising her right hand that was clinched in a fist like she was going to hit me. I grabbed her other hand and forced her to the ground where she continued to try to hit me and kick me. Officer Appolonio then assisted me in putting hand cuffs on her. I then placed her under arrest for interfering with a police officer and placed her in the back seat of my patrol car.

I asked [redacted] if he had been drinking and he stated, "Yes, I drank a half pint of Yukon Jack.".

At about 11:05 p.m. I placed [redacted] under arrest for driving under the influence of intoxicants and harrassment. I read [redacted] his Miranda Warning from a prepared card in my note book. Officer Watson placed [redacted] in the back seat of his police car.

I then took [redacted] out of my car and placed her in the back seat of Trooper Wehner's police car. Trooper Whener then transported [redacted] to the Curry County Jail in Gold Beach for me.

I then moved [redacted] from Officer Watson's police car to the back seat of my police car.

At about 11:10 p.m. 1010 towing arrived on scene and took possesion of the vehicle.

At about 11:15 p.m. I transported [redacted] to the Curry County Jail in Gold Beach.

At about 11:51 p.m. I arrived at the Curry County Jail and released [redacted] to the Corrections staff.

While in the booking room of the Curry County Jail I asked [redacted] if he would perform field sobriety tests. [redacted] Said yes he would attempt the tests.

At about 11:55 p.m. I asked [redacted] questions from an Alcohol Influence Interview Report. I then explained and demonstrated each test before [redacted] attempted the test.

1: HORIZONTAL GAZE NYZTAGMUS

After explaining this test to [redacted], I checked his eyes and saw that he had lack of smooth pursuit in both eyes. I saw that [redacted] had distinct and sustained Horizontal Gaze Nystagmus in both eyes at maximum deviation and was also present in both eyes prior to the angle of onset of at least forty-five degrees. [redacted] also had Vertical Gaze Nystagmus present in both eyes.

Incident Report: S20061144

Current As Of: Thursday, July 27, 2006

2: WALK AND TURN TEST:

On this test [redacted] stepped out of the instruction stage one time. On the first nine steps [redacted] missed three heel to toe steps. [redacted] took eight steps instead of nine. On the second nine steps [redacted] missed heel to toe two times.

3: ONE LEG STAND:

On this test [redacted] swayed from side to side and raised his hands about two feet from his body.

At approximately 12:10 a.m , while in the booking room, I started a fifiteen minute observation of [redacted].

At about 12:27 p.m., I advised [redacted] of the rights from an Oregon Implied Consent Form, then asked [redacted] if he would take a breath test. [redacted] replied "Yes".

At approximately 12:27 p.m., [redacted] submitted to a breath test, the results of which indicated a Blood Alcohol Content of .11 %.

I issued [redacted] an Oregon Uniform Citation # 8190 for driving under the influence of intoxicants, and lodged [redacted] in the Curry County Jail for driving under the influence of intoxicants and harassment.

Statements

[redacted]:

1) You are going to have to shoot me, because I am not going back to prison.
2) You guys can go ahead and tase me I am not going with you.
3) I have drank one half pint of Yukon Jack.
4) I drank it at our camp in Smith River before I drove up here.
5) I broke the window out of the car because [redacted] pissed me off.
6) I only violated minor traffic offenses.

[redacted]

1) I had a lot to drink.
2) I do not know how much.
3) Tyler drank a half pint of Yukon Jack.
4) We are fighting because he was driving retarded on the way up here.
5) He drank at the camp before we came up.
6) We were bringing [redacted] home.
7) I know I am not supposed to drink.

[redacted]

1) [redacted] is an idiot, he was trying to kill us in the vehicle when he drove up here.
2) He drank a half pint of Yukon Jack and some Peppermint Schnapps at camp in Smith River before we drove up here.
3) They were bringing me home.
4) He was swerving all over the road and saying that he would kill all of us.

Incident Report: S20061144

Current As Of: Thursday, July 27, 2006

5) He punched the window out right next to me.
6) It scared me really bad, I thought that he was going to kill me.

Evidence/Property

1 Misc.: one intox 5000 card invalid test, ... Location= CCSO File ID=43512
2 Misc.: one intox 5000 card .11% ..... Location= CCSO File ID=43512
3 Misc.: Oregon uniform Cite #8190 ..... Location= CCSO File ID=43512
4 Misc.: D07 ..... Location= CCSO File ID=43512
5 Misc.: Alcohol influence interview report ..... Location= CCSO File ID=43512
6 Misc.: one operator check list ..... Location= CCSO File ID=43512
7 Misc.: implied consent form ..... Location= CCSO File ID=43512

Action Recommended

Refer to District Attorney's Office and Department of Motor Vehicles.

Date/ Officer: 7/27/2006 WOOD *Incident:* S20061144

Approved By: ... **Date:** 7-27-06

CONFIDENTIAL

OREGON STATE POLICE

Alcohol Influence Interview Report

1. Date: 08/27/06 2. Time: 11:57P 3. Location: Ocean View -N- Bethany
4. Suspect: [redacted] 5. DOB: [redacted]
6. Address: [redacted] Table Bluff Rd, Loleta, Ca 95551
7. Interview Recorded: Video__ Audio__ No X 8. SFST Recorded: Video__ Audio__ No X
9. Mouth Visibly Checked (Time): 12:00 P. 10. Anything Removed: Yes (What)__ No X
General appearance: Normal__ Coating on tongue (color):__ Missing teeth:__ Teeth worn down:__
Any debris:__ Describe above if applicable:

11. Are you sick or injured: Yes__ No X
12. Are you taking any medication: Yes X No__
What: Advil
Last Dose:__ Amt:__
13. Do you have diabetes: Yes__ No X
Do you take insulin: Yes__ No X
Last Dose:__ Amt:__
14. Are you Hypoglycemic: Yes__ No X
15. Seen a Doctor/Dentist recently: Yes__ No X
When:
Reason:
Doctor:
16. Any speech problems: Yes__ No X
Describe:
17. Any hearing problems: Yes__ No X
Describe:

18. Any balance problems: Yes__ No X
Describe:
19. Past head injuries: Yes X No__
Describe: Motorcycle 09/05 [redacted]
20. Past physical injuries: Yes__ No__
Describe: [redacted]
21. Is that your vehicle: Yes__ No X
22. Were you driving: Yes X No__
23. Where were you going: [redacted]
24. Where did you eat from: South River
25. Have you been drinking: Yes X No__
What: Vodka Where: Camp
26. What time do you think last drink: 1/2 Pint Unknown
Actual time: 12:00 P

27. What time did you start drinking: Un Known 28. When did you last sleep: Last Night How long: 7 hrs
29. Difficulty processing documents: Yes__ No__ Describe:

30. Odor of Alcoholic Beverage On breath: None detected__ Faint__ Moderate__ Strong X Overwhelming__ Other__ Describe:
31. Description of face: Appears normal X Pale__ Flushed__ Lethargic__ Dazed__ Angry__ Stuporous__ Other__ Describe:
32. Clothing: Orderly X Disarranged__ Dirty__ Other__ Describe:
33. Unusual Actions: Sleepy__ Slow movement__ Violent__ Sweating__ Vomiting__ Threatening__ Other__ Describe:

34. Speech: Good X Fair__ Slurred__ Slow__ Enunciation__ Confused__ Incoherent__ Other
35. Eyes: Appear normal__ Watery X Bloodshot X Glassy__ Other
36. Pupils: Appear normal X Dilated__ Constricted__ Pulsating__ Rebound Dilation__ Slow light reaction__ Other__
37. Eyelids: Appear normal X Droopy__ Tremors (fluttering)__ Other
38. Disposition of vehicle: Broken Window / Messy inside

1. Horizontal Gaz Nystagmus

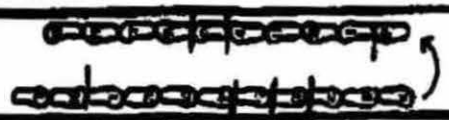
Corrective Lens: None X Glasses__ Contacts: Hard__ Soft__	Blindness: None X Right eye__ Left eye__	Eye Disorders: None X Yes__ Describe:__
Able to Follow Stimulus: Yes X No__	Tracking: Equal__ Unequal X	Pupil Size: Equal X Unequal__

HGN Clues:	R. Eye	L. Eye
Lack of Smooth Pursuit:	✓	✓
Maximum Deviation:	✓	✓
Angle of Onset Prior to 45 Degrees:	✓	✓

Vertical Nystagmus Present: Yes X No__

Lack of Convergence: Present: Yes__ No__
Indicate path of pupils:
Right Eye Left Eye

2. Walk and Turn



Steps out of Instruction Stage: Yes ✓ No__ 3 X

Starts Too Soon: Yes__ No X

Check each time following occurs:

	1st Nine	2nd Nine
Steps Walking	10	10
Misses Heel-Toe	3	2
Steps Off Line	—	—
Raises Arms	—	—
Actual Steps Taken	13	9

Describe Turn:
Done Correct

Cannot Do Test (Explain):
—

Type of Footwear: Socks

3. One Leg Stand

L R
— — Indicates which foot on ground
— — Sways While Balancing
— — Uses Arms To Balance 00 | 00
— — Hopping
— — Puts Foot Down

4. Modified Attention Romberg

Circular Sway:__
Front/ Side Sway:__
Eyelid Tremors:__



5. Modified Finger to Nose

Draw Lines to Spots Touched:
Right ○ Left △
Order:
L.R.L.R.R.L



6. Finger Count

__1-2-3-4 __4-3-2-1 Mixed Finger__ Mixed Counting__

7. Alphabet

A B C D E F G H I J K L M N O P Q R S T U V W X Y Z

8. Backwards Count

99 98 97 96 95 94 93 92 91 90 89 88 87 86 85 84 83 82 81 80 79

9. Internal Clock ____ Estimated as 30 seconds.

How was time estimated:_____

10. Other Observations

Attach Photos Of Fresh Puncture Marks



Interviewing Officer Tracy Wood No. 4358 Date 02/27 Time 12:10 p

CALIFORNIA DEPARTMENT OF
CORRECTIONS AND REHABILITATION
DIVISION OF JUVENILE JUSTICE

SACRAMENTO PAROLE OFFICE
1608 "T" STREET
SACRAMENTO, CA 95814
(916) 445-5993

FAX

FROM THE DESK OF:
L. Colacion
[redacted]
DIRECT: (916) 445-5993
FAX: (916) 322-4181

TO: Det Quenell
DATE: 3-1-07
FAX: 707-445 7434
PAGES: 6
RE: [redacted]

☐ URGENT ☒ FOR REVIEW ☐ PLEASE COMMENT ☐ PLEASE REPLY

464/187 P.C.

Schlesiger

CALIFORNIA DEPARTMENT OF
CORRECTIONS AND REHABILITATION
DIVISION OF JUVENILE JUSTICE

SACRAMENTO PAROLE OFFICE
1608 "T" STREET
SACRAMENTO, CA 95814
(916) 445-5993

FAX

FROM THE DESK OF:

Frank Mijares SPA

DIRECT: (916) 445-5993
FAX: (916) 322-4181

TO: Lt. Figaf

DATE: 3/2/07

FAX: (707) [redacted]

PAGES: 1 plus Cover

RE: Warrant/Detainer [redacted]

☐ URGENT ☒ FOR REVIEW ☐ PLEASE COMMENT ☐ PLEASE REPLY

Per your request

Thank You for your Cooperation.

Frank

Department OF THE YOUTH AUTHORITY

YA 1.305 ((3/79)

In the Matter of:

[redacted]

YA [redacted] Age 20 Birth date [redacted]

WARRANT OF ARREST

No. SAC 5759

To Any Peace Officer of the State of California:

YOU ARE AUTHORIZED AND DIRECTED to arrest and/or detain the above-named ward of the Youth Authority, pending further instructions from the Authority.

Detain at _____
(Location)

Detain at a place that meets legal requirements for the detention of such persons.

This warrant is not valid after _____, ____.

This warrant may be executed at any time of the day or night.

For the Youth Authority:

Date _____, ____

DIRECTOR'S REPRESENTATIVE Referee

For further information, contact:

CALIFORNIA YOUTH AUTHORITY
Sacramento Parole Office
1608 T Street
Sacramento, CA 95814

Identifying Information

RACE	SEX	HEIGHT	WEIGHT	HAIR	EYES
White	M	6'1"	185	Brown	Hazel

MARKS, TATTOOS, ETC. [redacted]

Aliases:

Other Available Identification Numbers
CII: [redacted]
FBI:
INS:
Fingerprint Classification:

Addresses: (Put Latest First)
[redacted] Table Bluff Road, Loleta, Ca 95551
[redacted] Parents

Detach the bottom of this document and return to the Youth Authority as a notice that the warrant has been executed. When the NOTICE OF ARREST has been detached, this document will serve as authority to detain.

(As soon as possible after arrest, detach and send to Youth Authority Office, indicated below)

NOTICE OF ARREST

To:

CALIFORNIA YOUTH AUTHORITY
Sacramento Parole Office
1608 T Street
Sacramento, CA 95814

SAC 5759

[redacted], YA [redacted]

This person was arrested on _____, and is detained at

EXECUTIVE SUMMARY

Mike Losey, Investigator
Humboldt County District Attorney's Office

Critical Incident Response Team summary of the events surrounding the shooting of [redacted] by Humboldt County Sheriff's Deputy Jason Daniels on March 1, 2007.

On Thursday, March 1, 2007, at about 1:28AM, the Humboldt County Sheriff's Office, (HCSO), received a 911 transfer call of a disturbance at [redacted] Table Bluff Road in Loleta. The call was made by a woman identified as [redacted] who reported that her husband, [redacted], was "freaking out". She reported that he was breaking out windows and had knives and an axe on him. She reported that he is on parole and was en route to his parents house at the above address. [redacted] said that the responding units are risking their lives by contacting him and that he is not going to go down easy. [redacted] was calling from a cabin on the same property and she asked dispatch "please don't shoot him". Directions to the location were given by the reporting party. The Sheriff's dispatcher taking the call initially was [redacted] HCSO Deputy Daniels was the officer in charge of the shift as the Sergeant who had been on duty left early.

The call was given to Deputy Cyrus Silva who was working the south (B-22) swing shift beat. Deputy Jason Daniels responded as backup from his beat area which was central graveyard (B-18) , as well as Deputy Justin Braud who was working the swing shift central (S-18), beat. At about 1:41AM, Deputy Silva arrived on the scene in Loleta and searched the immediate area outside of the main house because he was told that [redacted] had went out the back door. Deputy Silva did not locate [redacted] father, told Deputy Silva that [redacted] did not get into the gun safe before he went out the back door, but his son did tell him, [redacted] this would be the last time his father would see him alive. Deputy Daniels arrived at about 1:48AM. The deputies were told that

[redacted] had a machete and they decided to search the inside of the main house to make sure he was not hiding there. Deputy Braud arrived on the scene at about 1:51AM. Deputy Silva armed himself with a shotgun and the deputies searched the main house for [redacted] but did not find him. As the deputies searched the main house Deputy Silva observed damage to the interior of the house which amounted to large gashes in the walls, windows broken out and collectable dishes broken on the floor. The deputies recommended that [redacted] and his family go somewhere else until morning and began making arrangements to move the guns from the safe into [redacted] car so they could leave. The deputies learned from dispatch that [redacted] had made another 911 call and was now located in the cabin near the main house. This cabin is where she and [redacted] were living. The deputies left the main house and walked the short distance to the cabin. They spoke to [redacted] who came out of the cabin. The deputies checked the cabin and determined that [redacted] was not inside. Deputy Silva said he saw all of the windows were broken out of the cabin, the television had been smashed, and there were many items on the floor which looked like they were smashed. [redacted] said that [redacted] had done all of the damage. She told the deputies that [redacted] was intoxicated. Deputy Daniels thought the best thing to do would be to get the family off of the property and have deputies return at daybreak to look for [redacted] [redacted] Deputy Silva advised Deputy Daniels that he needed photographs for a vandalism case, but that was the only anticipated charge at that time. They were more concerned with [redacted] welfare than charges. The deputies escorted [redacted] [redacted] back to the main house and began helping load the guns into [redacted] car. Deputies Silva and Daniels photographed the damage inside the main house and then walked down to the cabin to take photographs there.

At about 2:50AM, as the deputies approached the cabin, Deputy Silva saw a light on in the cabin which he knew he had turned out. Deputy Daniels then saw a person he would learn to be [redacted] standing in the kitchen area. The deputy saw him through the kitchen window and when [redacted] saw the deputies he ran toward the back of the cabin. The deputies ordered [redacted] to come outside as Deputy Daniels ran to the N/W corner, outside of the cabin. Deputy Daniels could see that there was a substantial drop from the windows in the back of the cabin to the ground and felt that would not be an option for [redacted] to escape.

Deputy Daniels then went back to the front of the cabin where he and Deputy Silva were joined by Deputy Braud. Deputy Braud moved to a position to the S/E corner of the cabin, Deputy Silva took up a position at the S/W corner and Deputy

Daniels was moving back and forth between the two. The deputies saw and heard [redacted] breaking many items including the windows in the cabin with a machete. The machete was about two and a half feet long with a black plastic handle and a black blade which appeared to the deputies to be shiny on the edge as if recently sharpened. Deputy Daniels immediately began yelling for [redacted] to drop the machete and come out of the cabin. [redacted] began yelling back at the deputies that he was not coming out and that he was going to kill himself. At one point [redacted] put the machete up to his own throat and said he was going to "cut it". At that point Deputy Daniels, a department negotiator began to negotiate with [redacted] [redacted] to try and get him to come out. Over a lengthy period of time Deputy Daniels tried everything he could think of to try to get [redacted] to come out but nothing worked. As the situation wore on [redacted] would become agitated and then subside somewhat and then become more agitated. [redacted] began talking about suicide by cop and Deputy Daniels felt that they were now dealing more with a barricaded subject bent on suicide, rather than any criminal issues.

At about 2:53AM, Deputy Daniels requested through dispatch that the Sheriff's duty officer be contacted and Lt. Michael Thomas was called. Lt. Thomas requested that Deputy Daniels call him as soon as possible. Deputy Daniels had left his cell phone in his patrol unit which was parked near the main house. He went to his unit retrieved his cell phone and called Lt. Thomas. In speaking to Lt. Thomas they determined that there were basically two options open at that point. The deputies could get the other family members off of the property and then leave with [redacted] left behind or handle the situation as a barricaded subject and call out the Special Enforcement Team, (SET). They opted to call out SET since [redacted] was threatening to commit suicide and Lt. Thomas agreed to make the arrangements to get the team moving. Deputy Daniels requested that medical respond to stage outside the immediate area. Deputy Daniels also requested that any other units respond to his location. Deputy Patrick Bishop had a trainee, Deputy Tony Lagarda with him and they responded arriving at about 3:16AM.

Deputy Daniels met with Deputy Bishop and showed him exactly where he wanted Bishop to stand with the taser, in the event that [redacted] should come out of the cabin and resist them. Deputy Daniels placed Deputy Bishop on the S/W corner of the cabin near the front door. Bishop would have a direct shot with the taser at [redacted] should he come out. Deputy Daniels placed himself in the front of the cabin watching the front door. Deputy Lagarda was off to Deputy Daniels' left side. Deputy Daniels continued negotiations with [redacted] but they had no effect.

[redacted] was asking if the SWAT team had been called because he always wanted to die by being shot by SWAT. [redacted] also began throwing items out of the house at the deputies. Some of the items were plates, pans, and food items. [redacted] picked up a kitchen knife which appeared to be about eight inches long and held it near his throat. He told the deputies "see you mother fuckers, I have a knife too". Deputy Daniels was standing in front of the cabin door about twenty feet away from the door. [redacted] was still inside the cabin and it appeared to the deputies that he was building himself up by yelling and breathing very heavy and getting himself prepared to come out. At this time the front door of the cabin flew open and [redacted] came running out through the door very fast. He held the machete in his right hand, over his head, in a striking position and ran directly toward Deputy Daniels. [redacted] ran three or four strides at Deputy Daniels before the taser was fired. [redacted] continued to run toward Deputy Daniels and was not slowed by the taser. Deputy Daniels saw a fierce look on [redacted] face and Deputy Daniels had his 40 Caliber Glock pistol pointed at [redacted] Deputy Daniels felt that he was in danger of being struck by [redacted] with the machete and fired his weapon one time at [redacted] Deputy Daniels thought he fired at center mass and [redacted] dropped immediately to the ground. [redacted] was about twelve feet away from Deputy Daniels when he fired his weapon. [redacted] was struck once in the stomach area on the right side and fell continuing to keep the machete in his right hand. The deputies began yelling at him to drop the machete but he did not drop it and Deputy Silva came up to him and kicked the machete out of his hand. The machete flew about twenty feet away. Deputy Daniels commanded [redacted] to role over and put his hands behind his back but he failed to comply. [redacted] laid on his back and groaned. Deputy Daniels took hold of [redacted] sweatshirt and turned him over onto his stomach. Deputy Daniels saw a knife in the small of [redacted] back stuck down his waistband. Deputy Lagarda handcuffed [redacted] with his hands behind his back and Deputy Braud removed the knife from [redacted] waistband. Deputy Daniels watched to make sure that [redacted] continued to breath and lined up who would do CPR if that became necessary. Medical was called to the scene which took them awhile to arrive having passed by the turnoff on Table Bluff Road. Deputy Silva ran out to Table Bluff Road and directed the ambulance as to which road to turn on.

At about 3:44AM, the ambulance arrived at the scene and [redacted] was transported to St. Joseph Hospital. Later in the morning he underwent surgery for a gunshot wound to his lower right abdomen.

CONCLUSION

The deputies responded to the address in Loleta on Table Bluff Road on a call that a man was "freaking out" and he was armed with knives, and an axe. The deputies arrived and learned about [redacted] from his wife and parents that he was most likely intoxicated, armed with a machete, and apparently very angry possibly due to his intoxicated condition. The deputies searched the area including the two buildings on the property where he might have been hiding.

The deputies finally did encounter him in the cabin in which [redacted] and his wife were living. Both the main house and his cabin had a lot of damage to the structure's walls, windows, and belongings which had apparently been done by [redacted] with the machete. With [redacted] inside the cabin, the door closed, and the deputies outside, [redacted] was ordered to drop the machete and come outside. His response to them was belligerent and that he was going to commit suicide. Deputy Daniels, a trained department negotiator attempted several techniques in obtaining compliance on the part of [redacted] which was not forthcoming. [redacted] eventually started talking about suicide by police and said he had always wanted to die by SWAT and asked if they were on their way. He was disappointed when he saw only three deputies outside of the cabin. The negotiations went on for about an hour and the only thing requested by [redacted] was a cell phone. This was denied to him by Deputy Daniels afraid that [redacted] would call his wife or others to tell them goodbye. After a lengthy time of talking to the deputies, [redacted] was becoming more agitated and building himself up by breathing heavy and yelling. It was believed that he was building himself up to come out, but not in compliance with the directions being given. All of a sudden the cabin door burst open and [redacted] came running out directly toward Deputy Daniels. [redacted] had the machete in his right hand raised above his head in a striking position as he ran toward Deputy Daniels. The taser was deployed by Deputy Bishop which did strike [redacted] but had no effect in stopping his advance on Deputy Daniels. [redacted] was approximately twelve feet away from Deputy Daniels and continuing to charge at him with the machete. Deputy Daniels being aware that the taser was not stopping [redacted] fired once with his duty weapon, being in fear of his own life and believing that he was in imminent jeopardy. After being struck by the bullet, [redacted] immediately dropped to the ground but still did not drop the machete. The machete was kicked out of [redacted] hand by a deputy. [redacted] was transported to St. Joseph Hospital in Eureka, and has undergone extensive medical treatment for his injuries.

REQUESTING AGENCY CASE NO.
200701191

CALIFORNIA DEPARTMENT OF JUSTICE
BUREAU OF FORENSIC SERVICES
NORTH COAST REGIONAL CRIMINALISTICS LABORATORY
[redacted]

BFS CASE NUMBER
EU-07-000412-0001

ATTN: Detective Steve Quenell
Humboldt County Sheriff's Office
826 Fourth Street
Eureka, CA 95501

COPIES:

PHYSICAL EVIDENCE EXAMINATION REPORT

[redacted]

OFFENSE: 664/187

OFFENSE DATE: MARCH 1, 2007

I, the undersigned, if called as a witness, would testify that I: (1) am employed by the State of California Department of Justice, (2) conducted an examination of, and (3) formed conclusions as stated in this report. I, the undersigned, declare this information is true and correct under penalty of perjury.

FIELD INVESTIGATION REPORT

On March 1, 2007 at 0700 hours I received a phone call from Humboldt dispatch requesting DOJ crime lab assistance at an officer-involved shooting in Loleta. Subsequent communications involving Lt. Cavinta and [redacted] of the Humboldt County Sheriff's Office (HCSO) and D.A. Investigator Mike Losey provided me with the following summary:

> [redacted] *had become very violent and destructive during the very early morning hours. He had destroyed property in his parent's house with a machete, as well as the small cabin on their property that he resided in with his wife. His wife and his parents had placed 911 phone calls during this time. The Humboldt County Sheriff's Office had responded to the cabin, and after a "standoff" between them and the* [redacted] *the* [redacted] *left the building with a weapon in hand and threatened the deputies. A Taser was used against the* [redacted] *and then a single shot was fired, wounding him.*

I arrived at [redacted] Table Bluff Road, Loleta, California at approximately 1140 hours and made contact with HCSO Evidence Technician [redacted] She indicated that we were waiting for a search warrant before processing the scene. While we were waiting for the warrant, lead Detective Steve Quenell and D.A. Investigator Mike Losey arrived on the scene. Mike Losey specified that [redacted] would process the residences for evidence and that I could provide additional documentation of the residences. He also specified that all evidence related to the outdoor shooting was to be collected by myself and then released to [redacted]

At approximately 1425 hours Mike Losey informed [redacted] and I that we could begin processing the main residence, since we had consent from the owners. The main damage in the residence was confined to the hallway and the two last rooms on the left side of the hallway, which included a bedroom and a sewing room.

CONTINUED:

I observed numerous cut or slice type marks in the walls of the hallway, the door frames of the bedroom and sewing room, the sliding glass door in the sewing room, a piece of fabric in the sewing room, and the safe in the sewing room. The window and one of the sliding glass doors in the sewing room were broken, as well as several other items in that room, including a clothing iron and a lamp. A picture that had been hanging in the hallway was broken. There was also a broken plug from the electrical cord of an alarm clock located in the bedroom. Several small possible bloodstains were located throughout the home. These were believed to have come from the [redacted] who had injured himself during the events of the morning. I documented the residence with photographs and notes. [redacted] collected some evidence from the home including glass samples and swabs of some of the bloodstains with controls. Shortly after 1600 hours I was notified that the search warrant had been signed and I proceeded to the cabin for evidence collection.

The small, brown, wood cabin was located down the driveway from the main residence. Wayne Cox of the D.A. Investigator's Office was responsible for taking all measurements related to the evidence in the officer-involved shooting that took place in front of the cabin. Miscellaneous items were strewn about in the grass in front of the cabin. I photographed and collected the following items of evidence related to the shooting: a cell phone that was broken into two pieces, a key, a baseball cap, a machete, a knife with a broken black handle, a small kitchen knife, a Taser cartridge with wires and darts, and an expended bullet. Several HCSO personnel, [redacted] and myself searched outside the cabin for a spent cartridge case until it became dark. I took some photographs of the interior of the cabin before I left. I observed that the cabin was in total disarray with glass from the broken windows and mirrors visible throughout the cabin. Some small possible bloodstains were observed in the bathroom. I departed from the scene at approximately 1845 hours. I returned to the laboratory and stored the evidence that I had collected.

I returned to the cabin on March 2, 2007, after [redacted] notified me that a spent cartridge case had been found. I photographed and collected the cartridge case. I took a few additional photographs inside the cabin, including some of the "suicide note" the [redacted] wrote on the bathroom door inside then cabin. I then turned over all evidence in my possession to [redacted] and departed the scene at 1300 hours.

EVIDENCE:

I collected the following evidence at the crime scene on March 1, 2007:

DRE01. Top half of cell phone
DRE02. Bottom half of cell phone
DRE03. Machete
DRE04. Knife w/ broken black handle
DRE05. Key
DRE06. Small kitchen knife
DRE07. Taser cartridge w/ wires and darts
DRE08. Baseball cap
DRE10. Expended bullet

I collected the following evidence at the crime scene on March 2, 2007:

DRE11. Expended cartridge case

EVIDENCE Continued:

I created the following evidence in the laboratory on March 13, 2007:

CD-01. CD-ROM of crime scene photos

DISPOSITION:

All evidence collected at the crime scene was turned over to [redacted] on March 2, 2007. The crime scene photos CD (item CD-01) will be sent to the Humboldt County Sheriff's Office.

EXAMINED BY: [redacted]
Senior Criminalist

Date of Report: March 27, 2007

Technical review by: [redacted] Date: 3/29/07

Administrative review by: [redacted] Date: 3/29/07

DE : de

REQUESTING AGENCY CASE NO.
200701191

CALIFORNIA DEPARTMENT OF JUSTICE
BUREAU OF FORENSIC SERVICES
NORTH COAST REGIONAL CRIMINALISTICS LABORATORY
[redacted]

BFS CASE NUMBER
EU-07-000412-0005

ATTN: Det. S. Quenell
Humboldt County Sheriff's Department
826 Fourth Street
Eureka, CA 95501

COPIES: D.A. Invest. Mike Losey

PHYSICAL EVIDENCE EXAMINATION REPORT

[redacted]

OFFICER INVOLVED SHOOTING

OFFENSE DATE: MARCH 1, 2007

I, the undersigned, if called as a witness, would testify that I: (1) am employed by the State of California Department of Justice, (2) conducted an examination of, and (3) formed conclusions as stated in this report. I, the undersigned, declare this information is true and correct under penalty of perjury.

SUMMARY:

Lagarda's gloves (items 7-1 and 7-2) and uniform shirt (item 7-3) screened positive for blood. The flashlight (item 4-1) also screened weakly positive for blood. Blood was not detected on the Motorola radio (item 4-2A) or Deputy Daniels' boots (items 5-6 and 5-7).

EVIDENCE:

The following evidence was received from the Humboldt County Sheriff's Office on April 6, 2007:

2-1. Blood sample from [redacted]
3-1. Blood sample from Deputy Daniels
4-1. Black Streamlight flashlight from Daniels' patrol vehicle
4-2A. Motorola hand-held radio from Daniels' belt
5-3. Glock model 22 .40 caliber pistol
5-4. Glock magazine containing 14 .40 caliber cartridges
5-5. Winchester .40 caliber cartridge
5-6. Black Danner boot, right, Daniels
5-7. Black Danner boot, left, Daniels
7-1. Black neoprene glove, right, Lagarda
7-2. Black neoprene glove, left, Lagarda
7-3. Tan HCSO uniform shirt, Lagarda
9-DRE10. Expended copper-jacketed bullet
10-DRE11. Expended cartridge case

EXAMINATION:

The blood samples from [redacted] and Deputy Daniels were analyzed for alcohol by Senior Criminalist [redacted] Refer to reports EU-07-000412-0002 and EU-07-000412-0003 for results.

Deputy Lagarda's gloves (items 7-1 and 7-2) had visible stains on them. The stains were primarily located on the backs of the fingers of the gloves and the backs of the glove on the outer surface. All of the visibly stained areas screened positive for blood. General blood screening was done on the remaining surfaces of the gloves, including the insides, with weakly positive results.

Deputy Lagarda's uniform shirt (item 7-3) was intact and in good condition. A group of small reddish stains and smears was visible on the right side of the shirt approximately three inches below the pocket. The staining screened positive for blood, and was collected as a single pooled stain by swabbing. Another small faint reddish stain was visible just below the lower left corner of the pocket on the right side of the shirt. This stain also screened positive for blood and was collected by swabbing.

There were no visible stains observed on the flashlight from Deputy Daniels' patrol vehicle (item 4-1). General screening for blood was performed and one area of the flashlight handle, nearest the light, screened weakly positive for blood. The flashlight did not turn on when the switch was depressed at the time it was being evaluated.

There were no visible stains on the hand-held radio from Deputy Daniels' belt (item 4-2A). The radio was screened for blood with negative results.

Deputy Daniels' boots (items 5-6 and 5-7) were in dirty/muddy condition. There were no visible stains that appeared to have been possible blood. The boots were screened for blood with negative results.

Senior Criminalist [redacted] will analyze the remaining firearms evidence and the results will be reported separately.

If further analysis is desired, a request to the laboratory will need to be made.

DISPOSITION:

The Eureka lab will retain swabs of the possible bloodstains from the evidence and applicable control swabs. Items 4-1, 4-2A, 5-6, 5-7, 7-1, 7-2, and 7-3 were returned to the submitting agency on April 26, 2007. The blood samples from [redacted] and Deputy Daniels were forwarded to DOJ Toxicology on April 12, 2007. The remaining evidence will be held pending return to the submitted agency.

EXAMINED BY [redacted]

Date of Report: April 26, 2007

Senior Criminalist

Technical review by: [redacted] Date: 4-26-07

Administrative review by: [redacted] Date: 4/27/07

DE : de

REQUESTING AGENCY CASE NO.
2007-01191

CALIFORNIA DEPARTMENT OF JUSTICE
BUREAU OF FORENSIC SERVICES
NORTH COAST REGIONAL CRIMINALISTICS LABORATORY
[redacted]

BFS CASE NUMBER
EU-07-000412-0004

ATTN: Detective Steve Quenell
Humboldt County Sheriff's Department
826 Fourth Street
Eureka, CA 95501

COPIES: Mike Losey
Humboldt Co. DA's Office

PHYSICAL EVIDENCE EXAMINATION REPORT

[redacted]

OFFENSE: OFFICER INVOLVED SHOOTING

OFFENSE DATE: MARCH 1, 2007

I, the undersigned, if called as a witness, would testify that I: (1) am employed by the State of California Department of Justice, (2) conducted an examination of, and (3) formed conclusions as stated in this report. I, the undersigned, declare this information is true and correct under penalty of perjury.

SUMMARY:

The evidence cartridge case (9-DRE11) was fired in the Glock Model G22 pistol (5-3). The bullet (9-DRE10) could not be eliminated or conclusively identified as having been fired in the Glock Model G22 pistol (5-3).

EVIDENCE:

The following is a partial listing of the evidence received. Refer to EU-07-000412-0005 Physical Examination Report dated April 26, 2007 for a complete listing of the submitted evidence.

The following evidence was received from [redacted] of the Humboldt Co. Sheriff's Office on April 6, 2007:

5-3	One Glock Model G22 pistol, s/n [redacted]
5-4	One Glock .40 Cal magazine containing fourteen cartridges
5-5	One Glock .40 caliber cartridge
9-DRE10	One fired copper jacketed lead bullet
9-DRE11	One fired cartridge case

EXAMINATION:

The Glock Model G22 pistol (5-3) was determined to be functional and intact. The trigger and firing pin safeties functioned properly. The pistol cycled and fired ammunition without jamming or misfiring. The trigger pull was measured to be between 4 and 4-1/2 pounds. Partially burned and unburned gunpowder granules were observed in the bore indicating that it had been fired since its last cleaning. The pistol barrel had polygonal rifling (right twist). Also submitted with the weapon was a .40 caliber Glock detachable box magazine (5-4) containing fourteen Winchester 40 S & W cartridges with 180 grain copper-jacketed lead hollow point bullets. A single loose cartridge (5-5), similar in type to those in the magazine, was also included with the weapon and magazine. It was presumed that this loose cartridge was removed from the chamber of the pistol (5-3).

EXAMINATION CONT'ed:

Four cartridges from the magazine (5-4) were selected and test fired in the pistol (5-3). The bullets and cartridges were collected and retained for comparison with the submitted evidence bullet (9-DRE10) and cartridge case (9-DRE11).

The evidence bullet (9-DRE10) was damaged, partially expanded copper-jacketed lead bullet weighing 166.68 grains. Rifling impressions on the bearing surface of the bullet were made by a polygonally rifled barrel, such as the barrel type fitted to the Glock pistol (5-3). Bullets fired in polygonally rifled barrels are commonly difficult to compare since they do not create reproducible rifling toolmarks on bullets fired in them. While the evidence bullet (9-DRE10) is consistent with the bullets in the cartridges submitted with the weapon, and the evidence bullet was fired in a barrel consistent with the evidence weapon, sufficient unique corresponding tool mark characteristics were not present on the evidence bullet (9-DRE10) and the test fired bullets to conclude that the evidence bullet could only have been fired in the Glock pistol (5-3). Light blue-gray colored fibers, vegetative material, and possible tissue were microscopically observed on the exterior surface of the bullet. A portion of these materials were collected but not analyzed further.

The evidence cartridge case (9-DRE11) was brass with a headstamp "WINCHESTER" at 12 o'clock and "40 S & W" at 6 o'clock. It was consistent in type with those submitted with the magazine (5-4) and the loose cartridge (5-5). The evidence cartridge case had dirt embedded in the rim groove and the firing pin impression. A portion of the dirt was collected and retained, but it was not further examined. All examined class characteristics on the evidence cartridge case were consistent with the cartridge cases fired in the Glock pistol (5-3). Sufficient corresponding unique characteristics were observed on the evidence cartridge case (9-DRE11) and test fired cartridge cases to determine that the evidence cartridge case was fired in the Glock pistol (5-3).

DISPOSITION:

The submitted evidence and all laboratory-generated evidence will be held at the laboratory pending return to the submitting agency.

EXAMINED BY [redacted]
Senior Criminalist

Date of Report: July 17, 2007

Technical review by: [redacted] Date: 7/17/07

Administrative review by: [redacted] Date: 7/17/07
TRB: trb

HUMBOLDT COUNTY SHERIFF'S DEPARTMENT
CHRONOLOGICAL REPORT OF INVESTIGATION

DETECTIVE DUNN / [redacted] CASE #

DATE	TIME	ACTIVITY WEAPON CHECK
3-2-07	1447	DANIELS - RETRIEVED FROM
		EVIDENCE
		S/N [redacted]
		removed from - 14 - IN CLIP 1 - IN CHAMBER
	firearm	GLOCK 22 .40 CA
		2 - MAG W/ 15 each
3-9-07	0900	Examine items for blood / function
		Flashlight, streamlight
		ID# [redacted] in working order
		presumptive (+) near on/off button
		neg - on glass
2A		MOTOROLA MT2000 HANDHELD RADIO
		S/N [redacted]
		presumptive (+)
2B		ASP - presumptive (-)
2C		SMALL STREAMLIGHT S/N [redacted]
		PRESUMPTIVE (-)
2D		STREAM MK-4
		PRESUMPTIVE - WEAK (+)

2E 2- .40 CAL GLOCK
MAGAZINES W/ 15 CARTRIDGES
EACH
BOTH Presumptive (+)

2F - 2 pairs of CUFFS
[redacted] (-)
(-)

2G DUTY BELT
GUN HOLSTER (-)
RANDOM AREAS (-)
NO VISIBLE SIGNS OF BLOOD

2H .40 CAL GLOCK 22
S/N [redacted]
Hemastix (+)

2I 4- Belt keepers
hemastix (-)

2J BADGE # 1006

HUMBOLDT COUNTY SHERIFF'S DEPARTMENT
CHRONOLOGICAL REPORT OF INVESTIGATION

DETECTIVE DUNN | [redacted] CASE #

DATE	TIME	ACTIVITY WEAPONS CHECK/PHOTOS
3-1-07	0653	Brand GLOCK 22 .40 S/N [redacted]
		1 round in chamber
		3 CLIPS – 15 EACH CARTRIDGES
		NO TASER
		M3 TACTICAL LIGHT
✓	0656	SILVA
		SHOTGUN Remington 870 Police magnum
		4 shells Butt stock shell carrier
		S/N [redacted]
		6 ~~3~~ 5 - in chamber
		Photo order ~~top~~ to bottom ↓
		No taser
		GLOCK 22 .40 S/N [redacted]
		1 in chamber
		3 CLIPS – 15 CARTRIDGES EACH
	0705	BISHOP – TASER COLLECTED EARLIER
		GLOCK 22 .40 S/N [redacted]
		1 in chamber
		3 CLIPS – 15 CARTRIDGES EACH
	0711	LAGARDA (RECRUIT) BLOOD ON SHIRT COLLECTED & GLOVES
		GLOCK 22 .40 S/N [redacted]
		NO TASER
		1 CHAMBER
		WEAPON FIRED AT RANGE 5 ROUNDS
		DEPUTY PETERSON ON 2-28-07
		3 CLIPS – 15 CARTRIDGES EACH

HCSD 0646.1 11/95

CUFFED [redacted] AFTER WOUNDED

HUMBOLDT COUNTY SHERIFF'S DEPARTMENT
CHRONOLOGICAL REPORT OF INVESTIGATION

DETECTIVE _____ CASE # _____

DATE	TIME	ACTIVITY
		Photos | weapons check
		✓ Brand Daniels
		✓ SILVA
		✓ BISHOP LAGAK DA
		✓ [redacted]

HCSD 0646.1 11/95

Marrin photos

[redacted] to surgery

Braud Corrected

Cyrus bagged

to Kirkpatrick

0542 hrs.

took possession

3-2-07 1005 hours out
w/ K-21 Garey
Rick Chandler on scene
since 0700
Daytal 0000 – 0700
Chandler cleared upon our
arrival

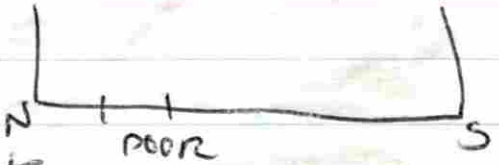
Photos upon arrival

ADDITION Search for
cartridge case

- Video tape area
note evidence
markers in place
evidence collected
previous day

Troy located spent cartridge
case @ 1135
Marked #11
PHOTO Measure
from S 25' 6"
N 35' 8"

Daniels position
to case 14'



Spice bottle represents
Daniels position

INT BATHROOM DOOR
BLUE INK HANDWRITTEN





- flashlight under mirror in bathroom
  white plaster/ sheet rock
- piece of wood loc. in bed
  sheet rock/paint

2- 24 oz. OD English 800
Malt liquor inside
1- Kitchen counter
1- behind door

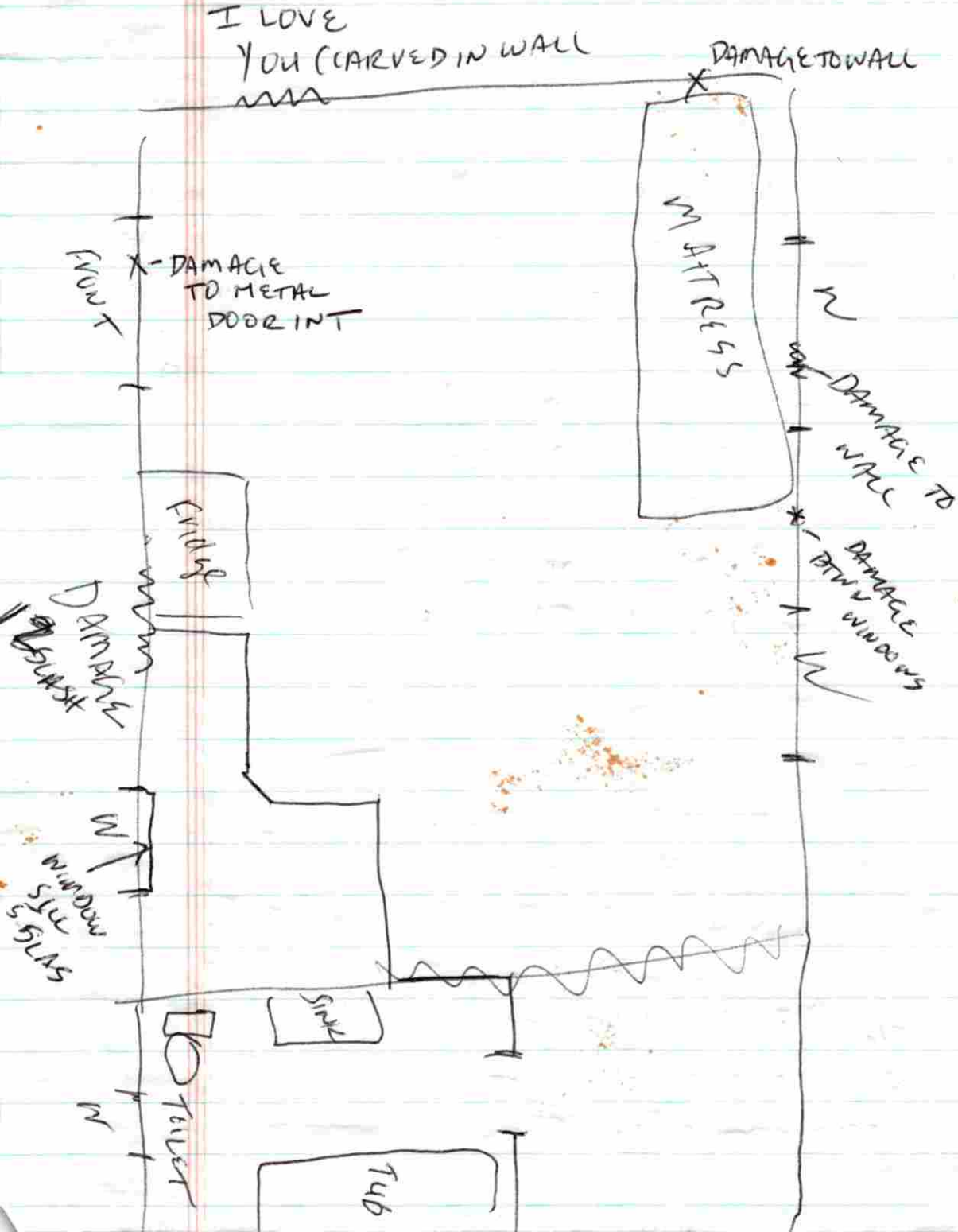
1- outside by
wood pile

No drugs

Concluded search 1333 hrs.

1153 hours process cabin inside for evidence

All windows broken



Per K-25 via K-28

GSR Daniels only - clothing etc.
P. Bishop deployed Taser
Collect Taser only on
Bishop

Shooting occured outside
[redacted] had a machetti

drinks, domestic dispute
poss. [redacted] called initial
2 houses on same property

Command van?

285 Daniels / B. Quenell (union rep)
Cleared Hosp. 0608 hours

Briefed 0755 hours S. Quenell (not inside)
Deputies only ones at small house
Spent cartridge case not located
bullet, taser cartridges
machetti, knives
baseball cap where [redacted]
went down
Chandler on scene - logging
- Ambulance crew on scene after incident

DOJ has been contacted

- stand by for DUNN

- Out [redacted] 0906 hours

Met w/ D.A. Inv. Dunn

Photos | Collect clothing equipment

Room [redacted] B. Quenell Union Rep

[redacted] Attorney HDSO

No Taser
GLOCK 22 .40
3- magazines
Pepper Spray
2- pair handcuffs
Asp
Radio
Stinger flashlight
Key holder
Rubber glove holder (empty)
4- Keepers

- hand sanitizer used on scene
alcohol based

FULL SIZE STREAMLIGHT
IN VEHICLE
USED - COLLECT

GSR KIT 0925 hrs.
photos, clothing

photos of vest - left w/ Daniels
(only one)

Completed 0938 hrs.

Briefing 1145 hours

Out Scene [redacted] Table Bluff Rd.
1215 hours)

Garey, Hanson, Rich Chandler

Photograph broken window
Collect glass sample
- owner wants to repair window
10-22 Wait for search
Warrant
[redacted] arrived 1238

1430 hrs. consent to
search Main residence
photograph Collect glass sample

BLOOD INSIDE residence
collect

— MAIN RESIDENCE
DOOR FROM KITCHEN (EXIT) TO NORTH
[redacted] EXITED ↗

2 Story

HALLWAY CONTAINED BROKEN DEBRIS
(CERAMIC) FROM ITEMS ON WALL
THAT WERE KNOCKED OFF BY
[redacted]

[redacted]

BACK ROOM | SEWING ROOM

NORTH WALL -
LIGHT SWITCH - BLOOD
LEFT OF LIGHT SWITCH - BLOOD
SAFE ~~KNOB~~ KNOB - BLOOD

INT - FRONT LOCK
AND UNDER LIGHT SWITCH > BLOOD

Collect Evidence:

Blood Samples
Glass Samples
Photos
completed search 1617 hrs

3-12-07 1510 hours

retrieve Daniels clothes from evidence

examine for possible blood
ALS violet + green

Shirt - neg.
pants - neg
Left boot - neg

Right boot - fluoresced
hemastix (+) on bottom heel

3-1-07 0542 hrs out hosp.

0542 took poss,
blood – Jason Daniels
[redacted]

on scene Lt. Thomas
Sgt. Paris
Kirkpatrick
[redacted]
[redacted] – ride along w/ Daniels
Alan Stockton

GSR ?

[redacted] in surgery critical
one gunshot wound
to abdomen

Daniels unit in possession of
Sgt. Paris
[redacted]
unit # 07198
photos of veh.

200901827

3-19-09 0913 hrs.

clothing collected at hospital - mixed in plastic bags, [redacted]

HCCF

in jump suits

- photos, GSR

[redacted]

[redacted]

Right + Left GSR 0923 hrs.

1 each

[redacted]

Right + Left GSR 0932 hrs.

1 each

Take possession of both [redacted] clothing / Blood

[redacted]

Placed blood samples in Lab

clothing in storage

0750 hrs. contacted at residence by Det. Quenell informed of O.I.S.

Arcata P.D. Officer Dave Miller involved in shooting, arrived home from working graveyard shift observed someone leaving his property entered [redacted] fired weapon Miller returned fire. [redacted] fled in vehicle

Deputies stopped vehicle on Kneland Rd.

Quenell informed me
- wallet was located in the roadway
- duffle bag located on side of roadway

- these two items were photographed in place

the items were collected for evidence preservation purposes.
areas were marked

- rifle was located left in place and secured by Deputy

1105 hours arrived
on scene

Sgt. Buhner, Sgt. Hanson
Lt. Cavinta
Deputy Chander

directly across from
telephone pole

PGE# [redacted] VM

Received GPS locations
from Chandler

Vehicle [redacted] Ford mustang
CA [redacted]

trunk open w/ baseball
cap on left edge
containing headlight

- set of Keys on hood driver's side
- both doors open

- drivers window up only ~ 1½"
- passenger window completely down
- vehicle traveling West on Kneeland

- photographs & video

- collect evidence recorded by Sgt. Hanson

labeled w/ numbers
Concluded
1400

Cleared
1418

Out 1445 hours

K25

- 2 expended cartridge cases west side of roadway marked with 2 yellow papers

- S.E. of 2 expended cartridge cases marked w/ yellow paper Miller stated this was where the [redacted] were parked when he saw the muzzle flash & heard shots fired

– Video tape both [redacted]

Video area
photos #2 & #3
used as markers
(#1 is broken)
GPS of ~~#1 & #3~~ 2 & 3

[redacted]

Elevation 2294 FT

#1 Deer

[redacted]

[redacted]

Left hand side
20-30 yds off
Rd
before Mtn view
Kneeland
Fork

#2 Deer

[redacted]

Intersection
Mt. View
Kneeland

right hand
side

— Line of Sight measurement from #2 + 3 to area where Miller fired (telephone pole)

Area where Miller thought [redacted] were parked

[redacted]

Elevation 2279

GPS 4, 5, 6



Elevation 2358 ft.

R.P 45 Auto

Concluded

1755 hrs.

CAR -

[redacted]

[redacted]

4-$ miles
PAST AIRPORT

BAG WITH AMMO + GLOVES

FOUND AT MAILBOX [redacted]

N [redacted]

W

[redacted] FORD MUSTANG [redacted]

[redacted]

RIFLE

ACROSS FROM DRIVEWAY [redacted]

[redacted]

HUMBOLDT COUNTY SHERIFF'S OFFICE
PROPERTY/EVIDENCE BOOKING AND RELEASE REPORT

CASE NUMBER: 200701191

PAGE _____ OF _____

☐ ADULT ARREST
☐ JUVENILE ARREST

☐ SEARCH WARRANT NO. _____

DATE STORED	TIME STORED	DATE OF INCIDENT	CRIME
3-1-07	0542	3-1-07	OFFICER INVOLVED SHOOTING

VICTIM NAME	DOB	ADDRESS	PHONE

NAME OF FINDER (ADDITIONAL VICTIM)	DOB	ADDRESS	PHONE

LOCATION PROPERTY WAS FOUND (INCIDENT OCCURRED)
ST. JOSEPH HOSPITAL

[redacted]

		SUSPECT	DOB
		SUSPECT	DOB

TYPE OF PROPERTY
☒ EVIDENCE ☐ FOUND ☐ SAFEKEEPING

PROPERTY CODES *178

S	- Stolen	D	- Damaged
R	- Recovered	L	- Lost
RA	- Recovered (For Other Agency)	E	- Evidence
F	- Found	K	- Safekeeping
		C	- Contraband

PROPERTY/EVIDENCE LISTING

CODE	ITEM NO.	QTY.	DESCRIPTION	VALUE	NCIC	WEIGHT	DISPOSITION
E	1	1	BLOOD SAMPLE: HCSO DEPUTY JASON DANIELS				

OWNERS OF PROPERTY

ITEMS NO.	NAME	DOB	ADDRESS	PHONE	NOTIFIED
ITEMS NO.	NAME	DOB	ADDRESS	PHONE	NOTIFIED
ITEMS NO.	NAME	DOB	ADDRESS	PHONE	NOTIFIED

LAB WORK REQUIRED

ITEMS NO.	PURPOSE OF EXAM
ITEMS NO.	PURPOSE OF EXAM
ITEMS NO.	PURPOSE OF EXAM

B[redacted]	PIN	REPORT DATE	SUPERVISOR REVIEW	PIN	REPORT DATE
	1302	3-2-07			

H[redacted]

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HUMBOLDT COUNTY SHERIFF'S OFFICE
PROPERTY/EVIDENCE BOOKING AND RELEASE REPORT

CASE NUMBER: 20070119/

PAGE _____ OF _____

☐ ADULT ARREST
☐ JUVENILE ARREST
☐ SEARCH WARRANT NO. _____

DATE STORED	TIME STORED	DATE OF INCIDENT	CRIME
3-1-07	0542	3-1-07	OFFICER INVOLVED SHOOTING

VICTIM NAME	DOB	ADDRESS	PHONE

NAME OF FINDER (ADDITIONAL VICTIM)	DOB	ADDRESS	PHONE

LOCATION PROPERTY WAS FOUND (INCIDENT OCCURRED)
ST. JOSEPH HOSPITAL

[redacted]

SUSPECT	DOB	SUSPECT	DOB
SUSPECT	DOB	SUSPECT	DOB

TYPE OF PROPERTY
☒ EVIDENCE ☐ FOUND ☐ SAFEKEEPING

PROPERTY CODES *178

S	- Stolen	D	- Damaged
R	- Recovered	L	- Lost
RA	- Recovered (For Other Agency)	E	- Evidence
F	- Found	K	- Safekeeping
		C	- Contraband

PROPERTY/EVIDENCE LISTING

CODE	ITEM NO.	QTY.	DESCRIPTION	VALUE	NCIC	WEIGHT	DISPOSITION
E	1	1	BLOOD SAMPLE: [redacted]				

OWNERS OF PROPERTY

ITEMS NO.	NAME	DOB	ADDRESS	PHONE	NOTIFIED
ITEMS NO.	NAME	DOB	ADDRESS	PHONE	NOTIFIED
ITEMS NO.	NAME	DOB	ADDRESS	PHONE	NOTIFIED

LAB WORK REQUIRED

ITEMS NO.	PURPOSE OF EXAM
ITEMS NO.	PURPOSE OF EXAM
ITEMS NO.	PURPOSE OF EXAM

[redacted]

PIN	REPORT DATE	SUPERVISOR REVIEW	PIN	REPORT DATE
1302	3-1-07			

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HUMBOLDT COUNTY SHERIFF'S OFFICE
PROPERTY/EVIDENCE BOOKING AND RELEASE REPORT

CASE NUMBER: 200701191

PAGE _____ OF _____

DATE STORED	TIME STORED	DATE OF INCIDENT	CRIME
3-1-07	0600	3-1-07	OFFICER INVOLVED SHOOTING

☐ ADULT ARREST
☐ JUVENILE ARREST
☐ SEARCH WARRANT NO. _____

VICTIM NAME	DOB	ADDRESS	PHONE

NAME OF FINDER (ADDITIONAL VICTIM)	DOB	ADDRESS	PHONE

LOCATION PROPERTY WAS FOUND (INCIDENT OCCURRED)
ST. JOSEPH HOSPITAL - [redacted]

TYPE OF PROPERTY
☒ EVIDENCE ☐ FOUND ☐ SAFEKEEPING

SUSPECT	DOB	SUSPECT	DOB
[redacted]			
SUSPECT	DOB	SUSPECT	DOB

PROPERTY CODES *178

S	- Stolen	D	- Damaged
R	- Recovered	L	- Lost
RA	- Recovered (For Other Agency)	E	- Evidence
F	- Found	K	- Safekeeping
		C	- Contraband

PROPERTY/EVIDENCE LISTING

CODE	ITEM NO.	QTY.	DESCRIPTION	VALUE	NCIC	WEIGHT	DISPOSITION
E	1	2	BLACK/WHITE TENNIS SHOES "DC SHOE CO." SIZE UNREADABLE				
E	2	1	BLUE "HANES" BOXER SHORTS SIZE UNREADABLE (CUT)				
E	3	1	WHITE BLANKET W/ RED STAINING				
E	4	1	BLUE BED SHEET W/ RED STAINING				
E	5	1	LEVI'S CARPENTER JEANS SIZE 34 x 34 (CUT), RED LEATHER BELT CHAIN CLIPPED TO BELT BUCKLE W/ KEY & WALLET ATTACHED: CONTENTS OF WALLET - PIERSON'S RECEIPT 2-1-07, PHONE NUMBERS 1-$20.00 BILL, SOCIAL SECURITY CARD FOR [redacted] BROOKINGS HIGH SCHOOL ID [redacted] REGISTRANT RECEIPT PC '457.1 [redacted] 2-14-07, BLOCKBUSTER CARD, BLUE CROSS CARD, STATE HEALTH CARD [redacted] PHOTO AND LOCK OF HAIR; RIGHT FRONT POCKET CONTENTS - PHOTO AND BLUE LIGHTER LEFT REAR POCKET CONTENTS:- SENTRY GUN SAFE PAPERWORK W/ COMBO (TAPE ATTACHED), 18 - 5.00, 3 - 10.00, 1 - 20.00				

OWNERS OF PROPERTY

ITEMS NO.	NAME	DOB	ADDRESS	PHONE	NOTIFIED
ITEMS NO.	NAME	DOB	ADDRESS	PHONE	NOTIFIED
ITEMS NO.	NAME	DOB	ADDRESS	PHONE	NOTIFIED

LAB WORK REQUIRED

ITEMS NO.	PURPOSE OF EXAM
ITEMS NO.	PURPOSE OF EXAM
ITEMS NO.	PURPOSE OF EXAM

BOOKING [redacted]	PIN	REPORT DATE	SUPERVISOR REVIEW	PIN	REPORT DATE
	1302	4-4-07			

HCSD 04 [redacted]

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HUMBOLDT COUNTY SHERIFF'S OFFICE
PROPERTY/EVIDENCE BOOKING AND RELEASE REPORT

CASE NUMBER: 200701191

PAGE _____ OF _____

☐ ADULT ARREST
☐ JUVENILE ARREST

☐ SEARCH WARRANT NO. _____

DATE STORED	TIME STORED	DATE OF INCIDENT	CRIME
3-1-07	0600	3-1-07	OFFICER INVOLVED SHOOTING

VICTIM NAME	DOB	ADDRESS	PHONE

NAME OF FINDER (ADDITIONAL VICTIM)	DOB	ADDRESS	PHONE

LOCATION PROPERTY WAS FOUND (INCIDENT OCCURRED)
ST. JOSEPH HOSPITAL - [redacted]

		SUSPECT	DOB
[redacted]			
SUSPECT	DOB	SUSPECT	DOB

TYPE OF PROPERTY
☒ EVIDENCE ☐ FOUND ☐ SAFEKEEPING

PROPERTY CODES *178

S	- Stolen	D	- Damaged
R	- Recovered	L	- Lost
RA	- Recovered (For Other Agency)	E	- Evidence
F	- Found	K	- Safekeeping
		C	- Contraband

PROPERTY/EVIDENCE LISTING

CODE	ITEM NO.	QTY.	DESCRIPTION	VALUE	NCIC	WEIGHT	DISPOSITION
E	5	LOT	GREEN EXACTO KNIFE, PHONE NUMBERS [redacted] APPLEBEES CARD, TARGET CARD, BENEFITS ID CARD [redacted], DMV FORM DL SUSPENSION [redacted] 7-27-06				
E	6	1	GRAY SWEATSHIRT				

OWNERS OF PROPERTY

ITEMS NO.	NAME	DOB	ADDRESS	PHONE	NOTIFIED
ITEMS NO.	NAME	DOB	ADDRESS	PHONE	NOTIFIED
ITEMS NO.	NAME	DOB	ADDRESS	PHONE	NOTIFIED

LAB WORK REQUIRED

ITEMS NO.	PURPOSE OF EXAM
ITEMS NO.	PURPOSE OF EXAM
ITEMS NO.	PURPOSE OF EXAM

E [redacted]	PIN 1302	REPORT DATE 4-4-07	SUPERVISOR REVIEW	PIN	REPORT DATE

H [redacted]

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HUMBOLDT COUNTY SHERIFF'S OFFICE
PROPERTY/EVIDENCE BOOKING AND RELEASE REPORT

CASE NUMBER: 200701191

PAGE _____ OF _____

☐ ADULT ARREST
☐ JUVENILE ARREST

☐ SEARCH WARRANT NO. _____

DATE STORED	TIME STORED	DATE OF INCIDENT	CRIME
3-1-07	0635	3-1-07	OFFICER INVOLVED SHOOTING

VICTIM NAME	DOB	ADDRESS	PHONE

NAME OF FINDER (ADDITIONAL VICTIM)	DOB	ADDRESS	PHONE

LOCATION PROPERTY WAS FOUND (INCIDENT OCCURRED)
DEPUTY BISHOP

[redacted]

SUSPECT	DOB	SUSPECT	DOB
SUSPECT	DOB	SUSPECT	DOB

TYPE OF PROPERTY
☒ EVIDENCE ☐ FOUND ☐ SAFEKEEPING

PROPERTY CODES *178

S	- Stolen	D	- Damaged
R	- Recovered	L	- Lost
RA	- Recovered (For Other Agency)	E	- Evidence
		K	- Safekeeping
F	- Found	C	- Contraband

PROPERTY/EVIDENCE LISTING

CODE	ITEM NO.	QTY.	DESCRIPTION	VALUE	NCIC	WEIGHT	DISPOSITION
E	1	1	ADVANCED TASER M26 06/02 [redacted] W/ CARTRIDGE [redacted] IN BLACK CANVAS HOLSTER				

OWNERS OF PROPERTY

ITEMS NO.	NAME	DOB	ADDRESS	PHONE	NOTIFIED
ITEMS NO.	NAME	DOB	ADDRESS	PHONE	NOTIFIED
ITEMS NO.	NAME	DOB	ADDRESS	PHONE	NOTIFIED

LAB WORK REQUIRED

ITEMS NO.	PURPOSE OF EXAM
ITEMS NO.	PURPOSE OF EXAM
ITEMS NO.	PURPOSE OF EXAM

[redacted]

	PIN	REPORT DATE	SUPERVISOR REVIEW	PIN	REPORT DATE
	1302	4-3-07			

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HUMBOLDT COUNTY SHERIFF'S OFFICE
PROPERTY/EVIDENCE BOOKING AND RELEASE REPORT

CASE NUMBER: 20070 1191

PAGE _____ OF _____

☐ ADULT ARREST
☐ JUVENILE ARREST

☐ SEARCH WARRANT NO. _____

DATE STORED	TIME STORED	DATE OF INCIDENT	CRIME
3-1-07	0724	3-1-07	OFFICER INVOLVED SHOOTING

VICTIM NAME	DOB	ADDRESS	PHONE

NAME OF FINDER (ADDITIONAL VICTIM)	DOB	ADDRESS	PHONE

LOCATION PROPERTY WAS FOUND (INCIDENT OCCURRED)
DEPUTY LAGAROA

TYPE OF PROPERTY
☒ EVIDENCE ☐ FOUND ☐ SAFEKEEPING

[redacted]

SUSPECT	DOB
SUSPECT	DOB

PROPERTY CODES *178

S	- Stolen	D	- Damaged
R	- Recovered	L	- Lost
RA	- Recovered (For Other Agency)	E	- Evidence
F	- Found	K	- Safekeeping
		C	- Contraband

PROPERTY/EVIDENCE LISTING

CODE	ITEM NO.	QTY.	DESCRIPTION	VALUE	NCIC	WEIGHT	DISPOSITION
E	1	1	"HATCH" BLACK NEOPRENE GLOVE RIGHT SIZE M-9	HEMASTIX (+)			
E	2	1	"HATCH" BLACK NEOPRENE GLOVE LEFT SIZE M-9	HEMASTIX (+) WEAK			
E	3	1	"FLYING CROSS" TAN DEPUTY SHERIFF UNIFORM SHIRT SIZE	15.5, 33		HEMASTIX (+)	

OWNERS OF PROPERTY

ITEMS NO.	NAME	DOB	ADDRESS	PHONE	NOTIFIED
1-8	ANTHONY LAGARDA				
ITEMS NO.	NAME	DOB	ADDRESS	PHONE	NOTIFIED
ITEMS NO.	NAME	DOB	ADDRESS	PHONE	NOTIFIED

LAB WORK REQUIRED

ITEMS NO.	PURPOSE OF EXAM
ITEMS NO.	PURPOSE OF EXAM
ITEMS NO.	PURPOSE OF EXAM

[redacted]

PIN	REPORT DATE	SUPERVISOR REVIEW	PIN	REPORT DATE
1302	4-3-07			

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HUMBOLDT COUNTY SHERIFF'S OFFICE
PROPERTY/EVIDENCE BOOKING AND RELEASE REPORT

CASE NUMBER: 200701191

PAGE _____ OF _____

☐ ADULT ARREST
☐ JUVENILE ARREST

☐ SEARCH WARRANT NO. _____

DATE STORED	TIME STORED	DATE OF INCIDENT	CRIME
3/1/07	0940	3/1/07	Officer Involved Shooting

VICTIM NAME	DOB	ADDRESS	PHONE

NAME OF FINDER (ADDITIONAL VICTIM)	DOB	ADDRESS	PHONE

LOCATION PROPERTY WAS FOUND (INCIDENT OCCURRED)
Officer Involved: Deputy Jason Daniels

SUSPECT	DOB	SUSPECT	DOB
[redacted]			

TYPE OF PROPERTY
☒ EVIDENCE ☐ FOUND ☐ SAFEKEEPING

PROPERTY CODES *178

S	- Stolen	D	- Damaged
R	- Recovered	L	- Lost
RA	- Recovered (For Other Agency)	E	- Evidence
F	- Found	K	- Safekeeping
		C	- Contraband

PROPERTY/EVIDENCE LISTING

CODE	ITEM NO.	QTY.	DESCRIPTION	VALUE	NCIC	WEIGHT	DISPOSITION
E	1	1	black Streamlight [redacted] removed from Daniels patrol vehicle - RECD 3-2-07				
E	2A	1	Motorola MT2000 Hand held radio w/holder [redacted]				
E	2B	1	Asp				
E	2C	1	small black Streamlight [redacted]				
E	2D	1	Stream MK-4 O.C. spray				
E	2E	2	.40 cal Glock 22 magazines w/15 cartridges each				
E	2F	2	pairs of handcuffs [redacted]				
E	2G	1	Duty belt				
~~E~~	~~2H~~	~~1~~	~~.40 cal Glock 22 firearm~~ [redacted] ~~w/ magazine & 15 cartridges~~				
E	2I	4	Gun belt keepers				
E	2J	1	Deputy Sheriff Badge #1066				

OWNERS OF PROPERTY

ITEMS NO.	NAME	DOB	ADDRESS	PHONE	NOTIFIED
ITEMS NO.	NAME	DOB	ADDRESS	PHONE	NOTIFIED
ITEMS NO.	NAME	DOB	ADDRESS	PHONE	NOTIFIED

LAB WORK REQUIRED

ITEMS NO.	PURPOSE OF EXAM
ITEMS NO.	PURPOSE OF EXAM
ITEMS NO.	PURPOSE OF EXAM

[redacted]

PIN	REPORT DATE	SUPERVISOR REVIEW	PIN	REPORT DATE
1302	3-9-07			

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HUMBOLDT COUNTY SHERIFF'S OFFICE
PROPERTY/EVIDENCE BOOKING AND RELEASE REPORT

CASE NUMBER: 200701191

PAGE _____ OF _____

☐ ADULT ARREST
☐ JUVENILE ARREST

☐ SEARCH WARRANT NO. _____

DATE STORED	TIME STORED	DATE OF INCIDENT	CRIME
3-1-07	0940	3-1-07	OFFICER INVOLVED SHOOTING

VICTIM NAME	DOB	ADDRESS	PHONE

NAME OF FINDER (ADDITIONAL VICTIM)	DOB	ADDRESS	PHONE

LOCATION PROPERTY WAS FOUND (INCIDENT OCCURRED)
OFFICER INVOLVED: JASON DANIELS

[redacted]	DOB	SUSPECT	DOB
SUSPECT	DOB	SUSPECT	DOB

TYPE OF PROPERTY
☒ EVIDENCE ☐ FOUND ☐ SAFEKEEPING

PROPERTY CODES *178

S	- Stolen	D	- Damaged
R	- Recovered	L	- Lost
RA	- Recovered (For Other Agency)	E	- Evidence
F	- Found	K	- Safekeeping
		C	- Contraband

PROPERTY/EVIDENCE LISTING

CODE	ITEM NO.	QTY.	DESCRIPTION	VALUE	NCIC	WEIGHT	DISPOSITION
E	1	1	BLACK BELT, SMITH & WESSON SPECIAL OPS FOLDING KNIFE AND BLACK GALLS NEOPRENE GLOVES, BLAUER OD GREEN PANTS SIZE 40 REG				
E	2	1	BLAUER SHIRT, CONTENTS OF POCKETS: PEN, PENCIL, HANDCUFF KEY, FLAT KEY, RENNER CARD, EPAS CARD & NOTES				
E	3	1	GLOCK MODEL 22 .40 CAL PISTOL [redacted]				
E	4	1	GLOCK MAGAZINE CONTAINING 14 WINCHESTER .40 CAL CARTRIDGES REMOVED FROM #3				
E	5	1	WINCHESTER .40 CAL CARTRIDGE - REMOVED FROM CHAMBER #3				
E	6	1	BLACK DANNER BOOT SIZE 12 - RIGHT				
E	7	1	BLACK DANNER BOOT SIZE 12 - LEFT				
E	8	1	GSR KIT: DEPUTY J. DANIES RIGHT/LEFT HANDS				

OWNERS OF PROPERTY

ITEMS NO.	NAME	DOB	ADDRESS	PHONE	NOTIFIED
ITEMS NO.	NAME	DOB	ADDRESS	PHONE	NOTIFIED
ITEMS NO.	NAME	DOB	ADDRESS	PHONE	NOTIFIED

LAB WORK REQUIRED

ITEMS NO.	PURPOSE OF EXAM
ITEMS NO.	PURPOSE OF EXAM
ITEMS NO.	PURPOSE OF EXAM

[redacted]	PIN	REPORT DATE	SUPERVISOR REVIEW	PIN	REPORT DATE
	1302	3-13-07			

CASE FILE COPY

HUMBOLDT COUNTY SHERIFF'S OFFICE
PROPERTY/EVIDENCE BOOKING AND RELEASE REPORT

CASE NUMBER: 200701191

PAGE _____ OF _____

DATE STORED	TIME STORED	DATE OF INCIDENT	CRIME
3-1-07	1615	3-1-07	OFFICER INVOLVED SHOOTING

☐ ADULT ARREST
☐ JUVENILE ARREST
☐ SEARCH WARRANT NO. CONSENT

VICTIM NAME	DOB	ADDRESS	PHONE
NAME OF FINDER (ADDITIONAL VICTIM)	DOB	ADDRESS	PHONE

[redacted] PROPERTY WAS FOUND (INCIDENT OCCURRED)
[redacted] TABLE BLUFF RD, LOLETA (MAIN RESIDENCE)

SUSPECT	DOB	SUSPECT	DOB
[redacted]			
SUSPECT		SUSPECT	DOB

TYPE OF PROPERTY
☒ EVIDENCE ☐ FOUND ☐ SAFEKEEPING

PROPERTY CODES *178

S	- Stolen	D	- Damaged
R	- Recovered	L	- Lost
RA	- Recovered (For Other Agency)	E	- Evidence
F	- Found	K	- Safekeeping
		C	- Contraband

PROPERTY/EVIDENCE LISTING

CODE	ITEM NO.	QTY.	DESCRIPTION	VALUE	NCIC	WEIGHT	DISPOSITION
E	1	1	BLOOD SWAB: DEADBOLT (INT) FRONT DOOR				
E	1A	1	CONTROL SWAB: DEADBOLT (INT) FRONT DOOR				
E	2	1	BLOOD SWAB: LIGHT SWITCH (INT) LEFT OF FRONT DOOR				
E	2A	1	CONTROL SWAB: LIGHT SWITCH (INT) LEFT OF FRONT DOOR				
E	3	1	BLOOD SWAB: FIRST LIGHT SWITCH ON LEFT IN HALLWAY				
E	3A	1	CONTROL SWAB: FIRST LIGHT SWITCH ON LEFT IN HALLWAY				
E	4	1	BLOOD SWAB: SEWING ROOM LIGHT SWITCH RIGHT OF SLIDING DOOR				
E	4A	1	CONTROL SWAB: SEWING ROOM LIGHT SWITCH RIGHT OF SLIDING DOOR				
E	5	1	BLOOD SWAB: WALL NEXT TO #4				
E	5A	1	CONTROL SWAB: WALL NEXT TO #4				
E	6	1	BLOOD SWAB: GUN SAFE IN SEWING ROOM				
E	6A	1	CONTROL SWAB: GUN SAFE IN SEWING ROOM				

OWNERS OF PROPERTY

ITEMS NO.	NAME	DOB	ADDRESS	PHONE	NOTIFIED
ITEMS NO.	NAME	DOB	ADDRESS	PHONE	NOTIFIED
ITEMS NO.	NAME	DOB	ADDRESS	PHONE	NOTIFIED

LAB WORK REQUIRED

ITEMS NO.	PURPOSE OF EXAM
ITEMS NO.	PURPOSE OF EXAM
ITEMS NO.	PURPOSE OF EXAM

[redacted]	PIN	REPORT DATE	SUPERVISOR REVIEW	PIN	REPORT DATE
	1302	4-3-07			

CASE FILE COPY

HUMBOLDT COUNTY SHERIFF'S OFFICE
PROPERTY/EVIDENCE BOOKING AND RELEASE REPORT

CASE NUMBER: 200701191

PAGE _____ OF _____

DATE STORED	TIME STORED	DATE OF INCIDENT	CRIME
3-1-07	1615	3-1-07	OFFICER INVOLVED SHOOTING

☐ ADULT ARREST
☐ JUVENILE ARREST
☐ SEARCH WARRANT NO. CONSENT

VICTIM NAME	DOB	ADDRESS	PHONE

NAME OF FINDER (ADDITIONAL VICTIM)	DOB	ADDRESS	PHONE

[redacted] PROPERTY WAS FOUND (INCIDENT OCCURRED)
[redacted] TABLE BLUFF RD, LOLETA (MAIN RESIDENCE)

TYPE OF PROPERTY
☒ EVIDENCE ☐ FOUND ☐ SAFEKEEPING

[redacted]	SUSPECT	DOB
	SUSPECT	DOB

PROPERTY CODES *178

S	- Stolen	D	- Damaged
R	- Recovered	L	- Lost
RA	- Recovered (For Other Agency)	E	- Evidence
F	- Found	K	- Safekeeping
		C	- Contraband

PROPERTY/EVIDENCE LISTING

CODE	ITEM NO.	QTY.	DESCRIPTION	VALUE	NCIC	WEIGHT	DISPOSITION
E	7	MISC.	GLASS SAMPLE: SLIDING DOOR IN SEWING ROOM				
E	8	MISC.	GLASS SAMPLE: WINDOW IN SEWING ROOM				
E	9	1	BLOOD SWAB: WALL FIRST BDRM ON LEFT NEAR LIGHT SWITCH				
E	9A	1	CONTROL SWAB: WALL FIRST BDRM ON LEFT NEAR LIGHT SWITCH				
E	10	1	BLOOD SWAB: SLIDING DOOR SEWING ROOM				
E	10A	1	CONTROL SWAB: SLIDING DOOR SEWING ROOM				

OWNERS OF PROPERTY

ITEMS NO.	NAME	DOB	ADDRESS	PHONE	NOTIFIED
ITEMS NO.	NAME	DOB	ADDRESS	PHONE	NOTIFIED
ITEMS NO.	NAME	DOB	ADDRESS	PHONE	NOTIFIED

LAB WORK REQUIRED

ITEMS NO.	PURPOSE OF EXAM
ITEMS NO.	PURPOSE OF EXAM
ITEMS NO.	PURPOSE OF EXAM

[redacted]	PIN	REPORT DATE	SUPERVISOR REVIEW	PIN	REPORT DATE
	1302	4-3-07			

CASE FILE COPY

HUMBOLDT COUNTY SHERIFF'S OFFICE
PROPERTY/EVIDENCE BOOKING AND RELEASE REPORT

CASE NUMBER: 200701191

PAGE _____ OF _____

DATE STORED	TIME STORED	DATE OF INCIDENT	CRIME
3-2-07	1330	3-1-07	OFFICER INVOLVED SHOOTING

☐ ADULT ARREST
☐ JUVENILE ARREST
☒ SEARCH WARRANT NO. 6234

VICTIM NAME	DOB	ADDRESS	PHONE
NAME OF FINDER (ADDITIONAL VICTIM)	DOB	ADDRESS	PHONE

[redacted] PROPERTY WAS FOUND (INCIDENT OCCURRED)
[redacted] TABLE BLUFF RD, LOLETA (EXTERIOR OF CABIN)

[redacted]

SUSPECT	DOB	SUSPECT	DOB
SUSPECT	DOB	SUSPECT	DOB

TYPE OF PROPERTY
☒ EVIDENCE ☐ FOUND ☐ SAFEKEEPING

PROPERTY CODES *178

S	- Stolen	D	- Damaged
R	- Recovered	L	- Lost
RA	- Recovered (For Other Agency)	E	- Evidence
		K	- Safekeeping
F	- Found	C	- Contraband

PROPERTY/EVIDENCE LISTING

CODE	ITEM NO.	QTY.	DESCRIPTION	VALUE	NCIC	WEIGHT	DISPOSITION
E	DRE01	1	TOP HALF OF CELL PHONE				
E	DRE02	1	BOTTOM HALF OF CELL PHONE				
E	DRE03	1	MACHETE KNIFE				
E	DRE04	1	KNIFE W/ BLACK HANDLE (BROKEN HANDLE)				
E	DRE05	1	KEY				
E	DRE06	1	SM. STEAK OR KITCHEN KNIFE				
E	DRE07	1	TASER CARTRIDGE CASE W/ WIRES & DARTS				
E	DRE08	1	BASEBALL CAP				
E	DRE10	1	EXPENDED COPPER JACKETED BULLET				
E	DRE11	1	EXPENDED CARTRIDGE CASE				
			DESCRIPTORS SEALED BY CRIMINALIST [redacted] (DOJ)				

OWNERS OF PROPERTY

ITEMS NO.	NAME	DOB	ADDRESS	PHONE	NOTIFIED
ITEMS NO.	NAME	DOB	ADDRESS	PHONE	NOTIFIED
ITEMS NO.	NAME	DOB	ADDRESS	PHONE	NOTIFIED

LAB WORK REQUIRED

ITEMS NO.	PURPOSE OF EXAM
ITEMS NO.	PURPOSE OF EXAM
ITEMS NO.	PURPOSE OF EXAM

BO[redacted]	PIN	REPORT DATE	SUPERVISOR REVIEW	PIN	REPORT DATE
	1302	4-3-07			

HC[redacted]

CASE FILE COPY

HUMBOLDT COUNTY SHERIFF'S OFFICE
PROPERTY/EVIDENCE BOOKING AND RELEASE REPORT

CASE NUMBER: 200701191

PAGE _____ OF _____

DATE STORED	TIME STORED	DATE OF INCIDENT	CRIME
3-2-07	1330	3-1-07	OFFICER INVOLVED SHOOTING

☐ ADULT ARREST
☐ JUVENILE ARREST
☒ SEARCH WARRANT NO. 6234

VICTIM NAME	DOB	ADDRESS	PHONE
NAME OF FINDER (ADDITIONAL VICTIM)	DOB	ADDRESS	PHONE

[redacted] PERTY WAS FOUND (INCIDENT OCCURRED)
[redacted] TABLE BLUFF RD, LOLETA (INTERIOR CABIN)

SUSPECT	DOB	SUSPECT	DOB
[redacted]			
SUSPECT	DOB	SUSPECT	DOB

TYPE OF PROPERTY
☒ EVIDENCE ☐ FOUND ☐ SAFEKEEPING

PROPERTY CODES *178

S	- Stolen	D	- Damaged
R	- Recovered	L	- Lost
RA	- Recovered (For Other Agency)	E	- Evidence
F	- Found	K	- Safekeeping
		C	- Contraband

PROPERTY/EVIDENCE LISTING

CODE	ITEM NO.	QTY.	DESCRIPTION	VALUE	NCIC	WEIGHT	DISPOSITION
E	12	MISC.	LETTERS, INDICIA, PHOTOGRAPHS, PAPERWORK, NOTEBOOK INSIDE FOLDER - LOC. FLOOR NEXT TO BED				
E	13	MISC.	LETTERS, PHOTOGRAPHS, INDICIA - LOC. OF FLOOR OUTSIDE BATHROOM				
E	14	MISC	LETTERS - LOC ON LOVESEAT				
E	15	MISC.	INDICIA: [redacted] - LOC. ON FLOOR BTWN BED & LOVESEAT				
E	16	MISC	LETTER/INDICIA: [redacted] NIGHTSTAND				
E	17	1	BLOOD SWAB: FLOOR BELOW KITCHEN SINK				
E	17A	1	CONTROL SWAB: FLOOR BELOW KITCHEN SINK				
E	18	1	BLOOD SWAB: INTERIOR OF FRONT DOOR				
E	18A	1	CONTROL SWAB: INTERIOR OF FRONT DOOR				
E	19	1	BLOOD SWAB: INTERIOR WALL - RIGHT OF FRONT DOOR				
E	19A	1	CONTROL SWAB: INTERIOR WALL RIGHT OF FRONT DOOR				

OWNERS OF PROPERTY

ITEMS NO.	NAME	DOB	ADDRESS	PHONE	NOTIFIED
ITEMS NO.	NAME	DOB	ADDRESS	PHONE	NOTIFIED
ITEMS NO.	NAME	DOB	ADDRESS	PHONE	NOTIFIED

LAB WORK REQUIRED

ITEMS NO.	PURPOSE OF EXAM
ITEMS NO.	PURPOSE OF EXAM
ITEMS NO.	PURPOSE OF EXAM

[redacted]	PIN 1302	REPORT DATE 4-3-07	SUPERVISOR REVIEW	PIN	REPORT DATE

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HUMBOLDT COUNTY SHERIFF'S OFFICE
PROPERTY/EVIDENCE BOOKING AND RELEASE REPORT

CASE NUMBER: 20070119 1

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☐ ADULT ARREST
☐ JUVENILE ARREST
☒ SEARCH WARRANT NO. 6234

DATE STORED	TIME STORED	DATE OF INCIDENT	CRIME
3-2-07	1330	3-1-07	OFFICER INVOLVED SHOOTING

VICTIM NAME	DOB	ADDRESS	PHONE

NAME OF FINDER (ADDITIONAL VICTIM)	DOB	ADDRESS	PHONE

PROPERTY WAS FOUND (INCIDENT OCCURRED)
[redacted] TABLE BLUFF RD., LOLETA (INTERIOR CABIN)

[redacted]		SUSPECT	DOB
		SUSPECT	DOB

TYPE OF PROPERTY
☒ EVIDENCE ☐ FOUND ☐ SAFEKEEPING

PROPERTY CODES *178

S	- Stolen	D	- Damaged
R	- Recovered	L	- Lost
RA	- Recovered (For Other Agency)	E	- Evidence
		K	- Safekeeping
F	- Found	C	- Contraband

PROPERTY/EVIDENCE LISTING

CODE	ITEM NO.	QTY.	DESCRIPTION	VALUE	NCIC	WEIGHT	DISPOSITION
E	20	1	BLOOD SWAB: BATHROOM DOOR NEAR WRITING				
E	20A	1	CONTROL SWAB: BATHROOM DOOR NEAR WRITING				

OWNERS OF PROPERTY

ITEMS NO.	NAME	DOB	ADDRESS	PHONE	NOTIFIED
ITEMS NO.	NAME	DOB	ADDRESS	PHONE	NOTIFIED
ITEMS NO.	NAME	DOB	ADDRESS	PHONE	NOTIFIED

LAB WORK REQUIRED

ITEMS NO.	PURPOSE OF EXAM
ITEMS NO.	PURPOSE OF EXAM
ITEMS NO.	PURPOSE OF EXAM

BOO[redacted]	PIN	REPORT DATE	SUPERVISOR REVIEW	PIN	REPORT DATE
	1302	4-3-07			

HCS[redacted]

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HUMBOLDT COUNTY SHERIFF'S OFFICE
PROPERTY/EVIDENCE BOOKING AND RELEASE REPORT

CASE NUMBER: 200701191

PAGE _____ OF _____

DATE STORED	TIME STORED	DATE OF INCIDENT	CRIME
SEE ITEMS		3-1-07	OFFICER INVOLVED SHOOTING

☐ ADULT ARREST
☐ JUVENILE ARREST
☐ SEARCH WARRANT NO. _____

VICTIM NAME	DOB	ADDRESS	PHONE

NAME OF FINDER (ADDITIONAL VICTIM)	DOB	ADDRESS	PHONE

[redacted] PROPERTY WAS FOUND (INCIDENT OCCURRED)
TABLE BLUFF RD, LOLETA

TYPE OF PROPERTY
☑ EVIDENCE ☐ FOUND ☐ SAFEKEEPING

[redacted]

SUSPECT	DOB	SUSPECT	DOB

PROPERTY CODES *178

S	- Stolen	D	- Damaged
R	- Recovered	L	- Lost
RA	- Recovered (For Other Agency)	E	- Evidence
F	- Found	K	- Safekeeping
		C	- Contraband

PROPERTY/EVIDENCE LISTING

CODE	ITEM NO.	QTY.	DESCRIPTION	VALUE	NCIC	WEIGHT	DISPOSITION
E	1	12	DIGITAL PHOTOS TRANSFERRED TO CD ROM : CRIME SCENE 3-1-07 DA INV. COX				
E	2	56	DIGITAL PHOTOS TRANSFERRED TO CD ROM : DEP. DANIELS VEHICLE / DEPUTY PHOTOS 3-1-07				
E	3	20	DIGITAL PHOTOS TRANSFERRED TO CD ROM: DEP. DANIELS 3-1-07				
E	4	98	DIGITAL PHOTOS TRANSFERRED TO CD ROM: MAIN RESIDENCE 3-1-07				
E	5	122	DIGITAL PHOTOS TRANSFERRED TO CD ROM: CABIN S/W 6234 3-1-07 AND 3-2-07				
E	6	10	DIGITAL PHOTOS TRANSFERRED TO CD ROM: DEP. DANIELS FIREARM/BELT 3-2-07				
E	7	116	DIGITAL PHOTOS TRANSFERRED TO CD ROM: AERIAL OF CRIME SCENE 3-6-07				
E	8	1	DVD VIDEO: CRIME SCENE 3-2-07				
E	9	1	DVD VIDEO: RE-ENACTMENT W/ DEPUTY DANIELS 3-2-07				

OWNERS OF PROPERTY

ITEMS NO.	NAME	DOB	ADDRESS	PHONE	NOTIFIED
ITEMS NO.	NAME	DOB	ADDRESS	PHONE	NOTIFIED
ITEMS NO.	NAME	DOB	ADDRESS	PHONE	NOTIFIED

LAB WORK REQUIRED

ITEMS NO.	PURPOSE OF EXAM
ITEMS NO.	PURPOSE OF EXAM
ITEMS NO.	PURPOSE OF EXAM

BO[redacted]	PIN 1302	REPORT DATE 4-5-07	SUPERVISOR REVIEW	PIN	REPORT DATE

HC[redacted]

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HUMBOLDT COUNTY SHERIFF'S OFFICE
PROPERTY/EVIDENCE BOOKING AND RELEASE REPORT

CASE NUMBER: 20701191

PAGE 1 / 1

DATE STORED	TIME STORED	DATE OF INCIDENT	CRIME
3-1-07	1030 HRS	3-1-07	664/187 P.C.

[redacted]

NAME	DOB	ADDRESS	PHONE
DANIELS, JASON		826 FOURTH ST, EUREKA	445-7251
NAME OF FINDER (ADDITIONAL VICTIM)	DOB	ADDRESS	PHONE

LOCATION PROPERTY WAS FOUND (INCIDENT OCCURRED)
ST. JOSEPH'S HOSPITAL TRAUMA ROOM #1, EUREKA

[redacted]

SUSPECT	DOB
SUSPECT	DOB

☐ ADULT ARREST
☐ JUVENILE ARREST
☐ SEARCH WARRANT NO. _____

TYPE OF PROPERTY
☒ EVIDENCE ☐ FOUND ☐ SAFEKEEPING

PROPERTY CODES *178

S	- Stolen	D	- Damaged
R	- Recovered	L	- Lost
RA	- Recovered (For Other Agency)	(E)	- Evidence
F	- Found	K	- Safekeeping
		C	- Contraband

PROPERTY/EVIDENCE LISTING

CODE	ITEM NO.	QTY.	DESCRIPTION	VALUE	NCIC	WEIGHT	DISPOSITION
E	Ex. P.1	1	CD-R DISC - DIGITAL PHOTOGRAPHS OF [redacted]				-HOLD-

OWNERS OF PROPERTY

ITEMS NO.	NAME	DOB	ADDRESS	PHONE	NOTIFIED
ITEMS NO.	NAME	DOB	ADDRESS	PHONE	NOTIFIED
ITEMS NO.	NAME	DOB	ADDRESS	PHONE	NOTIFIED

LAB WORK REQUIRED

ITEMS NO.	PURPOSE OF EXAM
ITEMS NO.	PURPOSE OF EXAM
ITEMS NO.	PURPOSE OF EXAM

BOOKING OFFICER	PIN	REPORT DATE	SUPERVISOR REVIEW	PIN	REPORT DATE
M. KIRKPATRICK	0583	3-1-07			

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HUMBOLDT COUNTY SHERIFF'S OFFICE
PROPERTY/EVIDENCE BOOKING AND RELEASE REPORT

CASE NUMBER: 20070 1191

PAGE ____ OF ____

☐ ADULT ARREST
☐ JUVENILE ARREST
☒ SEARCH WARRANT NO. 6234

DATE STORED	TIME STORED	DATE OF INCIDENT	CRIME
3-1-07	1700	3-1-07	664 / 187 P.C.

NAME OF FINDER (ADDITIONAL VICTIM)	DOB	ADDRESS	PHONE
[redacted] Deputy Daniels	—	C/o Humb. Co. Sheriff	
—	—	—	—

LOCATION PROPERTY WAS FOUND (INCIDENT OCCURRED)
vehicle parked in front of [redacted] house

SUSPECT	DOB
[redacted]	
—	—

TYPE OF PROPERTY
☒ EVIDENCE ☐ FOUND ☐ SAFEKEEPING

PROPERTY CODES *178

S	- Stolen	D	- Damaged
R	- Recovered	L	- Lost
RA	- Recovered (For Other Agency)	E	- Evidence
F	- Found	K	- Safekeeping
		C	- Contraband

PROPERTY/EVIDENCE LISTING

CODE	ITEM NO.	QTY.	DESCRIPTION	VALUE	NCIC	WEIGHT	DISPOSITION
E	1	12	Digital photos, [redacted] vehicle that guns were stored in trunk (Disc.)				

OWNERS OF PROPERTY

ITEMS NO.	NAME	DOB	ADDRESS	PHONE	NOTIFIED
ITEMS NO.	NAME	DOB	ADDRESS	PHONE	NOTIFIED
ITEMS NO.	NAME	DOB	ADDRESS	PHONE	NOTIFIED

LAB WORK REQUIRED

ITEMS NO.	PURPOSE OF EXAM
ITEMS NO.	PURPOSE OF EXAM
ITEMS NO.	PURPOSE OF EXAM

BOOKING OFFICER	PIN	REPORT DATE	SUPERVISOR REVIEW	PIN	REPORT DATE
Steve R. Sherrell	0788	3-1-07			

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HUMBOLDT COUNTY SHERIFF'S OFFICE
PROPERTY/EVIDENCE BOOKING AND RELEASE REPORT

PAGE _____

CASE NUMBER: 20070 1191

☐ ADULT ARREST
☐ JUVENILE ARREST

☐ SEARCH WARRANT NO. _____

DATE STORED	TIME STORED	DATE OF INCIDENT	CRIME
3-3-07	1700	3-1-07	664 / 187 P.C.

[redacted]

NAME OF FINDER (ADDITIONAL VICTIM)	DOB	ADDRESS	PHONE
Deputy Daniels	—	c/o Humb. County Sheriff	
N/A			

LOCATION PROPERTY WAS FOUND (INCIDENT OCCURRED)

TYPE OF PROPERTY
☒ EVIDENCE ☐ FOUND ☐ SAFEKEEPING

[redacted]

	DOB		DOB
		SUSPECT	
		SUSPECT	

PROPERTY CODES *178

S	- Stolen	D	- Damaged
R	- Recovered	L	- Lost
RA	- Recovered (For Other Agency)	E	- Evidence
F	- Found	K	- Safekeeping
		C	- Contraband

PROPERTY/EVIDENCE LISTING

CODE	ITEM NO.	QTY.	DESCRIPTION	VALUE	NCIC	WEIGHT	DISPOSITION
1	E	1	Cassette tape Statement of [redacted] Interview by Detective Steve Quenell & Investigator Losey				

OWNERS OF PROPERTY

ITEMS NO.	NAME	DOB	ADDRESS	PHONE	NOTIFIED
ITEMS NO.	NAME	DOB	ADDRESS	PHONE	NOTIFIED
ITEMS NO.	NAME	DOB	ADDRESS	PHONE	NOTIFIED

LAB WORK REQUIRED

ITEMS NO.	PURPOSE OF EXAM
ITEMS NO.	PURPOSE OF EXAM
ITEMS NO.	PURPOSE OF EXAM

BOOKING OFFICER	PIN	REPORT DATE	SUPERVISOR REVIEW	PIN	REPORT DATE
John R. Quenell	0788	3-3-07			

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HUMBOLDT COUNTY SHERIFF'S OFFICE
PROPERTY/EVIDENCE BOOKING AND RELEASE REPORT

CASE NUMBER: 2007-1191

PAGE _____ OF _____

DATE STORED	TIME STORED	DATE OF INCIDENT	CRIME
3/5/07	1430	3/1/07	664/187 P.C.

☐ ADULT ARREST
☐ JUVENILE ARREST

☐ SEARCH WARRANT NO. _____

[redacted]	DOB	ADDRESS	PHONE
STATE OF CALIF			
NAME OF FINDER (ADDITIONAL VICTIM)	DOB	ADDRESS	PHONE
LOCATION PROPERTY WAS FOUND (INCIDENT OCCURRED)			

TYPE OF PROPERTY
☐ EVIDENCE ☐ FOUND ☐ SAFEKEEPING

[redacted]		SUSPECT	DOB
SUSPECT	DOB	SUSPECT	DOB

PROPERTY CODES *178

S	- Stolen	D	- Damaged
R	- Recovered	L	- Lost
RA	- Recovered (For Other Agency)	E	- Evidence
F	- Found	K	- Safekeeping
		C	- Contraband

PROPERTY/EVIDENCE LISTING

CODE	ITEM NO.	QTY.	DESCRIPTION	VALUE	NCIC	WEIGHT	DISPOSITION
E	101	1	CD-R OF DEPUTY BISHOP'S STATEMENT				

OWNERS OF PROPERTY

ITEMS NO.	NAME	DOB	ADDRESS	PHONE	NOTIFIED
ITEMS NO.	NAME	DOB	ADDRESS	PHONE	NOTIFIED
ITEMS NO.	NAME	DOB	ADDRESS	PHONE	NOTIFIED

LAB WORK REQUIRED

ITEMS NO.	PURPOSE OF EXAM
ITEMS NO.	PURPOSE OF EXAM
ITEMS NO.	PURPOSE OF EXAM

BOOKING OFFICER	PIN	REPORT DATE	SUPERVISOR REVIEW	PIN	REPORT DATE
HENSON	055U	3/5/07			

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HUMBOLDT COUNTY SHERIFF'S OFFICE
PROPERTY/EVIDENCE BOOKING AND RELEASE REPORT

CASE NUMBER: 20070 1191

PAGE _____ OF _____

☐ ADULT ARREST
☐ JUVENILE ARREST
☐ SEARCH WARRANT NO. _____

DATE STORED	TIME STORED	DATE OF INCIDENT	CRIME
3-7-07	1600	3-1-07	664 / 187 P.C.

[redacted]	DOB	ADDRESS	PHONE
Deputy Daniels	—	C/O Humb. Co. Sheriff	

NAME OF FINDER (ADDITIONAL VICTIM)	DOB	ADDRESS	PHONE
N/A		—	—

LOCATION PROPERTY WAS FOUND (INCIDENT OCCURRED)
N/A

TYPE OF PROPERTY
☒ EVIDENCE ☐ FOUND ☐ SAFEKEEPING

[redacted]	SUSPECT	DOB
	—	—

SUSPECT	DOB	SUSPECT	DOB

PROPERTY CODES *178

S	- Stolen	D	- Damaged
R	- Recovered	L	- Lost
RA	- Recovered (For Other Agency)	E	- Evidence
		K	- Safekeeping
F	- Found	C	- Contraband

PROPERTY/EVIDENCE LISTING

CODE	ITEM NO.	QTY.	DESCRIPTION	VALUE	NCIC	WEIGHT	DISPOSITION
E	1	1	C.D. Disc of Deputy Braud's interview with Inv. Cox & Det. Kirkpatrick				

OWNERS OF PROPERTY

ITEMS NO.	NAME	DOB	ADDRESS	PHONE	NOTIFIED

LAB WORK REQUIRED

ITEMS NO.	PURPOSE OF EXAM
	N/A

BOOKING OFFICER	PIN	REPORT DATE	SUPERVISOR REVIEW	PIN	REPORT DATE
Stan R. Farnell	0788	3-7-07			

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HUMBOLDT COUNTY SHERIFF'S OFFICE
PROPERTY/EVIDENCE BOOKING AND RELEASE REPORT

CASE NUMBER: 20070 1191

PAGE

☐ ADULT ARREST
☐ JUVENILE ARREST

☐ SEARCH WARRANT NO.

DATE STORED	TIME STORED	DATE OF INCIDENT	CRIME
3-7-07	1500	3-1-07	664 / 187 P.C.,

NAME OF FINDER (ADDITIONAL VICTIM)	DOB	ADDRESS	PHONE
[redacted]			
Deputy, Daniels		C/O Humboldt Co. Sheriff	
N/A		—	

LOCATION PROPERTY WAS FOUND (INCIDENT OCCURRED)
N/A

TYPE OF PROPERTY
☒ EVIDENCE ☐ FOUND ☐ SAFEKEEPING

[redacted]		SUSPECT —	DOB
—		SUSPECT	DOB

PROPERTY CODES *178

S	- Stolen	D	- Damaged
R	- Recovered	L	- Lost
RA	- Recovered (For Other Agency)	E	- Evidence
F	- Found	K	- Safekeeping
		C	- Contraband

PROPERTY/EVIDENCE LISTING

CODE	ITEM NO.	QTY.	DESCRIPTION	VALUE	NCIC	WEIGHT	DISPOSITION
E	1	2	CD Disc of [redacted] Deputy Trainee Lagarda, interviewed by Inv. Cooke & Sgt. Hanson				

OWNERS OF PROPERTY

ITEMS NO.	NAME	DOB	ADDRESS	PHONE	NOTIFIED
ITEMS NO.	NAME	DOB	ADDRESS	PHONE	NOTIFIED
ITEMS NO.	NAME	DOB	ADDRESS	PHONE	NOTIFIED

LAB WORK REQUIRED

ITEMS NO.	PURPOSE OF EXAM
ITEMS NO.	PURPOSE OF EXAM
ITEMS NO.	PURPOSE OF EXAM

BOOKING OFFICER	PIN	REPORT DATE	SUPERVISOR REVIEW	PIN	REPORT DATE
John R. Schuenell	0788	3-7-07			

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HUMBOLDT COUNTY SHERIFF'S OFFICE
PROPERTY/EVIDENCE BOOKING AND RELEASE REPORT

CASE NUMBER: 20070 1191

PAGE _____ OF _____

☐ ADULT ARREST
☐ JUVENILE ARREST

☐ SEARCH WARRANT NO. _____

DATE STORED	TIME STORED	DATE OF INCIDENT	CRIME
3-7-07	1500	3-1-07	664 / 187 P.C.

NAME OF FINDER (ADDITIONAL VICTIM)	DOB	ADDRESS	PHONE
Deputy Davis	—	C/o Humboldt Co. Sheriff	—
N/A	—	—	

LOCATION PROPERTY WAS FOUND (INCIDENT OCCURRED)
N/A

SUSPECT	DOB	SUSPECT	DOB
[redacted]			
SUSPECT	DOB	SUSPECT	DOB

TYPE OF PROPERTY
☒ EVIDENCE ☐ FOUND ☐ SAFEKEEPING

PROPERTY CODES *178

S	- Stolen	D	- Damaged
R	- Recovered	L	- Lost
RA	- Recovered (For Other Agency)	E	- Evidence
F	- Found	K	- Safekeeping
		C	- Contraband

PROPERTY/EVIDENCE LISTING

CODE	ITEM NO.	QTY.	DESCRIPTION	VALUE	NCIC	WEIGHT	DISPOSITION
E	1	3	CDs Disc of [redacted] interviewed by Inv. Dunn & Det. Kirkpatrick				

OWNERS OF PROPERTY

ITEMS NO.	NAME	DOB	ADDRESS	PHONE	NOTIFIED
ITEMS NO.	NAME	DOB	ADDRESS	PHONE	NOTIFIED
ITEMS NO.	NAME	DOB	ADDRESS	PHONE	NOTIFIED

LAB WORK REQUIRED

ITEMS NO.	PURPOSE OF EXAM
ITEMS NO.	PURPOSE OF EXAM
ITEMS NO.	PURPOSE OF EXAM

BOOKING OFFICER	PIN	REPORT DATE	SUPERVISOR REVIEW	PIN	REPORT DATE
John R. Sherrell	0788	3-7-07			

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HUMBOLDT COUNTY SHERIFF'S OFFICE
PROPERTY/EVIDENCE BOOKING AND RELEASE REPORT

CASE NUMBER: 20070 1191

PAGE ____

☐ ADULT ARREST
☐ JUVENILE ARREST

☐ SEARCH WARRANT NO. ____

DATE STORED	TIME STORED	DATE OF INCIDENT	CRIME
3-12-07	1600	3-1-07	664 / 187 P.C.

NAME	DOB	ADDRESS	PHONE
[redacted]			
Deputy Daniels	—	c/o Humb. Co. Sheriff	—
NAME OF FINDER (ADDITIONAL VICTIM)	DOB	ADDRESS	PHONE
—		—	

LOCATION PROPERTY WAS FOUND (INCIDENT OCCURRED) —

SUSPECT	DOB
—	—
SUSPECT	DOB
—	—

TYPE OF PROPERTY

☒ EVIDENCE ☐ FOUND ☐ SAFEKEEPING

PROPERTY CODES *178

S	- Stolen	D	- Damaged
R	- Recovered	L	- Lost
RA	- Recovered (For Other Agency)	E	- Evidence
F	- Found	K	- Safekeeping
		C	- Contraband

PROPERTY/EVIDENCE LISTING

CODE	ITEM NO.	QTY.	DESCRIPTION	VALUE	NCIC	WEIGHT	DISPOSITION
E	1	2	1-CD Disc of Daniels Statement ; 1 Cassette tape, interview by Det. Murnell & Inv. Losey				

OWNERS OF PROPERTY

ITEMS NO.	NAME	DOB	ADDRESS	PHONE	NOTIFIED
ITEMS NO.	NAME	DOB	ADDRESS	PHONE	NOTIFIED
ITEMS NO.	NAME	DOB	ADDRESS	PHONE	NOTIFIED

LAB WORK REQUIRED

ITEMS NO.	PURPOSE OF EXAM
ITEMS NO.	PURPOSE OF EXAM
ITEMS NO.	PURPOSE OF EXAM

BOOKING OFFICER	PIN	REPORT DATE	SUPERVISOR REVIEW	PIN	REPORT DATE
Arthur R. Murnell	0188	3-12-07			

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HUMBOLDT COUNTY SHERIFF'S OFFICE
PROPERTY/EVIDENCE BOOKING AND RELEASE REPORT

CASE NUMBER: 20070 1191

PAGE ____ OF ____

☐ ADULT ARREST
☐ JUVENILE ARREST

☐ SEARCH WARRANT NO. ____

DATE STORED	TIME STORED	DATE OF INCIDENT	CRIME
03-14-07	0815 3-14-07	3-1-07	664 / 187 P.C.

NAME OF FINDER (ADDITIONAL VICTIM)	DOB	ADDRESS	PHONE
Deputy Daniels		c/o Humb. Co Sheriff	—
—		—	—

LOCATION PROPERTY WAS FOUND (INCIDENT OCCURRED) —

[redacted]

SUSPECT	DOB
—	
SUSPECT	DOB
—	

TYPE OF PROPERTY

☒ EVIDENCE ☐ FOUND ☐ SAFEKEEPING

PROPERTY CODES *178

S	- Stolen	D	- Damaged
R	- Recovered	L	- Lost
RA	- Recovered (For Other Agency)	E	- Evidence
F	- Found	K	- Safekeeping
		C	- Contraband

PROPERTY/EVIDENCE LISTING

CODE	ITEM NO.	QTY.	DESCRIPTION	VALUE	NCIC	WEIGHT	DISPOSITION
E	1	2	Cassette tapes from Mike Losey, interview with E.M.T.'s that transported [redacted] in Ambulance				

OWNERS OF PROPERTY

ITEMS NO.	NAME	DOB	ADDRESS	PHONE	NOTIFIED
ITEMS NO.	NAME	DOB	ADDRESS	PHONE	NOTIFIED
ITEMS NO.	NAME	DOB	ADDRESS	PHONE	NOTIFIED

LAB WORK REQUIRED

ITEMS NO.	PURPOSE OF EXAM
ITEMS NO.	PURPOSE OF EXAM
ITEMS NO.	PURPOSE OF EXAM

BOOKING OFFICER	PIN	REPORT DATE	SUPERVISOR REVIEW	PIN	REPORT DATE
Anne K. Lundell	0788	3-14-07			

HCSD 6410.1A, 01/04

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HUMBOLDT COUNTY SHERIFF'S OFFICE
PROPERTY/EVIDENCE BOOKING AND RELEASE REPORT

CASE NUMBER: 200701191

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DATE STORED	TIME STORED	DATE OF INCIDENT	CRIME
3/16/07	1400	3/1/07	664/187 P.C.

☐ ADULT ARREST
☐ JUVENILE ARREST
☐ SEARCH WARRANT NO. N/A

[redacted]	DOB	ADDRESS	PHONE
STATE OF CALIFORNIA			
NAME OF FINDER (ADDITIONAL VICTIM)	DOB	ADDRESS	PHONE

[redacted]ERTY WAS FOUND (INCIDENT OCCURRED)
[redacted] TABLE BLUFF RD. - LOLETA, CA.

[redacted]ECT DOB
[redacted]ECT DOB

TYPE OF PROPERTY
☒ EVIDENCE ☐ FOUND ☐ SAFEKEEPING

PROPERTY CODES *178

S	- Stolen	D	- Damaged
R	- Recovered	L	- Lost
RA	- Recovered (For Other Agency)	E	- Evidence
		K	- Safekeeping
F	- Found	C	- Contraband

PROPERTY/EVIDENCE LISTING

CODE	ITEM NO.	QTY.	DESCRIPTION	VALUE	NCIC	WEIGHT	DISPOSITION
E	1	1	CD STATEMENT OF DEPUTY CYRUS SILVA.				

OWNERS OF PROPERTY

ITEMS NO.	NAME	DOB	ADDRESS	PHONE	NOTIFIED
1	HCSO				
ITEMS NO.	NAME	DOB	ADDRESS	PHONE	NOTIFIED
ITEMS NO.	NAME	DOB	ADDRESS	PHONE	NOTIFIED

LAB WORK REQUIRED

ITEMS NO.	PURPOSE OF EXAM
ITEMS NO.	PURPOSE OF EXAM
ITEMS NO.	PURPOSE OF EXAM

BOOKING OFFICER	PIN	REPORT DATE	SUPERVISOR REVIEW	PIN	REPORT DATE
RICH SCHLESIER	0931	3/16/07			

HCSD 0410.1A, 01/04

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FILED
MAR 16 2007
SUPERIOR COURT OF CALIFORNIA
COUNTY OF HUMBOLDT

HUMBOLDT SUPERIOR COURT
COUNTY OF HUMBOLDT, STATE OF CALIFORNIA

(SEARCH WARRANT)
S/W# 6236

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

RICH SCHLESIGER, DETECTIVE

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:

LOCATION(S) located at and described as:

Edge Wireless Attention: Custodian of Records [redacted]

[redacted]

[redacted]

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

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

PERSON(S) described as: N/A

FOR THE FOLLOWING PROPERTY: For the following records associated with user accounts identified as mobile number [redacted]

A. Subscriber information
B. Account comments
C. Credit information
D. Billing records for the time period of 2/28/07 at 12:00 a.m. to present
E. Outbound and inbound call detail from 2/28/07 at 12:00 a.m. to present
F. Call origination/termination location 2/28/07 at 12:00 a.m. to present
G. Physical address of cell sites and RF coverage map
H. Subscriber information on any cellular numbers that [redacted] dials from
I. All stored communications or files, including voicemail, email, digital images, bubby lists and any other files associated with the identified user accounts from 2/28/07 at 12:00 a.m. to present
J. All connection logs and records of user activity for each such account from 2/28/07 at 12:00 a.m. to present including:
    1. Connection dates and times.
    2. Disconnect dates and times.
    3. Method of connection (e.g. telnet, ftp, http).
    4. Date transfer volume.
    5. User name associated with the connection.
    6. Telephone caller identification records.
    7. Any other connection information, such as Internet Protocol address of the source of the connection.
    8. Connection information for the other computer to which the user of the above referred accounts connected, by any means, during the connection period, including the destination IP address, connection time and date, disconnect time and date, method of connection to the destination computer, and all other information related to the connection from the cellular service provider.
K. Any other records or accounts, including archived records related or associated to the above referenced names, user names, or accounts and any data filed name definitions that describe these records.
L. All of the above records whether possessed by Edge Wireless or any other cellular service provider.

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

NIGHT SERVICE REQUESTED: ☐ YES ☒ NO Justification on page(s):_____

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

_____
(initials)

SEARCH WARRANT AND AFFIDAVIT SEAL ORDER REQUESTED: ☐ YES ☒ NO
Justification on page(s):_____

The court orders the entire/designated portion of the affidavit sealed. Said sealed portion shall **not** be opened except upon order of the court. Designated portion:_____

_____
(initials)

NON-DISCLOSURE ORDER REQUESTED: ☐ YES ☒ NO Justification on page(s):_____

It is further ordered that **(NAME OF COMPANY)** not to notify any person (including the subscriber or customer to which the materials relate) of the existence of this order for 90 days in that such a disclosure could give the subscriber an opportunity to destroy evidence, notify confederates, or flee or continue his flight from prosecution.

_____
(initials)

This Search Warrant and incorporated Affidavit was sworn to as true and subscribed before me this 6 day of MARCH, 2007, at 11:12 A.M./P.M. Wherefore, I find probable cause for the issuance of this Search Warrant and do issue it.

_____
Magistrate
Judge of the Humboldt Superior Court

SUPERIOR COURT OF CALIFORNIA EUREKA COUNTY OF HUMBOLDT

FILED
MAR 0 6 2007
SUPERIOR COURT OF CALIFOR
COUNTY OF HUMBOLDT

HUMBOLDT SUPERIOR COURT
COUNTY OF HUMBOLDT, STATE OF CALIFORNIA

(AFFIDAVIT FOR SEARCH WARRANT)
S/W# 6236

RICH SCHLESIGER, DETECTIVE swears under oath that the facts expressed by him in the attached and incorporated statement of probable cause are true and that based thereon he 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:

LOCATION(S) located at and described as:

Edge Wireless Attention: Custodian of Records, [redacted]

[redacted]

[redacted]

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

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

PERSON(S) described as: N/A

FOR THE FOLLOWING PROPERTY: For the following records associated with user accounts identified as mobile numbe[redacted]

A. Subscriber information
B. Account comments
C. Credit information
D. Billing records for the time period of 2/28/07 at 12:00 a.m. to present
E. Outbound and inbound call detail from 2/28/07 at 12:00 a.m. to present
F. Call origination/termination location 2/28/07 at 12:00 a.m. to present
G. Physical address of cell sites and RF coverage map
H. Subscriber information on any cellular numbers that [redacted] dials from
I. All stored communications or files, including voicemail, email, digital images, bubby lists and any other files associated with the identified user accounts from 2/28/07 at 12:00 a.m. to present
J. All connection logs and records of user activity for each such account from 2/28/07 at 12:00 a.m. to present including:
    1. Connection dates and times.
    2. Disconnect dates and times.
    3. Method of connection (e.g. telnet, ftp, http).
    4. Date transfer volume.
    5. User name associated with the connection.
    6. Telephone caller identification records.
    7. Any other connection information, such as Internet Protocol address of the source of the connection.
    8. Connection information for the other computer to which the user of the above referred accounts connected, by any means, during the connection period, including the destination IP address, connection time and date, disconnect time and date, method of connection to the destination computer, and all other information related to the connection from the cellular service provider.
K. Any other records or accounts, including archived records related or associated to the above referenced names, user names, or accounts and any data filed name definitions that describe these records.
L. All of the above records whether possessed by Edge Wireless or any other cellular service provider.

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

☒ Narrative statement of probable cause.

☒ Attachment "A", copy of search warrant #6234 and affidavit, signed by Judge J. Michael Brown on 3/1/07.

☒ State of expertise (and opinion): **RICH SCHLESIGER, DETECTIVE**

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 3/6/07

Rich Sollenger
Affiant

Subscribed and sworn to before me

Dale A Reinhaltse on this 6 day of March, 2007
Magistrate
Judge of the Humboldt Superior Court

HUMBOLDT SUPERIOR COURT
COUNTY OF HUMBOLDT, STATE OF CALIFORNIA

(AFFIDAVIT IN SUPPORT OF SEARCH WARRANT)

Richard D. Schlesiger
STATEMENT OF EXPERTISE

I have been a sworn law enforcement officer for the past fifteen years. I began my career in June of 1992 as a deputy sheriff for the Siskiyou County Sheriff's Department. I worked in the contract city of Dunsmuir from 1992 to 1994 as a patrol deputy. In 1994, I transferred to the Main Office of the Siskiyou County Sheriff's Department. I worked patrol out of the Main Office until July of 1995. In July of 1995, I accepted a position with the Humboldt County Sheriff's Department. I was assigned to the Hoopa Outstation where I worked patrol until June of 1998. In June of 1998, I transferred to the Main Office. From June of 1998 to September of 2001 I worked as a patrol deputy. In September of 2001 I was assigned to the Criminal Investigations Division of the Humboldt County Sheriff's Department to which, I am still assigned.

In the past fifteen years as a sworn law enforcement officer, I have investigated a wide range of felony and misdemeanor cases. I have investigated major crimes such as homicides, attempted murder, robberies, rapes, assault with a deadly weapon, sexual and physical abuse of children, forgery and embezzlement cases. I have also prepared numerous search warrants in regards to the aforementioned felony cases.

I have also received training in numerous law enforcement areas. The following is a list of schools I have attended during my career:

P.O.S.T. Basic Academy- September 1991 to December 1991 (690 hrs. Eureka, Ca.)

Coroner's Death Investigation- May of 1993 (80 hrs. Orange County, Ca.)

Sex Crimes Investigation- August of 1993 (15 hrs. Siskiyou County, Ca.)

Gang Awareness- September of 1993 (8 hrs. Yreka, Ca.)

Sexual Assault Investigation- March of 1996 (35 hrs. San Jose, Ca.)

Special Weapons and Tactics- May of 1997 (40 hrs. Fort Ord, Ca.)

Field Evidence for Patrol- June of 1997 (8 hrs. Eureka, Ca.)

Robbery Investigation- May of 1998 (36 hrs. San Jose, Ca.)

Firearms Instructor- May of 1999 (80 hrs. Rancho Murieta, Ca.)

Interviews and Interrogations- November of 2001 (40 hrs. Sacramento, Ca.)

Homicide Investigation- February 2003 (80 hrs. San Jose, Ca.)

Officer Involved Shooting- August 2003 (36 hrs. Monterey, Ca.)

Advanced Homicide Investigation (40 hrs. Sacramento, Ca.)

STATEMENT OF PROBABLE CAUSE

On 3/2/07 at about 0845 hours, I met with Sheriff's Office Det. Steve Quenell and ET (Evidence Technician) [redacted] in CID (Criminal Investigations Division) of the Sheriff's Office. I spoke to them both and they informed me of the following regarding the service of search warrant #6234. A copy of search warrant #6234 and the affidavit is attached to this affidavit as attachment "A".

On 3/1/07 at about 1530 hours, Det. Quenell served search warrant #6234 on the property and vehicles located at [redacted] Table Bluff Rd. in Loleta, Ca. At about 1630 hours, on the above date, ET [redacted] advised me that she had located a cellular phone near the cabin located at [redacted] Table Bluff Rd. ET [redacted] said that the cellular phone was about 40' southeast of the cabin. ET [redacted] said the phone was a dark silver color but she did not know the make or model because she did not want to examine it at the scene. ET [redacted] advised me that she did not know if the cellular phone was now operable because it was broken into two pieces. The cellular phone was collected as evidence by DOJ (Department of Justice) Criminalist [redacted]

The recovered cellular phone is believed to be the cellular phone that [redacted] was using just before Deputies were called to [redacted] Table Bluff Rd. [redacted] broke the cellular phone while he and his wife [redacted] were arguing in a vehicle that was parked outside of their residence. This was about two hours before [redacted] ran at Deputies while armed with a machete and [redacted] was shot by Sheriff's Office Deputy Jason Daniels once in the abdomen.

After speaking with Det. Quenell and ET [redacted] I met with Sheriff's Office Det. Marvin Kirkpatrick and District Attorney's Office Investigator Steve Dunn in CID. They advised me that they would contact [redacted] wife and see if she could provide them with [redacted] cellular phone number since the cellular phone was possibly inoperable.

On 3/2/07 at about 0914 hours, Det. Kirkpatrick met with me in my office. Det. Kirkpatrick said that he had telephoned [redacted] and [redacted] provided Det. Kirkpatrick with [redacted] cellular phone number, which was [redacted] and the cellular provider was Edge Wireless.

At about 0918 hours, I checked the Internet for Edge Wireless and found a phone number for Edge Wireless out of Eureka, Ca., which was [redacted]. I then researched the cellular phone number through npac.com on the Internet to make sure the cellular phone number had not been ported to another cellular provided and it had not been. I next went to phonevalidator.com and entered the cellular phone number [redacted]. The phone number returned to Edge Wireless out of Eureka.

At about 0940 hours, I telephoned Edge Wireless in Eureka at the [redacted] number that I had located on the Internet. I as transferred to Edge Wireless out of Bend, Oregon and spoke to [redacted] I advised [redacted] who I was and that I was involved in investigating an Officer Involved Shooting. I provided [redacted] with the cellular phone number [redacted] and told her I was attempting to see if this number belonged to [redacted] [redacted] said the cellular phone belonged to [redacted] and it was a pre-paid cellular phone.

I asked [redacted] if she could transfer me to Edge Wireless' Legal Compliance office. [redacted] said she would and attempted to do so but the person I needed to talk to was not available. [redacted] said she would leave a message for someone to contact me.

At about 0956 hours, I received a telephone call in my office from [redacted] who was the Custodian of Records for Edge Wireless in Bend, Or. I told [redacted] that I was going to be preparing a search warrant for the cellular phone number of [redacted] which belonged to [redacted] [redacted] advised me to fax the search warrant attention to her at the following fax number, [redacted] The Edge Wireless office was located at SW Columbia [redacted], Or. 97702. [redacted] direct telephone line was [redacted]

On 3/2/07 at about 1012 hours, I telephoned Det. Quenell on his cellular phone. I ascertained from Det. Quenell what portion of [redacted] cellular phone records would he like obtained. Det. Quenell advised me from 2/28/07 at 12:00 a.m. to present.

Through experience and training, I know cellular service providers maintain records related to subscriber information, account registration, credit information, billing and airtime records, outbound and inbound call detail, connection time and dates, Internet routing information (Internet Protocol Numbers), and message content, that may assist in the identification of persons accessing and utilizing the account and this information may assist in determining their physical location.

Through experience and training, I also know that the cellular service provider maintains records that include cell site information and GPS location. Cell site information shows which cell site a particular cellular telephone was within at the time of the cellular phone's usage. Some model cellular phones are GPS enabled which allows the provider and user to determine the exact geographic position of the phone. Further, the cellular service provider maintains cell site maps that show the geographical location of all cell sites within its service area. Using the cell site geographical information of GPS information, officers would be able to determine the physical location of the individual using the cell phone number [redacted], which according to corroborating sources listed above was in use by the [redacted] That information is necessary to the investigating officers in order to corroborate that [redacted] was at the scene of the crime being investigated.

I believe based on my training and experience that the business records of Edge Wireless will contain information that will assist me in identifying who [redacted] was text messaging and/or speaking to on his cell phone just before Deputies were called to [redacted] Table Bluff Rd.

I am aware that the requested cellular service provider records are located within the State or Oregon.

Pursuant to Penal Code section 1524.2 and Corporation Code section 2105, a California search warrant may be served upon them and they have requested this warrant be served by facsimile to the attention of Custodian of Records at 1-800-550-2631.

THIS AFFIDAVIT WAS PREPARED ON 3/6/17 **AND REVIEWED BY DEPUTY DISTRICT ATTORNEY** [illegible] **ON** 3/6/17.

and to seize it or any part thereof and retain such property in your custody subject to order of this court, pursuant to Penal Code Section 1536.

Searching officers are authorized to videotape and/or photograph the entry and search of the premises described herein, at the discretion of the searching officers.

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

NIGHT SERVICE REQUESTED: ☐ YES ☒ NO Justification on page(s):_____

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

_____
(initials)

SEARCH WARRANT AND AFFIDAVIT SEAL ORDER REQUESTED: ☐ YES ☒ NO
Justification on page(s):_____

The court orders the entire/designated portion of the affidavit sealed. Said sealed portion shall **not** be opened except upon order of the court. Designated portion:_____

_____
(initials)

NON-DISCLOSURE ORDER REQUESTED: ☐ YES ☒ NO Justification on page(s):_____

It is further ordered that **(NAME OF COMPANY)** not to notify any person (including the subscriber or customer to which the materials relate) of the existence of this order for 90 days in that such a disclosure could give the subscriber an opportunity to destroy evidence, notify confederates, or flee or continue his flight from prosecution.

_____
(initials)

This Search Warrant and incorporated Affidavit was sworn to as true and subscribed before me this 1 day of March, 2007, at 3:20 A.M./P.M. Wherefore, I find probable cause for the issuance of this Search Warrant and do issue it.

_____
Magistrate
Judge of the Humboldt Superior Court

SUPERIOR COURT OF CALIFORNIA EUREKA COUNTY OF HUMBOLDT

0

FILED
MAR 16 2007
SUPERIOR COURT OF CALIFORNIA
COUNTY OF HUMBOLDT

HUMBOLDT SUPERIOR COURT
COUNTY OF HUMBOLDT, STATE OF CALIFORNIA

(RETURN TO SEARCH WARRANT)
S/W# 6236

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

LOCATION(S) located at and described as:

Edge Wireless Attention: Custodian of Records, [redacted]

[redacted]

[redacted]

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

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

PERSON(S) described as: N/A

pursuant to the search warrant dated the 6 day of MARCH, 2007, issued by Judge REINHOLTSEN of the Humboldt Superior Court and executed on the 6 day of MARCH, 2007.

I, **RICH SCHLESIGER**, 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 my custody subject to order of this or any court in which the offense in respect to which the property was taken is triable.

Affiant

GIVEN under my hand and dated this 16 day of March, 2007

Deputy Clerk of the Humboldt Superior Court

/

SHERIFF'S OFFICE
COUNTY OF HUMBOLDT
CRIMINAL INVESTIGATIONS DIVISION
826 FOURTH STREET
EUREKA, CA 95501-0516 PHONE (707) 445-7301

FACSIMILE TRANSMITTAL SHEET

DATE: 3/6/07

TO: Eagle Wireless Bend, OR.

ATTENTION: Custodian of Records, Julie Shannon

FROM: Detective Rich Schlesiger

TOTAL PAGES (INCLUDING COVER SHEET): 4

COMMENTS: Any questions please call at 707-268-3642 Mailing 826 4th St. Eureka, CA. 95540 Attn. Rich Schlesiger.

CONFIDENTIALITY NOTICE: This communication with its contents may contain confidential and/or legally privileged information. It is solely for the use of the intended recipient (s). Unauthorized interception, review, use or disclosure is prohibited and may violate applicable laws including the Electronic Communications Privacy Act. If you are not the intended recipient, please contact the sender and destroy all copies of the communication.

FAX # (707) 445-7434

TRANSMISSION VERIFICATION REPORT

TIME : 03/06/2007 14:56
NAME : HCSO CIVIL DIVISION
FAX : 707-268-2503
TEL : 707-445-7335
SER.# : 000E5J242255

DATE,TIME	03/06 14:56
FAX NO./NAME	[redacted]
DURATION	00:00:47
PAGE(S)	04
RESULT	OK
MODE	STANDARD ECM

SHERIFF'S OFFICE
COUNTY OF HUMBOLDT
CRIMINAL INVESTIGATIONS DIVISION
826 FOURTH STREET
EUREKA, CA 95501-0516 PHONE (707) 445-7301

FACSIMILE TRANSMITTAL SHEET

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TO: Eagle Wireless Bend, OR.

ATTENTION: Custodian of Records, Julie Shannon

FROM: Detective Rich Schlesser

TOTAL PAGES (INCLUDING COVER SHEET): 4

COMMENTS: Any questions please call at 707-268-3642 Mailing 826 4th St. Eureka, CA. 95540 attn. Rich Schlesser

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www.PhoneSmasher.com

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We can reverse a non-pub number INSTANTLY! Only $14.95!
www.PhoneSmasher.com

RESULTS:

Phone Number:	[redacted]
Date of this Report:	March 02, 2007
Phone Line Type:	Cell Phone
Phone Company:	EDGEWIRELESS LCC
Phone Location:	EUREKA, CA
Directory Assistance Results:	Click here for results
Google Results:	Click here for results

Print this result

Disclaimer: Results are subject to our terms and conditions. Use of this data is solely at your own risk. Crime Time Publishing Co., Inc., Inc. makes no warranties, either expressed or implied, as to the accuracy of this data.

SEARCH AGAIN!

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March 14, 2007

Detective Rich Schlesiger
Sheriff's Office
Humboldt County
Criminal Investigation Division
826 Fourth Street
Eureka, CA 95501-0516

RE: Search Warrant 6236

Dear Detective Schlesiger:

Enclosed please find the following information required to be produced pursuant to the above captioned search warrant:

- Subscriber Information
- Account Notes
- Credit Information – None related to this account
- Billing Records – This is a prepay account which has no billing records but a report has been generated related to applicable charges
- Call Detail Records (CDRs) from 2/28/07 – 3/5/07
- Call Origination/Termination Location – The CDRs reflect use on cell site [redacted] which is our Table Bluff cell site
- [redacted] Table Bluff Road, Loleta, CA – See attached coverage map
- We have no stored communications responsive to the search warrant

Please contact me with any questions.

Sincerely,

[redacted]
Legal Compliance Manager

Enclosures

March 9, 2007

EDGE WIRELESS, LLC RESPONSE
SUBPOENA FOR SUBSCRIBER INFORMATION

Subscriber Name
[redacted]
[redacted] Table Bluff
Loleta, CA 95551

Subscriber MIN
[redacted]

Account Notes
new act 10 plan with coam 6102 wsc

8:59:44 AM

EDGE WIRELESS

Ve

From: 2/28/2007 12:00:00AM To: 3/9/2007 12:00:00AM

Mobile Number: [redacted]

Customer Name:	[redacted]	Current Balance:	(
Plan Offering:	TEN DOLLAR	Funds Expiration Date:	07-May-2
LD Carrier:	AT&T	Account Status:	Act
Location ID:	CALIFORNIA		

USAGE DETAILS - Free

Call Start	In Out	Dialed Digits	Description	Charge	Round Duratn	Free Ind	Home/ Roam
3/5/2007 10:43:06PM	O	[redacted]		0.00	0	N	H

USAGE DETAILS - Charged

Call Start	In Out	Dialed Digits	Description	Charge	Round Duratn	Free Ind	Home/ Roam	Ra
						n/a	n/a	

Total Usage Charges:

Call Count:

NO charged ca found for this p

*** End of Report ***

3/9/2007

Calling MDN	Called MDN	Destination Number	Dialed Number	Date	Time	Duration	[redacted]
[redacted]				02/28/2007	22:08:25	000:00	
				02/28/2007	22:08:44	000:12	
				02/28/2007	22:08:49	000:07	
				03/01/2007	00:09:55	000:00	
				03/01/2007	00:10:14	000:09	
				03/01/2007	00:10:19	000:05	
				03/01/2007	01:16:09	000:01	
				03/01/2007	01:16:51	000:01	
				03/01/2007	01:17:58	000:01	
				03/01/2007	01:19:49	000:01	
				03/05/2007	22:42:47	000:00	
				03/05/2007	22:43:05	000:19	
				03/05/2007	22:43:08	000:16	
				03/05/2007	22:43:08	000:16	
				03/05/2007	22:43:08	000:16	
				03/05/2007	22:43:08	000:16	

edge WIRELESS®
MEMBER OF THE CINGULAR WIRELESS NETWORK

cingular WIRELESS

March 14, 2007

Detective Rich Schlesiger
Sheriff's Office
Humboldt County
Criminal Investigation Division
826 Fourth Street
Eureka, CA 95501-0516

RE: Search Warrant 6236

Dear Detective Schlesiger:

Enclosed please find the following information required to be produced pursuant to the above captioned search warrant:

- Subscriber Information
- Account Notes
- Credit Information – None related to this account
- Billing Records – This is a prepay account which has no billing records but a report has been generated related to applicable charges
- Call Detail Records (CDRs) from 2/28/07 – 3/5/07
- Call Origination/Termination Location – The CDRs reflect use on cell site [redacted] which is our Table Bluff cell site
- [redacted] Table Bluff Road, Loleta, CA – See attached coverage map
- We have no stored communications responsive to the search warrant

Please contact me with any questions.

Sincerely,

[redacted]

Legal Compliance Manager

Enclosures

[redacted] Oregon 97702 • Phone: [redacted]

March 9, 2007

EDGE WIRELESS, LLC RESPONSE
SUBPOENA FOR SUBSCRIBER INFORMATION

Subscriber Name [redacted] **Subscriber MIN** [redacted]

[redacted] Table Bluff
Loleta, CA 95551

Account Notes
new act 10 plan with coam 6102 wsc

EDGE WIRELESS

From: 2/28/2007 12:00:00AM To: 3/9/2007 12:00:00AM

Mobile Number: [redacted]

Customer Name: [redacted]
Plan Offering: TEN DOLLAR
LD Carrier: AT&T
Location ID: CALIFORNIA

Current Balance: (
Funds Expiration Date: 07-May-2
Account Status: Act

USAGE DETAILS - Free

Call Start	In Out	Dialed Digits	Description	Charge	Round Duratn	Free Ind	Home/ Roam
3/5/2007 10:43:06PM	O	[redacted]		0.00	0	N	H

USAGE DETAILS - Charged

Call Start	In Out	Dialed Digits	Description	Charge	Round Duratn	Free Ind	Home/ Roam	Ra
						n.a	n.a	

Total Usage Charges:

Call Count:

NO charged ca found for this p

*** End of Report ***

Calling MDN	Called MDN	Destination Number	Dialed Number	Date	Time	Duration	[redacted]
[redacted]				02/28/2007	22:08:25	000:00	
				02/28/2007	22:08:44	000:12	
				02/28/2007	22:08:49	000:07	
				03/01/2007	00:09:55	000:00	
				03/01/2007	00:10:14	000:09	
				03/01/2007	00:10:19	000:05	
				03/01/2007	01:16:09	000:01	
				03/01/2007	01:16:51	000:01	
				03/01/2007	01:17:58	000:01	
				03/01/2007	01:19:49	000:01	
				03/05/2007	22:42:47	000:00	
				03/05/2007	22:43:05	000:19	
				03/05/2007	22:43:08	000:16	
				03/05/2007	22:43:08	000:16	
				03/05/2007	22:43:08	000:16	
				03/05/2007	22:43:08	000:16	

SEARCH WARRANT INVENTORY

DATE ITEMS REMOVED 3-19-09 CASE NUMBER 2009-1827

DEPUTY SHERIFF SEIZING ITEMS _____ SEARCH WARRANT NUMBER _____

ITEMS REMOVED FROM ADDRESS/LOCATION [redacted], FORD, MUSTANG, CA [redacted]

#17 "F" EXPENDED CASINGS	RIGHT REAR SEAT
#18 CCI, EXPENDED CASINGS	" " "
#19 .22 CALIBER, RIFLE, [redacted]	[redacted]
MARLIN, SEMI-AUTO, SERIAL#	ACROSS FROM [redacted] KNEELAND RD
ONE ROUND IN BARREL, ONE IN CHAMBER WITH SCOPE	
19(A) "F" LIVE ROUNDS	SAME AS 19
19(B) TWO "F", ONE CCI LIVE ROUNDS	"
19(C) "F" LIVE ROUND	"
19(D) "F" LIVE ROUND	"
19(E) "F" LIVE ROUND	"
19(F) "F" LIVE ROUND	"
19(G) METAL PIN	"
19(H) BLACK PLASTIC	"
19(I) METAL PART OF GUN	"
19(J) METAL PART OF GUN	"
20 BASEBALL CAP WITH LIGHT	LEFT TRUNK
(21) SET OF KEYS	"PHOTOGRAPH ONLY"

3-19-09 DATE 1400 TIME [redacted] #1302 PIN #

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

HCSD 0669.6

SEARCH WARRANT INVENTORY

DATE ITEMS REMOVED 3-19-09 CASE NUMBER 2009-1827

DEPUTY SHERIFF SEIZING ITEMS _____ SEARCH WARRANT NUMBER _____

ITEMS REMOVED FROM ADDRESS/LOCATION [redacted] FORD, MUSTANG, CA [redacted]

#17 "F" EXPENDED CASINGS	RIGHT REAR SEAT
#18 CCI, EXPENDED CASINGS	" " "
#19 22 CALIBER, RIFLE, [redacted] MARLIN, SEMI-AUTO, SERIAL# ONE ROUND IN BARREL, ONE IN CHAMBER WITH SCOPE	[redacted] ACROSS FROM [redacted] KNEELAND RD
19(A) "F" LIVE ROUNDS	SAME AS 19
19(B) TWO "F", ONE CCI LIVE ROUNDS	"
19(C) "F" LIVE ROUND	"
19(D) "F" LIVE ROUND	"
19(E) "F" LIVE ROUND	"
19(F) "F" LIVE ROUND	"
19(G) METAL PIN	"
19(H) BLACK PLASTIC	"
19(I) METAL PART OF GUN	"
19(J) METAL PART OF GUN	"
20 BASEBALL CAP WITH LIGHT	LEFT TRUNK
(21) SET OF KEYS	"PHOTOGRAPH ONLY"

3-19-09 DATE 1400 TIME [redacted] SIGNATURE OF DEPUTY SHERIFF #1302 PIN #

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

HCSD 0669.6

SEARCH WARRANT INVENTORY

DATE ITEMS REMOVED 3/19/09 CASE NUMBER 2009-1827

DEPUTY SHERIFF SEIZING ITEMS _____ SEARCH WARRANT NUMBER _____

ITEMS REMOVED FROM ADDRESS/LOCATION [redacted] FORD, MUSTANG, CA [redacted]

#22 BACK PACK WITH FISHING ITEMS	RIGHT REAR SEAT.
#23 TWO "F" LIVE, ONE "F" EXPENDED, ONE CCI EXPENDED	RIGHT REAR FLOOR
#24 "F" EXPENDED	RIGHT REAR FLOOR
#25 "F" EXPENDED	RIGHT SIDE PASSENGER SEAT
#26 CCI, LIVE ROUND, "F" LIVE ROUND	UNDER PASSENGER SEAT
#27 PAIR OF GLOVES	PASSENGER FLOOR BOARD
#28 TWO "F" LIVE ROUND	PASSENGER FLOOR BOARD
#29 CCI, EXPENDED	PASSENGER FLOOR BOARD
#30 OERBER FOLDING KNIFE	〃 〃 〃
#31 EMPTY .22 CALIBER BLAZER BOX	〃 〃 〃
#32 SIX "F" LIVE	ASH TRAY
#33 CCI EXPENDED	EMERGENCY BRAKE AREA
#34 "F" LIVE ROUND	UNDER DRIVER SEAT
#35 TWO "F" LIVE ROUND	UNDER MAT PASSENGER

3-19-09 DATE 1400 TIME [redacted] #1302 PIN #

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

HCSD 0669.6

SEARCH WARRANT INVENTORY

DATE ITEMS REMOVED 3/19/09 CASE NUMBER 2009-1827

DEPUTY SHERIFF SEIZING ITEMS _____ SEARCH WARRANT NUMBER _____

ITEMS REMOVED FROM ADDRESS/LOCATION [redacted] FORD, MUSTANG, CA [redacted]

#22 BACK PACK WITH FISHING ITEMS	RIGHT REAR SEAT.
#23 TWO "F" LIVE, ONE "F" EXPENDED, ONE CCI EXPENDED	RIGHT REAR FLOOR
#24 "F" EXPENDED	RIGHT REAR FLOOR
#25 "F" EXPENDED	RIGHT SIDE PASSENGER SEAT
#26 CCI, LIVE ROUND "F" LIVE ROUND	UNDER PASSENGER SEAT
#27 PAIR OF GLOVES	PASSENGER FLOOR BOARD
#28 TWO "F" LIVE ROUND	PASSENGER FLOOR BOARD
#29 CCI, EXPENDED	PASSENGER FLOOR BOARD
#30 OERBER FOLDING KNIFE	11 11 11
#31 EMPTY 22 CALIBER BLAZER BOX	11 11 11
#32 SIX "F" LIVE	ASH TRAY
#33 CCI EXPENDED	EMERGENCY BRAKE AREA
#34 "F" LIVE ROUND	UNDER DRIVER SEAT
#35 TWO "F" LIVE ROUND	UNDER MAT PASSENGER

3-19-09 DATE 1400 TIME [redacted] #1302 PIN #

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

HCSD 0669.6

SEARCH WARRANT INVENTORY

DATE ITEMS REMOVED 3/19/09 CASE NUMBER 2009-1827

DEPUTY SHERIFF SEIZING ITEMS _____ SEARCH WARRANT NUMBER _____

ITEMS REMOVED FROM ADDRESS/LOCATION [redacted] FORD, MUSTANG CA [redacted]

#1 CCI, EXPENED CASING	DRIVERS DOOR
#2 CCI, EXPENDED CASING	REAR FLOOR DRIVERS SIDE
#3 CCI, EXPENED CASING	ON FLOOR DRIVERS SEAT
#4 3 - "F" CARTRIDGES	DRIVER'S SEAT
#5 "F" EXPENDED CATRIDGE CASE	DRIVER'S FLOOR
#6 CCI, EXPENED CASING	DRIVERS FLOOR
#7 CCI, EXPENDED CASING	DRIVERS FLOOR
#8 TWO BLACK FLASHLIGHTS	DRIVERS SEAT
#9 GREEN CAP / EYE OPENINGS	DRIVERS FLOOR
#10 BLACK CANVAS BAG	REAR FLOOR DRIVERS SIDE
MISC TOOLS, GLOVES	
#11 EMPTY QUANTER PAPER ROLL	LEFT REAR FLOOR BOARD
#12 CCI, EXPENDED CASING	LEFT REAR FLOOR BOARD
#13 CCI, EXPENDED CASING	LEFT REAR SEAT
#14 TWO FISHING POLLS	LEFT REAR FLOOR
#15 KEY, CUHEN STEEL RECEIPT	INSIDE GREEN JACKET
#16 CCI, EXPENED CASING,	INSIDE GREY JACKET
AND LIVE ROUND CCI	RIGHT REAR SEAT

3-19-09 DATE 1400 TIME [redacted] #1302 PIN #

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

HCSD 0669.6

SEARCH WARRANT INVENTORY

DATE ITEMS REMOVED 3/19/09 CASE NUMBER 2009-1827

DEPUTY SHERIFF SEIZING ITEMS _____ SEARCH WARRANT NUMBER _____

ITEMS REMOVED FROM ADDRESS/LOCATION [redacted] FORD, MUSTANG CA [redacted]

#1 CCI, EXPENED CASING	DRIVERS DOOR
#2 CCI, EXPENDED CASING	REAR FLOOR DRIVERS SIDE
#3 CCI, EXPENED CASINGS	ON FLOOR DRIVERS SEAT
#4 3 - "F" CARTRIDGES	DRIVER'S SEAT
#5 "F" EXPENDED CATRIDGE CASE	DRIVER'S FLOOR
#6 CCI, EXPENED CASING	DRIVERS FLOOR
#7 CCI, EXPENDED CASING	DRIVERS FLOOR
#8 TWO BLACK FLASHLIGHTS	DRIVERS SEAT
#9 GREEN CAP / EYE OPENINGS	DRIVERS FLOOR
#10 BLACK CANVAS BAG	REAR FLOOR DRIVERS SIDE
MISC TOOLS, GLOVES	
#11 EMPTY QUARTER PAPER ROLL	LEFT REAR FLOOR BOARD
#12 CCI, EXPENDED CASING	LEFT REAR FLOOR BOARD
#13 CCI, EXPENDED CASING	LEFT REAR SEAT
#14 TWO FISHING POLLS	LEFT REAR FLOOR
#15 KEY, CUHEN SHELL RECEIPT	INSIDE GREEN JACKET
#16 CCI, EXPENED CASING,	INSIDE GREY JACKET
AND LIVE ROUND CCI	RIGHT REAR SEAT

3-19-09 DATE 1400 TIME [redacted] #1302 PIN #

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

HCSD 0669.6

St. Joseph Hospital

ST. JOSEPH HEALTH SYSTEM

St. Joseph Hospital
2700 Dolbeer Street
Eureka, CA 95501
707-445-8121 Telephone
707-269-3896 Fax

AUTHORIZATION TO RELEASE MEDICAL RECORDS

Patient's Name [redacted]

I hereby authorize:

- ☒ St. Joseph Hospital (Main Campus and General Hospital Campus) - Eureka, California
- ☐ Other _____

to disclose information and records obtained in the course of my diagnosis and treatment to:

Name Humboldt Co. D.A. & Sheriff's Detectives
Address 826 4th St.
City/State/Zip Code Eureka, Ca. 95501
Telephone Number FAX 4457434, 268 3646

This disclosure of information and records authorized herein is required for the following purpose:

- ☒ Continuation of medical care
- ☐ Disability/social security determination
- ☐ Insurance purposes/Payment for service
- ☒ Legal
- ☐ Personal Use
- ☐ Other_____

This disclosure is limited to the following specific types of information:

- ☒ Discharge Summary
- ☒ Pathology Report
- ☒ Lab Reports
- ☒ Alcohol/drug abuse
- ☐ EKG's
- ☒ History and Physical
- ☒ X-Ray Reports
- ☐ Other_____
- ☒ ER Report
- ☒ Operative Report
- ☒ Psychiatric records

This authorization shall become effective the date signed and will remain in effect for one year unless terminated earlier in writing by the person giving the authorization. The authorization can be revoked by sending a letter to the Privacy Officer of St. Joseph Hospital at the address above. There may be a charge for these records. Information used or disclosed pursuant to this authorization may be subject to redisclosure by the recipient and no longer be protected by this rule.

Name of Patient [redacted] Date of Birth 8-14-86
Social Security Number [redacted] Date Seen 3-3-07
Patient Signatur[redacted] Date 3-3-07
Signature* _____ Date _____
Witness Ann A. Sewell Date 3-3-07
SU# _____

***If signed by anyone other than patient or parent of minor, provide copies of appointment papers or durable power of attorney authorizing signature on behalf of patient.**

Revised 2/14/05

CONSENT TO SEARCH

HUMBOLDT COUNTY SHERIFF'S DEPARTMENT

I, [redacted], HAVING BEEN INFORMED OF MY CONSTITUTIONAL RIGHT NOT TO HAVE A SEARCH MADE OF THE PREMISES OR VEHICLE HEREINAFTER MENTIONED WITHOUT A SEARCH WARRANT AND OF MY RIGHT TO REFUSE TO CONSENT TO SUCH A SEARCH, HEREBY AUTHORIZE D.O.J., [redacted], AND H.C. DISTRICT ATTORNEY [redacted], SHERIFF'S DEPUTIES OF THE COUNTY OF HUMBOLDT, STATE OF CALIFORNIA, TO CONDUCT A COMPLETE SEARCH OF MY RESIDENCE OR VEHICLE LOCATED AT [redacted] TABLE BLUFF RD, LOLETA, CA 95551 / NISSAN MAXIMA [redacted]

THESE DEPUTIES ARE AUTHORIZED BY ME TO TAKE FROM MY RESIDENCE OR VEHICLE ANY LETTERS, PAPERS, MATERIALS OR OTHER PROPERTY WHICH THEY MAY DESIRE.

THIS WRITTEN PERMISSION IS BEING GIVEN BY ME TO THE ABOVE NAMED DEPUTIES VOLUNTARILY AND WITHOUT THREATS OR PROMISES OF ANY KIND.

[redacted]

WITNESSES:

STEVE M. DUNN

MARVIN KIRKPATRICK

DATED 3-1-07 / 1:17 PM

CSD 0651.1)

CONSENT TO SEARCH

HUMBOLDT COUNTY SHERIFF'S DEPARTMENT

I, [redacted], HAVING BEEN INFORMED OF MY CONSTITUTIONAL RIGHT NOT TO HAVE A SEARCH MADE OF THE PREMISES OR VEHICLE HEREINAFTER MENTIONED WITHOUT A SEARCH WARRANT AND OF MY RIGHT TO REFUSE TO CONSENT TO SUCH A SEARCH, HEREBY AUTHORIZE Evidence Technicians, AND Law Enforcement officers, SHERIFF'S DEPUTIES OF THE COUNTY OF HUMBOLDT, STATE OF CALIFORNIA, TO CONDUCT A COMPLETE SEARCH OF MY RESIDENCE OR VEHICLE LOCATED AT [redacted] Table Bluff Rd.

THESE DEPUTIES ARE AUTHORIZED BY ME TO TAKE FROM MY RESIDENCE OR VEHICLE ANY LETTERS, PAPERS, MATERIALS OR OTHER PROPERTY WHICH THEY MAY DESIRE.

THIS WRITTEN PERMISSION IS BEING GIVEN BY ME TO THE ABOVE NAMED DEPUTIES VOLUNTARILY AND WITHOUT THREATS OR PROMISES OF ANY KIND.

[redacted]

20070119

WITNESSES:

T. Cooke

W. Hanson

DATED 3/1/07 1401 Hrs.

CSD 0651.1)

AGENCY CASE NUMBER
200701191

DEPARTMENT OF JUSTICE
BUREAU OF FORENSIC SERVICES

BFS CASE NUMBER
TX-07-004238-0001

TO: DOJ Toxicology Report Recipient
Humboldt County Sheriff's Office, Eureka
826 Fourth Street
Eureka, CA 95501

FROM: Toxicology
[redacted]

Toxicology Screen and Confirm

SUBJECT: JASON DANIELS

OFFENSE DATE: 3/1/2007

SUMMARY:

The toxicological results of the blood sample from JASON DANIELS are listed below.

The following compounds were not detected in the sample by GCMS; certain stimulants (including methamphetamine and cocaine/or cocaine metabolites), tranquilizers, common narcotics, antidepressants, psychedelics (including phencyclidine), benzodiazepines, sedatives/hypnotics (including barbiturates) and anticonvulsant drugs. Cannabinoids were not detected by immunoassay. Caffeine and nicotine and/or their metabolites may be present in the sample but are not routinely reported.
NOTE:Further quantitative and/or qualitative analysis is precluded due to submission of insufficient sample.

The presumptive immunoassay (IA) results for the sample are listed below along with the cutoff levels for each drug. The number of drugs that are confirmed is dependent upon the type of contract our laboratory has with your agency.

Confirmation of any other drugs, including benzodiazepines and/or marijuana (THC) is available at an additional cost. Please allow two weeks for confirmatory analysis. Confirmatory analysis is required prior to a court appearance by a toxicologist.

Immunoassay Classification	Result	Cutoff
Benzodiazepines	Negative	100 ng/mL
Cocaine	Negative	150 ng/mL
Marijuana	Negative	30 ng/mL
Methamphetamine	Negative	50 ng/mL
Opiates	Negative	10 ng/mL
PCP	Negative	10 ng/mL

EVIDENCE:

On 4/17/2007, the following evidence was received from Word Processing Technician [redacted] of the Bureau of Forensic Services, Eureka Laboratory via UPS/Central Services rep:

Submission 01: One evidence envelope containing one tube of blood from the [redacted]

Item 01_01: One tube of blood from the subject.

DISPOSITION:

Samples for misdemeanor driving and contract cases will be retained in the Toxicology Laboratory for one year and then destroyed, unless other arrangements have been made. Samples from felony driving offenses are retained for one year and returned to the submitting laboratory. The samples for non-driving felony cases will be returned to the submitting laboratory/agency.

If called as a witness, I would testify that I am employed by the State of California Department of Justice and conducted examinations and formed conclusions as stated in this report. Information regarding the examination and conclusions are entered into and are maintained within the DOJ Laboratory Information Management System (LIMS) database. I, the undersigned, declare this information is true and correct under penalty of perjury.

DATE OF ANALYSIS: 10/25/2007
DATE OF REPORT: 11/6/2007

Technical Reviewer: [redacted]

Administrative Reviewer: [redacted]

[redacted]
Forensic Toxicologist

cc: DOJ Toxicology Report Recipient DAHUMB 707-445-7416 Related Case(s): EU07000412

AGENCY CASE NUMBER
200701191

DEPARTMENT OF JUSTICE
BUREAU OF FORENSIC SERVICES

BFS CASE NUMBER
TX-07-004237-0001

TO: DOJ Toxicology Report Recipient
Humboldt County Sheriff's Office, Eureka
826 Fourth Street
Eureka, CA 95501

FROM: Toxicology
[redacted]

Toxicology Screen and Confirm

[redacted]

OFFENSE DATE: 3/1/2007

SUMMARY:

The toxicological results of the blood sample from [redacted] are listed below.

The following compounds were not detected in the sample by GCMS; certain stimulants (including methamphetamine and cocaine/or cocaine metabolites), tranquilizers, common narcotics, antidepressants, psychedelics (including phencyclidine), benzodiazepines, sedatives/hypnotics (including barbiturates) and anticonvulsant drugs. Cannabinoids were not detected by immunoassay. Caffeine and nicotine and/or their metabolites may be present in the sample but are not routinely reported.
NOTE: Further quantitative or qualitative analysis may result in the consumption of the remaining sample.

The presumptive immunoassay (IA) results for the sample are listed below along with the cutoff levels for each drug. The number of drugs that are confirmed is dependent upon the type of contract our laboratory has with your agency.

Confirmation of any other drugs, including benzodiazepines and/or marijuana (THC) is available at an additional cost. Please allow two weeks for confirmatory analysis. Confirmatory analysis is required prior to a court appearance by a toxicologist.

Immunoassay Classification	Result	Cutoff
Benzodiazepines	Negative	100 ng/mL
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Marijuana	Negative	30 ng/mL
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Samples for misdemeanor driving and contract cases will be retained in the Toxicology Laboratory for one year and then destroyed, unless other arrangements have been made. Samples from felony driving offenses are retained for one year and returned to the submitting laboratory. The samples for non-driving felony cases will be returned to the submitting laboratory/agency.

If called as a witness, I would testify that I am employed by the State of California Department of Justice and conducted examinations and formed conclusions as stated in this report. Information regarding the examination and conclusions are entered into and are maintained within the DOJ Laboratory Information Management System (LIMS) database. I, the undersigned, declare this information is true and correct under penalty of perjury.

DATE OF ANALYSIS: 10/25/2007
DATE OF REPORT: 11/6/2007

Technical Reviewer: [redacted]

Administrative Reviewer: [redacted]

[redacted]
Forensic Toxicologist

cc: DOJ Toxicology Report Recipient DAHUMB 707-445-7416 Related Case(s): EU07000412

Humboldt County Sheriff's Office

826 Fourth Street, Eureka, CA 95501

Date: March 01, 2007 **From:** Brenda Godsey, PIO
(707) 268-3645

Subject: Sheriff's Deputies Attacked by Man with Machete

Case: 200701191

FOR IMMEDIATE RELEASE

At about 1:30 this morning Humboldt County Sheriff's Deputies were called to a disturbance at a residence on the [redacted] Table Bluff Road in Loleta. The caller told the Sheriff's dispatcher that a man who lives at the residence was armed with knives and an axe and had broken out windows at the house.

Deputies arrived and were told that the man was now armed with a machete. The deputies searched the residence but were unable to locate the man. They searched a second residence on the property but did not find the man. Deputies also searched the surrounding areas, including the trees behind the residences.

- more -

The deputies returned to the second residence and saw the [redacted] with a machete, inside the house. The deputies told the man to drop the weapon and come out of the house; he refused. The deputies continued to talk to the [redacted] for over a half hour in an attempt to persuade him to come out of the house.

Without warning, the man ran out of the house and, with the machete in his hand, ran at the deputies. The [redacted] was within six feet of the deputies when a deputy fired a single round from his department issued firearm and incapacitated the [redacted]. The [redacted] was transported to a local hospital where he underwent surgery and is in serious condition.

None of the deputies were injured.

The suspect will be charged with attempted murder.

In accordance with established policy, the incident will be investigated by the multi-agency Critical Incident Response Team.

Humboldt County Sheriff Gary Philp will hold a news briefing today at 2:00 p.m. regarding the incident. The briefing will be held in the conference room in the Humboldt County Correctional Facility (HCCF). The room will be open to the news media at 1:45 p.m. Media personnel should enter HCCF via the entrance at the top of the stairs at 5th and J Streets.

GARY PHILP
Sheriff

#####

HUMBOLDT COUNTY SHERIFF'S OFFICE
PROPERTY/EVIDENCE BOOKING AND RELEASE REPORT

CASE NUMBER: 200701191

DATE STORED	TIME STORED	DATE OF INCIDENT	CRIME
3/1/07	0841	3/1/07	Officer Involved Shooting

☐ ADULT ARREST
☐ JUVENILE ARREST

☐ SEARCH WARRANT NO. _____

[redacted]	DOB	ADDRESS	PHONE
NAME OF FINDER (ADDITIONAL VICTIM)	DOB	ADDRESS	PHONE

LOCATION PROPERTY WAS FOUND (INCIDENT OCCURRED)
[redacted] Table Bluff Rd.

TYPE OF PROPERTY
☒ EVIDENCE ☐ FOUND ☐ SAFEKEEPING

SUSPECT	DOB	SUSPECT	DOB
SUSPECT	DOB	SUSPECT	DOB

PROPERTY CODES *178

S	- Stolen	D	- Damaged
R	- Recovered	L	- Lost
RA	- Recovered (For Other Agency)	E	- Evidence
F	- Found	K	- Safekeeping
		C	- Contraband

PROPERTY/EVIDENCE LISTING

CODE	ITEM NO.	QTY.	DESCRIPTION	VALUE	NCIC	WEIGHT	DISPOSITION
E	1	2	(2) Rolls of 35mm film				

OWNERS OF PROPERTY

ITEMS NO.	NAME	DOB	ADDRESS	PHONE	NOTIFIED
ITEMS NO.	NAME	DOB	ADDRESS	PHONE	NOTIFIED
ITEMS NO.	NAME	DOB	ADDRESS	PHONE	NOTIFIED

LAB WORK REQUIRED

ITEMS NO.	PURPOSE OF EXAM
1	Process as needed.
ITEMS NO.	PURPOSE OF EXAM
ITEMS NO.	PURPOSE OF EXAM

BOOKING OFFICER	PIN	REPORT DATE	SUPERVISOR REVIEW	PIN	REPORT DATE
P. Bishop	1396	3/1/07			

HCSD 0410.1A, 01/04

CASE FILE COPY

HUMBOLDT COUNTY SHERIFF'S OFFICE
PROPERTY/EVIDENCE BOOKING AND RELEASE REPORT

CASE NUMBER: 200701191

☐ ADULT ARREST
☐ JUVENILE ARREST
☐ SEARCH WARRANT NO. _____

DATE STORED	TIME STORED	DATE OF INCIDENT	CRIME
3-22-07	0800	03-01-07	P.C. 647 (E)

	DOB	ADDRESS	PHONE
[redacted]			
NAME OF FINDER (ADDITIONAL VICTIM)	DOB	ADDRESS	PHONE

LOCATION ~~PROPERTY WAS FOUND~~ (INCIDENT OCCURRED)
[redacted] TABLE BLUFF RD.

[redacted]		[redacted] SUSPECT	DOB
SUSPECT	DOB	SUSPECT	DOB

TYPE OF PROPERTY
☑ EVIDENCE ☐ FOUND ☐ SAFEKEEPING

PROPERTY CODES *178

S	- Stolen	D	- Damaged
R	- Recovered	L	- Lost
RA	- Recovered (For Other Agency)	E	- Evidence
F	- Found	K	- Safekeeping
		C	- Contraband

PROPERTY/EVIDENCE LISTING

CODE	ITEM NO.	QTY.	DESCRIPTION	VALUE	NCIC	WEIGHT	DISPOSITION
E	1	1	CRIME SCENE LOG				

OWNERS OF PROPERTY

ITEMS NO.	NAME	DOB	ADDRESS	PHONE	NOTIFIED
ITEMS NO.	NAME	DOB	ADDRESS	PHONE	NOTIFIED
ITEMS NO.	NAME	DOB	ADDRESS	PHONE	NOTIFIED

LAB WORK REQUIRED

ITEMS NO.	PURPOSE OF EXAM
ITEMS NO.	PURPOSE OF EXAM
ITEMS NO.	PURPOSE OF EXAM

BOOKING OFFICER	PIN	REPORT DATE	SUPERVISOR REVIEW	PIN	REPORT DATE
R. CHANDLER	0895	3-22-07			

CASE FILE COPY

Humboldt County Sheriff's Office

826 Fourth Street, Eureka, CA 95501

Date: April 09, 2007

From: Brenda Godsey, PIO
(707) 268-3645

Subject: Suspect Transferred to Correctional Facility

Case: 200701191

FOR IMMEDIATE RELEASE

The man who was shot after attacking Sheriff's Deputy's with a machete was released from the hospital this morning and booked into the Humboldt County Correctional Facility. [redacted] 20 of Loleta, had been hospitalized since the March 01, 2007 incident during which he charged at Sheriff's Deputies while holding a machete. A deputy fired a single round from his firearm, stopping [redacted] attack.

[redacted] has been booked for attempted murder and is expected to be arraigned by Wednesday. He is not eligible to post bail due to a parole violation.

GARY PHILP
Sheriff

#####

HUMBOLDT COUNTY SHERIFF'S OFFICE
PROPERTY/EVIDENCE BOOKING AND RELEASE REPORT

CASE NUMBER: 200701191

PAGE _____ OF _____

☐ ADULT ARREST
☐ JUVENILE ARREST

☐ SEARCH WARRANT NO. _____

DATE STORED	TIME STORED	DATE OF INCIDENT	CRIME
4/3/07			OFFICER INVOLVED SHOOTING

[redacted]	DOB	ADDRESS	PHONE

NAME OF FINDER (ADDITIONAL VICTIM)	DOB	ADDRESS	PHONE

LOCATION PROPERTY WAS FOUND (INCIDENT OCCURRED)
DOJ Generated CD

TYPE OF PROPERTY
☒ EVIDENCE ☐ FOUND ☐ SAFEKEEPING

SUSPECT	DOB	SUSPECT	DOB
SUSPECT	DOB	SUSPECT	DOB

PROPERTY CODES *178

S	- Stolen	D	- Damaged
R	- Recovered	L	- Lost
RA	- Recovered (For Other Agency)	E	- Evidence
F	- Found	K	- Safekeeping
		C	- Contraband

PROPERTY/EVIDENCE LISTING

CODE	ITEM NO.	QTY.	DESCRIPTION	VALUE	NCIC	WEIGHT	DISPOSITION
E	1	1	CD from DOJ 2007-000412				

OWNERS OF PROPERTY

ITEMS NO.	NAME	DOB	ADDRESS	PHONE	NOTIFIED
ITEMS NO.	NAME	DOB	ADDRESS	PHONE	NOTIFIED
ITEMS NO.	NAME	DOB	ADDRESS	PHONE	NOTIFIED

LAB WORK REQUIRED

ITEMS NO.	PURPOSE OF EXAM
ITEMS NO.	PURPOSE OF EXAM
ITEMS NO.	PURPOSE OF EXAM

BOOKING OFFICER	PIN	REPORT DATE	SUPERVISOR REVIEW	PIN	REPORT DATE
[redacted]	0649				

HCSD 0410.1A, 01/04

CASE FILE COPY

AGENCY CASE NUMBER
200701191

DEPARTMENT OF JUSTICE
BUREAU OF FORENSIC SERVICES

BFS CASE NUMBER
EU-07-000412-0003

TO: DOJ Alcohol Report Recipient
Humboldt County Sheriff's Office, Eureka
826 Fourth Street
Eureka, CA 95501

FROM: Eureka Laboratory
[redacted]

Forensic Alcohol Analysis

SUBJECT: JASON DANIELS OFFENSE DATE: 3/1/2007

SUMMARY:

The blood sample (Item 3-1_01) of JASON DANIELS contained 0.00% (W/V) alcohol.
A dried bloodstain was prepared and preserved from Daniels's liquid blood sample.

EVIDENCE:

On 4/6/2007, the following evidence was received from Janet Brisker of the Humboldt County Sheriff's Office, Eureka:

Submission 3-1: One evidence envelope containing one tube of blood from the [redacted]
Item 3-1_01: One tube of blood from the [redacted]

DISPOSITION:

The evidence will be returned to your agency in the normal course of business.

If called as a witness, I would testify that I am employed by the State of California Department of Justice and conducted examinations and formed conclusions as stated in this report. Information regarding the examination and conclusions is recorded at the time of examination. The equipment used in this analysis was in proper working order at the time of this analysis. I, the undersigned, declare this information is true and correct under penalty of perjury.

The undersigned has met the qualifications as set forth in the California Code of Regulations (Title 17, Chapter 2, Subchapter 1, Group 8, commencing with Section 1215) to engage in forensic alcohol analysis in the forensic laboratory named above.

DATE ANALYSIS COMPLETE: 4/12/2007
DATE OF REPORT: 4/12/2007

[redacted]
Senior Criminalist

Technical Reviewer:

Administrative Reviewer:

cc: DOJ Alcohol Report Recipient DAHUMB 707-445-7416

AGENCY CASE NUMBER
200701191

DEPARTMENT OF JUSTICE
BUREAU OF FORENSIC SERVICES

BFS CASE NUMBER
EU-07-000412-0002

TO: DOJ Alcohol Report Recipient
Humboldt County Sheriff's Office, Eureka
826 Fourth Street
Eureka, CA 95501

FROM: Eureka Laboratory
[redacted]

Forensic Alcohol Analysis

[redacted] OFFENSE DATE: 3/1/2007

SUMMARY:
The blood sample (Item 02_01) of [redacted] contained 0.18% (W/V) alcohol.
A dried bloodstain was prepared and preserved from [redacted] liquid blood sample.

EVIDENCE:

On 4/6/2007, the following evidence was received from [redacted] of the Humboldt County Sheriff's Office, Eureka:

Submission 2-1: One evidence envelope containing one tube of blood from the [redacted].
Item 02_01: One tube of blood from the [redacted]

DISPOSITION:

The evidence will be returned to your agency in the normal course of business.

If called as a witness, I would testify that I am employed by the State of California Department of Justice and conducted examinations and formed conclusions as stated in this report. Information regarding the examination and conclusions is recorded at the time of examination. The equipment used in this analysis was in proper working order at the time of this analysis. I, the undersigned, declare this information is true and correct under penalty of perjury.

The undersigned has met the qualifications as set forth in the California Code of Regulations (Title 17, Chapter 2, Subchapter 1, Group 8, commencing with Section 1215) to engage in forensic alcohol analysis in the forensic laboratory named above.

DATE ANALYSIS COMPLETE: 4/12/2007
DATE OF REPORT: 4/12/2007

[redacted]
Senior Criminalist

Technical Reviewer: [redacted]

Administrative Reviewer: [redacted]

cc: DOJ Alcohol Report Recipient DAHUMB 707-445-7416

HUMBOLDT COUNTY SHERIFF'S OFFICE
PROPERTY/EVIDENCE BOOKING AND RELEASE REPORT

CASE NUMBER: 20070 1191

PAGE _____ OF _____

☐ ADULT ARREST
☐ JUVENILE ARREST
☐ SEARCH WARRANT NO. _____

DATE STORED	TIME STORED	DATE OF INCIDENT	CRIME
4/25/07	1507	3-1-07	664/187 P.C.

[redacted]	DOB	ADDRESS	PHONE
Deputy Daniels	—	C/o H.C.S.O.	—

NAME OF FINDER (ADDITIONAL VICTIM)	DOB	ADDRESS	PHONE
N/A		—	

LOCATION PROPERTY WAS FOUND (INCIDENT OCCURRED): N/A

TYPE OF PROPERTY: ☒ EVIDENCE ☐ FOUND ☐ SAFEKEEPING

[redacted]		SUSPECT	DOB
		—	—
SUSPECT	DOB	SUSPECT	DOB

PROPERTY CODES *178

S	- Stolen	D	- Damaged
R	- Recovered	L	- Lost
RA	- Recovered (For Other Agency)	E	- Evidence
		K	- Safekeeping
F	- Found	C	- Contraband

PROPERTY/EVIDENCE LISTING

CODE	ITEM NO.	QTY.	DESCRIPTION	VALUE	NCIC	WEIGHT	DISPOSITION
E	1	1	"911" CD, Copy of "911" Call				

OWNERS OF PROPERTY

ITEMS NO.	NAME	DOB	ADDRESS	PHONE	NOTIFIED

LAB WORK REQUIRED

ITEMS NO.	PURPOSE OF EXAM

BOOKING OFFICER	PIN	REPORT DATE	SUPERVISOR REVIEW	PIN	REPORT DATE
Stan R. Snowell	0788	4/25/07			

HCSD 0410.1A, 01/04

CASE FILE COPY

HUMBOLDT COUNTY SHERIFF'S OFFICE
PROPERTY/EVIDENCE BOOKING AND RELEASE REPORT

CASE NUMBER: 2007011491

PAGE _____ OF _____

☐ ADULT ARREST
☐ JUVENILE ARREST
☐ SEARCH WARRANT NO. _____

DATE STORED	TIME STORED	DATE OF INCIDENT	CRIME
7/18/07	0830	3/1/07	OFFICER INVOLVED SHOOTING

VICTIM NAME	DOB	ADDRESS	PHONE

NAME OF FINDER (ADDITIONAL VICTIM)	DOB	ADDRESS	PHONE

LOCATION PROPERTY WAS FOUND (INCIDENT OCCURRED)
Evidence Generated By DOJ Lab - Case# EU 07-000412

TYPE OF PROPERTY
☒ EVIDENCE ☐ FOUND ☐ SAFEKEEPING

SUSPECT	DOB	SUSPECT	DOB
SUSPECT	DOB	SUSPECT	DOB

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

PROPERTY/EVIDENCE LISTING

CODE	ITEM NO.	QTY.	DESCRIPTION	VALUE	NCIC	WEIGHT	DISPOSITION
E	DOJ-1	1	Small coin envelope labelled 5-4a → 5-4b "test fired bullets from Glock model G22 Ser# [redacted]				
E	DOJ-2	1	Small coin envelope labelled 5-4a → 5-4d "test fired cartridge cases in GLOCK model 22 Ser# [redacted]				
E	5-3A	1	Small coin envelope "Dry Swab of barrel GLOCK model 22 Ser# [redacted]				
~~E~~	~~9-DRE10~~	~~1~~	~~Small coin envelope "Expended copper jacketed bullet in front of cabin door~~ (Already Listed) - See Pg 9				
E	9-DRE-10a		Small coin envelope "Fibers, veg. mat possible tissue removed from bullet				
~~E~~	~~9-DRE11~~		~~Small coin envelope "expended cartridge case~~ already Listed See Pg 9				
E	9-DRE11a		Dirt from rim groove of cartridge case (9-DRE11) 5				

OWNERS OF PROPERTY

ITEMS NO.	NAME	DOB	ADDRESS	PHONE	NOTIFIED
ITEMS NO.	NAME	DOB	ADDRESS	PHONE	NOTIFIED
ITEMS NO.	NAME	DOB	ADDRESS	PHONE	NOTIFIED

LAB WORK REQUIRED

ITEMS NO.	PURPOSE OF EXAM
ITEMS NO.	PURPOSE OF EXAM
ITEMS NO.	PURPOSE OF EXAM

[redacted]	PIN 0649	REPORT DATE	SUPERVISOR REVIEW	PIN	REPORT DATE

CASE FILE COPY