

CFS REPORT

ZONES: HCSO, HCSO PATROL GROUP, HC BEAT 18
CFS NUMBER: 041406-87 DATE/TIME REC'D: 04/14/06 12:55
CASE NUMBER: 200602225 DATE/TIME SENT: 04/14/06 12:55
INC CODE: ASSISTA DESC: ASSIST AGENCY DATE/TIME CMPL: 04/14/06 19:18

INC ADDR: 604 C ST APT#: CITY: EUREK PHONE:
COMP NAME: EPD-DET HUBBARD COMP ADDR: PHONE:
IN PROG: OFF CONT: PRI: 2 WEAPON: ALARM: PRI UNIT: A7
CALLTAKER: [REDACTED] DISPATCHER: [REDACTED]
FINAL DISP: CLR

UNITS ATTACHED:

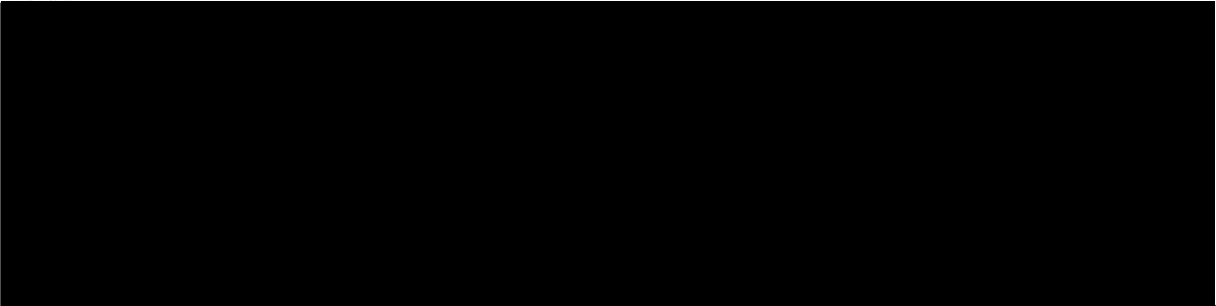
COMMENTS: [REDACTED] 04/14/06 14:01 DA'S OFFICE IS AT EPD NOW, REQUESTING WE RESPOND.
[REDACTED] 04/14/06 12:57 A8 NOTIFIED, HE IS CONTACTING DETECTIVES FOR CRITICAL RESPONSE TEAM
[REDACTED] 04/14/06 12:57 SWAT TEAM HAS JUST SHOT AND KILLED UNK PERSON.
[REDACTED] 04/14/06 12:56 EPD REQUESTING A CRITICAL RESPONSE TEAM MEET AT EPD A.S.A.P.
[cfsd] 04/14/06 12:55 Cross Streets : 200-298 6TH ST * 200-298 7TH ST
[REDACTED] 04/14/06 12:55 Inc Address changed to 604 C ST at 12:55

VEHICLES:

PERSONS:

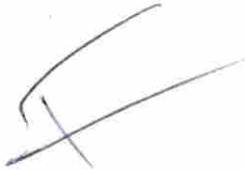
Type: Involved Party

NAME: [REDACTED] DOB: [REDACTED] RAC: W SEX: F
SOC: AGE: HGT: [REDACTED] WGT: [REDACTED] HAI: [REDACTED] EYE: [REDACTED]
ARMED & DANGEROUS?
LSW:



RUNTIMES ASSOCIATED WITH CALL:

UNIT	SUBUNIT	STATUS	TIME
A7	JIMENEZ	DISP	14:14
		EN_ROUTE	14:14
		OUT_SCENE	14:17
		AVAIL	19:00
K21	COOKE	DISP	14:14
		EN_ROUTE	14:14
		OUT_SCENE	14:16
		CODE4	18:27
K23	NORD	DISP	14:14
		EN_ROUTE	14:14
		OUT_SCENE	14:17
		CODE4	18:27



Mon Apr 17 09:39:38 2006

K25	QUENELL_S	AVAIL	19:18
		DISP	14:14
		EN_ROUTE	14:14
		OUT_SCENE	14:17
		AVAIL	17:14
K27	SCHLESIGER	DISP	14:14
		EN_ROUTE	14:14
		OUT_SCENE	14:17
		AVAIL	18:27
		DISP	14:14
K28	KIRKPATRIC	EN_ROUTE	14:14
		OUT_SCENE	14:17
		CODE4	18:27
		AVAIL	19:18

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

CASE: 200602225

INVESTIGATOR: Detective Ben Nord

DATE: April 17, 2006

CRIME: Agency Assist Eureka Police Department 3C062787

LOCATION: [REDACTED] "G" Street [REDACTED], Eureka

[REDACTED]: [REDACTED] date of birth [REDACTED] [REDACTED]
[REDACTED] Eureka.

Witness-1: [REDACTED] date of birth [REDACTED]
Transient - Staying with [REDACTED] [REDACTED]
Eureka

Witness-2: [REDACTED] date of birth [REDACTED] [REDACTED]
[REDACTED] Eureka

Witness-3: [REDACTED] date of birth [REDACTED]
[REDACTED] Eureka

Witness-4: [REDACTED] date of birth [REDACTED]
[REDACTED], Eureka [REDACTED]

Witness-5: [REDACTED] date of birth [REDACTED]
[REDACTED] [REDACTED], Eureka Message number [REDACTED]

INTRODUCTION:

On **April 14, 2006 at about 1410 hours**, Lieutenant Jimenez advised me to respond to Eureka Police Department (EPD). Lt. Jimenez informed the criminal investigation division (CID) of the Humboldt County Sheriff's Office (HCSO) was going to assist EPD in regards to interviewing witnesses that concerned an EPD officer involved shooting located at [REDACTED] Eureka.

NARRATIVE:

I left the HCSO with Det. Cooke at about 1415 hours. We met with Lieutenant JIMENEZ, Deputy Sheriff Detectives SCHLESIGER and KIRKPATRICK, Chief Investigator DAWSON and Investigator ANDREWS (Humboldt County District Attorney's Office), Detectives HUBBARD, PARRIS, and HONEYCUTT (Eureka Police Department), and Officer BERNSTEIN (Fortuna Police Department) in the EPD investigative office.

The law enforcement officers were then paired off. Chief Investigator Dawson asked me to go with Det. Kirkpatrick to [REDACTED] and interview witnesses. We were advised to interview witness [REDACTED] along with his care providers, witness [REDACTED] and any other witnesses that needed to be contacted.

We arrived at the apartment complex at about 1440 hours. Det. Kirkpatrick and I went to apartment [REDACTED] so that we could interview [REDACTED] and his caregivers. We knocked on the door and caregiver [REDACTED] answered the door. Det. Kirkpatrick asked her if we could speak in private. She came into the hallway, closed the door and walked to the end of the hall, which had a window facing 5th St. As the interview began, [REDACTED] pointed to the intersection of 5th and G St. and said that was [REDACTED] boyfriend. I excused myself, left the apartment building and went to his location. I introduced myself, advised him that I would like to speak to him in private and he agreed to do so.

[REDACTED] (later identified) and I went to Det. Harpham's vehicle, sat in the front seats and the interview began. The conversation was recorded on a digital recorder and was later electronically transferred to CD-Rom. The CD-Rom was later booked into the HCSO as evidence. This is a summary of our conversation:

[REDACTED] is the caretaker for [REDACTED]. [REDACTED] met [REDACTED] when he was asleep on a bench near her apartment. [REDACTED] sat next to him and asked him if he wanted to be her care provider and invited him to her apartment. He accepted her invitation and had been working for her for approximately one week. In addition, [REDACTED] was filling out the paper work so that he could get paid for providing care to her. [REDACTED] added that [REDACTED] was an intimate partner.

of any other weapons other than the bat and flare gun inside of the apartment.

According to [REDACTED], [REDACTED] was upset and mad with her landlord [REDACTED] because he had sexually harassed her. [REDACTED] told [REDACTED] that she wanted to burn the place down. [REDACTED] added that she filed legal documents and sued [REDACTED]. [REDACTED] went to court, won the case and seemed to be less stressed. [REDACTED] had a better attitude after court.

An unidentified male left the scene while he was outside the police barriers and spoke to [REDACTED]. The unknown male said that he was going to buy her cigarettes and that [REDACTED] would come out of the apartment peacefully. [REDACTED] did not know who the male was and did not catch his name. He did not see the male return.

[REDACTED] said that he did not have any additional information to add to this investigation because he was just starting to know [REDACTED]. The interview was ended and [REDACTED] was escorted to where he was sitting prior to my interview with him.

At about 1520 hours, I spoke to [REDACTED] in apartment [REDACTED]. The conversation was recorded on a digital recorder and was later electronically transferred to CD-Rom. The CD-Rom was later booked into the HCSO as evidence. This is a summary of our conversation:

[REDACTED] said that he used to live next to [REDACTED] in apartment [REDACTED] and that she is the reason that he had to move.

[REDACTED] said that he moved into the apartment complex about two years ago and that [REDACTED] befriended him. [REDACTED] said that [REDACTED] had a severe [REDACTED] problem and that she confided with him about her problems. [REDACTED] told [REDACTED] to ignore her sometimes because occasionally she would go off. [REDACTED] would often hear music blaring at three or four o'clock in the morning. In addition, there was a lot of traffic in and out of her apartment. [REDACTED] has lived in apartment [REDACTED] for approximately six months.

He said that [REDACTED] used methamphetamine and had offered it to him on at least one occasion. [REDACTED] told me that people used to try selling him guns. He continued by saying that he asked one of her unknown male guests to

turn down the music. The unknown male told him that he would "fuck him up." The male left and went down to the street. [REDACTED] window faced the street so when he looked out of it, he saw the male brandishing a .45 caliber pistol toward his window.

[REDACTED] said that [REDACTED] thought that she was an attractive woman and god's gift to men. He added that every parolee or probationer would go to her apartment to "shoot up." [REDACTED] would be up for three to four days at a time while she was under the influence and then [REDACTED] would not see [REDACTED] for several days at a time.

He said that on 4/14/06 he heard eight gunshots from down the hall. [REDACTED] said that he counted them as soon as they went off. He said that prior to hearing the shots, he tried to leave several times but that there were officers down the hall so he decided against it. It appeared to him that "they" were not rushing into anything. After the shots, he did leave and returned about 1450 hours.

On 4/13/06 in the evening, [REDACTED] heard yelling and screaming down the hall. He said that he did not check into it because he is not a nosey person. He said [REDACTED] had a lot of people in and out of her apartment and that she would kick them out of the apartment after using them. The people would usually return trying to recover their personal belongings.

[REDACTED] added that he was aware of [REDACTED] son [REDACTED] and that it was around this time. He said that [REDACTED] had appeared very calm prior to the incidents on 4/13/06 and 4/14/06.

He was also aware of her leaving with her bat and going down to the free meal to kick someone's "ass." On one occasion she left with the bat and when she came back, she had a black eye.

[REDACTED] said that [REDACTED] had a lawsuit against [REDACTED] and that she wanted his help. She presented [REDACTED] with a legal form and asked him to sign it. [REDACTED] told her that he wanted to read it first. [REDACTED] got upset and then left.

██████ told me that he did not have any further information that could assist this investigation. The interview was concluded.

At about 1545 hours, I went with Det. Kirkpatrick HEUER's flower shop, which is located underneath the apartment complex. We interviewed ██████ in an upstairs office. Refer to Det. Kirkpatrick's report for further detail.

At about 1615 hours I spoke to ██████ at his apartment. The conversation was recorded on a digital recorder and was later electronically transferred to CD-Rom. The CD-Rom was later booked into the HCSO as evidence. This is a summary of our conversation:

██████ said that he had lived in the apartment complex for about two years. He said that during those two years ██████ could act "nutty." ██████ said that he never socialized with her and that he never had any at length conversations with her.

He said that he was aware that she was suing the owner, ██████, of the apartment complex but did not know the reason why. He further said that he did not figure that ██████ would commit "suicide by cop."

██████ told me that on today's date, he was looking out his window when he saw a police car. A little while later he looked out again and saw a police officer with a rifle. He figured it was ██████ because of previous history. At about 1230 hours, he heard the police say go in, go in and then he heard several gunshots. ██████ advised that he did not see anything or have any observations other than what he had told me.

The interview was concluded.

At about 1720 hours, Det. Kirkpatrick and I interviewed ██████ at her apartment. Refer to Det. Kirkpatrick's report for further detail.

At about 1830 hours, I was allowed by Det. HUBBARD to enter ██████'s apartment. I entered the apartment through the front door and a walked about half way into. After looking at the apartment as a whole, I exited the same way

I came in. I did not touch or disturb anything within the apartment.

I cleared the scene shortly after exiting the apartment, and took no further action in this case. All future information will be included as a supplemental report.

R N
Det. Ben Nord

LT P Jimenez 4-18-06
Lt. P. Jimenez Date

Humboldt County Sheriff's Office
Supplemental Report

CASE: 200602225

INVESTIGATOR: Deputy Sheriff Detective Marvin Kirkpatrick

DATE: April 17, 2006

CRIME: Agency Assist Eureka Police Department 3C062787

LOCATION: [REDACTED] Eureka

[REDACTED]
[REDACTED]
Witness-1: [REDACTED]

[REDACTED] Transient - Mailing address [REDACTED] Eureka
Message number [REDACTED] - Care provider for [REDACTED]

Witness-2: [REDACTED]

[REDACTED] Transient - General Delivery Eureka Message number [REDACTED]
[REDACTED] Witness [REDACTED] stays at [REDACTED]

Witness-3: [REDACTED]
[REDACTED]

Witness-4: [REDACTED]
[REDACTED]

Witness-5: [REDACTED]

[REDACTED] Transient - Staying at [REDACTED]

Witness-6: [REDACTED]

[REDACTED] Eureka Message number [REDACTED]

Witness-7: [REDACTED]

[REDACTED] Eureka [REDACTED]

On 04-14-2006 around 1410 hours Lieutenant Jimenez told me to respond to Eureka Police Department to assist Eureka Police Department and this office was going to assist Eureka Police Department and the Humboldt County District Attorney's Office. The reason for the assist was to interview witnesses regarding Eureka Police Department officer involved shooting located at [REDACTED] Eureka.

At Eureka Police Department, I met with Lieutenant Jimenez, Deputy Sheriff Detectives Schlesiger, Cooke, Nord (Humboldt County Sheriff Office), Chief Investigator Dawson and Investigator Andrews (Humboldt County District Attorney's Office), Detectives Hubbard, Parris, and Honeycutt (Eureka Police Department), and Officer Bernstein (Fortuna Police Department).

Chief Investigator Dawson asked Detective Nord and I to go to [REDACTED] and interview witnesses. Detective Nord and I were advised to interview witness [REDACTED] in [REDACTED] along with his care providers, witness [REDACTED] and any other witnesses that needed to be contacted. Chief Investigator Dawson gave me a piece of that was a note (my friend sits in the camp chair when I leave the house NOW! You will have a legal registered 9mm pointing at you and we can legally shoot you!!! DEAD! [REDACTED] not stupid & good aim You don't know me not hard to miss you.! Military trained Expert and that is [REDACTED]. Chief Investigator Dawson said [REDACTED] had given the note to him. Chief Investigator Dawson asked me to ask [REDACTED] about the note and also talk a statement from him. A color photocopy of the note was made and given to me.

Around 1440 hours, Detective Nord and I arrived at [REDACTED] Street Eureka. I knocked on the door and a female later identified as Witness-1 [REDACTED] answered the door. I identified Detective Nord and I to [REDACTED] and told her we were there to assist the Eureka Police Department. I asked [REDACTED] if we could talk with her regarding the earlier incident in the building. [REDACTED] told us she would talk with us. [REDACTED] told us she has been living in [REDACTED] and is Witness-3 [REDACTED] care provider.

Also in [REDACTED] were [REDACTED] and Witness-2 [REDACTED] I asked [REDACTED] if she would talk to us at the north end of the hallway and she said yes. I told [REDACTED] I needed to talk

with her after I was done with [REDACTED]. [REDACTED] told me she would wait and would be willing to talk with me.

Around 1445 hours, Detective Nord and I met with Witness-1 [REDACTED] at the North end of the hallway for a statement. I recorded [REDACTED] statement with a digital voice recorder and later copied it to a CD-R disc. The following is a summary of her statement.

[REDACTED] said she arrived at the building last night and has been in the building since then. [REDACTED] said yesterday afternoon is when it started with the two of them. [REDACTED] said [REDACTED] and her boyfriend [REDACTED] in number [REDACTED] started arguing and fighting. [REDACTED] said [REDACTED] kicked [REDACTED] out last night. [REDACTED] said she [REDACTED] was in and out of her [REDACTED] apartment all night long screaming and yelling in the hallways even when if there was someone there or not. [REDACTED] said at one point she was outside the building with her sister going to the store and talking. [REDACTED] said when they came back someone across the street said something. She asked the person what they said and she [REDACTED] heard them and she [REDACTED] threw a lamp outside the window at them.

[REDACTED] said when they came upstairs [REDACTED] was in the hallway trying to get all his bikes and everything down; because she [REDACTED] was kicking him out. [REDACTED] said [REDACTED] is [REDACTED] boyfriend and she didn't know his last name. [REDACTED] said [REDACTED] has been staying in the apartment [REDACTED].

While talking with [REDACTED] she looked out the window and pointed to a male sitting in a chair across the street from the building and said that was [REDACTED]. The male was sitting at the corner of G and 5th Street corner next to Philly Cheese Steak Shoppe [REDACTED]

Detective Nord left and told me he would attempt to contact [REDACTED] for a statement.

[REDACTED] said last night she [REDACTED] was screaming, yelling, and her ([REDACTED]'s) stereo blasting.

[REDACTED] said like four days ago she [REDACTED] was going to burn the apartments down. [REDACTED] said she heard her [REDACTED] in the hallway screaming she [REDACTED] was going to burn the apartments down. [REDACTED] said around an hour and half later the cops came with guns drawn at the door. [REDACTED] said she

was walking her friend out and they (cops) took him downstairs while she went back to her apartment. ██████ said as far as she knows the cops made contact with her ██████ and they took her outside. ██████ said she ██████ was back in the morning. ██████ said she and others just try and ignore her ██████.

██████ said last night she ██████ was up all night. She ██████ would go in and out of her apartment. ██████ said around 0100 hours she woke up to her ██████ screaming and yelling. I asked ██████ if she remembered anything she ██████ was staying and said she's ██████ nuts dude she ██████ would talk about things crawling through her ██████ walls and noises. ██████ said there would be nobody in here and nothing was going on. She ██████ would yell about the noises in the hallway and no one would be in the hallway. ██████ said she would always look out the door when she ██████ was yelling to see if everything was all right.

██████ said she has been caring for Witness-3 ██████ for around two and one half to three weeks. ██████ said she has been friends with ██████ for around two months. ██████ said she knew ██████ when he was living on the streets. ██████ said she thinks ██████ has been living in the building around six months. ██████ is ██████ care provider.

██████ said she knows ██████ from being on the streets and Old Town area. ██████ said she has talked with her ██████ a couple time here (building). ██████ said she has not had any problems with ██████.

██████ said today (04-14-2006) she woke up to the house being surrounded by police. ██████ said this was around 0930 hours. ██████ said her sister Witness-2 ██████ (not real sister calls her sister) arrived at the apartment around 0700 hours and woke her up. ██████ said after ██████ arrived she went back to sleep. ██████ said around one to one and half hours later is when she ██████ woke her up and told her the cops are surrounding the building. ██████ said her friend Witness-5 ██████ came up with her sister ██████. ██████ said ██████ wanted to leave and they stepped outside the doorway. ██████ said the officer told them they could leave the room. The officer told them he would escort ██████ out but he would not be able to come back up until it was all over. ██████ said at this point

the officer never told her why they couldn't leave. They (officers) said they needed to stay in their rooms.

██████████ said they (officers) made her friend ██████████ (Witness ██████████ in number ██████████ leave. ██████████ said she could not leave, she could not move him ██████████ and she would not leave him ██████████ alone.

██████████ said she received a telephone called from ██████████ and she told her ██████████ had phoned in a bomb threat or something to that effect. ██████████ said ██████████ is her friend in number ██████████ and her first name is ██████████. ██████████ is the one who told her it was a bomb suicide threat. ██████████ said after this she heard ██████████ screaming, yelling and turning up the stereo real loud. ██████████ said this is when she started paying attention to what was going on.

██████████ heard ██████████ saying you have to kill me to get me out of here I will blow this whole fucking building apart. ██████████ said she ██████████ stood out in the hallway a few minutes yelling for a few minutes before the police came up.

██████████ said she stayed in the apartment. There is one apartment between the one ██████████ is staying in and ██████████

██████████ said she remembers ██████████ yelling, they (Police) would have to come in by force if they wanted her, she was going to blow the building apart, she could not stand anybody, heard her calling for ██████████ a couple of times, and unable to hear some other words do to mumbling and stereo up. ██████████ said she saw ██████████ throw newspaper, blanket, and electric cords out the window. ██████████ said she didn't see her ██████████ with any gun. ██████████ said she (██████████ had a flare gun. ██████████ said she ██████████ said this the other day when she threatened to burn the apartment down. ██████████ said she has not seen her ██████████ with the flare gun or any other guns.

██████████ said she could hear an officer asking her ██████████ saying ma'am could you please step outside the door and she wouldn't come out. ██████████ said she ██████████ would not come outside the door and she never would of. ██████████ said she heard her (██████████) say if they wanted her they would have to come in by force.

█████ said █████ told her there going in and after they heard gunshots. █████ said they hit the floor and she grabbed █████ legs to show him █████ she was there. █████ said █████ was asleep during the shots being fired and he has sleep apnea. █████ said █████ is in and out and cannot control his in and out sleeping. █████ said █████ was snoring and didn't hear what happened.

█████ said she (█████ has not been getting along with the landlord. █████ said not very many people like her (█████ because she was mean and rude. She (█████ would yell at people coming up and down the stairs. She (█████ would scream and yell at people at free meal. █████ said she knows some people who do like her (█████. █████ said in her mind she (█████ was crazy, she was a nutty lady. █████ said she was not scared of her (█████.

█████ said she has not had any big run-ins with her (█████.

After talking with █████, I met with █████ █████. Around 1501 hours we walked to the north end of the hallway for a statement. I recorded █████ statement with a digital voice recorder and later copied it to a CD-R disc. The following is a summary of her statement.

█████ said she was in apartment █████. █████ said she doesn't live in this room but comes and stays in the apartment and helps her (█████ when she needs it. █████ said she is friends with █████ and █████. █████ said she has been coming and going out of the apartment two or three months.

█████ said she was not at the apartment last night and she arrived at the apartment today (4-14-2006) around 0700 hours. █████ said after she arrived at the apartment she lay back down and went to sleep. █████ said around 0900 hours she woke up and started talking with █████.

█████ said she started hearing all kinds of radio noises like from police radios. █████ said she didn't know where it was coming from and looked out the windows and saw all the cops out there. █████ said during this time she heard █████'s music blaring. █████ said she knew it was █████ because she (█████ is the only one that plays her (█████ music this loud.

█████ said she knows █████ and her brother █████ used to date her (█████). █████ said she has not had any problems with █████ in the past. █████ said she doesn't know of █████ having any guns.

█████ said yesterday she (█████) was coming in the apartment building with her (█████'s) caregiver named █████ and she was bitching about having a flare gun and the cops coming up and missing with her. █████ said she didn't know what this was all about and ignored her.

█████ said during the incident (4-14-2006) she could hear radio conversations and her (█████) screaming something out her windows. █████ said she was unable to make out what she (█████) was screaming due to the traffic noise outside. █████ said she didn't hear her (█████) making any threats.

█████ could hear loud music, muffling sounds from the hallway, which was probable from EPD radios, and hear her (█████) screaming out the window something like she wasn't going to be coming out.

█████ said there was a male in the room that wanted to leave and the police said if he left he could not come back into the building until this was all over. The male left the building while she stayed in the apartment. █████ said she stayed with █████ and the male (█████). █████ said the male was unable to leave the building and unable to get down the stairs.

█████ said she went and got into the shower because she didn't want to listen to her (█████) screaming and the loud music. █████ said when she got out of the shower she heard a bang. █████ said she thought someone might have fallen or dropped something in the hallway. █████ said she heard a door open and someone saying get down. █████ said she heard shots going off.

█████ said has not had any problems with █████. █████ said █████ has not made threats towards her. █████ said she (█████) is a wacko she (█████) used to tell her before her friend moved into apartment █████ she (█████) was in love with him. █████ said she (█████) would put signs in her window saying the █████ is moving in and you can't fuck with me. █████ said █████ is █████. This is the █████ she (█████) was referring on her signs and also put EPD sucks. █████ said this was around four weeks ago.

█████ said every time she comes to this building she would find something new on the cement. █████ said this would be stuff she (█████) would be throwing out her (█████'s) window. █████ said last night she was walking by the building and she tossed out a lamp. █████ said she (█████) said she (█████) was so sorry and she (█████) didn't know it was she.

█████ said her (█████) care provider █████ was staying in her (█████)s) apartment.

Around 1515 hours, I met with Witness-3 █████ █████ I recorded █████'s statement with a digital voice recorder and later copied it to a CD-R disc. The following is a summary of his statement.

█████ was sitting in a chair inside his apartment. █████ is disabled. █████ told me he has never personally met or talked with her █████. █████ said the only time he has seen her (█████) is when she (█████) was walking on the sidewalk. █████ said he doesn't know anything about her (█████) but she (█████) is very loud (playing music). █████ said he has never had any problems with her (█████) in the past.

█████ said today he heard the stereo blaring. █████ said he heard something about having a flare gun. █████ said he heard a small bang and then some small round fire. █████ said he heard around five rapid shots.

█████ said he has never had any problems with her (█████). █████ said he has been living in the apartment for a couple of months and she (█████) was here before he arrived.

After talking with █████ Detective Nord and I went downstairs and met with Witness-4 █████ █████ in the business Heuer Florist █████ Street Eureka. I asked █████ if there was some place we could talk and he took us to his office in the building. Around 1548 hours, I recorded █████' statement with a digital voice recorder and later copied it to a CD-R disc. The following is a summary of his statement.

██████████ said he knew the lady ██████████ in apartment ██████████ and she (██████████) has been one of his tenants for around four years. ██████████ said her name is ██████████ ██████████

██████████ said he has had a lot of problems with her (██████████) for about the last year to year and half. ██████████ said the problems started when she (██████████) was feeding the pigeons outside the building and the droppings were dropping by the business' front door. She (██████████) would throw food down so people could not come into the flower shop. ██████████ said he had words with her (██████████) about this issue. ██████████ told her (██████████) he would appreciate if she (██████████) would not do this and she (██████████) told him to mind his own business.

██████████ said this started a major problem with her (██████████). ██████████ said he asked her (██████████) about her windows because she (██████████) has pictures and everything on them. ██████████ said he told her (██████████) if everyone in Eureka had done this it would be horrible for Eureka. ██████████ said she told him again that it was her (██████████)'s right to do that.

██████████ said he had a problem with her (██████████) playing loud music.

██████████ said around 3-15-2006 he gave her (██████████) an eviction notice. ██████████ said after she (██████████) was served she (██████████) sued him for sexual harassment that she said happened four years ago.

██████████ said they have been in and out of court with her (██████████) not showing up and him not having his paperwork all in order.

██████████ after the eviction notice and her sexual harassment suit he has not talked with her (██████████) in over a month.

██████████ said the police department, fire department, housing, and building inspector all have been there regarding her (██████████) having problems.

██████████ said last Monday morning (0115 hours) he received a telephone call from the police department that she (██████████) was going to blow up the building and they were unable to get into the building. ██████████ said he was out of town but someone was at his house and they called him. ██████████ said he called the police station and they were able to get in. ██████████ said she (██████████) would not let them in the building but there were other tenants around her (██████████) in the building that said she (██████████) had been doing this and she

(██████████) would calm down. ██████████ said they (police) didn't do anything about this and left her (██████████) in the apartment.

██████████ said the last few days she (██████████) has been screaming out the windows, dancing, making lots of noise, and playing loud music. ██████████ said all this has really been going on for the last month.

██████████ said around a week or week in a half ago was his last contact with her (██████████). ██████████ said the fire department said she (██████████) had knocked a light fixture off the ceiling and she said the building was on fire. The fire department responded and found there was nothing wrong. ██████████ said he called an electrician and called the police department because he knew she (██████████) would not let him in. ██████████ said they (police) came and they (went) up with him and the electrician. ██████████ said they (police) stood by while he (electrician) fixed it (light fixture). ██████████ said she (██████████) was there screaming, yelling, and carrying on.

██████████ said today sometime after nine o'clock he pulled up to his shop and there was a policeman out there. The policeman told him the key didn't fit her (██████████)'s lock. ██████████ said he told the policeman he would show him how to open it (██████████)'s door lock). ██████████ said he went upstairs with him (policeman) to open it (██████████)'s door) because she (██████████) would not let them in. ██████████ said somebody said she (██████████) has a flare gun. ██████████ said the only time he saw it (flare gun) and it was a glimpse was when he (policeman) opened the door and she (██████████) pointed it at the police officer. ██████████ said this was when he was opening the door for them. ██████████ said the police officer told him run when this occurred. ██████████ said she (██████████) was screaming you can't come in, you can't come in. ██████████ said he was at the other end of the building for a while and then went outside.

██████████ said when he was outside the building he could hear her (██████████) something like your not going to get me.

██████████ said the squad came and they tried to call her (██████████) on the telephone but she would hang up the phone on them. ██████████ said they (police) tried their best to get her to answer but she (██████████) would not do it. ██████████ said he witnessed this and it happened in his office. ██████████

said they (police) tried to get her () to answer her door and he guess she () was showing the gun out the window. () said he didn't see her () showing the gun out the window.

() said after the officers went upstairs she () was turning her music on louder and louder. She () would turn the music up and down. () said he turned the gas off for them (police).

() said the next thing he heard were gunshots. () said after this everything went quiet. () said the fire truck and ambulance arrived and went upstairs. After a while they returned to their vehicles.

() said there were complaints from other tenants regarding her (). () said about a week ago there was a lady who called him at home and told him her () music was real loud. The caller said there is a lady in his apartment building upstairs with pictures all over her windows and she has some kind of gun and pointed it down. () told the caller that must be (). () said he didn't do anything about because she () threatens so many times he just kind of gives up and doesn't know what to do. () said he doesn't want the cops to come here all the time there are here enough.

() said another tenant that was in () moved to another apartment () because her () music was too loud. () said the new tenant in () has complained many times about her () music. Tenant in () and () have complained her ()s music too loud and her () screaming and hollering down the hall.

I asked () if he gave any officer a letter with some writings on it. () told me he did but he doesn't know what the officer name is. () asked me if it was the paper that was threatening him that she () had a gun in her () apartment and that if someone opened her ()'s door she () would blow them up. () said she () pinned this letter on his door (main flower shop) around a month and a half ago. I pulled out the color photocopy of the letter and asked () if it looked something like this. () said that is it (my friend sits in the camp chair when I leave the house NOW! You will have a legal registerd 9mm pointing at you and we can legally shoot you!!! DEAD! () not stupid & good aim

You don't know me not hard to miss you.! Military trained Expert and that is [REDACTED]. [REDACTED] said he identifies the writing as [REDACTED]

[REDACTED] showed me another letter saying on 3-20-06 [REDACTED] 6:45 AM fire department called bedroom fixture light broke off ceiling by self [REDACTED] [REDACTED] has no power fireman says landlord fix it you don't want to see [REDACTED], [REDACTED] and me burn up. [REDACTED] said this was the day when the fire department arrived and he later had an electrician fix it.

[REDACTED] showed me another letter dated 4-4-06. Written is [REDACTED] Street [REDACTED] 4-6-06 flooding in bedroom and kitchen massive help. On the back of the letter in big letters is sgt. [REDACTED] said he did someone up there but she [REDACTED] would not let them in.

[REDACTED] said he is sorry she's [REDACTED] gone, he wished they could of saved her ([REDACTED], he felt they did the best they could, and he would not one of them (hurt) because of her.

[REDACTED] said the file number on the eviction is [REDACTED] and her [REDACTED] sexual harassment / restraining order file number is [REDACTED]

[REDACTED] said [REDACTED] has made threats to him that she ([REDACTED]) was going to burn the place down. [REDACTED] said this was last week one day when she ([REDACTED] said I'm going to burn you down. [REDACTED] said this was to him and he was on the sidewalk. [REDACTED] said when he was on the sidewalk she ([REDACTED] said to him don't mess with me ([REDACTED] I'm going to burn your building down.

[REDACTED] said around March 3rd or 4th he was outside and she ([REDACTED]) came up to him and put her arm around his shoulder. [REDACTED] said she ([REDACTED] told him she ([REDACTED] wanted to say she ([REDACTED] was sorry she has been such a bitch and she hasn't been on her medications the way she ([REDACTED] should and she ([REDACTED] would try and be nice. [REDACTED] said this only lasted about two days.

After talking with [REDACTED] I went back upstairs to [REDACTED]. I was told Witness-5 [REDACTED] had returned and was in room [REDACTED].

At [REDACTED], I knocked on the door and [REDACTED] answered the door. I asked [REDACTED] if [REDACTED] was still in the room and she told

me he was. I asked [REDACTED] if she could get [REDACTED] and tell him I needed to talk with him. [REDACTED] came to the door and I asked [REDACTED] if he would be willing to talk to me. [REDACTED] told me he would. Around 1617 hours we walked to the north end of the hallway for a statement. I recorded [REDACTED] statement with a digital voice recorder and later copied it to a CD-R disc. The following is a summary of his statement.

[REDACTED] said he has known [REDACTED] and [REDACTED] for a long time. [REDACTED] said he has been staying in the apartment around a week. [REDACTED] said in the weeks' time last night she was yelling with some other guy in the building. I asked [REDACTED] who she was and he said the crazy lady at the end of the hall. [REDACTED] said he didn't know her name and never talked with her. [REDACTED] said when he was sleeping he woke up to some yelling in the night. [REDACTED] said he went back to sleep and when he woke up in the morning there were cops everywhere. [REDACTED] said he had to leave for some job interviews. [REDACTED] said he doesn't know the lady at the end of the hall, never met her, and has not had any problems with her. [REDACTED] said the arguing he heard during the night was from a male and female.

Around 1718 hours, Detective Nord and I went to [REDACTED] at G Street Eureka. At [REDACTED] Detective Nord and I met with [REDACTED] (Witness-6 [REDACTED] [REDACTED] and Witness-7 [REDACTED]). I introduced Detective Nord and I to them and told them I would like to talk with them regarding the incident earlier in the building. [REDACTED] and [REDACTED] agreed to talk with me.

[REDACTED] left the apartment while Detective Nord and I talked with [REDACTED] I recorded [REDACTED]'s statement with a digital voice recorder and later copied it to a CD-R disc. The following is a summary of her statement.

[REDACTED] said she ([REDACTED]) was a friend of hers and her name is [REDACTED] but didn't know her last name. [REDACTED] said [REDACTED] has been a friend of hers for around a month in a half or so. [REDACTED] said she has lived in the apartment around a month in a half or so. [REDACTED] said [REDACTED]'s apartment is right across the hall from hers.

[REDACTED] said last night we [REDACTED] & [REDACTED] talked with her ([REDACTED]). [REDACTED] said she ([REDACTED]) was really upset for the last couple of weeks. [REDACTED] said she's ([REDACTED]) been

really upset because of her landlord. [REDACTED] said she ([REDACTED]) was also upset because it was her son's birthday and he died at age 35. [REDACTED] said she ([REDACTED]) was with her boyfriend and she didn't know her ([REDACTED]) boyfriend's name. [REDACTED] said she ([REDACTED]) was probable drunk; she ([REDACTED]) was swaying. [REDACTED] said she ([REDACTED]) was very upset because of all the stuff she ([REDACTED]) has been going through with the landlord and her son.

[REDACTED] said the other day around two o'clock in the morning the cops were out there with their guns pulled at her ([REDACTED]'s) door. [REDACTED] said she opened the door and saw this. After seeing this she closed the door. [REDACTED] said the second time she opened the door the cops asked her if she knew her ([REDACTED]) and or her family. [REDACTED] said she was told the reason they were there is because she ([REDACTED]) had been threatening to shoot off a 12 gauge flare gun in her ([REDACTED]) apartment and set the building on fire. [REDACTED] said they were out there for three more hours and she ([REDACTED]) would not answer the door. [REDACTED] said they (cops) ended up leaving. [REDACTED] said this occurred around four or five days ago.

[REDACTED] said she talked with her ([REDACTED]) later on about this incident and She ([REDACTED]) told her she ([REDACTED]) called up the police department and said if they don't help me get the landlord to leave me ([REDACTED]) alone she ([REDACTED]) was going to do this. [REDACTED] said doing this meant the flare gun thing. [REDACTED] said she ([REDACTED]) said well if she ([REDACTED]) ever does get evicted she ([REDACTED]) would make sure that everyone in the building gets evacuated before she ([REDACTED]) does it. I asked [REDACTED] what does this mean and [REDACTED] said shoot the flare gun in the apartment to set the place on fire. [REDACTED] said she asked her ([REDACTED]) if she was serious and she ([REDACTED]) said oh yeah.

[REDACTED] said when she was out her door in the morning she said officers were knocking on the door ([REDACTED]'s). [REDACTED] said one of the officers is Quigley and she has known Officer Quigley for a long time. Officer Quigley asked her if she knew her ([REDACTED]) and if so how much. Officer Quigley asked her and if she knew if she ([REDACTED]) had any flares for the gun. [REDACTED] said she told Officer Quigley that she never saw the gun but heard her ([REDACTED]) talk about it. [REDACTED] said the officers had her knock on her ([REDACTED]'s) door to see if she could try and get her ([REDACTED]) to come out. [REDACTED] said she knocked on the door and told [REDACTED]

that it was her () come out and talk to these guys it would be so much simpler. () said she () would not answer. () said she only knocked one time.

() said she went back into her apartment and played Pac Man with a friend by the name of () () said after around fifteen minutes went by she heard a knock at her door. () said it was the police and they were evacuating the building and she needed to go. () said () showed up around 0900 or 1000 hours on 4-14-2006.

() said she has never seen her () with a gun. () said she () has never met the guy in number (). () said she has been in ()'s apartment twice and she has not seen any guns.

() said after she and () left the apartment they left area.

() said after she tried to get her () to come out of the apartment she saw the landlord come up with the cops. () said they walked to ()'s apartment door () () said the landlord used a key and unlocked the door lock to ()'s apartment door and opened it. () said she () was standing at the window saying what the fuck what the fuck with both hands up in the air. () said she () didn't have a gun or nothing. () said she () had her neck brace on and was crying. () said she appeared to her as being freaked out. () said she heard most of this but she did see the landlord opening the door with the key.

() said prior to the officers coming to her ()'s apartment there was loud music. () said from comments from () she knows () has been using speed. () said () told her how she used speed and she () was banging it (using a needle).

After talking with (), Detective Nord and I met with (). I recorded () statement with a digital voice recorder and later copied it to a CD-R disc. The following is a summary of his statement.

() said he was not at his apartment () during the incident at () today. () said he went to work and works 0700 hours to 1600 hours.

██████████ said he knows the lady (██████████) who lives across the hall from him. ██████████ said her name is ██████████ ██████████.

██████████ said he has lived in his apartment for around two years. ██████████ said she (██████████) was there prior to him moving in.

██████████ said last night he was over there (██████████) talking with her (██████████) in the hallway. ██████████ said he has been to her (██████████) house several times in the past and has watched T.V shows several times and drank a few beers there.

██████████ said last night she (██████████) was hanging out with her guy friend, switching from one subject to the other, and appeared to be in high spirit. ██████████ said when he said hi to her (██████████), she (██████████) said it was her son's birthday today. ██████████ said she (██████████) then went into her apartment. ██████████ said she didn't appear to him as being threatening. ██████████ said her (██████████) son's birthday was today and ██████████ he was around 30 years old. ██████████ didn't know how long ago this occurred.

██████████ said last night nothing happened and they just chatted. ██████████ said he wanted to keep the conversation short and gave her (██████████) a hug and then they (██████████ and him) went into his apartment.

██████████ said he doesn't know her male friend's name but he could recognize him. ██████████ said he hasn't been over there (██████████) for around two weeks now.

██████████ said when he has been in her (██████████) apartment he has not seen any guns. ██████████ said he did see a cane, and bat.

██████████ said every time she (██████████) has made threats he has never been there. ██████████ said when the cops came the other night around midnight he opened the door and saw EPD. ██████████ said he closed the door. ██████████ said he didn't hear her threatening anybody. ██████████ said she (██████████) yells her shit out the window to construction workers and wrote wild stuff on the windows. ██████████ said he never felt she (██████████) was a threat to his life here.

██████████ said this morning he left for work around 0630 hours. ██████████ said the only problems he had with ██████████ were very petty arguments.

████████ said he remembered she (████████ had loud music playing last night. ██████████ said she (████████ plays loud music maybe three time a week. ██████████ said there was no loud music when he left for work this morning.

████████ said for the past couple of weeks she (████████ has been very closed. ██████████ said she (████████ has not been the same as in the past. ██████████ said he doesn't have a problem with the landlord. ██████████ said the only other tenant in the building having problems with the landlord is ██████████ because ██████████ has too much traffic. ██████████ said for the most part the rest of the tenants don't have a problem with the landlord.

I booked all the Exhibits (W-1, W-2, W-3, W-4, W-5, W-6, and W-7) into evidence.

ITEMS OF EVIDENCE - Exhibits booked into Humboldt County Sheriff's Office Evidence Room.

Exhibit W-1: CD-R disc containing Witness-1 ██████████ ██████████ statement. Statement recorded with a digital voice recorder and copied to CD-R.

Exhibit W-2: CD-R disc containing Witness-2 ██████████ ██████████ statement. Statement recorded with a digital voice recorder and copied to CD-R.

Exhibit W-3: CD-R disc containing Witness-3 ██████████ ██████████ statement. Statement recorded with a digital voice recorder and copied to CD-R.

Exhibit W-4: CD-R disc containing Witness-4 ██████████ ██████████ statement. Statement recorded with a digital voice recorder and copied to CD-R.

Exhibit W-5: CD-R disc containing Witness-5 ██████████ ██████████ statement. Statement recorded with a digital voice recorder and copied to CD-R.

Exhibit W-6: CD-R disc containing Witness-6 ██████████ ██████████ statement. Statement recorded with a digital voice recorder and copied to CD-R.

Exhibit W-7: CD-R disc containing Witness-7 [REDACTED] [REDACTED] statement. Statement recorded with a digital voice recorder and copied to CD-R.

Marvin Kirkpatrick ⁰⁵⁸³ *4-18-06*
Detective Marvin Kirkpatrick Date

[Signature] *4/18/06*
Supervisor Date

my friend sits in the camp chair
when I have the house now!

you will have a

200602225

legal registered 9 MIA

pointing at you and we

can legally shoot you!!!

you dont know
not had to miss
miss you!



not stupid & good aim

Dead!

Military trained Expert
and that is 

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

Case #: 200602225

Date: 4/18/06

Charges(s): Agency Assist

Location: [REDACTED] G St. [REDACTED] Eureka, Ca.
[REDACTED]
[REDACTED]

Witness: Eureka Police Department Officer Mike Quigley

Witness: Eureka Police Department Officer AJ Bolton

Witness: Eureka Police Department Sergeant Lynne Soderberg

Witness: Eureka Police Department Crisis Negotiator/Records Manager [REDACTED]

Witness: Eureka Police Department Officer Steve Watson

Witness: Eureka Police Department Officer Louis Altic

Witness: Eureka Police Department Officer Wayne Cox
[REDACTED]
[REDACTED]

Address: [REDACTED] G St. [REDACTED] Eureka, Ca.

Phone [REDACTED]

Narrative: On 4/14/06 at about 1400 hours, I met with Lt. Pete Jimenez in the Criminal Investigations Division of the Sheriff's Office. Lt. Jimenez advised me that the Eureka Police Department had been involved in an Officer Involved Shooting at [REDACTED] G St. in Eureka, Ca. The District Attorney's Office Chief Investigator Jim Dawson was asking for our assistance as members of the CIRT (Critical Incident Response Team). We were to meet the CIRT at the Eureka Police Department. At about 1415 hours, I arrived at the Eureka Police Department and went into their Investigations Unit.

Present was Lt. Jimenez, Det. Tom Cooke, Det. Marvin Kirkpatrick, Det. Ben Nord, Investigator Dawson, Fortuna Police Officer Jack Bernstein, District Attorney's Investigator Chris Andrews, Eureka Police Department Detectives, Dave Parris, Neil Hubbard, Kurt Honeycutt and myself.

Det. Hubbard gave us a briefing of what he had known had occurred. Det. Hubbard said that patrol units were dispatched to [REDACTED] G St. [REDACTED] at bout 0952 hours, for a welfare check of [REDACTED]. The reporting party was Sempervirens County Mental Health Hospital. Officers entered [REDACTED] room and a flare gun was brandished at the Officers. These Officers retreated and the Eureka Police Department SWAT team was called to the scene. SWAT Officers eventually entered [REDACTED] apartment and shots were fired and [REDACTED] was killed.

Investigator Dawson wanted to split the CIRT up into teams so interviews could be conducted. I was paired with Det. Honeycutt. On 4/14/06 at about 1440 hours, Det. Honeycutt and I interviewed Eureka Police Department Officer Mike Quigley in an

interview room. The interview was audio taped and Det. Honeycutt prepared a report regarding Officer Quigley's statement. Refer to his report for further information.

On 4/14/06 at about 1504 hours, Det. Honeycutt and I interviewed Eureka Police Department Officer AJ Bolton. The interview was audio taped refer to Det. Honeycutt's report for details regarding that interview.

On 4/14/06 at about 1535 hours, Det. Honeycutt and I interviewed Eureka Police Department Sgt. Lynne Soderberg. The interview was audio taped and the following is a [REDACTED] of that interview.

Sgt. Soderberg advised me that she had been a police officer with the City of Eureka for that past 21 years. I explained to Sgt. Soderberg that an Officer Involved Shooting had occurred and asked her when she was first aware of the situation. Sgt. Soderberg said on 4/14/06 at about 1045 hours, she was called out of her home for a Crisis Negotiation. Sgt. Soderberg said that she was the Crisis Negotiation Supervisor. Members of the team that were involved in negotiations on 4/14/06 were [REDACTED] [REDACTED] Officer Bolton and Officer Kris Mechols. Dispatch advised Sgt. Soderberg that there was a female at [REDACTED] G St. that was in her apartment armed with a flare gun.

Sgt. Soderberg responded to the Police Department and met with [REDACTED] and [REDACTED] in Dispatch at about 1120 hours. [REDACTED] and [REDACTED] were setting up in Dispatch so they could begin negotiations. Sgt. Soderberg was notified that a Command Post had been set up near the apartment building and that SWAT was still responding to the scene. Sgt. Soderberg was also notified that a friend of [REDACTED] had been speaking with her over the telephone. Sgt. Soderberg said that it was a male that was speaking to [REDACTED] and someone was able to get in contact with this male and advise him to no longer speak with [REDACTED]. Sgt. Soderberg said this was protocol for negotiations so that the negotiators were the only people speaking to [REDACTED]. Sgt. Soderberg said this was "denying origination" to [REDACTED] phone.

Sgt. Soderberg then left the Police Department and went to the Command Post. Sgt. Soderberg said the Command Post was in an office inside of Heuer's Florist, which was below [REDACTED] apartment. At the Command Post Sgt. Soderberg met with Lt. Tony Zanotti and Chief of Police Dave Douglas. Sgt. Soderberg said that when SWAT arrived they were going to take over the places of the initial responding Officers that had arrived at the apartment building. Sgt. Soderberg said when SWAT was deployed the Crisis Negotiators were going to attempt to make contact with [REDACTED].

Sgt. Soderberg said back in Dispatch, [REDACTED] was the [REDACTED] negotiator and [REDACTED] was the assistant negotiator. Officer Bolton who was on scene initially, Sgt. Soderberg had him return to the Police Department and be the team leader in Dispatch.

Sgt. Soderberg said that she was keeping in contact with Officer Bolton in Dispatch and SWAT Officer Todd Wilcox came into the Command Post as the SWAT teams, team leader.

Sgt. Soderberg said that negotiations began and from Sgt. Soderberg's understanding there was some contact with [REDACTED] but it was very brief. There were also several calls where [REDACTED]'s answering machine had picked up and [REDACTED] left messages on the answering machine trying to contact [REDACTED]

Sgt. Soderberg said that Officer Rob Mengel and Det. Ron Harpham were posted in a building across from [REDACTED]'s apartment and could view her in it. Sgt. Soderberg said that Officer Mengel and Det. Harpham were advised to transmit over the radio when they saw [REDACTED] hands free of anything. Sgt. Soderberg said when SWAT received this message they were going to enter [REDACTED] apartment since she would not have the flare gun in her hand. Sgt. Soderberg said during this time she was having a discussion with Officer Bolton that they would wait for 5 minutes before attempting to telephone [REDACTED] again.

Sgt. Soderberg said while [REDACTED] was not on the telephone with [REDACTED] during the 5-minute break, Officer Mengel broadcasted that [REDACTED] did not have anything in her hands and Officer Wilcox broadcasted to SWAT "go". Sgt. Soderberg said SWAT breached the door to [REDACTED] apartment and it was broadcasted that shots had been fired.

Sgt. Soderberg said that after the incident she spoke to [REDACTED] and [REDACTED]. They advised Sgt. Soderberg that there was not a lot of conversation between [REDACTED] and [REDACTED]

I asked Sgt. Soderberg if she had ever had any police contacts with [REDACTED]. Sgt. Soderberg said she believed she had and it was last summer and it was a welfare check of [REDACTED] or she was having a problem with someone.

Det. Honeycutt asked Sgt. Soderberg if her negotiation team was going to continue to attempt to negotiate with [REDACTED] but if the opportunity arose the SWAT team was going to enter the apartment to defuse the situation. Sgt. Soderberg said that was her understanding. This concluded our interview with Sgt. Soderberg.

On 4/14/06 at about 1605 hours, Det. Honeycutt and I interviewed Eureka Police Department Crisis Negotiator/Records Manager [REDACTED]. [REDACTED] was interviewed in an interview room and the interview was audio taped. The following is a [REDACTED] of that interview.

[REDACTED] had worked for the Police Department for the past 18 years and had been a Crisis Negotiator for the past 5-6 years. I explained to [REDACTED] that Det. Honeycutt and I were involved in investigating an Officer Involved Shooting and asked her when she was first made aware of the situation. [REDACTED] said on 4/14/06 at about 1000 hours, she was in records and heard a "Code 33" put out over the radio. [REDACTED] was on the telephone and [REDACTED] walked by [REDACTED] and pointed up to [REDACTED] so [REDACTED] would meet [REDACTED] in Dispatch. [REDACTED] and

█ spoke with Chief Douglas and he advised them to be on stand by for a crisis negotiation.

█ and █ rode the elevator together to Dispatch. █ asked █ if she wanted to be the █ negotiator and █ agreed to do so. █ said that would place her as the "scribe" for the negotiation. █ and █ went into the Communications Manager's Office to set up. █ and █ then reviewed the "CAD" log and were briefed by Dispatchers of what was occurring.

█ said that she and █ had received information that a Sempervirens mental health worker had spoken to █ and this person was able to provide a telephone number for █ residence, which was passed on to █ and █

█ said that she and █ were also notified that a male named █ had been speaking to █ and was going to get cigarettes for █ and try to get her out of the apartment. █ said the telephone call was transferred from Dispatch and █ spoke with █ █ said she was listening to the call between █ and █ and █ was making sure that █ asked █ particular questions and had █ go and speak with Officer Wayne Cox whom █ knew. █ stayed on the line with █ until he met with Officer Cox.

After speaking with █, █ said that Sgt. Lynne Soderberg came into Dispatch and she advised █ and █ that when SWAT arrived on scene that they were going to take over the positions that the initial responding Officers. Sgt. Soderberg was also going to have Officer Bolton respond to Dispatch so a third person could be involved in negotiations with █ and █ Officer Bolton was also a member of the Crisis Negotiation Team. At about 1150 hours, Sgt. Soderberg left Dispatch en route to the Command Post. Sgt. Soderberg left her cell phone number with █ and █

█ said at about 1204 hours, SWAT members and Officers on scene switched radio traffic over to CLEMARS. At about 1209 hours, █ and █ were notified that SWAT members were in position and Officer Bolton was now with █ and █ Officer Bolton advised █ that when she did speak with █ to make sure that her hands were occupied with something like a book and not the flare gun.

At about 1214 hours, █ called █ telephone. █ answered and said to █ to call off the cops and her friends were going to come in. █ also mentioned something about blowing something up and she was also upset that she had court at 1300 hours. █ said to go away and she could go away and █ hung up the telephone.

At about 1215 hours, █ called █ back and all █ said was, "Fuck you."

The line was then disconnected. █ called back again and got █'s answering machine, which █ was yelling on. █ had first thought that she was speaking to █ but █ realized that it was just the answering machine.

█ did recall that there was another telephone call that █ had made to █ but █ could not recall the time. █ was crying on the line and █ was telling █ that they were trying to help her.

At about 1224 hours, █ telephoned █ again and got the answering machine. █ talked for sometime to the answering machine but █ never picked up the telephone. At this point the answering machine cut █ off because she had left so many messages on the machine it no longer would record any more messages.

Officer Bolton told █ and █ to wait 15 minutes until the next call. Sgt. Soderberg telephoned Officer Bolton and told him to only wait 5 minutes before making the next call, which Officer Bolton passed on to █ and █. During this down time, several minutes had passed and █ heard radio traffic stating that shots had been fired.

I asked █ if there was anything relayed to her or █ regarding a "hands free" call. █ said there was and that was when they spoke to Officer Bolton and he wanted █ to try and get █ hands occupied with something other than the flare gun.

I asked █ how many telephone calls did █ make total to █. █ said it was approximately 5 calls. All of these calls were made one right after another until it was determined to take a 15-minute break from the calls, which was reduced to 5 minutes by Sgt. Soderberg via Officer Bolton.

I asked █ if the conversations █ had with █ were recorded and █ said they were.

Det. Honeycutt asked █ if she and █ were privileged to the SWAT teams plans. █ said she and █ were not; their main goal was trying to negotiate with █. █ added that once █ began speaking to █ the radio was turned off so they could concentrate of speaking with █ and so that █ could not hear the radio traffic. This concluded our interview with █.

After the interview, the notes that █ had taken during the negotiations with █ were turned over to Det. Honeycutt.

On 4/14/06 at about 1637 hours, Det. Honeycutt and I interviewed Eureka Police Department Officer Steve Watson in an interview room at the Police Department. The interview was audio taped refer to Det. Honeycutt's report for further details of the interview.

On 4/14/06 at about 1651 hours, Det. Honeycutt and I interviewed Eureka Police Department Officer Louis Altic in an interview room at the Police Department. The interview was audio taped refer to Det. Honeycutt's report for details regarding the interview.

On 4/14/06 at about 1710 hours, Det. Honeycutt and I interviewed Eureka Police Department Office Wayne Cox. The interview was audio taped and the following is a [REDACTED] of that interview.

Officer Cox advised us that he had been in law enforcement for the past 17 years. Officer Cox began his career with the Eureka Police Department then went to the Department of Justice out of San Francisco, Ca. and returned to the Eureka Police Department.

Officer Cox was currently working in the Traffic Division of the Police Department. He began his shift at 0800 hours and was to end his shift at 1800 hours. I knew that Officer Cox had been on scene at [REDACTED] G St. earlier in the day. I asked Officer Cox to explain how he became involved in the incident.

Officer Cox advised me that he did not hear the original call to G St. Officer Cox said he later heard Officer Kevin Lawson over the radio state that a [REDACTED] had brandished a weapon at him and other Officers. Officer Cox went to his motorcycle patrol unit and asked for clarification on what type of weapon was brandished and Officer Cox was advised the weapon appeared to be a flare gun. At that time, Officer Cox responded and arrived at the 500 block of G St. and parked his motorcycle on the sidewalk.

From this location (east side of G St. south of an alley off Vern's furniture) Officer Cox could see a female coming and going from a window at [REDACTED] G St. Officer Cox said that he could see that the female did have an orange colored firearm in her hands when she would come to the window. Officer Cox said he would radio Dispatch with updates of what the female was doing.

Officer Rob Mengel then arrived on scene and he was armed with a rifle. Officer Cox said Officer Mengel was covering him with the rifle while Officer Cox observed what the female was doing.

Officer Cox said after about 1 hour of giving updates a male came out of a nearby building and advised Officers Cox and Mengel that there was access to a roof for a clearer view of the female. Officer Mengel took this position and Lt. Tony Zanotti contacted Officer Cox and put him in charge of controlling vehicle and pedestrian traffic through the 500 block of G St. Officer Cox said he then roamed this area mainly staying at the southwest corner of 5th and G Streets.

I asked Officer Cox during the time he could observe the female how many times did she come to the window. Officer Cox estimated 7-8 times. Officer Cox said during those 7-8 times the female was armed with the flare gun about 4-5 times. Officer Cox also added that the female was throwing items out of the apartment window.

Officer Cox said the SWAT team was requested by Lt. Zanotti and the members eventually arrived on scene. Officer Cox said he saw the SWAT team enter Heuer's

Florist, which he had heard there was a rear entrance into the apartment building through the Florist.

Officer Cox said he heard radio traffic and Officer Todd Wilcox asked Lt. Zanotti for permission to utilize a sight and sound distraction device, which Lt. Zanotti approved. Officer Cox then heard radio traffic between Officer Wilcox and Det. Ron Harpham who arrived on scene and took a position in a window in the Masonic Temple. Officer Wilcox advised Det. Harpham if he saw the female unarmed to notify Officer Wilcox.

Shortly after this Officer Cox heard Officer Mengel state over the radio that the female was at the window and was unarmed. Officer Wilcox responded by saying, "Go."

Officer Cox then heard shots being fired. I asked Officer Cox how many shots he heard fired. Officer Cox said he believed he heard 5-6 rounds fired from an "FN" rifle and almost simultaneously 4-5 more rounds being fired from an unknown type of firearm.

Officer Cox then heard radio traffic that shots had been fired and Lt. Zanotti stated to have medical en route. Officer Cox said medical personnel arrived and Officer Cox opened the door to the apartment building so the medical personnel knew where to go.

Officer Cox returned to his post and was relieved by Eureka Volunteer Patrol and Officer Cox proceeded to the Police Department.

Det. Honeycutt asked Officer Cox if he went into the apartment building at all. Officer Cox said he did after the shots were fired because there was a possibility that some rounds had gone into another apartment. Officer Cox said he went into apartment [REDACTED] because there was an elderly male that resided in that apartment and the man wanted to know if any rounds had gone into his apartment. The man gave Officer Cox keys to the apartment. When Officer Cox arrived at apartment [REDACTED] the door was already open. Officer Cox checked the room and there were no rounds that appeared to have gone into the room. Officer Cox said at no time did he go into the apartment where the shots had been fired.

Officer Cox said that he did not believe that he had any prior police contacts with [REDACTED] at this apartment building. This concluded our interview with Officer Cox.

After speaking with Officer Cox Det. Honeycutt and I met with Det. Dave Parris in the office. Det. Parris advised us that there were 2 more people being sent to us to be interviewed from the apartment building.

On 4/14/06 at about 1732 hours, Det. Honeycutt and I met with [REDACTED]. [REDACTED] said he was a resident of the apartment building in question and was sent to the Police Department by another Officer to be interviewed. We took [REDACTED] into the interview room and interviewed him. The interview was audio taped and the following is a [REDACTED] of that interview.

I explained to [REDACTED] that we were in the process of investigating a case that had earlier occurred at his apartment complex. I asked [REDACTED] how long he had been residing at [REDACTED] G St. and he told me it had been for the past six months. I asked [REDACTED] if he knew who [REDACTED] was and he said he did. I replied if [REDACTED] resided next door to his apartment and [REDACTED] said unfortunately.

I asked [REDACTED] why he said unfortunately and he went on to say that [REDACTED] would have music playing loud at all hours of the day and night. [REDACTED] said that he worked for the Masonic Temple and part of his job was to clean the streets. [REDACTED] said when he would clean the streets [REDACTED] had thrown all sorts of items onto the street such as diapers, bras and glass.

I asked [REDACTED] if he had ever spoken to [REDACTED] about these problems and he said he had not. [REDACTED] said that he had spoken to [REDACTED] before in passing. [REDACTED] said the most he would do is exchange greetings with [REDACTED] and he did not even like to do that.

[REDACTED] added that [REDACTED] would walk the hallway in the apartment building in her robe wearing only a bra and panties.

[REDACTED] said that [REDACTED] was an anti-social person and did not like the Government. [REDACTED] said that he used to use drugs and believed that [REDACTED] also used drugs.

I asked [REDACTED] if [REDACTED] had ever threatened him or if he had ever witnessed [REDACTED] threaten anyone. [REDACTED] said that [REDACTED] threatened people all of the time. An example he used was if someone came to her apartment door and she did not want to be bothered she would come out of the apartment with a baseball bat. [REDACTED] said that [REDACTED] would also post notes on her apartment door reading something similar to if you don't go away I'll kill you. [REDACTED] had also told [REDACTED] that she would kill people if they came around her apartment anymore but [REDACTED] did not know whom [REDACTED] was referring to. [REDACTED] said that it seemed to him that [REDACTED] did have a mental problem.

[REDACTED] said at one point he did change a door lock for [REDACTED] that was to her apartment. The door lock had a striped handle and [REDACTED] replaced it for her. [REDACTED] said the entire time he was replacing the lock [REDACTED] was armed with a baseball bat.

I asked [REDACTED] if he ever saw [REDACTED] with any firearms or other weapons. [REDACTED] said that he had not.

I asked [REDACTED] how [REDACTED] was on the evening of 4/13/06. [REDACTED] said that [REDACTED] and her boyfriend had broken up. [REDACTED] found this out through [REDACTED] boyfriend who he had met on the apartment building's staircase. The boyfriend was coming down the stairs and [REDACTED] could hear [REDACTED] and her boyfriend arguing. [REDACTED] said he did not want to deal with it so he went back to his vehicle and left.

[REDACTED] said that he was not at his apartment on 4/14/06. [REDACTED] said he went to work at 0700 hours and returned to his apartment at about 1700 hours. [REDACTED] said that

he was already aware of the situation at his apartment building because [REDACTED] was on parole and his Parole Officer had telephoned [REDACTED] to make sure he was not involved.

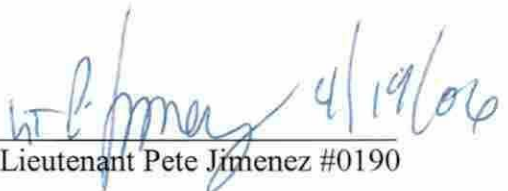
Det. Honeycutt asked [REDACTED] if he felt [REDACTED] was a violent or confrontational person. [REDACTED] said that [REDACTED] was both violent and confrontational and could not be reasoned with. [REDACTED] also knew that [REDACTED] was having a problem with the landlord of the apartment building.

[REDACTED] said it did not surprise him that Officers would have to shoot [REDACTED] because she had made statements that she would never be taken alive. This concluded our interview with [REDACTED].

After interviewing [REDACTED] Det. Honeycutt and I were released from further duties regarding this part of the investigation. All audiotapes that I had possession of were placed into evidence at the Sheriff's Office.

Disposition: Report submitted to Investigator Dawson.


Detective Rich Schlesiger #0931


Lieutenant Pete Jimenez #0190

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

CASE NUMBER: 200602925

PAGE 1 OF 1

DATE STORED <u>4/19/06</u>	TIME STORED <u>1000</u>	DATE OF INCIDENT <u>4/14/06</u>	CRIME <u>AGENCY ASSIST/OIS</u>
NAME OF FINDER (ADDITIONAL VICTIM) <u>STATE OF CALIFORNIA</u>		DOB	ADDRESS
LOCATION PROPERTY WAS FOUND (INCIDENT OCCURRED) <u>G ST. - EUREKA, CA</u>		DOB	PHONE

ADULT ARREST
 JUVENILE ARREST
 SEARCH WARRANT NO. N/A

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
<u>E</u>	<u>1</u>	<u>4</u>	<u>AUDIO TAPE STATEMENTS OF: SGT. LYNNE SCHLESINGER, OFFICER WAYNE COX & [REDACTED]</u>				

OWNERS OF PROPERTY

ITEMS NO. <u>1</u>	NAME <u>EUREKA POLICE DEPARTMENT</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 SCHLESINGER</u>	PIN <u>0931</u>	REPORT DATE <u>4/19/06</u>	SUPERVISOR REVIEW	PIN	REPORT DATE
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CASE FILE COPY

HUMBOLDT COUNTY SHERIFF'S OFFICE SUPPLEMENTAL REPORT

Investigator: Detective Tom Cooke
Date: 4-14-06
Location: Heuer's apartments ■, Eureka
Decedent: ■
Case: EPD 3C06-2787/ HSO 200602225
Crime: Homicide

Involved Parties:

Eureka Police Officer Kevin Lawson
604 C St. Eureka
(707) 441-4060

Eureka Police Officer Lt. Tony Zanotti
604 C St. Eureka
(707) 441-4060

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On 4-14-06, Lt. Jimenez requested I respond to the Eureka Police Department to assist in an Officer involved shooting. I responded in my department vehicle with Det. Nord.

Lt. Jimenez, Det. Schlesiger, Det. Nord, Det. Kirkpatrick and I arrived at (EPD) at about 1420 hours. Detective Neil Hubbard gave us a quick briefing on the matter. D.A. Investigator Jim Dawson, Det. Dave Parris, Fortuna Police Officer Jack Bernstein, and Det. Honeycutt were also present. Hubbard said at about 0952 hours, Semper Virens called the Police Department and indicated ■■■■■■ had a flare gun and was threatening to shoot people. They also indicated she would be hostile to Law Enforcement. Hubbard said the EPD SWAT team entered at about 1253 hours and a shooting occurred. ■■■■■■ was pronounced dead at the scene. Hubbard also handed me a CAD (computer aided dispatch) print-out of the call.

Chief District Attorney Investigator Jim Dawson broke the group into pairs. I was paired with Fortuna Police Officer Jack Bernstein. Dawson requested we interview EPD Officer Kevin Lawson. At about 1436 hrs., Bernstein and I spoke to Lawson in an EPD interview room. The interview was audio recorded. The following is a brief summary of what Lawson relayed:

Today he was assigned as the "rover" and shift supervisor. He said this morning at about 0915 hrs., he received a call to assist EPD Officer A.J. Bolton on a well-fare check of a suicidal woman at [REDACTED] G St apartment [REDACTED]. He said EPD Officer Quigley also responded.

Lawson said he received the call on his radio and on his computer screen. He said Semper Virens had called the department, and relayed that the lady was threatening to shoot people in the building and blow up the building. She was distraught over the death of her son, and was going to be hostile to police.

He said he and the two other Officers arrived at the same time. He said the music was "blaring". He said he could hear the music from the street. They walked upstairs, and he knocked on the door several times and received no response. Lawson said Police when he was knocking, and he thought Bolton also said Police. He said Bolton was calling her by her name and saying Eureka Police, we need to talk to you come to the door. He could hear someone inside yelling. He could not make out what she was saying.

Lawson said because of the nature of the call, he was not going to just walk away. He went downstairs and spoke to someone who identified themselves as one of the owners. This [REDACTED] provided him with a "master key". He said Bolton tried to open the door with this key, but was unsuccessful. Lawson went back to the owner and requested assistance. The owner went with Lawson was able to open the door. After the owner opened the door, he stepped back. Lawson said they pushed the door open and looked in. I asked Lawson if they said "Police" or something like it. He said, "when we were pushing the door open, Eureka Police". He said he was standing on the left side of the door and Quigley and Bolton were on the right side.

When he looked in, he saw what he believed to be a male pointing a gun. He said the [REDACTED] was holding the gun in their right hand. He said their face was partially hidden behind a wall. He heard the person yell "shut the fucking door". Lawson said the Officers yelled "gun" at the same time and backed out. The three Officers took positions near the stairs. He radioed to dispatch that they had a [REDACTED] pointing a gun and requested a Code 33 (no radio traffic) and requested additional units.

Lawson said prior to opening the door, he requested dispatch phone into the residence. He said dispatch tried and received no answer. Lawson said after they entered the apartment, the owner told him that she has a .38. Lawson said he relayed this

information on the radio. Lawson said after they opened the door and saw the gun, someone inside the apartment shut the door.

Lawson said other units arrived outside on the perimeter. Lawson said they stayed at their positions of cover until the SWAT team arrived. He said Lt. Zanotti eventually arrived on scene and he briefed him on the situation. Next, EPD Officer Ron Harpham arrived and brought ballistic shields with him. They started to evacuate tenants using the ballistic shields. He said there was an invalid in apartment [REDACTED] that could not leave. Lawson said they were told there was a flare-gun inside the apartment.

Lawson said when he saw the [REDACTED] holding the gun, he thought it was a handgun. Quigley told him he had been there the previous Saturday and saw a flare gun inside. He said they evacuated 4 people. He said the Chief also arrived at the scene. Lawson said they devised a plan to make entry into the apartment if she touched off a flare, before the SWAT team arrived.

Lawson said he was on a SWAT team in the military and has seen flare guns shot before. Lawson said he was scared when the gun was pointed at him. He said outside the door on the ground was a note that said "911 only family death". He said this was taped on the carpet outside the apartment.

Lawson said when EPD Officer Todd Wilcox arrived; he was in charge of the SWAT team. He said he briefed Wilcox on the situation. Lawson said one of the other tenants informed him that [REDACTED] was most likely in the room by herself. They also informed him that she was crazy and had been throwing stuff out the window the past couple of days. They did not think her boyfriend was there, because they saw him past out near the Sea Grill earlier the same day. He also relayed this information to Wilcox.

Eventually, he was relieved by the SWAT team. He and Officer Bolton went back to the Police Department. He said hostage negotiators attempted contact with the woman inside. Officer Bolton told him that he heard the SWAT team was waiting for one of the perimeter personnel to inform them when the woman was at the window with her hands free and they were going to make entry. He then heard shots fired, [REDACTED] down, requesting medical aid. He was in dispatch when he heard this.

I asked Lawson if he thought walking away was an option. He said this was not an option. He said they had an obligation to ensure the safety of everyone inside the building, and the safety of the person inside the apartment. The interview was concluded at 1515 hours.

At about 1543 hrs., Bernstein and I interviewed Lt. Tony Zanotti. Again the interview took place in one of EPD's interview rooms. The conversation was audio recorded. The following is a brief summary of what he relayed:

He is currently assigned at the Operations Commander. He was the on-scene Commander for this incident. He was at headquarters and was advised to respond to the

address above Heuer's as the units on scene were requested his presence. He responded and met with Officers Mike Quigley, A.J. Bolton and Kevin Lawson. They briefed him on the situation. They indicated they were on a well fare check call and the female inside pointed a marine flare pistol at them. He said Bolton and Quigley thought it was a flare pistol and Lawson thought it was a regular pistol. They informed him that the person inside was not responding to knocking on the door or phone calls. He said there was a loud radio on inside the apartment.

He said Chief Douglas eventually arrived on scene and he briefed him on the situation. They made a plan to back off and have the SWAT team respond with the crisis negotiation team. They used an office area inside Heuer's as a command post. He called dispatch and requested SWAT be paged out. He said while they were waiting for the SWAT team, she was going back and forth to the window with the gun in her hand and was throwing stuff out the window. He said as soon as he got out of his car, he heard the music. He also saw an orange object in her hand through the window. He said while he was inside, Officers would radio her movements.

Eventually, Sgt. Soderberg and Officer Wilcox arrived. Soderberg is part of the crisis negotiations team. Lawson briefed them on the situation. Then SWAT team members arrived and were briefed. Members of the SWAT team relieved the officers near the stairs and watched the apartment. He said the negotiators attempted phone contact with the occupant several times. Dispatch reported that she was on the line, off the line several times.

While they were waiting, they came up with an optional plan. Officers outside reported that she was sometimes pasting things to the window (leaving no gun in her hand). They discussed that during one of these moments; they could breach the door and confront her. I asked him if it ever crossed his mind that they could just walk away. He said no because of her erratic behavior, she brandished the weapon at the Officers, had the weapon in her hand at the window, and the public's safety. He said there was also information she may have a .38 pistol. He said she could have caught the room on fire with the flare gun or shot it out the window.

He said they reached a point where she would not answer the phone and a lengthy message was left on her voice recorder. He said it got to the point, where Officer Mengel (across the street) radioed that she was at the window and both hands were clear. Wilcox radioed to the team to go. The SWAT team breached the door and he heard gunfire. He thought there were 4 or 5 shots. Officer Jones then radioed that there were shots fired and the [REDACTED] was down. He then called for medical. He said medical was staged nearby. He said the SWAT team's intent was to safely take the [REDACTED] into custody.

He said the medical staff pronounced her dead at the scene and left the body. He did go into the apartment. He said Wilcox was the team leader and Sanchez was in charge of the team.

Zanotti said a flare gun could be a fire hazard and a deadly weapon. Zanotti said when he went in the room, he saw her in the North East corner of the living room area. She was lying on some objects and her feet were on the ground. Kind of in a reclined position. He said her hands were at her side. She was taken from this position and laid on the ground and handcuffed. Then the handcuffs were removed when medical aid came in. They pronounced her dead, and the SWAT team left the apartment. Ron Harpham then took the team back to the department. He said the room was secured. He said when he first entered the room, the SWAT team was checking the other rooms inside the apartment. He thought Wilcox was the last one out of the room.

Bernstein and I also spoke with a resident of the apartments [REDACTED] the Chief's secretary [REDACTED] and EPD Officer Greg Hill. Bernstein will be writing summaries on these interviews. After speaking with [REDACTED] I walked with her to her office and collected 3 pages of notes she had taken during the crisis. These notes along with the 3 audio tapes (Lawson, Zanotti and [REDACTED]) were stored in my locked office until I was able to book them into property.

During the investigation, we learned that [REDACTED] had called [REDACTED] during the standoff. The EPD detective secretary provided me with [REDACTED] cell-phone number [REDACTED]. I called him and requested he meet with me at EPD. He said he was sick and did not want to meet there. He said he was at COSTCO and agreed to meet at the food court. Bernstein and I drove there in my vehicle. At about 1720 hrs., we met with [REDACTED] and his girlfriend near the food court.

[REDACTED] said he was scared of retaliation by EPD and did not want to talk. I asked him if he would meet with a D.A. Investigator to talk about this. He said this was okay. Bernstein then used his cell phone and called Dawson to inform him of the situation. While Bernstein was on the phone, [REDACTED] relayed the following: He was driving by the apartments today with a friend [REDACTED]. He noticed a "cop" pointing a "machine gun" at his friend's apartment. He called his friend ([REDACTED]) and she informed him that she was raped last night. She also said "they" tried to break in. [REDACTED] told her she needed to talk to the cops, and that they weren't going away. She also said she had a flare gun.

Bernstein said Dawson was willing to meet with [REDACTED]. We told him we would meet later at his residence.

Bernstein and I then went to the apartment in question. Officers were still waiting for a search warrant to be signed. After the warrant was signed, several investigators and evidence personnel entered. After their initial entry, I went into the apartment. I did not touch anything and only made a brief observation of the living room area. I did not go into any other rooms. I then exited. D.A. Investigator Chris Andrews arrived and agreed to meet with [REDACTED]. I informed Andrews of [REDACTED] fears. I asked Andrews if I should conceal a digital recorder on my person, he said no.

Bernstein, Andrews and I met with [REDACTED] at his residence at about 1845 hours. We talked to him in the front living room area. The following is a brief summary of what he relayed:

He met [REDACTED] several years ago on a bus. His old girlfriend [REDACTED] [REDACTED] use to live with [REDACTED] at the apartments. He also gave the same basic account he had given me at COSTCO. When he called [REDACTED] on the phone today, she said someone tried to rape her last night. He thought this was a "[REDACTED]". He said he called [REDACTED] several times during this incident (about 2 or 3). She did not call him. He said he got the answering machine a couple of times. When he was talking to her, she said she had a flare gun and the cops tried to kick the door in. She had the flare gun to protect herself. She said she pointed it at "them" to scare them. She said she was going to give the flare gun to him [REDACTED] [REDACTED] said she was talking fast and it was hard to understand her. [REDACTED] said he tried to talk her out of the apartment. He thought [REDACTED] knew they were cops with the machine guns. He said she didn't care if she died; it was her time to go. [REDACTED] said she had music blaring in the background. She also said she wasn't going to talk to them.

[REDACTED] said he had originally left the apartments and went to work in Arcata. He then got a call from a mutual friend [REDACTED]. [REDACTED] was also on the phone with [REDACTED] [REDACTED] said [REDACTED] wanted him [REDACTED] to give her cigarettes. [REDACTED] said he called 911 and then returned to the apartments. He said he spoke with Officer Cox and gave him his cigarettes. [REDACTED] said he also spoke with [REDACTED] [REDACTED] said he saw [REDACTED] throwing things out of her window. He also said "they" turned her phone off. [REDACTED] said he heard 5 shots while he was outside.

[REDACTED] said [REDACTED] was always saying that different men wanted to have sex with her. She told him she had a baseball bat incase [REDACTED] ever came back. He last saw [REDACTED] on 3-29-06 at the Courthouse. He also said [REDACTED] [REDACTED].

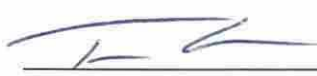
After speaking with [REDACTED] we proceeded to [REDACTED] P St. [REDACTED] in Eureka. Bernstein, Andrews and I met with [REDACTED] at about 2005 hrs. We spoke to her in the front living room. Our conversation was audio recorded. The following is a brief summary of what she relayed:

[REDACTED] said [REDACTED] called her and requested she call [REDACTED]. She called [REDACTED] [REDACTED] thought she was mental health. [REDACTED] talked about being molested and people breaking into her apartment. [REDACTED] said this was the same "rumblings" that she always did. She heard someone calling in and hung up. [REDACTED] called [REDACTED] again and said they blocked his phone and again requested she call [REDACTED] [REDACTED] again called [REDACTED] [REDACTED] said if [REDACTED] is a friend, he'd bring me a carton of cigarettes. [REDACTED] then hung up. She tried to call her back and the phone was disconnected. [REDACTED] met her through her daughter [REDACTED]. [REDACTED] said [REDACTED] was mad. During one of the conversations, [REDACTED] told her "I know my rights, and if they come through the door, I have a flare gun and I'll use it." After this the phone line was disconnected. [REDACTED] thought [REDACTED] said

this the first time she talked to her. [REDACTED] said she heard loud music over the phone. [REDACTED] said she did not know [REDACTED] very well.

On 4-17-06, I booked 3 audio cassettes (Lawson, [REDACTED] Zanotti), 3 pages of notes (from [REDACTED]) and the CAD printout into property as evidence. NOTE: These are brief summaries. For a complete review, see the transcripts (were applicable). I am requesting a copy of this report be sent to the District Attorneys' Office for review. Any further information will be made a matter of supplemental report.

NFA



Tom Cooke Date 4/17/06



Supervisor Date 4/18/06

