

Det. S. Quenelle

CLASSIFICATION: Agency Assist HCSO

██████████: State of Cal

██████████ and ██████████

SUPPLEMENTAL REPORT

SUMMARY:

Arcata Police Officer Dave Miller observed two ██████████ poaching deer just off of his property in Kneeland. A small series of circumstances led the poachers and Miller to believe each were shooting at the other. The county Critical Incident Response Team protocol was activated.

NARRATIVE:



NOTIFICATION:

On 3-19-09, at about 0900 hours, I was advised of the incident involving Officer Dave Miller on his property in Kneeland. I met with DA Investigator Mike Losey at the HCSO at 0930 hours.

Losey advised that preliminary information suggests Arcata police officer Dave Miller, who lives past the town of Kneeland on Kneeland Road, confronted trespassers on his property. The ██████████ shot at Miller and he returned fire. The ██████████ were driving west on Kneeland road when they were stopped by a HCSO deputy. Two ██████████, ██████████ and ██████████, were taken into custody. A rifle, thrown from the vehicle by the ██████████ was found alongside the road by an HCSO deputy. DA Investigator Losey advised that our roles in the investigation would be to interview the two ██████████

At about 1015 hours, Losey was briefed by lead detective, Steve Quenell, over the phone. Detective Quenell was on scene at Dave Miller's property and had conducted an interview with Miller. The following is a brief summary of what Losey related to me about Miller's statement.

Miller said he got off from working an overtime shift for Arcata PD at about 0500 hours. He drove directly home. Prior to arriving at his property, he drove up behind a small car who pulled over to let him pass. The car stopped about 100 yards before the drive way to Miller's property, Miller drove up to his house and then walked back down the driveway to the road. Miller yelled to the ██████████ in the car to leave the area.

 **Det. RONALD B HARPAM 447 03/27/2009**  **Supervisor**

CONTROLLED DOCUMENT
RELEASED TO: HCSO
BY: [Signature]
DATE: [Date]
EUREKA POLICE DEPARTMENT

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

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

Two gunshots were fired from the [redacted] in the car. Miller thought they were shooting at him. He returned fire with his sidearm with one shot. The [redacted] in the car fired several more times so he fired another shot. The [redacted] in the car fired again and Miller fired a third shot.

INTERVIEW WITH [redacted] [redacted]

At 1039 hours, DA Investigator Mike Losey and I interviewed [redacted]. Losey was the lead interviewer. The interview was audio recorded and video recorded. See Mike Losey's report. The interview concluded at 1140 hours.

INTERVIEW WITH [redacted]

At about 1153 hours, DA Investigator Mike Losey and I interviewed [redacted]. Losey was again the lead interviewer. The interview was audio and video recorded. The following is a summary of the interview:



Losey advised [redacted] of the investigation and that we knew he was involved. Losey offered [redacted] to give his version of events. Losey asked several questions in regards to [redacted] and possible [redacted] and we were convinced [redacted] was of sound mind and sober state of mind. [redacted] did appear tired and said he had been awake for four days. [redacted] said he used [redacted] for four days straight and had been up all that time. The last time he used was on 3-18-09 at about 1600 hours.

Losey advised [redacted] of his Miranda right and [redacted] acknowledge he understood his rights. [redacted] also acknowledge that he had been read his rights before on other occasions.

[redacted] said he met [redacted] when he got out of prison about six months prior. [redacted] came over to his house the evening before. [redacted] asked [redacted] what he wanted to do. [redacted] suggested going "Slaying," (Meaning shooting deer). [redacted] said it was not the first time they went out at night shooting at deer.

[redacted] said that he does not have a car so they used [redacted] car. [redacted] also said that [redacted] brought the gun. The gun was actually stored in [redacted]'s truck which was broken down at [redacted] cousin's house on [redacted] Drive. After agreeing to go and shoot deer, [redacted] drove to his truck and retrieved the gun. They stopped in the Shell station in Cutten for gas. [redacted] said they went up into the Kneeland area to do their "Slaying". They were driving on Kneeland Road from Eureka towards Bridgeville.

[redacted] said he shot at three deer altogether. Two of the deer he shot while standing outside of the car. One he shot while inside the car. The first one took one shot and the deer fell.

 **Det. RONALD B HARPHAM 447 03/27/2009**  **Supervisor**

- 1. Cleared by Arrest 6. Documentation 11. Cleared Recovery 16. To Property Clerk 21. Cleared Cr. Bk
- 2. Cleared and Released 7. Cleared: Admin 12. Cleared Partial Recovery 17. To D.A. 22. Cleared Extradition
- 3. Cleared Cited Released 8. Open 13. Cleared: Other Agency 18. To Other Agency 23. CID
- 4. PC-49b 9. Closed 14. Cleared Restitution 19. Owner Notified 24. NOP
- 5. Unfounded 10. Suspended 15. Warrant Request 20. Medical Release Needed

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

The second time he shot outside of the car he shot twice and the deer fell. The third deer he shot at from inside the vehicle. He missed the deer and fired several times trying to hit the deer as it ran away.


At the location where the [redacted] shot at [redacted] and [redacted] had spotted several deer up the hill to his left. [redacted] had pulled over and was pointing the rifle out the driver's side window at the deer. Before he shot they saw a set of headlights. [redacted] pulled the gun back into the car. The car, a [redacted] Jeep Wrangler, drove past until the headlights were out of sight. [redacted] thought the car headed on towards Bridgeville. [redacted] saw deer on his side of the road. [redacted] stepped out of the car with the rifle. He shot twice at a deer. He is unsure if it fell or not. Within a second of shooting, [redacted] saw a flash from gunfire up to the front of [redacted] car and to the left. He also heard the gunshot associate to the flash. [redacted] felt he was being shot at. He got back in the car and they tried to get out by making a 3 point turn to get them heading back towards Eureka. During the turning process, [redacted] heard another shot. [redacted] had the rifle between his legs, the barrel pointing up. [redacted] just stuck the rifle out the window and fired once in the air. [redacted] heard another gunshot. This time he put the gun out the window and fired as many as ten times. They drove off back towards Eureka.

[redacted] was unconcerned about whether the guy shooting at them called the police because, "he was shooting at us." In [redacted] words, [redacted] felt he was the [redacted]

As [redacted] drove back to Eureka, [redacted] fell asleep. He was awakened suddenly by [redacted] [redacted] told him to throw the gun out of the car because the sheriff was coming [redacted] threw the gun out of the car.

[redacted] summed up his statement by admitting to poaching and knowingly being a felon in possession of a firearm. [redacted] said he never shot at anybody. When he put the gun barrel out the window and shot up in the air he was just trying to scare their attacker so they could escape. We ended the interview at 1229 hours. That ended my involvement with the investigation.

DISPOSITION: Supplemental report for HCSO Detective Steve Quenell.


Det. RONALD B HARPHAM 447 03/27/2009 Supervisor

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- 3. Fined and Cited Released 8. Open 13. Cleared: Other Agency 18. To Other Agency 23. CID
- 4. PC 849b 9. Closed 14. Cleared Restitution 19. Owner Notified 24. NOP
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2. CID 4. Parole 6. CPS 8. ABC



**Humboldt County Sheriff's Office
Criminal Investigation Division
Supplemental Report**

CASE: 200901827

INVESTIGATOR: Steven R. Quenell

DATE: 03/19/09

CRIME: O.I.S.

██████████ Miller, David C/O Arcata Police Dept.

██████████ #1 ██████████ ██████████

██████████ #2 ██████████ ██████████ ██████████

LOCATION: ██████████ 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 ██████████ were in custody. The ██████████ 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 ██████████ Kneeland Rd. He explained to me that the vehicle, ██████████ Ford Mustang, Cal. Lic. ██████████, at this location was involved with the shooting at the ██████████ 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]. [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 black 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 Mullin's 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 Wells 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 Wells 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 corroborate 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] [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] [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] [REDACTED] said that he had bought the .22 ammunition some time ago.

[REDACTED] [REDACTED] said that it was both [REDACTED] [REDACTED] and his idea to come up and get deer meat. [REDACTED] [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] [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] [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] [REDACTED] said that just after [REDACTED] [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 Wells asked [REDACTED] a few questions relating to the F&G violations and we ended the video at 1435 hrs. Deputy Ireland walked [REDACTED] [REDACTED] back to his patrol unit and walked [REDACTED] [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] [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] [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.

████████ 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. ██████████ stopped the car and ██████████ exited to shoot the deer. He shot at the deer and then someone shot at him. He got back into their car and as ██████████ 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 ██████████ if he was under the influence of anything when the shooting incident occurred and he said that he was not. He said that ██████████ was under the influence of meth. He said it was ██████████'s idea to poach the deer. ██████████ said that after then Jeep passed them on Kneeland rd. they had no idea where it went. Both ██████████ were taken back to the Humboldt County Correctional facility for processing. Both ██████████ showed Deputy Ireland where the dead deer were located off Kneeland road. He radioed Warden Wells 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.

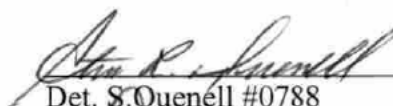
Officer Miller starts his conversation with dispatcher ██████████ by identifying himself as Officer Miller an off-duty Police Officer with Arcata Police Dept. He tells dispatch that he just had someone shoot at him or probably shoot at some deer." They fired six and I gave them three back". He told dispatch that the ██████████ 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 ██████████ 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 [REDACTED] "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, 1400 hrs.
Date/Time


Approved by Lt. G. Cavinta



**HUMBOLDT COUNTY DISTRICT ATTORNEY'S OFFICE
INVESTIGATION REPORT**

DATE: 03/23/09

[REDACTED]

[REDACTED] **David Miller**

AGENCY CASE: HCSO 2009-01827

DOCKET:

OFFENSE: 12021(A)(1)PC, 3007F&G Poaching

BY: Mike Losey

[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.

█████ said that there were three shots from the person in the Jeep. According to ██████████ was out of the vehicle with the rifle and shot twice at the deer. ██████ was in the driver's seat. ██████ heard a shot and heard the bullet whiz by his head on the left side of the car. ██████ fired his rifle back about four or five times but shot up in the air or into a bank. ██████ 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 ██████ 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, ██████ fired maybe ten more rounds but ██████ said the gun was inside the car but pointed up in the air with the barrel out of the side window. ██████ was driving the car and ██████ 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 ██████ to draw a sketch of the area where the shooting took place. ██████ agreed and pointed out the different areas of what was happening on his sketch as he drew it out. ██████ 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 ██████ got into the car, he, (██████████) turned the car around. ██████ 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. ██████ said that when the first shot happened, he yelled at ██████ to get in, that the guy was shooting at him and the shot came right by him. ██████ jumped in and ██████ started turning. After the second turn another round was fired by the other guy. At that point ██████ 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. ██████ said that there should be many bullet cases inside the car. ██████ said he never heard anyone yelling at them at any time. I had ██████ sign and date the sketch he made.

██████████ said that all of the deer they shot were shot from the vicinity of the road. ██████ thought ██████ 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 ██████████ said that as they drove along toward Kneeland, they passed a Sheriff's patrol car. After they passed the Sheriff, ██████ threw out a black bag with additional bullets as well as ██████████ out the driver's window. ██████ woke up ██████ and told him to throw the gun out the window because the Sheriff's unit just drove by on Kneeland Rd. ██████ threw the gun out of the window.

I asked ██████ how he uses ██████████ and he said he ██████████ 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. ██████ 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 17000 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 original sketches by both [REDACTED] and [REDACTED] to Detective Quenell.



Mike Losey
District Attorney Investigator

Tue Mar 24 11:18:43 2009

S. Quenell

CFS REPORT

ZONES:

NUMBER: 031909-35
CASE NUMBER: 200901827
INC CODE: SHOTSF DESC: SHOTS FIRED

DATE/TIME REC'D: 03/19/09 05:13
DATE/TIME SENT: 03/19/09 05:13
DATE/TIME CMPL: 03/19/09 18:12

INC ADDR: B [REDACTED] APT#: [REDACTED] 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.
[REDACTED] 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.
[REDACTED] 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
[REDACTED] 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.
[REDACTED] 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.
[REDACTED] 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]
[REDACTED] 03/19/09 07:09 L17 NOTIFIED
[REDACTED] 03/19/09 07:08 L11 FROM FIELDSLANDING
[REDACTED] 03/19/09 07:08 PER X15 HAVE L11 AND L17 RESPOND TO X11 [REDACTED] LOCATION
[REDACTED] 03/19/09 06:44 DIRECTIONS FROM B16 - WHEN YOU'RE [REDACTED]

TNPO
[REDACTED] 03/19/09 06:42 B16 ADVISING THAT HE'S INFO 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
[REDACTED] 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
[REDACTED] 03/19/09 06:18 CHP ON SCENE
[REDACTED] 03/19/09 06:07 B16 EN ROUTE RP'S RESIDENCE
[REDACTED] 03/19/09 06:05 X11 ADVISED.
[REDACTED] 03/19/09 06:05 A2 REQ X11 CALL HIM ON HIS CELL.
[REDACTED] 03/19/09 06:05 X11 REQ A2 CALL HIM ON HIS CELL
[REDACTED] 03/19/09 05:55 CHECKED WITH EPD FOR PREV CONTACTS WITH VEH, NONE
[REDACTED] 03/19/09 05:52 APD SUPERVISOR ON SCENE
[REDACTED] 03/19/09 05:51 REQ CHP FOR TRF, WB LANE BLOCKED, UNITS WILL BE 10-6 FOR A

WHILE

Tue Mar 24 11:18:43 2009

03/19/09 05:50 DR number 200901827 assigned for agency HUMBOLDT CO
 SHERIFF
 03/19/09 05:49 X11 REQ 1-2 DAY SHIRT UNITS RESPOND, FOR AT LEAST 2 CRIME
 SCENES
 03/19/09 05:48 JWC 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
 03/19/09 05:43 B14 ADVISING THAT APD SGT IS EN ROUTE TO THE STOP FROM 3
 CORNERS MARKET
 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 05:35 CODE 33 ISSUED
 03/19/09 05:35 UNITS TURNING AROUND ON THE VEHICLE @ THE 4700 BLOCK OF
 KNEELAND
 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 MULLEN RESIDENCE,
 ONLY VEH THAT'S ON THE ROAD
 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
 [REDACTED] HGT: 509 WGT: 140 HAI: BRO EYE: BLU
 ARMED & DANGEROUS?
 LSW: [REDACTED]

LICENSE

Type: Off Safety

RAC: A

SEX: M

200901827

Tue Mar 24 11:18:43 2009

AGE: 25 HGT: 505 WGT: 190 HAI: BLK EYE: BRO

ARMED & DANGEROUS?

MISCELLANEOUS:

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
		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

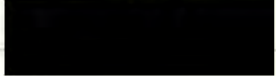
Tue Mar 24 11:18:43 2009

	NILSEN_D	CODE4	12:08
		AVAIL	13:00
		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

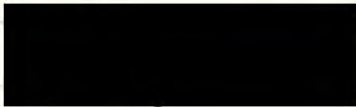
200901827

3-19-09 0913 hrs.

Clothing collected at
Hospital - mixed in

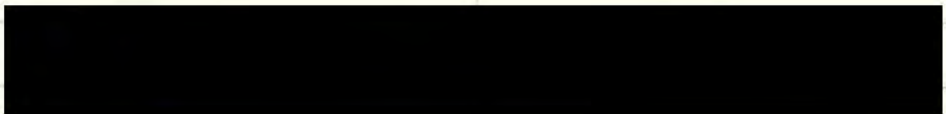
plastic bags, 
HCCFO
in jump suits

- photos, GSR





Right + Left GSR 0923 hrs.
1 each



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.

Arcaata P.D. Officer Dave
Miller involved in
shooting, arrived home
from working graveyard
shift observed someone
leaving his property
confronted [REDACTED]

[REDACTED] fired weapon
Miller returned fire.
[REDACTED] fled in vehicle

Deputies stopped vehicle
on Kneeland 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. Buchner, Sgt. Hansen
ht. Cavinta

Deputy Chandler

directly across from
telephone pole

PGE# 021689 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
drivers side
- both doors open
- drivers window up only
~ 1 1/2"
- passenger window completely
down
- vehicle traveling West
on Kneeland
- photographs & video
- collect evidence
recorded by Sgt. Hanson

Labeled w/ numbers

Included

1400

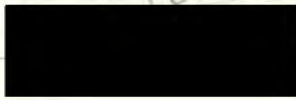
cleared
1418

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

- videotape both



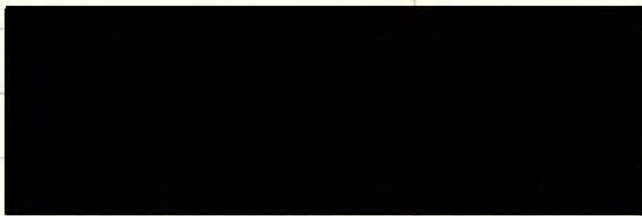
Video area

photos #2 & #3

used as markers

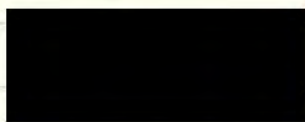
(#1 is broken)

GPS of ~~#1 & #2~~ 2 & 3



Elevation 2294 FT

#1 Deer



40 42.791

123 56.247

left hand side

20-30 yds off

Rd

before Mtn view

Kneeland

Fork

#2 Deer



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
 were parked

40 39.509

123 55583

Elevation 2279

GPS 4, 5, 6

40 39,482

123 55,533

Elevation 2358 ft.

R.P 45 Auto

Concluded

1755 hrs.

CAR -

40 45, 722

123 59, 7778

4-5 miles
PAST AIRPORT

BAG WITH AMMO + GLOVES

FOUND AT MALBOX [REDACTED]

N 40° 45.491

W 123° 59.520

[REDACTED] FORD MUSTANG [REDACTED]

40° 46.015

123° 59.440

RIFLE

ACROSS FROM DRIVEWAY [REDACTED]

N 40° 45.443

W 123 59.460

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

CASE NUMBER: 200901827

PAGE _____ OF _____

DATE STORED 3-19-09	TIME STORED 1400	DATE OF INCIDENT 3-19-09	CRIME OFFICER INVOLVED SHOOTING
NAME OF FINDER (ADDITIONAL VICTIM) MILLER, DAVID A.P.D.		DOB [REDACTED]	PHONE KNEELAND
LOCATION PROPERTY WAS FOUND (INCIDENT OCCURRED) FORD MUSTANG CA LIC # [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	1	1	CCI EXPENDED CARTRIDGE CASE				- DRIVER'S DOOR
E	2	1	CCI EXPENDED CARTRIDGE CASE				- LEFT REAR FLOOR
E	3	1	CCI EXPENDED CARTRIDGE CASE				- DRIVER'S FLOOR NEXT TO SEAT
E	4	3	"F" CARTRIDGES				- DRIVER'S SEAT
E	5	1	"F" EXPENDED CARTRIDGE CASE				- DRIVER'S FLOOR
E	6	1	CCI EXPENDED CARTRIDGE CASE				- DRIVER'S FLOOR
E	7	1	CCI EXPENDED CARTRIDGE CASE				- DRIVER'S FLOOR
E	8	2	BLACK MAGLITE FLASHLIGHTS # [REDACTED]				- DRIVER'S SEAT
E	9	1	GREEN KNIT BALACLAVA				- DRIVER'S FLOOR
E	10	1	BLACK CANVAS BAG w/ MISC. TOOLS & GLOVES				- LEFT REAR FLOOR
E	11	1	EMPTY #10 QUARTER WRAPPER w/ [REDACTED]				- LEFT REAR FLOOR
E	12	1	CCI EXPENDED CARTRIDGE CASE				- LEFT REAR FLOOR

OWNERS OF PROPERTY

ITEMS NO.	NAME	DOB	ADDRESS	PHONE	NOTIFIED

LAB WORK REQUIRED

ITEMS NO.	PURPOSE OF EXAM

PIN [REDACTED]	REPORT DATE 3-20-09	SUPERVISOR REVIEW	PIN	REPORT DATE
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CASE FILE COPY

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

CASE NUMBER: 200901827

PAGE _____ OF _____

DATE STORED 3-19-09	TIME STORED 1400	DATE OF INCIDENT 3-19-09	CRIME OFFICER INVOLVED SHOOTING
NAME OF FINDER (ADDITIONAL VICTIM) MILLER, DAVID A.P.D.		DOB [REDACTED]	PHONE KNEELAND
LOCATION PROPERTY WAS FOUND (INCIDENT OCCURRED) [REDACTED] FORD MUSTANG CA LIC [REDACTED]			
DOB		SUSPECT	DOB
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	13	1	CCI EXPENDED CARTRIDGE CASE				- LEFT REAR SEAT	
E	14	2	UGLY STICK LITE FISHING POLE W/3HIMAND R 2000 REEL ; BERKLY FISHING POLE W/TEBCO REEL				- LEFT REAR FLOOR	
E	15	MISC	SET OF 4 KEYS CUTTEN SHELL RECEIPT 3-19-09 12:51 A.M. SHELL ACCOUNT				- REMOVED FROM GREEN JACKET	
E	16	2	1 CCI EXPENDED CARTRIDGE ; 1 CCI CARTRIDGE				- FELL OUT OF GRAY JACKET	
E	17	1	"F" EXPENDED CARTRIDGE CASE				- RIGHT REAR SEAT	
E	18	1	CCI EXPENDED CARTRIDGE CASE				- RIGHT REAR SEAT	
			ITEM #19 SEE ADDITIONAL EVIDENCE BOOKING REPORTS					
E	20	1	GRAY "NY" BASEBALL CAP W/DORCY HEADLAMP				- TRUNK	

OWNERS OF PROPERTY

ITEMS NO.	NAME	DOB	ADDRESS	PHONE	NOTIFIED

LAB WORK REQUIRED

ITEMS NO.	PURPOSE OF EXAM

PIN 1302	REPORT DATE 3-20-09	SUPERVISOR REVIEW	PIN	REPORT DATE
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CASE FILE COPY

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

CASE NUMBER: 200901827

PAGE _____ OF _____

DATE STORED 3-19-09	TIME STORED 1400	DATE OF INCIDENT 3-19-09	CRIME OFFICER INVOLVED SHOOTING
NAME OF FINDER (ADDITIONAL VICTIM) MILLER, DAVID A.P.D.		DOB [REDACTED]	PHONE [REDACTED]
NAME OF FINDER (ADDITIONAL VICTIM)		DOB [REDACTED]	PHONE [REDACTED]
LOCATION PROPERTY WAS FOUND (INCIDENT OCCURRED) [REDACTED] FORD MUSTANG CA LIC# [REDACTED]			

ADULT ARREST
 JUVENILE ARREST
 SEARCH WARRANT NO. _____

TYPE OF PROPERTY
 EVIDENCE FOUND SAFEKEEPING

SUSPECT [REDACTED]	DOB [REDACTED]
SUSPECT [REDACTED]	DOB [REDACTED]

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	21	-	SET OF KEYS TO MUSTANG: PHOTOGRAPED AND RELEASED TO R.O.				
E	22	1	GREEN/GRAY BACKPACK CONTAINING FISHING TACKLE	-			RIGHT REAR SEAT
E	23	4	2 - "F" CARTRIDGES; 1 - "F" EXPENDED CARTRIDGE CASE; 1 - CCI EXPENDED CARTRIDGE CASE	-			RIGHT REAR FLOOR
E	24	1	"F" EXPENDED CARTRIDGE CASE	-			RIGHT REAR FLOOR
E	25	1	"F" EXPENDED CARTRIDGE CASE	-			RT. SIDE PASSENGER SEAT
E	26	2	1 CCI CARTRIDGE; 1 - "F" CARTRIDGE	-			UNDER PASS. (FRONT) SEAT
E	27	1	PAIR BLACK MECHANIXWEAR GLOVES	-			FRONT PASS. FLOOR
E	28	2	"F" CARTRIDGES	-			FRONT PASS. FLOOR
E	29	1	CCI EXPENDED CARTRIDGE	-			FRONT PASS. FLOOR
E	30	1	GERBER FOLDING KNIFE BLACK HANDLE, 3 1/2" BLADE	-			FRONT PASS. FLOOR
E	31	1	EMPTY BOX BLAZER 2'2 LONG RIFLE AMMO 50 RDS	-			FRONT PASS. FLOOR

OWNERS OF PROPERTY

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 3-20-09	SUPERVISOR REVIEW	PIN	REPORT DATE
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CASE FILE COPY

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

CASE NUMBER: 200901827

PAGE _____ OF _____

DATE STORED 3-19-09	TIME STORED 1800 hrs	DATE OF INCIDENT 3-19-09	CRIME Investigation O.I.S.
NAME OF FINDER (ADDITIONAL VICTIM) Miller, David N/A		DOB	ADDRESS C/O Areato P.D.
LOCATION PROPERTY WAS FOUND (INCIDENT OCCURRED) Lead			
SUSPECT	DOB	SUSPECT	DOB
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	1	1	Vest "Carhart", XL				
E	2	1	Black Sock				
E	3	1	Black Sock				
E	4	1	mens denim pants				
E	5	1	right boot,				
E	6	1	left boot				
E	7	1	baseball cap, black				
E	8	1	shirt, black				
E	9	1	shirt, blue				

OWNERS OF PROPERTY

ITEMS NO.	NAME S.A.V.	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 <i>Alan R. Powell</i>	PIN 0788	REPORT DATE 3-19-09	SUPERVISOR REVIEW	PIN	REPORT DATE
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**HUMBOLDT COUNTY SHERIFF'S OFFICE
PROPERTY/EVIDENCE BOOKING AND RELEASE REPORT**

CASE NUMBER: 20090 1827

PAGE _____

DATE STORED <u>3-19-09</u>	TIME STORED <u>1800</u>	DATE OF INCIDENT <u>3-19-09</u>	CRIME <u>O.F.S. / F&G Violations</u>
VICTIM NAME <u>State of Calif.</u>	DOB	ADDRESS	PHONE
NAME OF FINDER (ADDITIONAL VICTIM) <u>N/A</u>	DOB	ADDRESS	PHONE
LOCATION PROPERTY WAS FOUND (INCIDENT OCCURRED) <u>N/A</u>			

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

[REDACTED]	SUSPECT	DOB
[REDACTED]	SUSPECT	DOB

PROPERTY/EVIDENCE LISTING

CODE	ITEM NO.	QTY.	DESCRIPTION	VALUE	NCIC	WEIGHT	DISPOSITION
E	1	3	CD's of [REDACTED] interview w/ Losey, Harpham				
E	2	3	CD's of [REDACTED] interview w/ Losey, Harpham				
E	3	1	CD of walk through w/ [REDACTED] Kneeland Rd.				
E	4	1	CD of evidence, scene and Miller				
E	5	1	CD of Miller's statement				
E	6	1	CD of Dispatch tape "911"				

OWNERS OF PROPERTY

ITEMS NO.	NAME	DOB	ADDRESS	PHONE	NOTIFIED

LAB WORK REQUIRED

ITEMS NO.	PURPOSE OF EXAM

BOOKING OFFICER <u>[Signature]</u>	PIN <u>0788</u>	REPORT DATE <u>3-19-09</u>	SUPERVISOR REVIEW	PIN	REPORT DATE
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**HUMBOLDT COUNTY SHERIFF'S OFFICE
PROPERTY/EVIDENCE BOOKING AND RELEASE REPORT**

CASE NUMBER: 200901827

PAGE _____ OF _____

DATE STORED <u>3-19-09</u>	TIME STORED <u>0940</u>	DATE OF INCIDENT <u>3-19-09</u>	CRIME <u>OFFICER INVOLVED SHOOTING</u>
NAME OF FINDER (ADDITIONAL VICTIM) <u>MILLER, DAVID A.P.D.</u>		DOB [REDACTED]	ADDRESS <u>KNEELAND</u>
NAME OF FINDER (ADDITIONAL VICTIM)		DOB	PHONE

ADULT ARREST
 JUVENILE ARREST
 SEARCH WARRANT NO. _____

LOCATION PROPERTY WAS FOUND (INCIDENT OCCURRED)
CLOTHING/BLOOD HCSO C.I.D.

TYPE OF PROPERTY
 EVIDENCE FOUND SAFEKEEPING

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	30	DIGITAL PHOTOGRAPHS TRANSFERRED TO CD ROM				
E	2	1	BLOOD SAMPLE				
E	3	MISC.	CAN OF GRIZZLY CHEWING TOBACCO; PRESCRIPTION DOCUMENT ST. JOSEPH HOSP 3-19-09; EVEREADY FLASHLIGHT; POCKET KNIFE; 3 QUARTERS				
E	4	1	BLACK ATHLETECH FLEECE PULLOVER SIZE M				
E	5	1	BLACK T-SHIRT, SLEEVELESS SIZE M				
E	6	1	BLACK COLUMBIA JACKET SIZE M, ST. JOSEPH DISCHARGE INSTRUCTIONS ORIGINAL PACKAGING				
E	7	1	GRAY HANES SWEATS (SHORTS)				
E	8	1	BLACK LEATHER BELT				
E	9	1	BLUE JEANS SIZE 31X30				
E	10	MISC.	2 TAN HITECH BOOTS SIZE 10, 2 WHITE SOCKS, ORIGINAL PACKAGING				

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
<u>2-10</u>	<u>Rec'd from Deputy Irland 319-09</u>
ITEMS NO.	PURPOSE OF EXAM
	<u>Irland KMP</u>
ITEMS NO.	PURPOSE OF EXAM

PIN <u>1302</u>	REPORT DATE <u>4-16-09</u>	SUPERVISOR REVIEW	PIN	REPORT DATE
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CASE FILE COPY

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

CASE NUMBER: 200901827

PAGE _____ OF _____

DATE STORED 3-19-09	TIME STORED 0940	DATE OF INCIDENT 3-19-09	CRIME OFFICER INVOLVED SHOOTING
NAME OF FINDER (ADDITIONAL VICTIM) MILLER, DAVID A.P.D.		DOB [REDACTED]	PHONE [REDACTED]
NAME OF FINDER (ADDITIONAL VICTIM) [REDACTED]		DOB [REDACTED]	PHONE [REDACTED]

ADULT ARREST
 JUVENILE ARREST
 SEARCH WARRANT NO. _____

TYPE OF PROPERTY
 EVIDENCE FOUND SAFEKEEPING

FOUND (INCIDENT OCCURRED)
 CLOTHING/BLOOD HCSD C.I.D.

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	11	2	GSR KIT RIGHT/LEFT HANDS [REDACTED]				
F	12	1	BLOOD SAMPLE: [REDACTED]				
E	13	MISC	PACK MARLBORO MENTHOL; BIC LIGHTER; BLACK MOTOROLA CELL PHONE; BLACK WALLET CONTAINING: CDL [REDACTED] INDICIA [REDACTED] # 1 BILL - [REDACTED]				
E	14	MISC	2 BLACK ADIDAS TENNIS SHOES SIZE 9 1/2, 2 BLACK SOCKS				
E	15	1	KEY ON RED LANYARD				
E	16	1	GRAY HANES BOXERS SIZE 4 1/4				
E	17	1	BLACK DICKIES SHIRT SIZE 2XL				
E	18	1	BLACK MIDLAND LANYARD				
E	19	1	BLUE DICKIES JEANS SIZE 46x30 w/ BROWN BELT, ORIGINAL PACKAGING				
E	20	2	GSR KIT RIGHT/LEFT HANDS [REDACTED]				

OWNERS OF PROPERTY

ITEMS NO.	NAME	DOB	ADDRESS	PHONE	NOTIFIED

LAB WORK REQUIRED

ITEMS NO. 1279	PURPOSE OF EXAM Rec'd from Deputy Nelsen 3/19/09

PIN 1302	REPORT DATE 4-16-09	SUPERVISOR REVIEW	PIN	REPORT DATE
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**HUMBOLDT COUNTY SHERIFF'S OFFICE
PROPERTY/EVIDENCE BOOKING AND RELEASE REPORT**

CASE NUMBER: 200901827

PAGE _____ OF _____

DATE STORED 3-19-09	TIME STORED 1800	DATE OF INCIDENT 3-19-09	CRIME OFFICER INVOLVED SHOOTING
NAME OF FINDER (ADDITIONAL VICTIM) MILLER, DAVID A.P.D.		DOB [REDACTED]	PHONE [REDACTED]
LOCATION PROPERTY WAS FOUND (INCIDENT ORIGIN) KNEELAND RD, [REDACTED]		DOB [REDACTED]	PHONE [REDACTED]
SUSPECT [REDACTED]		DOB [REDACTED]	
SUSPECT [REDACTED]		DOB [REDACTED]	

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	1	30	DIGITAL PHOTOGRAPHS TRANSFERRED TO CD ROM				
E	2	1	CCI EXPENDED CARTRIDGE CASE				
E	3	1	CCI EXPENDED CARTRIDGE CASE				
E	4	1	R.P. 45 AUTO EXPENDED CARTRIDGE CASE				
E	5	1	R.P. 45 AUTO EXPENDED CARTRIDGE CASE				
E	6	1	R.P. 45 AUTO EXPENDED CARTRIDGE CASE				
E	7	6	VIDEO FILES TRANSFERRED TO DVD				
			[REDACTED]				
			3,4,5,6 SCENE				

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

PIN 1302	REPORT DATE 4-15-09	SUPERVISOR REVIEW	PIN	REPORT DATE
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CASE FILE COPY

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

CASE NUMBER: 200901827

PAGE _____ OF _____

DATE STORED 3-19-09	TIME STORED 1400	DATE OF INCIDENT 3-19-09	CRIME OFFICER INVOLVED SHOOTING
NAME OF FINDER (ADDITIONAL VICTIM) MILLER, DAVID A.P.D.		DOB [REDACTED]	PHONE KNEELAND
[REDACTED]		DOB [REDACTED]	PHONE KNEELAND RD.
[REDACTED]		SUSPECT [REDACTED]	DOB [REDACTED]
[REDACTED]		SUSPECT [REDACTED]	DOB [REDACTED]

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	19	1	MARLIN MODEL 60 .22 LR RIFLE W/SCOPE S/N [REDACTED] PIECES (1 CARTRIDGE IN BARREL, 1 CARTRIDGE IN CHAMBER) - WOODEN STOCK - BARREL - TRIGGER/TRIGGER GUARD - SPRING - 2 PIECES OF PLASTIC - RECEIVER/SCOPE	[REDACTED]			BROKEN INTO
E	19A	1	"F" CARTRIDGE				
E	19B	3	2 "F" CARTRIDGES, 1 CCI CARTRIDGE				
E	19C	1	"F" CARTRIDGE				
E	19D	1	"F" CARTRIDGE				

OWNERS OF PROPERTY

ITEMS NO.	NAME	DOB	ADDRESS	PHONE	NOTIFIED

LAB WORK REQUIRED

ITEMS NO.	PURPOSE OF EXAM

[REDACTED]	PIN 1302	REPORT DATE 4-15-09	SUPERVISOR REVIEW	PIN	REPORT DATE
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CASE FILE COPY

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

CASE NUMBER: 200901827

PAGE _____ OF _____

DATE STORED 3-19-09	TIME STORED 1400	DATE OF INCIDENT 3-19-09	CRIME OFFICER INVOLVED SHOOTING
NAME OF FINDER (ADDITIONAL VICTIM) MILLER DAVID A.P.D.		DOB	ADDRESS KNEELAND
NAME OF FINDER (ADDITIONAL VICTIM)		DOB	PHONE
SUSPECT		DOB	PHONE
SUSPECT		DOB	PHONE

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	19E	1	"F" CARTRIDGE				
E	19F	1	"F" CARTRIDGE				
E	19G	1	METAL PIN				
E	19H	1	PIECE OF BLACK PLASTIC				
E	19I	1	METAL GUN PART				
E	19J	1	METAL GUN PART				

OWNERS OF PROPERTY

ITEMS NO.	NAME	DOB	ADDRESS	PHONE	NOTIFIED

LAB WORK REQUIRED

ITEMS NO.	PURPOSE OF EXAM

PIN 1302	REPORT DATE 4-15-09	SUPERVISOR REVIEW	PIN	REPORT DATE
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CASE FILE COPY

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" EXPANDED CASINGS

#18 CCI, EXPANDED CASINGS

#19 .22 CALIBER, R.P.E., [REDACTED] MARLIN, SEMI-AUTO, SERIAL#

ONE ROUND IN BARREL, ONE IN CHAMBER WITH SCOPE

19(A) "F" LIVE ROUNDS

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

(21) SET OF KEYS

RIGHT REAR SEAT

11 11 11

40 45 443 / 123 59 460

ACROSS FROM [REDACTED] KNEELAND RD

SAME AS 19

11

11

11

11

11

11

11

11

11

LEFT TRUNK

"PHOTOGRAPH ONLY"

3-19-09

1400

DATE

TIME

#1302

PIN #

DISTRIBUTION: ORIGINAL - LEAVE AT SCENE OF SEARCH WARRANT SERVICE

YELLOW - RETURN TO COURT WITH ORIGINAL SEARCH WARRANT

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, R.P.A.E, [REDACTED] MARLIN, SEMI-AUTO, SERIAL# [REDACTED]	40 45 443 / 123 59 460
ONE ROUND IN BARREL, ONE IN CHAMBER WITH SCOPE	ACROSS FROM [REDACTED] KNEELAND RD
19(A) "F" LIVE ROUND	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"

DATE 3-19-09 TIME 1400

[REDACTED SIGNATURE]

PIN # #1302

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

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 ROUNDS

PASSENGER FLOOR BOARD

#29 CCI, EXPENDED

PASSENGER FLOOR BOARD

#30 GERBER FOLDING KNIFE

|| || ||

#31 Empty .22 CALIBER BLAZER BOX

|| || ||

#32 SIX "F" LIVE

ASH TRAY

#33 CCI EXPENDED

EMERGENCY BRAKE AREA

#34 "F" LIVE ROUNDS

UNDER DRIVER SEAT

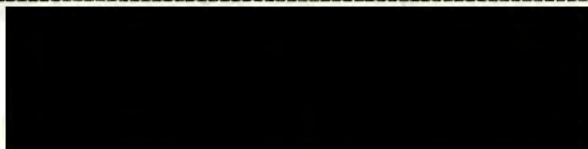
#35 TWO "F" LIVE ROUND

UNDER MAT PASSENGER

3-19-09

1400

DATE _____ TIME _____



#1302

PIN #

DISTRIBUTION: ORIGINAL - LEAVE AT SCENE OF SEARCH WARRANT SERVICE

YELLOW - RETURN TO COURT WITH ORIGINAL SEARCH WARRANT

SEARCH WARRANT INVENTORY

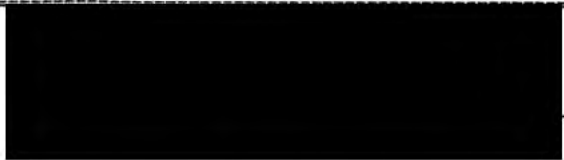
DATE ITEMS REMOVED 3/19/09 CASE NUMBER 2009-1827

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 ROUNDS | PASSENGER FLOOR BOARD |
| #29 CCI, EXPENDED | PASSENGER FLOOR BOARD |
| #30 GERBER FOLDING KNIFE | " " " |
| #31 Empty 22 CALIBER BLAZER BOX | " " " |
| #32 SIX "F" LIVE | ASH TRAY |
| #33 CCI EXPENDED | EMERGENCY BRAKE AREA |
| #34 "F" LIVE ROUNDS | UNDER DRIVER SEAT |
| #35 TWO "F" LIVE ROUNDS | UNDER MAT PASSENGER |

DATE 3-19-09 TIME 1400



PIN # #1302

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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, EXPENDED CASINGS | DRIVERS DOOR |
| #2 CCI, EXPENDED CASINGS | REAR FLOOR DRIVERS SIDE |
| #3 CCI, EXPENDED CASINGS | ON FLOOR DRIVERS SEAT |
| #4 3 - "F" CARTRIDGES | DRIVER'S SEAT |
| #5 "F" EXPENDED CATRIDGE CASE | DRIVER'S FLOOR |
| #6 CCI, EXPENDED CASINGS | DRIVERS FLOOR |
| #7 CCI, EXPENDED CASINGS | DRIVERS FLOOR |
| #8 TWO BLACK FLASHLIGHTS | DRIVER'S 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 CCF, EXPENDED CASINGS | LEFT REAR FLOOR BOARD |
| #13 CCI, EXPENDED CASINGS | LEFT REAR SEAT |
| #14 TWO FISHING POLES | LEFT REAR FLOOR |
| #15 KEY, CUHEN STEEL RECEIPT | INSIDE GREEN JACKET |
| #16 CCI, EXPENDED CASING, | INSIDE GREY JACKET |
| AND LIVE ROUND CCI | RIGHT REAR SEAT |

DATE 3-19-09 TIME 1400 S [REDACTED] PIN # #1302

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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, EXPENDED CASINGS DRIVERS DOOR
- #2 CCI, EXPENDED CASINGS REAR FLOOR DRIVERS SIDE
- #3 CCI, EXPENDED CASINGS ON FLOOR DRIVERS SEAT
- #4 3 - "F" CARTRIDGES DRIVER'S SEAT
- #5 "F" EXPENDED CARTRIDGE CASE DRIVER'S FLOOR
- #6 CCI, EXPENDED CASINGS DRIVERS FLOOR
- #7 CCI, EXPENDED CASINGS 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 CCF, EXPENDED CASINGS LEFT REAR FLOOR BOARD
- #13 CCI, EXPENDED CASINGS LEFT REAR SEAT
- #14 TWO FISHING POLES LEFT REAR FLOOR
- #15 KEY, CUM HEN SHELL RECEIPT INSIDE GREEN JACKET
- #16 CCI, EXPENDED CASINGS INSIDE GREY JACKET
- AND LIVE ROUND CCI RIGHT REAR SEAT

DATE 3-19-09 TIME 1400 [REDACTED] PIN # #1302

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