

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

**CASE NUMBER:** 2006-6587

PAGE \_\_\_\_\_ OF \_\_\_\_\_

DATE STORED 10/24/06	TIME STORED 1300	DATE OF INCIDENT 10/23/06	CRIME INVESTIGATION ✓
VICTIM NAME		DOB	ADDRESS
NAME OF FINDER (ADDITIONAL VICTIM)		DOB	ADDRESS
LOCATION PROPERTY WAS FOUND (INCIDENT OCCURRED)			

ADULT ARREST  
 JUVENILE ARREST  
 SEARCH WARRANT NO. \_\_\_\_\_

**TYPE OF PROPERTY**

EVIDENCE     
  FOUND     
  SAFEKEEPING

OWNER	DOB
OWNER	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	5	C.D.'S OF INVOLVED OFFICERS STATEMENTS OFFICER METAXAS OFFICER WATSON OFFICER CRNICIT Sgt. HISLOP				

**OWNERS OF PROPERTY**

ITEMS NO.	NAME	DOB	ADDRESS	PHONE	NOTIFIED

**LAB WORK REQUIRED**

ITEMS NO.	PURPOSE OF EXAM

BOOKING OFFICER Hanson	PIN 0330	REPORT DATE 10/29/06	SUPERVISOR REVIEW	PIN	REPORT DATE
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HUMBOLDT COUNTY SHERIFF'S OFFICE  
INVESTIGATION REPORT

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CASE: 200606587

INVESTIGATOR: Deputy Sheriff Detective Marvin Kirkpatrick

DATE: October 23, 2006

CRIME: Agency Assist Eureka Police Department 3C06-8080

LOCATION: [REDACTED] Dolbeer Street Eureka / Chester Street  
between W and Doblbeer Street Eureka.

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[REDACTED] [REDACTED] [REDACTED] [REDACTED]  
[REDACTED] Eureka.

[REDACTED] Humboldt County Probation Officer Petrina A.  
Fennell [REDACTED]  
[REDACTED] [REDACTED] [REDACTED].

Witness: Eureka Police Department Sergeant Michael Johnson  
[REDACTED] [REDACTED]  
[REDACTED]

Witness: [REDACTED]  
[REDACTED] [REDACTED].

Witness: [REDACTED]  
[REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]

Witness: [REDACTED]  
[REDACTED] [REDACTED] [REDACTED] [REDACTED]

Witness: [REDACTED]  
[REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]

Witness: [REDACTED] [REDACTED]  
[REDACTED] [REDACTED] [REDACTED]

On 10-23-2006 around 1405 hours, Lieutenant G. Cavinta, Humboldt County Sheriff's Office Criminal Investigation Division, told me to meet at the briefing table in the Criminal Investigations Division for a meeting.

I arrived at the briefing table and present was Deputy Sheriff Detective T. Cooke, and Sergeant W. Hanson. Lieutenant Cavinta told us an Eureka Police Officer was involved in an officer involved shooting and assistance for the Critical Incident Response Team was requested by the Eureka Police Department and Humboldt County District Attorney's Office. Lieutenant Cavinta told us we were going to be assisting in the investigation. Lieutenant Cavinta told us an officer involved shooting occurred in the City of Eureka and we were to respond to the Eureka Police Department to meet with Humboldt County District Attorney Investigator M. Losey and Detective C. Honeycutt, Eureka Police Department, for briefing and assignments.

Lieutenant Cavinta contacted Deputy Sheriff Detective R. Schlesiger who was in the field to respond to Eureka Police Department for the assistance request.

Around 1440 hours, Detective Cooke and I arrived at the Eureka Police Department for the briefing and assignments.

After the briefing was conducted by Detective Honeycutt and Investigator Losey assignments were given out. Detective Cooke and I were assigned to contact Humboldt County Probation Officer Petrina Fennell who was located at the Eureka Police Department for a statement.

Around 1541 hours, Detective Cooke and I met with Probation Officer Petrina Fennell. I audio recorded this interview with Officer Fennell using a digital recorder. I later placed Officer Fennell's statement onto a Memorex CD-R disc and later booked it into evidence (Exhibit PF-1). The following is a summary of Officer Fennell's statement. For Officer Fennell's complete statement see Exhibit PF-1. This interview took place in Lieutenant L. Johnson's office, Eureka Police Department.

Officer Fennell told us she has been a Deputy Probation Officer for 5 years. Officer Fennell told us today (10-23-2006) they were going to a house to do a warrant arrest on one of her [REDACTED] who is on her case load. Officer Fennell told us the [REDACTED] name is [REDACTED] Officer

Fennell told us Senior Probation Officer Steven Schaening and Deputy Probation Officer Andrew McLaughlin went along with her. Officer Fennell told us her intent was to take [REDACTED] into custody for an outstanding warrant of arrest. Officer Fennell told us the warrant was for probation violation and termination of placement. Officer Fennell told us [REDACTED] [REDACTED] [REDACTED] [REDACTED] Officer Fennell told us [REDACTED] started in probation at the [REDACTED]

Officer Fennell told us it was around 1350 hours when they arrived at the location of [REDACTED] Officer Fennell told us the location [REDACTED] was at was [REDACTED] Dolbeer Street Eureka. Officer Fennell told us this was a like a [REDACTED] in law unit and away from the main residence. Officer Fennell told us this is not where [REDACTED] lives but she received information from a person that [REDACTED] was at this location. Officer Fennell described [REDACTED] as around 5-7, 190-200 pounds, dark hair, dark eyes, and claims to be American Indian. Officer Fennell told us the information she received was [REDACTED] was at this location.

Officer Fennell told us Officers Schaening, McLaughlin, and her went to this location. Upon their arrival, Officer Fennell said she met with a female coming out from a gate area. Officer Fennell said this lady said this residence was hers and Officer Fennell met this lady. The lady told her [REDACTED] [REDACTED] was back there inside, her brother was there, and go ahead and go in. Officer Fennell said she didn't know the name of the lady but she knew it was the [REDACTED] to [REDACTED] Officer Fennell told us this lady told us to open the gate and go straight right in.

Officer Fennell told us they went up to residence and the front door was cracked open. Officer Fennell told us when she opened the door she saw [REDACTED] sitting in a chair right by the door. Officer Fennell told us she saw [REDACTED] with a knife and what looked like he was sharpening it. Officer Fennell told us she told [REDACTED] that he needed to put the knife down. Officer Fennell told us she saw two other people in the room. Officer Fennell told us it was an older guy and a young girl.

Officer Fennell told us she was assuming [REDACTED] was sharpening a knife because he had a sharpening stone in one hand and a knife in the other hand. Officer Fennell described the knife as a hunting knife with a silver blade

around 3 to 4" long. Officer Fennell didn't see the handle of the knife but thinks it might be a folding type knife.

Officer Fennell told us when she told [REDACTED] to put the knife down he stood up and started swinging the knife towards them. Officer Fennell told us [REDACTED] was telling them he wasn't going in, they were not going to take him in, he will fucking kill them, and he would kill them. Officer Fennell said Officer Schaening stepped around and sprayed [REDACTED] with pepper spray. Officer Fennell said after [REDACTED] was sprayed it appeared it didn't subdue him at all and it just agitated him more. Officer Fennell said [REDACTED] started coming to the door and at them. Officer Fennell told us she started backing out the front door. Officer Fennell said she stepped away and back up because [REDACTED] was coming towards them really close. Officer Fennell told us they were trying to keep their distance from [REDACTED]. Officer Fennell told us [REDACTED] was trying to get out of the residence and leave.

Officer Fennell said once they backed out of the residence [REDACTED] left the residence and took off running.

Officer Fennell told us she thought [REDACTED] would have cut somebody. Officer Fennell thought this because of the way [REDACTED] was lunging at them, his attitude, absolutely non compliant, not new to probation, he knows when a probation officer come, he knew he was on a warrant and would be brought into [REDACTED], and was well aware of what going to happen to him if he got caught.

Funnell told us she thinks [REDACTED] was holding the knife in his right hand. Funnell told us she thinks when [REDACTED] was pepper sprayed he was sprayed in the face but it was really fast and hard to say. Officer Fennell told us it might have sprayed on the subjects sitting on the couch. Officer Fennell said she thinks this because [REDACTED] had taken off running and Officers Schaening and McLaughlin gave chase the male complained about them spraying them. Officer Fennell told these subjects it was pure accident and that was not was going on.

Officer Fennell said the entire time [REDACTED] was waving the knife at them coming out the door, the subjects said don't [REDACTED] ([REDACTED] you know you don't need to do that.

Officer Fennell told us this incident happened really fast. Officer Fennell told us she could not remember [REDACTED] exact wording but she remembers him saying he will fucking cut them and he would kill them. Officer Fennell said this really happened fast for him ([REDACTED] coming to the door, taking off, and her telephoning 9-1-1 for assistance. Officer Fennell said she called 9-1-1 for assistance after getting back to her vehicle and Schaening and McLaughlin running after [REDACTED]. Officer Fennell said she reported she was at a location for a probationer, that had threatened them with a knife, he took off running, had probation officers chasing the probationer and they needed back up.

Officer Fennell told us she felt if they did not get out of [REDACTED] way they would have been cut or injured. Officer Fennell told us when he was coming towards them he ([REDACTED] was brandishing the knife and swinging the knife towards them. Officer Fennell felt whoever was in the way of [REDACTED] they would have been cut or injured. Officer Fennell told us she didn't get that close to [REDACTED] with the knife because when he had the knife out going towards them she was one of the first one's to get behind the other two probation officers. Officer Fennell told us she didn't know how close [REDACTED] came to the other two probation officers.

Officer Fennell told us all of them backed out of the doorway when [REDACTED] came towards the doorway. Officer Fennell told us once they were out of the residence [REDACTED] took off running. Officer Fennell told us Officers Schaening and McLaughlin took off running after [REDACTED]

Officer Fennell told me she has had [REDACTED] on her caseload since June 2006.

Officer Fennell told us when she was backing out of the house, [REDACTED] had the knife in his hand and said he was going to fucking kill them, he was going to slice them, and saying stuff towards them.

Fennell told us after Officers Schaening and McLaughlin took off running after [REDACTED] the male who was in the residence came out to talk to her. Fennell told us she knew the direction [REDACTED] was running towards there was a school and she needed to contact law enforcement but she didn't want to have this male near her when she did this.

Officer Fennell told us she told the male it was not their intent to pepper spray him and got into her vehicle. Once in her vehicle she telephoned the police asking for assistance.

Officer Fennell told us [REDACTED] knows he has a warrant for his arrest. Officer Fennell told us she was wearing a raid jacket with probation in yellow on the left front chest area and Probation on the back of the jacket. Officer Fennell told us Officer Schaening was wearing a bulletproof vest with Probation on it and Officer McLaughlin had his badge visible on his belt loop. Officer Fennell told us [REDACTED] [REDACTED] knows who she is from dealing with [REDACTED] (this is the daughter to the [REDACTED]). Officer Fennell told us [REDACTED] knows who they were.

Officer Fennell told us she has heard when [REDACTED] is high on drugs he is not very compliant. Officer Fennell told us since [REDACTED] has been on her caseload he was doing good but later took off from placement and has heard he has been getting high with his [REDACTED]. Officer Fennell told us [REDACTED] is [REDACTED] and was [REDACTED] with another [REDACTED]. Officer Fennell told us [REDACTED] knows where [REDACTED] has been staying and [REDACTED] requested probation to pick [REDACTED] up because she knew how [REDACTED] reacts with law enforcement. Officer Fennell told us [REDACTED] [REDACTED] told her this and it was also told to Officer Schaening. Officer Fennell told us the reason the [REDACTED] wanted probation to pick up [REDACTED] is because there was one time when [REDACTED] was drunk and he insisted that he was beat up. Officer Fennell said this incident was pretty much because [REDACTED] was non compliant.

Officer Fennell told us she was scared when [REDACTED] was swinging the knife and backing them up at the residence.

Officer Fennell told us she filed a warrant of arrest for [REDACTED] on 09-29-2006.

Officer Fennell told us as she left the residence she telephoned 9-1-1 for assistance and saw them running and making a left (Chester Street) by the school (Washington School). Officer Fennell told us she saw Jon Sylvia with Officer McLaughlin looking in the property (Chester Street). Officer Fennell told us she drove her vehicle to this area and pulled into a driveway. Officer Fennell told us Eureka Police Officers arrived on the scene and asked

her if she knew where they were but she didn't know. Officer Fennell said when she was outside her vehicle and towards a fence she heard someone saying got him but didn't know who said it or where it was coming from. Officer Fennell told us she then heard two gunshots. Officer Fennell told us she didn't go down to the shooting location.

Officer Fennell told us the last time she saw [REDACTED] was at the residence and he was holding the knife when he took off.

Officer Fennell told us after the shots she went back to her vehicle and telephoned her supervisor. Officer Fennell told us she went to the school and saw some probationers by the school and she told them they needed to leave. Officer Fennell told us these kids don't attend Washington School. Officer Fennell told us she stood by in the area. Officer Fennell told us she met with Officer McLaughlin and Officer McLaughlin said that [REDACTED] had been shot. Officer Fennell told us she was advised to clear the sidewalk. Officer Fennell told us she later left and went to the Eureka Police Department.

Around 1618 hours, Detective Cooke and I met with Eureka Police Department Sergeant M. Johnson. I audio recorded this interview with Sergeant Johnson using a digital recorder. I later placed Sergeant Johnson's statement onto a Memorex CD-R disc and later booked it into evidence (Exhibit MJ-1). The following is a summary of Sergeant Johnson's statement. For Sergeant Johnson's complete statement see Exhibit MJ-1. This interview took place in Lieutenant L. Johnson's office, Eureka Police Department.

Sergeant Johnson told us he was the duty sergeant for "A" watch (day watch - patrol). Sergeant Johnson told us he was at Eureka Police Department carport area and heard over the radio a broadcast. Sergeant Johnson told us this radio broadcast he heard was a request for back up it was very frantic sounding, high pitched, and broken. Sergeant Johnson told us he didn't know who was asking for back up or the location they needed the assistance. Sergeant Johnson told us as soon as he heard this he immediately ran to his vehicle and got in. Sergeant Johnson told us he started up his vehicle and as he was heading out the back lot area he heard over the radio what he believed to be [REDACTED] Dolbeer and a an identifier probation (an X unit).

Sergeant Johnson told us he responded generally to this area lights and siren. Sergeant Johnson told us when responding to this area he heard the same probation officer broadcasting. Sergeant Johnson told us the probation officer was screaming in the radio and hard to understand. Sergeant Johnson told us he heard something about a [REDACTED] with a knife and then thought he heard something like the address of [REDACTED] Dolbeer. Sergeant Johnson told us he thought the probation officer was cutting themselves off on the mike and hoping he had the right address. Sergeant Johnson told us he had his dispatcher status check this probation officer because there was a lot of dead time on the air. Sergeant Johnson told us shortly there after he hears 3B87 (which is Officer Liles) put out he was out at Chester and Dolbeer. Sergeant Johnson told us he now knows where he is going. Sergeant Johnson told us from there there was not a whole lot of radio traffic and he was trying to get to the area as fast as he could get there because he knows Officer Liles was out there.

Sergeant Johnson told us he didn't know really who arrived first at the scene or the sequence of the events of officers arriving. Sergeant Johnson told us as he arrived at the scene Officer Watson arrived.

Sergeant Johnson told us as he pulled up blocking the roadway between Chester and W Street he saw Officer Watson exit his vehicle with his patrol rifle. Sergeant Johnson told us he exited his vehicle with his handgun. Sergeant Johnson told us he immediately runs into a citizen on the north side of the roadway. Sergeant Johnson told us this citizen directed them to the area the officers are. Sergeant Johnson told us they went through the backyard and he hears Officer Metaxes in the gully. Sergeant Johnson told us he could not see Officer Metaxes at this point and he was not far away. Sergeant Johnson told us Officer Watson told him it was over here and they proceeded down the gully. Sergeant Johnson told us he yelled to Officer Metaxes where is he. Sergeant Johnson told us Officer Metaxes yelled back in the gully and said he heard three gunshots. Sergeant Johnson told us as he was trying to make his way down to the gully he could hear the bushes moving and he yelled to the officers in the gully are the officers alright. Sergeant Johnson told us someone yelled back the officers were alright and the [REDACTED] was down. Sergeant Johnson told us he heard Officer Liles responded to him.

telling him he was alright but Sergeant Johnson didn't know who responded saying the [REDACTED] was down. Sergeant Johnson told us he didn't know if he had one [REDACTED] two [REDACTED], or more so he stayed at the top area of the gully while Officer Watson proceeded down in the gully. Sergeant Johnson told us he yelled down into the gully ridge area initially and asked how many [REDACTED] there were and he was told there was just one.

Sergeant Johnson told us he then went down into the gully. Sergeant Johnson told us by the time he got down into the gully Officer Watson, Officer Metaxes, Officer Liles, and Sergeant Sylvia were down there by the [REDACTED] Sergeant Johnson told us upon his arrival he saw the [REDACTED] was handcuffed. Sergeant Johnson told us the [REDACTED] was lying on his belly handcuffed and they told Sergeant Johnson they needed to get him ([REDACTED] out of there. Sergeant Johnson told us he confirmed medical aid was coming and basic notifications were done (CID, Chief). Sergeant Johnson told us he did all this over his radio. Sergeant Johnson told us he reached down to check the [REDACTED] for a pulse as quick as he could but didn't feel one. Sergeant Johnson told us he rolled the [REDACTED] over to take a quick look at him and he didn't appear to be breathing. Sergeant Johnson told us the four of them started immediately dragging the [REDACTED] up out of the gulch. Sergeant Johnson told us in the gulch it was very thick and no easy way out. Sergeant Johnson told us they looked for the quickest route to get the [REDACTED] so medical aid could attend to him immediately. Sergeant Johnson told us it would have been very hard for medical aid to locate them in the gully to render medical aid. Sergeant Johnson told us he grabbed an arm, Metaxes grabbed an arm, Sylvia grabbed the left rear leg, Officer Liles right rear leg, and Officer Watson had a hold of the suspect's sweatshirt. Sergeant Johnson told us it was almost straight up dragging the [REDACTED] up out of the gully.

Sergeant Johnson told us they finally got the [REDACTED] up to the ridge area of the gully and medical arrived. Sergeant Johnson told us he un-handcuffed the [REDACTED] and he could see the [REDACTED] pants and underwear had slid down to his ankles, sweatshirt had raised up to his shoulder, and he could see that the [REDACTED] didn't have any weapon. Sergeant Johnson told us medical was running towards them and the [REDACTED] was turned over to the medical personnel.

Sergeant Johnson told us he moved Officer Liles away from anyone. Sergeant Johnson told us for public safety he asked Officer Liles how many shots did he fire, in what direction, were there any more [REDACTED], and is there any other safety concern they needed to address to the public. Sergeant Johnson told us Officer Liles told him he fired three shots, there was only one [REDACTED] showed the direction he fired which appeared to him no residence or pedestrians would be in jeopardy. Sergeant Johnson told us he isolated Officer Liles from everybody and walked Officer Liles over to Lieutenant Johnson and stayed with Officer Liles. Sergeant Johnson told us Officer Liles had a ride-a-long with him who is applying to be a dispatcher with the Eureka Police Department; the rider stayed in Officer Liles vehicle to his knowledge, and was still sitting in Officer Liles vehicle. Sergeant Johnson told us he contacted the ride-a-long and told them that he had someone responding to the area to pick them up and transport them back to Eureka Police Department.

Sergeant Johnson told us he then met with Lieutenant Johnson and briefed him of this incident. Sergeant Johnson told us he met with CID (Criminal Investigation Division) and told them where the scene was and they needed to block off, directed Officer Metaxes help secure the scene, Sergeant Hislop arrived and he asked him to help over see securing the scene, because it was going to be his duty to take Officer Liles back to head quarters to a secure place and away from everyone.

Sergeant Johnson told us the abrasions on his left forearm, right forearm, and above left eye are from dragging the [REDACTED] from the scene up out of the gully to medical aid. Sergeant Johnson told us he has some scratches on his legs too. Sergeant Johnson told us photographs were already taken of him, his injuries, and uniform by their evidence technician (later found out Technician [REDACTED] took these photographs).

Sergeant told us he did see a knife. Sergeant Johnson told us he didn't know which officer had collected the knife. The officer had a baseball cap and inside the cap was a Buck knife. Sergeant Johnson told us to the best of his knowledge the knife had a black handle and was approximately 8 inches. Sergeant Johnson told us he saw this in one of the officer's hands when he arrived at the scene. Sergeant Johnson told us he didn't know which

officer had the hat and knife but his best recollection is Officer Watson had it. Sergeant Johnson told us he couldn't remember the officer but when they were at the top he told the officer to give the knife over to he believes Detective Honeycutt. Sergeant Johnson told us Detective Honeycutt and Detective Parris was standing together.

Around 1650 hours, Detective Cooke and I met with [REDACTED] [REDACTED] in the driveway of [REDACTED] Dolbeer Street Eureka. I audio recorded this interview with [REDACTED] using a digital recorder. I later placed [REDACTED] statement onto a Memorex CD-R disc and later booked it into evidence (Exhibit SC-1). The following is a summary of [REDACTED] statement. For [REDACTED] complete statement see Exhibit SC-1.

[REDACTED] told us she was in the motor home that is parked in the driveway of [REDACTED] Dolbeer Street Eureka when the incident occurred. [REDACTED] told us she was visiting with her boyfriend [REDACTED] and he stays in the motor home.

[REDACTED] told us she saw probation pull up and walk towards the cottage in the back of [REDACTED] Dolbeer Street. [REDACTED] told us a lady by the name of [REDACTED] (didn't know her last name) lives in the cottage. [REDACTED] said she thinks [REDACTED] and her old man she doesn't know the name of live back in the cottage. [REDACTED] told us she thinks [REDACTED] old man is in jail right now.

[REDACTED] told us she saw probation walk back to the cottage and she heard some yelling. [REDACTED] told us she saw probation backing up real quick from the cottage into the yard area. [REDACTED] told us she didn't see what was happening in the doorway from her location. [REDACTED] told us she heard probation telling [REDACTED] to back up back up and [REDACTED] pulled a knife on them. [REDACTED] said she saw [REDACTED] run out and through the gate towards the driveway area. [REDACTED] told us she didn't see [REDACTED] with the knife. [REDACTED] told us she saw a male probation officer running after [REDACTED] [REDACTED] told us she saw the female probation officer come out of the yard area and get into a vehicle.

[REDACTED] told us that she knew [REDACTED] was in the back cottage and knew [REDACTED] girlfriend [REDACTED] was in the cottage.

██████████ told us she stayed at the motor home after ██████████ took off running and probation officer chasing him.

Around 1656 hours, Detective Cooke and I met with ██████████ ██████████ in the backyard of ██████████ Dolbeer Street Eureka. I audio recorded this interview with ██████████ using a digital recorder. I later placed ██████████ statement onto a Memorex CD-R disc and later booked it into evidence (Exhibit SC-1). The following is a summary of ██████████ statement. For ██████████ complete statement see Exhibit JP-1.

██████████ told us about a week or so ago she telephoned the police and told them ██████████ was there. ██████████ told us she has told ██████████ time and time again to keep these kids off her property and out of here. ██████████ said ██████████ stays in the back residence and suppose to be paying rent but has not. ██████████ told us they have been intimidating her and she has been hiding in her room for the last three weeks. ██████████ told us they have had that ██████████ ██████████ staying there and they wouldn't quit letting him on the property (██████████ was wanted by law enforcement but was arrested before this incident).

██████████ told us she had been telling them over and over this is going to get someone hurt.

██████████ told us she didn't see the incident at ██████████ Dolbeer Street. ██████████ said she was inside her residence and she didn't even hear any sirens.

██████████ said ██████████ has been on the property around six months. ██████████ said she owns the property and lives in the main house.

Detective Cooke and I met with Investigator Losey and Detective Honeycutt. Investigator Losey asked us if we would contact the neighbors for possible witness. Detective and I went door-to-door following the route ██████████ took from ██████████ Dolbeer Street to Chester Street.

Regarding residents contacted, Detective Cooke audiotaped their statements with his digital recorder. Detective Cooke is preparing a supplemental report regarding the statements he obtained.

Around 1849 hours, Detective Cooke and I met with [REDACTED] at [REDACTED] Dolbeer Street Eureka. I audio recorded this interview with [REDACTED] using a digital recorder. I later placed [REDACTED] statement onto a Memorex CD-R disc and later booked it into evidence (Exhibit LN-1). The following is a summary of [REDACTED] statement. For [REDACTED] complete statement see Exhibit LN-1.

[REDACTED] told us she was outside getting into her vehicle when probation showed up. [REDACTED] told us [REDACTED] was there. [REDACTED] told us [REDACTED] told her that he had contacted them. [REDACTED] told us [REDACTED] was here and he has been there for some time. [REDACTED] told us [REDACTED] and her have been friends for a long time, have teenagers about the same age, and gone through a lot of headache themselves trying to keep them on the right track. [REDACTED] told us she had asked [REDACTED] if he has checked himself into probation because the first time he was there she went to his [REDACTED] and told her where he was. [REDACTED] told us [REDACTED] told her she was going to have probation come out and she told her that would be fine. [REDACTED] told us she was all good with this and she wanted him ([REDACTED] to get all his stuff straightened out and didn't want him to be a [REDACTED] [REDACTED] told us this would put her in a position of making her look bad. [REDACTED] told us yesterday (10-22-2006) [REDACTED] showed up at her residence again. [REDACTED] told us she thought everything was okay and [REDACTED] has talked with probation.

[REDACTED] told us the first thing she talked with [REDACTED] about yesterday (10-22-2006) was if he talked with probation and he said yes. [REDACTED] told us she had no idea he didn't contact probation. [REDACTED] told us she contacted [REDACTED] ([REDACTED] [REDACTED] and let her know [REDACTED] was at her residence and she could handle it however she wanted to. [REDACTED] told us she was just leaving and getting into her vehicle. [REDACTED] told us one of her friends was walking to Winship to pick up their son and she was going to intercept him to give him a ride when probation arrived.

[REDACTED] told me probation asked her if [REDACTED] was in the house. [REDACTED] told us she knew they were probation because she recognized them (Juvenile Probation) from they dealt with her daughter in the past. [REDACTED] told us she told them [REDACTED] was inside watching a movie (Bench Warmers). [REDACTED] told us inside her residence was her brother ([REDACTED] [REDACTED] two friends of her ([REDACTED]

██████ (██████ girlfriend), and ██████ ██████ told us the next thing she sees is ██████ running through the gate and up the road holding onto his shorts. ██████ told us she then sees probation chasing after ██████ and on the radio.

██████ told us when she saw them there (probation) she told them ██████ was there and told them they could go back there (residence) to talk with him. ██████ told us she thought it was all good with ██████ ██████ told us the door was not locked and open. ██████ told us before she left her residence she couldn't tell if ██████ had a knife. ██████ told us she knew ██████ had a knife. ██████ told us the knife he would wear on his side and completely visible. ██████ told us when she saw ██████ running she could not tell if ██████ had his knife or not.

██████ said in the past she has seen ██████ with a knife he carries in a sheath. ██████ told us this knife is a straight one that goes in a sheath and the blade is around 4 to 5 inches without the handle. ██████ told us she didn't know which side for sure ██████ carried the knife.

██████ told us ██████ showed up at her residence on 10-22-2006 and spent the night at her residence with his girlfriend (██████ ██████ told us ██████ comes and goes from her residence and she never closes her door to these kids as long as they are good. ██████ told us they come when they are hungry and she is not going to put them back on the streets. ██████ told us ██████ is not related to her and she is a friend of her daughters (██████). ██████ told us her daughter is staying at the house of refuge.

██████ told us when she left her residence her brother (██████ ██████ (██████ girlfriend), and two friends of hers (██████ - Fortuna area) were at the residence when probation showed up.

Around 1904 hours, Detective Cooke and I met with ██████ ██████ ██████ in the backyard of ██████ Dolbeer Street Eureka. I audio recorded this interview with ██████ using a digital recorder. I later placed ██████ statement onto a Memorex CD-R disc and later booked it into evidence (Exhibit AO-1). The following is a summary of ██████ statement. For ██████ complete statement see Exhibit AO-1.

██████ told us they (██████ and her) were sitting inside watching a movie. ██████ told us the door was open already. ██████ told us ██████ had walked out and they (██████ and her) started laughing and what not sitting on the couch. ██████ told us the probation officers came in and said hey ██████ (██████ ██████ told us they thought it was just one of their friends coming in and didn't think too much about it. ██████ told us they turned their heads and they sprayed them with mace. ██████ told us ██████ stood up and had his Buck knife in his hand. ██████ told us he (██████ was not trying to hurt them or anything it was out of defense because he has been locked up before. ██████ told us he (██████ was not going to stick them or anything. ██████ told us when he ran out of the house that was the only thing he was trying to do is get them out so he could run and get away. ██████ told us this was the only way in and out of the residence. ██████ told us they backed out into the yard because ██████ was coming at them with the knife. ██████ told and showed us how ██████ was holding the knife up in his right hand. ██████ told us Burgess' knife is a Buck knife, black and silver, and looked like the knife that is in the movie Scream. ██████ told us the knife had a silver blade, black handle, with a silver loop at the bottom.

██████ told us when ██████ had this knife in his hand he told them to back up just let him go and for them to back up. ██████ told us in the residence was ██████ a couple of ██████ friends who showed up from out of town, ██████ brother, and her. ██████ told us ██████ brother was sleeping during this incident. ██████ said when probation came into the room ██████ friends left outside. ██████ told us when ██████ friends left probation came in and sprayed everybody before they looked or anything.

██████ told us when they were watching TV, ██████ had his knife out sharpening it. ██████ told us this was the only thing he liked. ██████ told us she didn't know ██████ friends names.

██████ told us when probation opened the door and came in she (Officer Fennell) said hey ██████ and it sounded like it might have been another person that was already there. ██████ told us she has never seen this probation officer ever in her life. ██████ told us she stuck her hand in and started spraying.

██████ told us the front door was open and there is only one door to this room (residence). ██████ told us this is a game room and there is only one room in this residence. ██████ told us ██████ didn't wake up until they sprayed mace. ██████ told us two probation officers sprayed mace. ██████ told us she saw three probation officers. ██████ told us she saw a female, male, and not the other probation officer. ██████ told us she didn't know how long she has been staying here. ██████ told us this was a place she just "kick it spot, come, and chill". ██████ told us ██████ has pretty much been staying with her there every day. ██████ told us ██████ has been with her for the last three days taking care of her because she was sick. ██████ told us she and ██████ have been boyfriend and girlfriend for around month but they have known each other their whole life.

██████ told us ██████ carries the knife for protection on the street, hunting, and he was a Res boy (Indian Reservation Boy). ██████ told us she didn't know what ██████ warrants were for. ██████ told us ██████ didn't know what they were for but might have been for running from "Fiji's" house because he didn't want to live there anymore. ██████ told us she knew ██████ was on probation, probation wanted him, and ██████ knew probation wanted him. ██████ told us she knew this because they (probation) had came there before for him (██████ ██████ told us she knows ██████ uses marijuana and has tried meth a couple of times.

██████ told us after ██████ left she wiped her eyes and took off running after him. ██████ told us she arrived at the area where he (██████ got shot at. ██████ told us they had fired five (5) times, ██████ had already dropped his knife, and he didn't have it on him he was just running. ██████ told us how she knew he didn't have the knife on him is because she seen it. ██████ told us when he was running down the pathway (driveway) he (██████ dropped it. ██████ told us she didn't know where the knife was because when she came back the knife was not there. ██████ told us she went and looked for ██████ knife and hat but didn't find either one of them. ██████ told us she was assuming probation got them. ██████ told us ██████ dropped the knife at the end of Kneaper Lane. ██████ told us she was running with him (██████ because she knows how the crooked ass cops are out here. ██████ said probation was ahead of her when she was running with ██████ ██████

told us the knife was at Kneaper Lane and Dolbeer. [REDACTED] told us she saw the knife but didn't pick it up.

[REDACTED] told us he ([REDACTED] has a black cap with a Yankee sign. [REDACTED] told us the hat was not where the knife was and she didn't know where the hat was. [REDACTED] told us she did see the knife drop at the end of the lane. [REDACTED] told us she doesn't know if the probation officer saw the knife. [REDACTED] told us the knife met everything to him ([REDACTED] told us she didn't make it all the way down into the woods because the cops would not let her in there. [REDACTED] told us they (cops) grabbed her and told her to get back.

[REDACTED] told us after they told her to get back she was sure she heard five (5) gunshots. [REDACTED] told us if she is not mistaken he ([REDACTED] got hit three (3) times. [REDACTED] told us she knew this because when she was standing across the street (school side) she saw him ([REDACTED] get hit. [REDACTED] told us she saw him ([REDACTED] get shot when she was standing on the school side. [REDACTED] told us it was in the back yard across the street from the school. [REDACTED] told us she saw him ([REDACTED] getting shot by one of the officers. [REDACTED] told us the officer looked tall, skinny, blonde hair, and black uniform. [REDACTED] told us the shooting was in the yard of a house located across the street from the school. [REDACTED] told us the area was in the backyard and side yard. [REDACTED] told us she didn't know what the officer was saying to him ([REDACTED] because she was crying. [REDACTED] told us the area where [REDACTED] was shot at was hilly and a lot of trees everywhere. [REDACTED] was asked if [REDACTED] was facing the officer and she told us that his back was towards the officer. [REDACTED] told us [REDACTED] was hit in the chest (shot) when his back was towards the officer. [REDACTED] told us she could see in certain areas this shooting from standing by the school side. [REDACTED] told us it was like a flat area and not a gulch. [REDACTED] told me she stood there and she watched them bring him ([REDACTED] out on a bed. [REDACTED] told us she watched them put in air, put him in the vehicle, and drive off (medical staff).

[REDACTED] told us after this she ran back home ([REDACTED] Dolbeer Street). [REDACTED] shook her head (side to side) telling us she didn't find [REDACTED] knife or hat. [REDACTED] told us [REDACTED] was wearing a dark blue sweat shirt, hat, shorts, and shoes (black).

██████ told us she would walk with us and show us where the shooting happened.

Detective Cooke and I followed ██████ to the end of the driveway of Kneaper Lane and Dolbeer Street. At this location ██████ pointed to an area below three mailboxes (one of the boxes had the number of ██████ on it) and said this is where ██████ dropped the knife. I turned on my digital recorder and audio taped ██████ statement from this location to the location where she said ██████ was shot. Detective Cooke and I checked the area for a knife with negative results (Area was light up by lights).

██████ told us his hat was still on him (██████

██████ told us when she was running she was running in the middle of the street because there were a lot of kids out here being picked up. ██████ told us they (probation and ██████ had already rounded the corner when she was running by the front of the school. ██████ took us to the area across the street of ██████ Chester Street. ██████

told us she was standing on the school side looking down the driveway when she witnessed the shooting in the backyard of ██████ Chester Street. ██████ told us the shooting happened on the north east back corner area of the backyard of ██████ Chester Street. ██████ told us none of the vehicles that are now in the driveway were there and the fences at the north end of the driveway were open.

██████ told us she was standing in the middle of the roadway (Chester Street) and witnessed the shooting from this location. ██████ looked at each residence on either side of ██████ Chester Street to make sure this was the location. After ██████ looked at each house on either side of ██████ Chester Street and she was sure it was ██████ Chester Street she witnessed the shooting at.

Detective Cooke and I took ██████ down the driveway of ██████ Chester Street to show her the area and she pointed to the north east back corner area of the garage as the location she saw ██████ shot. Detective Cooke and I looked around for any blood in this area with negative results. When we took ██████ down the driveway she told us she never came down this driveway. ██████ told all she could see during the incident was the top of ██████ hat because of all the cops around. ██████ told us she heard gunshots before ██████ fell. ██████ told us there was a bunch of officers around. ██████ told us there were a lot of cop

cars on the street. [REDACTED] told us she didn't see the face of the officer, she saw the shooting, they all had their guns out, and she saw shells fly out of the guns. [REDACTED] told us she didn't see [REDACTED] down because all the cops swarmed him.

Around 1938 hours, Detective Cooke and I met with [REDACTED] [REDACTED] at [REDACTED] Chester Street Eureka. I audio recorded this interview with [REDACTED] using a digital recorder. I later placed [REDACTED] statement onto a Memorex CD-R disc and later booked it into evidence (Exhibit VC-1). The following is a summary of [REDACTED] statement. For [REDACTED] complete statement see Exhibit VC-1.

[REDACTED] told us she saw people and people investigating. [REDACTED] told us she along with other neighbors have been calling about these people at [REDACTED] Dolbeer Street about people coming and going from the residence.

[REDACTED] told us around 1345 or around 1330 she saw somebody go through the neighbors yard running. [REDACTED] told us she didn't know whom it was running and it was just a flash. [REDACTED] said she only heard and saw cars coming and going.

On 10-24-2006 around 1302 hours, Detective Cooke and I met with [REDACTED] at [REDACTED] Dolbeer Street Eureka. I audio recorded this interview with [REDACTED] using a digital recorder. I later placed [REDACTED] statement onto a Memorex CD-R disc and later booked it into evidence (Exhibit LN-2). The following is a summary of [REDACTED] statement. For [REDACTED] complete statement see Exhibit LN-2.

I told [REDACTED] that we (Detective Cooke and I) were conducting some more follow up and if she remembers us contacting her last night. [REDACTED] told us she remembers us contacting her.

[REDACTED] gave us verbal permission to come into her residence regarding us looking for a wet stone (used for sharpening knife, etc.). [REDACTED] told us she didn't know of a sharpening stone and the only one she knew about was an electric one that was on the north wall area on a shelf. While in [REDACTED] residence, I saw a wet stone on a top of a desk located in back of the couch. I asked [REDACTED] about this stone and she said she didn't know if it was [REDACTED] or her brother's.

██████ later signed a Consent to Search form after I read it to her and she understood it.

██████ told us when she left her residence yesterday ██████ was sitting on the couch. ██████ told us she was not sure the stone was ██████ or her brother's.

██████ told us she has seen ██████ with a knife on his belt. ██████ told us she really has not seen the knife except for when the sheath on his belt. ██████ told us she knows what the knife looked like in the sheath.

Detective Cooke showed ██████ a digital photograph of the knife that was recovered from the officer involved shooting location. ██████ told us with it not being in the sheath she didn't know. ██████ told us it looks like the approximate size. ██████ told us the knife looks like the one but was not sure it was exact one.

I asked Detective Cooke to take digital photographs of the wet stone location and seize the item for evidence.

Detective Cooke took digital photographs of the stone and later placed the digital photographs onto a CD-R disc. Detective Cooke seized the wet stone. Detective Cooke was going to book the CD-R disc containing digital photographs into evidence at a later time. See Detective Cooke's supplemental report.

While at this residence I asked ██████ if it would be alright if I had an evidence technician come to this location to take some more digital photographs of her residence, yard, and driveway. ██████ told us that would be fine.

██████ told us what was printed in the paper she was mad about. ██████ said the paper said she didn't see the weapon and ██████ said it should say she didn't notice it because he was running.

Around 1315 hours, Eureka Police Department Evidence Technician ██████ arrived at our location and I asked him to take several digital photographs of ██████ residence, outside of the residence, yard, driveway, end of the driveway, and down the driveway towards Dolbeer Street. Technician ██████ will book his digital photographs into evidence under his investigation.

On 10-26-2006 around 1145 hours, Detective Cooke and I arrived at [redacted] Dolbeer Street Eureka attempting to locate [redacted] [redacted] for some follow questions. At the [redacted] located we met with [redacted] in the driveway. [redacted] told us [redacted] was not home and left around a half hour ago. Detective Cooke and I asked [redacted] if he knew a [redacted] and [redacted]. [redacted] told us he did and they were at [redacted] residence when the incident occurred at this location. [redacted] told us he knows [redacted] [redacted] and he didn't see him at [redacted]'s residence on the day of the incident.

**ITEMS OF EVIDENCE:**

**Exhibit PN-1:** Memorex CD-R disc - Officer Fennell's statement.

**Exhibit MJ-1:** Memorex CD-R disc - Sergeant Johnson's statement.

**Exhibit SC-1:** Memorex CD-R disc - Witness [redacted]' statement.

**Exhibit LN-1:** Memorex CD-R disc - Witness [redacted] statement.

**Exhibit JP-1:** Memorex CD-R disc - Witness [redacted] statement.

**Exhibit AO-1:** Memorex CD-R disc - Witness [redacted] statement. Witness [redacted]'s initial statement and walk is on this disc.

**Exhibit VC-1:** Memorex CD-R disc - Witness [redacted] statement.

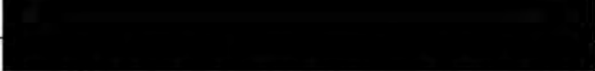

*M. Kirkpatrick 0583 10-30-06*  
Detective Marvin Kirkpatrick Date

*[Signature] #0527*  
Supervisor Date 10/30/06



CONSENT TO SEARCH  
HUMBOLDT COUNTY SHERIFF'S DEPARTMENT

200606587

I,  , 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 DET. KERKPATRICK , AND DET. COOLK , SHERIFF'S DEPUTIES OF THE COUNTY OF HUMBOLDT, STATE OF CALIFORNIA, TO CONDUCT A COMPLETE SEARCH OF MY RESIDENCE OR VEHICLE LOCATED AT  DOLBEER ST, EUREKA CA 95503 . 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.



WITNESSES:

M. KERKPATRICK 0583 / M. Kerpatrik

DATED 10-24-

**Humboldt County Sheriff's Office  
Supplemental Report**

Case #: 200606587

Date: 10/31/06

Locations of occurrence: [REDACTED] Dolbeer St.-Eureka, Ca.

Charge(s): Agency assist, Critical Incident Response Team

[REDACTED] [REDACTED] [REDACTED] [REDACTED]

DOB: [REDACTED]

[REDACTED] Probation Officer McLaughlin, Andrew J. #M3994

Involved Person: [REDACTED]

Involved Person: [REDACTED]

Phone: (707)441-9103

Involved Person: [REDACTED]

Narrative: On 10/23/06 at about 1445 hours, I met with Lt. George Cavinta in CID (Criminal Investigations Division) of the Sheriff's Office. Lt. Cavinta advised me that the CIRT (Critical Incident Response Team) team had been called out because a Eureka Police Department Officer was involved in a shooting. According to Lt. Cavinta, the [REDACTED] was a male juvenile and was deceased. Lt. Cavinta advised me to respond to Chester St. near Washington School in Eureka, Ca. and meet with the other responding Detectives.

I left the Sheriff's Office and arrived on Chester St. at about 1500 hours. There were numerous patrol units on scene but there were no Detectives on scene. At about 1507 hours, I telephoned Det. Marvin Kirkpatrick on his cell phone since he was one of the responding Detectives. Det. Kirkpatrick advised me that all the Detectives were briefing at the Eureka Police Department. I left Chester St. and arrived at Eureka Police Department at about 1514 hours.

I met with the following personnel in the Detective Bureau of the Eureka Police Department. Eureka Police Department (ET) Evidence Technicians [REDACTED] [REDACTED] Issac, Eureka Police Department Detectives Curt Honeycutt and Dave Parris, District Attorney Investigator Mike Losey, Humboldt County Sheriff's Office Detectives Wayne Hanson, Tom Cooke and Marvin Kirkpatrick, and Arcata Police Department Detective [REDACTED] Bates. We were all briefed on what we knew at this point had occurred. Det. Bates and I were teamed up and to interview the PO's (Probation Officers) that were involved.

The background information that I had on the PO's was that on 10/23/06 at about 1330 hours, Steven Schaening, Petrina Fennel and Andrew McLaughlin went to [REDACTED] Dolbeer St. in Eureka to arrest [REDACTED] [REDACTED] on a warrant. When these PO's arrived, [REDACTED] was in the residence armed with a knife. [REDACTED] threatened the PO's with the knife and a foot pursuit began. [REDACTED] was chased to Chester St. and Eureka Officers were called for assistance. The PO's lost sight of [REDACTED] and Eureka Police Officer Terry Liles arrived on scene. Officer Lyles went into a wooded area where [REDACTED] was last seen and shots were fired and [REDACTED] was later pronounced deceased at St. Joseph's Hospital.

All three of the PO's were standing by at the Eureka Police Department waiting to be spoken too. At about 1534 hours, Det. Bates and I interviewed Steven Schaening in an interview room in the Detective Bureau of the Eureka Police Department. The interview was recorder refer to Det. Bates' report for details regarding this interview.

On 10/23/06 at about 1602 hours, Det. Bates and I interviewed PO Andrew McLaughlin in an interview room. The interview was digitally recorded and later placed onto CD. The following is a summary of the interview and a transcript was prepared of the interview.

PO McLaughlin advised us that he had been a Probation Officer just short of 5 years. I asked PO McLaughlin how he ended up going to [REDACTED] Dolbeer St. PO McLaughlin said that he met with PO Petrina Fennel in his office and she asked for assistance in arresting [REDACTED] [REDACTED] because she knew where [REDACTED] was staying. PO Fennel also advised PO McLaughlin that PO Steven Schaening would also be assisting them.

PO McLaughlin said at about 1345 hours, he, PO's Fennel and Schaening arrived at [REDACTED] Dolbeer St. They arrived in two separate vehicles, PO McLaughlin rode with PO Fennel and PO Schaening drove his own vehicle. PO McLaughlin said that he exited the vehicle and there was an adult female standing outside of the residence. PO McLaughlin asked the female if [REDACTED] was at the residence and the female told PO McLaughlin that [REDACTED] was at the residence. The female told PO McLaughlin that [REDACTED] was not in the main residence but in an outbuilding. The PO's asked this female if they could go through a gate where the outbuilding was located. The female said that was fine because it was her residence.

PO McLaughlin said that he walked through the gate first followed by PO Fennel then PO Schaening. PO McLaughlin asked PO Schaening to go to the front door because PO Schaening was wearing a vest and had previous contacts with [REDACTED] PO Schaening and PO Fennel went to the front door and PO McLaughlin went back out the gate to keep an eye on the female they first contacted and to keep an eye on the rear of the residence. PO McLaughlin said when he went back out the gate there was now a male with the female.

PO McLaughlin said at this point he heard voices escalating and someone saying, "[REDACTED] don't."

PO McLaughlin came back through the gate and [REDACTED] was armed with what PO McLaughlin described as a K-Bar knife. [REDACTED] was outside of the residence and seemed highly agitated. PO McLaughlin took several steps backwards and told PO Schaening to OC [REDACTED] which PO Schaening did but it did not appear to get into [REDACTED] face because the OC did not appear to have an effect on [REDACTED]

PO McLaughlin took another step back and [REDACTED] began running down the driveway toward Dolbeer St. PO McLaughlin began to pursue [REDACTED] on foot. PO McLaughlin said that he was aware that a school was nearby and knew that his fellow Officers would be calling for back up so PO McLaughlin just tried to keep up with [REDACTED]. About two-thirds of the way down the driveway PO McLaughlin was telling [REDACTED] to drop the knife. [REDACTED] stopped and threatened PO McLaughlin with the knife and said to PO McLaughlin, "You want to die [REDACTED] fucker."

I asked PO McLaughlin how [REDACTED] was threatening him with the knife. PO McLaughlin said [REDACTED] was holding the knife in his right hand and swinging it across his body. PO McLaughlin said he was about 8 feet away from [REDACTED] when he was brandishing the knife. [REDACTED] made another lunge toward PO McLaughlin and PO McLaughlin took a step back and [REDACTED] began running again.

[REDACTED] ran across Dolbeer St. toward the school entrance and PO McLaughlin was continuing to tell [REDACTED] to drop the knife. [REDACTED] then began running toward Chester St. PO McLaughlin said that he saw pedestrians and he began yelling at the pedestrians to move so they would be out of harms way. PO McLaughlin could also here Eureka Police units responding code 3. At this point Sgt. Jon Sylvia was running next to PO McLaughlin. PO McLaughlin believed Sgt. Sylvia who was off duty, said to PO McLaughlin that he saw someone running with a knife. PO McLaughlin said that he let Sgt. Sylvia take over at this point but stayed with him.

PO McLaughlin said at this point the first responding Eureka Officer arrived and PO McLaughlin told the Officer that he must have passed [REDACTED] or [REDACTED] veered off into the brush. Sgt. Sylvia and PO McLaughlin went into the area where the houses were and the wooded area behind the houses. PO McLaughlin said that he and Sgt. Sylvia became separated.

PO McLaughlin said he could not see where anyone was at but he did hear some shouting and PO McLaughlin said he heard someone say, "We have him over here."

PO McLaughlin said he went over one fence to someone's yard and in this area it dropped off into a ravine. PO McLaughlin heard some more shouting and then heard two gunshots.

I asked PO McLaughlin when the persons were shouting what was being said and he said he could not make out what was being said. I asked PO McLaughlin if he could estimate how far away he was from where the incident took place and he believed about 50 yards.

I asked PO McLaughlin where PO Fennell was when this occurred. PO McLaughlin said that he did not see PO Fennell after the incident at [REDACTED] Dolbeer St. until she drove up in a vehicle on Chester St. after he had searched for [REDACTED]

After the shots were fired PO Schaening yelled up from the ravine to have someone guide the other responding units into their location. PO McLaughlin said that he told PO Schaening that he would do this. PO McLaughlin said that he did not meet with any of the other responding units just PO Fennell.

Det. Bates asked PO McLaughlin if he had any pepper spray with him. PO McLaughlin said he did not and if he had the pepper spray he would have utilized it.

PO McLaughlin said that he had not had police contacts with [REDACTED] before but was aware that [REDACTED] had been in and out of custody several times and ran around with other juveniles that were criminally oriented. PO McLaughlin was not aware of [REDACTED] having a violent and/or weapons violation in his criminal history.

Det. Bates asked PO McLaughlin what was going through his mind when [REDACTED] was threatening him and the other Probation Officers. PO McLaughlin said he knew that he did not have the equipment to stop [REDACTED] but he did not want [REDACTED] to get out of his sight because of the way [REDACTED] was acting and the school was in such close proximity.

Det. Bates asked PO McLaughlin if he felt if he would have advanced on [REDACTED] if [REDACTED] would have used the knife against PO McLaughlin. PO McLaughlin said that he had no doubt that [REDACTED] would have used the knife. This concluded our interview with PO McLaughlin.

After we interviewed PO McLaughlin Det. Bates and I met with Det.'s Cooke and Kirkpatrick and they advised us that they had already interviewed PO Fennell. All four of us were then assigned to go to [REDACTED] Dolbeer St. to see if there were any witnesses to the assault on the three Probation Officers at this location.

On 10/23/06 at about 1645 hours, we all arrived at [REDACTED] Dolbeer St. We met with several people that resided on this property. I interviewed [REDACTED] regarding what he had seen. I interviewed [REDACTED] in my vehicle. The interview was digitally recorded and later placed onto CD. A transcript was also prepared of this interview. The following is a summary of the interview I conducted with [REDACTED]

I explained to [REDACTED] that I was a member of the CIRT team. The reason I was contacting him was because I had spoken to several Probation Officers that stated this

was where [REDACTED] [REDACTED] had first been contacted. I told [REDACTED] that the Probation Officers told me that they had come to the property at about 1330-1345 hours. [REDACTED] believed that was correct.

[REDACTED] said that he was in his room, which was in the main residence on the property. [REDACTED] said his room was in the second story of the residence.

[REDACTED] said that he looked outside of his room and noticed that there were Probation vehicles parked at the residence. [REDACTED] came down stairs and outside of his residence and he met with some people that told him that [REDACTED] [REDACTED] pulled a knife on the Probation Officers and everyone took off running. [REDACTED] went to Chester St. and heard that [REDACTED] had been shot. [REDACTED] then drove to [REDACTED] mother's residence and picked her up and took her to St. Joseph's Hospital and dropped her off.

I asked [REDACTED] who had told him about the knife. [REDACTED] said that [REDACTED] had and pointed at [REDACTED] who was now standing outside and was being interviewed.

I asked [REDACTED] if he heard any yelling and he said all he saw were the Probation vehicles. I also asked [REDACTED] who told him that [REDACTED] had been shot. [REDACTED] said that [REDACTED] had ridden his bicycle to Chester St. and [REDACTED] told [REDACTED] that [REDACTED] had been shot.

I asked [REDACTED] how much time had elapsed from when he first came outside to meeting with [REDACTED] and [REDACTED] said it was about 5 minutes.

[REDACTED] told me that [REDACTED] always carried a knife on his person. [REDACTED] described that knife and long and big.

I asked [REDACTED] who all resided at [REDACTED] Dolbeer St. [REDACTED] said that he resided with the property owner [REDACTED] [REDACTED] and in the rear residence [REDACTED] (unknown last name) resided and according to [REDACTED] [REDACTED] lets a bunch of juveniles stay at the residence. [REDACTED] said that [REDACTED] was not at the residence at this point. [REDACTED] added that [REDACTED] had been told that [REDACTED] and the other juveniles were not to be on the property but [REDACTED] continued to have these juveniles on the property. I asked [REDACTED] why [REDACTED] was hanging out with these juveniles and he said it was because of drugs. [REDACTED] said that [REDACTED] kept coming to the property because his girlfriend [REDACTED] [REDACTED] was always at [REDACTED] residence.

I asked [REDACTED] if there was a male at [REDACTED] residence when this occurred. [REDACTED] said he believed [REDACTED] was at the house and he works nights at Winco Market.

I asked [REDACTED] if he knew of [REDACTED] pulling knives on anyone else. [REDACTED] said he did not and did not know why [REDACTED] did what he did.

█████ told me that he had known ██████ and his ██████ since ██████ was a small child. ██████ felt that ██████ ██████ was not the best ██████ to ██████. This concluded my interview with ██████.

On 10/23/06 at about 1725 hours, Det. Bates and I met with ██████ at his residence on Chester St. ██████ had reportedly seen ██████ ██████ running through his yard. We interviewed ██████ in his residence. Refer to Det. Bates' report for information regarding the interview conducted with ██████.

After interviewing Douglas Det. Bates and I met with Investigator Losey, Det. Kirkpatrick and Det. Cooke in the ██████ block of Chester St. Det. Cooke and Det. Kirkpatrick said that they learned from the interviews that they had conducted at ██████ Dolbeer St. that there was possibly several other people that were at the house when ██████ ██████ brandished the knife at the Probation Officers. One of the person's names was ██████ ██████.

I had Det. Parris check with his office to see if they had any contacts with ██████. Det. Parris said that they had contacts with a ██████ ██████ at the following locations, ██████ Spring St. and ██████ 17<sup>th</sup> St. Det. Cooke also advised me that Det. Honeycutt advised him that ██████ might possibly be at the McCullen Motel on McCullen Ave.

On 10/23/06 at about 1808 hours, Det. Bates and I checked the McCullen Motel and there was no one staying at the Motel named ██████ ██████. At about 1818 hours, Det. Bates and I checked ██████ Spring St. Several occupants advised us that ██████ no longer resided at this address. At about 1831 hours, we checked ██████ 17<sup>th</sup> St. There were two residences on this property. We contacted a female at the rear residence and she advised us she did know a ██████ ██████ and a male did reside in the front residence but his name was not ██████.

On 10/24/06 at about 0900 hours, I went to the Eureka Police Department to meet with CIRT members for further assignments. Det. Bates and I were assigned to speak with ██████ ██████ foster mother ██████. We were also assigned to attempt to locate an ██████ ██████ who were possibly also at ██████ Dolbeer when ██████ ██████ threatened the Probation Officers.

On 10/24/06 at about 1032 hours, Det. Bates and I arrived at ██████ California St. in Eureka. We met with ██████ outside of her residence. There was another female also present at this location and was not happy with us wanting to speak to ██████. Det. Bates stood by with this female while I interviewed ██████ in my vehicle. The interview was digitally recorded and later placed onto CD. There was a transcript prepared of this interview. The following is a summary of the interview I conducted with ██████.

█████ told me that she was actually ██████ ██████ godmother. ██████ was placed with ██████ in May of 2006 because his ██████ had become homeless and ██████ wanted to stay with ██████.

██████████ said that about one week before ██████████ had run away from ██████████ home, which was on 9/26/06, ██████████ was acting strange. I asked ██████████ if she could explain this and she said that ██████████ was becoming more argumentative with her. ██████████ said on the day ██████████ ran away, ██████████ telephoned ██████████ and told ██████████ that he was at his mother's residence.

██████████ said that she had not seen ██████████ since he had run away until the evening of 10/21/06. ██████████ came to ██████████ front door and she asked ██████████ if he was doing okay and he said he was. ██████████ asked ██████████ what he was going to do and ██████████ said that he was going to turn himself into law enforcement. ██████████ said he wanted to straighten out and ██████████ asked ██████████ if he was happy and he said he was not.

I asked ██████████ if ██████████ appeared to be on drugs. ██████████ said she did not know but ██████████ had lost weight and ██████████ asked ██████████ if he was going to clean up and he said he was going too.

I asked ██████████ if it would be normal for ██████████ to pull a knife on someone. ██████████ said it was not and couldn't see him doing that.

I asked ██████████ if ██████████ carried a knife. ██████████ said that he did and he used it for fishing because that was what he liked to do. I asked ██████████ to describe the knife and she said it had a black handle and he carried it on his belt in a sheath.

I then showed ██████████ a photograph of the knife that was recovered from ██████████ Det. Honeycutt gave the photograph to me. ██████████ told me, "That's the knife."

I asked ██████████ where ██████████ had gotten the knife. ██████████ said that she and ██████████ were at the Bayshore Mall and he wanted this knife at the knife store and she bought it for him about two months ago. ██████████ said that ██████████ was not allowed to carry the knife on him all of the time. She only allowed him to take it when ██████████ went fishing. ██████████ said that ██████████ had another knife before she had purchased this one for him but ██████████ could not cut the heads off the fish that he had caught properly.

██████████ believed that ██████████ took the knife with him when he ran away from her home. ██████████ believed the knife was in ██████████ backpack. I asked ██████████ how ██████████ ran away and ██████████ said that ██████████ rode up to her home on his bicycle and told ██████████ that he did not want to do this anymore. ██████████ assumed ██████████ was referring to being on probation.

I asked ██████████ if she was aware that ██████████ had any drug problems. ██████████ said at one point before he moved in with her ██████████ had a methamphetamine problem. This concluded my interview with ██████████.

On 10/24/06 at about 1120 hours, Det. Bates and I arrived at [REDACTED] Fernwood Dr. in Fortuna, Ca. We had received information from Det. Cooke that [REDACTED] mother's name was [REDACTED] and they were from the Fortuna area. I was able to locate a [REDACTED] in Sheriff's Office records with the above address. We met with a [REDACTED] at the above date and time and she advised us that she did not know an [REDACTED].

At about 1130 hours, Det. Bates and I arrived at the Fortuna Police Department. They checked their records for any contacts with [REDACTED] and they did not have any contacts with these people.

On 10/25/06 at about 1100 hours, I received a telephone call in my Office from [REDACTED]. She advised me that she might have further information regarding [REDACTED] wanting her purchase alcohol for him and [REDACTED] also wanted [REDACTED] to find a gun for him. I asked [REDACTED] to have [REDACTED] contact me so I could set up a time so I could meet with both of them.

At about 1400 hours, [REDACTED] telephoned me in my office. [REDACTED] said it was true that [REDACTED] had approached him about getting a gun. I advised [REDACTED] that I would contact he and [REDACTED] in the morning of 10/26/06 to set up a time to interview them.

On 10/26/06 at about 0817 hours, I telephoned [REDACTED] on her cell phone. I advised her that I would be by her residence in about a half hour to speak to her and [REDACTED].

At about 0856 hours, I met with [REDACTED] in [REDACTED] residence. The interview I conducted with them was digitally recorded and later placed onto CD. There was a transcript prepared of the interview. The following is a summary of that interview.

[REDACTED] told me she believed less than one month ago [REDACTED] came to her residence asking [REDACTED] to purchase alcohol for him. [REDACTED] told [REDACTED] that she was not going to do that for him. [REDACTED] believed that [REDACTED] was already intoxicated when he asked for the alcohol. [REDACTED] had also found out about one week ago that [REDACTED] was a runaway.

[REDACTED] said a couple days after [REDACTED] had asked for the alcohol [REDACTED] about it and [REDACTED] told [REDACTED] that [REDACTED] had approached him about getting a gun for [REDACTED].

I asked [REDACTED] when he believed [REDACTED] approached him about wanting [REDACTED] to find a gun for him. [REDACTED] said he believed it was about a month ago. [REDACTED] said he was getting into his vehicle when [REDACTED] approached him. [REDACTED] asked [REDACTED] if he could get him a gun and [REDACTED] asked why. [REDACTED] told [REDACTED] that he was going to go to the mountains and needed it for protection from animals. [REDACTED] told [REDACTED] that he could not do that for him because [REDACTED] would end up hurting himself or someone else and [REDACTED] said he would feel like a great big piece of "shit" if that happened.

I asked [REDACTED] why [REDACTED] was going to the mountains and [REDACTED] said he did not know but assumed [REDACTED] was going to hide out somewhere.

[REDACTED] said that he figured something was up with [REDACTED] because he would always run around with a bandana covering his face. [REDACTED] told me that she had also seen [REDACTED] one time with the bandana over his face.

[REDACTED] did not know that [REDACTED] had a warrant for his arrest but knew he was a [REDACTED] [REDACTED] both told [REDACTED] that he was not allowed on the property but he continued to go to [REDACTED]'s residence.


[REDACTED] said that [REDACTED] [REDACTED] came to [REDACTED] residence frequently and believed she knew [REDACTED] was hiding at the house. [REDACTED] said the day before the incident with [REDACTED], [REDACTED] [REDACTED] came to the property and [REDACTED] did not know what she was doing at the property but [REDACTED] told [REDACTED] [REDACTED] that she needed to leave. This concluded my interview with [REDACTED].

All CD's were placed into evidence at the Sheriff's Office along with the photograph of the knife removed from [REDACTED] [REDACTED]

A copy of this case will be provided to the Eureka Police Department and the original report will be retained in CID at the Sheriff's Office.

Disposition: No further information

  
\_\_\_\_\_  
Detective Rich Schlesiger #0931

  
\_\_\_\_\_  
Lieutenant George Cavinta #0527

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

**CASE NUMBER:** 200606587

PAGE 1 OF 1

DATE STORED <u>10/31/06</u>	TIME STORED <u>1130</u>	DATE OF INCIDENT <u>10/23/06</u>	CRIME <u>Agency Assist CIRT</u>
NAME OF FINDER (ADDITIONAL VICTIM) <u>P.O. McLaughlin Andrew</u>		DOB	ADDRESS <u>Humboldt County Probation Dept.</u>
PHONE <u>445-7441</u>		PHONE	PHONE

ADULT ARREST  
 JUVENILE ARREST  
 SEARCH WARRANT NO. N/A

LOCATION PROPERTY WAS FOUND (INCIDENT OCCURRED)  
DOLBEAR ST. - EUREKA, CA.

TYPE OF PROPERTY  
 EVIDENCE     FOUND     SAFEKEEPING

SUSPECT	DOB	DOB
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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
<u>E</u>	<u>1</u>	<u>1</u>	<u>CD'S STATEMENTS OF Andrew McLaughlin 10/23/06</u>				<u>10/23/06</u>
<u>E</u>	<u>2</u>	<u>2</u>	<u>PHOTO OF 10" KNIFE</u>				<u>10/26/06</u>

**OWNERS OF PROPERTY**

ITEMS NO. <u>1</u>	NAME <u>HCSO</u>	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 <u>RICH SCHNEIDER</u>	PIN <u>090</u>	REPORT DATE <u>10/31/06</u>	SUPERVISOR REVIEW	PIN	REPORT DATE
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**CASE FILE COPY**