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Maggie Fleming
District Attorney

July 9, 2019

Sheriff William Honsal
Humboldt County Sheriff's Department
826 Fourth Street
Eureka, CA 95501

Dear Sheriff Honsal:

Regarding the shooting incident on July 14, 2017, involving Humboldt County Sheriff's Office (HCSO) personnel: I have reviewed the investigative reports submitted by your Office, the State Department of Justice, Eureka Police Department, Arcata Police Department, the Critical Incident Response Team and Humboldt County District Attorney's Office investigators. A summary of the incident derived from those materials and my conclusion concerning the use of deadly force follows.

On Friday, July 14, 2017, at approximately 9:57 p.m., three Humboldt County Sheriff's Deputies were on patrol in two marked vehicles in the area of Highway 169 north of Weitchpec. The deputies, Corporal Max Soeth, Deputy Nathan Cumbow, and Deputy Tismil Matilton, were in full patrol uniforms driving marked HCSO vehicles.

As the HCSO vehicle occupied by deputies Soeth and Cumbow turned from Highway 169 on to the Martin's Ferry Bridge, the deputies observed a vehicle stopped on the left side of the bridge facing them. The deputies illuminated the suspicious vehicle with a spotlight and the patrol car's headlights.

Corporal Soeth reported that as the patrol vehicle slowly approached to within two car lengths of the private vehicle, from the front passenger seat of the patrol vehicle he observed the sole occupant of the private vehicle point a firearm in his direction. Corporal Soeth yelled, "gun," and the driver of the patrol vehicle, Deputy Cumbow, immediately stopped the vehicle and put it in park. Corporal Soeth exited the patrol vehicle, retreated to a position of cover, and drew his firearm. Corporal Soeth announced, "Sheriff's Office, show me your hands!" From over his passenger-side door, Corporal Soeth saw the driver pointing a gun in his direction. Fearing for his own life and that of Deputy Cumbow, Corporal Soeth then fired his weapon.

Deputy Cumbow reported he heard Corporal Soeth yell, "gun." He then saw the driver pointing a handgun at him. He put the car in park, removed his seatbelt and exited the patrol car. In response to the threat to his life, Deputy Cumbow also shot at the driver. The deputies fired a total of 22 rounds: 16 by Soeth and 6 by Cumbow.

Corporal Soeth then again yelled at the driver to show his hands. At that point the driver put up his hands and exited the car. The driver, [REDACTED] age 50 of Hoopa, was taken into custody without further incident.

In his trailing patrol vehicle, Deputy Tismil Matilton heard a radio transmission indicating the other deputies intended to investigate the vehicle parked on the bridge. His view of the incident was partially obscured because he parked his vehicle behind and to the right of the other deputies' vehicle. Deputy Matilton saw Corporal Soeth open the passenger side door and exit. He heard Soeth yell, "Gun, gun, gun." After the shooting, he made a radio transmission that shots had been fired and checked the private vehicle to ensure there was no further threat. As he joined the other deputies, [REDACTED] was showing his hands and following instructions to exit his vehicle. Deputy Matilton did not recall hearing any verbal identification by Soeth or Cumbow. He did not fire his weapon.

The deputies seized a .44-caliber Ruger revolver loaded with six rounds from Robbins' vehicle. The handgun also contained two spent shell casings in the cylinder.

Mr. [REDACTED] sustained minor injuries to his face and left shoulder. Paramedics treated him at the scene and he was then transported to a local hospital for treatment. Members of the Humboldt County Critical Incident Response Team interviewed [REDACTED] at the hospital. Mr. [REDACTED] advised he was working as a Security Guard for Kapel Construction and that his job was to watch over construction equipment staged on Highway 169. Mr. [REDACTED] said the handgun had been loaned to him by a friend.

In his description of the incident, [REDACTED] said that he saw a vehicle approaching him on the bridge but couldn't see the occupants because of the headlights. He then retrieved the handgun from behind the seat and pointed it at the approaching vehicle. He believed the approaching vehicle was just his, "cousin messing with him." He said he didn't realize it was a law enforcement vehicle until the gunfire erupted. He ducked down and waited for the gunfire to stop then gave up. [REDACTED] claimed he did not fire the gun at the deputies. [REDACTED] was booked into county jail for brandishing a loaded firearm at a peace officer.

[REDACTED] did not have a license to carry the firearm in public, nor did he possess a concealed weapons permit. [REDACTED] employer advised that he was not supposed to be armed in the course of his security assignment. Inspection of the Ruger by investigators could not support or refute the claim that it was not fired during the incident. Investigators discovered the firearm had been reported stolen in Siskiyou County in 2012.

The legal standard which applies to the use of deadly force focuses upon whether the officers reasonably believed they were in imminent danger of being killed or suffering great bodily injury. Law enforcement officers may not lawfully discharge their weapons unless they believe that their lives, or those of others, are in imminent danger, and under the totality of the circumstances, that belief is objectively reasonable. The evidence and witness statements indicate this standard was met and the shooting was therefore legally justified.

Sheriff William Honsal
Re: July 14, 2017, HCSO shooting incident
July 9, 2019
Page 3

From a broader perspective, this incident was a misunderstanding that very easily could have had fatal consequences. I hope it can serve as a helpful example to the public and law enforcement in the effort to minimize the use of deadly force.

Sincerely,



MAGGIE FLEMING
District Attorney

EVIDENCE TRANSFER RECEIPT

EUKB853K0P67V3

EVIDENCE TRANSFER TRANSACTION

| | |
|--|---|
| Evidence Relinquished By: [REDACTED] | Agency: EU PIN Entered [X] |
| Evidence Received By: [REDACTED] | Agency: SOHUEU PIN Entered [X] |
| VIA: Note: | |
| Date & Time: 1/2/18 11:31:42 Operator: [REDACTED] | Hours |

LABORATORY CASE INFORMATION

| <u>Lab Case #</u> | <u>Lab Evid #</u> | <u>Evid Description</u> |
|-------------------|-------------------|---|
| - EU-17-000797 | 1 | Expended .223 cartridge case |
| - EU-17-000797 | 12 | Miscellaneous expended cartridge cases |
| - EU-17-000797 | 13 | Bullet jacket |
| - EU-17-000797 | 15 | Bullet jacket |
| - EU-17-000797 | 17 | Bullet jacket fragments |
| - EU-17-000797 | 2 | Expended .223 cartridge case |
| - EU-17-000797 | 21 | Expended cartridge case from Soeth's bag |
| - EU-17-000797 | 22 | Bullet fragment from dashboard of Corvette |
| - EU-17-000797 | 23 | Expended bullet from dashboard of Corvette |
| - EU-17-000797 | 24 | Bullet core that fell out of blanket from Corvette |
| - EU-17-000797 | 25 | Expended bullets and bullet fragments from driver's seat area of Corvette |
| - EU-17-000797 | 26 | Bullet jacket from passenger seat of Corvette |
| - EU-17-000797 | 27 | Expended bullet from behind driver's seat of Corvette |
| - EU-17-000797 | 28 | Expended bullet from behind driver's seat of Corvette |
| - EU-17-000797 | 30a | Two cartridges removed from Winchester model 94 rifle |
| - EU-17-000797 | 31 | Bullet fragments from behind driver's seat of Corvette |

SIGNATURES

| | |
|---|---------------------------------------|
| Evidence Relinquished By: _____ | Evidence Received By: _____ |
|---|---------------------------------------|

EVIDENCE TRANSFER RECEIPT

EUKB853K0P67V3

EVIDENCE TRANSFER TRANSACTION

| | |
|--|---|
| Evidence Relinquished By: [REDACTED] | Agency: EU PIN Entered [X] |
| Evidence Received By: [REDACTED] | Agency: SOHUEU PIN Entered [X] |
| VIA: Note: | |
| Date & Time: 1/2/18 11:31:42 Operator: [REDACTED] | Hours |

LABORATORY CASE INFORMATION

| <u>Lab Case #</u> | <u>Lab Evid #</u> | <u>Evid Description</u> |
|-------------------|-------------------|--|
| ← EU-17-000797 | 32 | Expended bullet from behind passenger seat of Corvette |
| ← EU-17-000797 | 34 | Bullet jacket from rear of Corvette |
| ← EU-17-000797 | 35 | Cartridge case in front of and ntact cartridge case behind Corvette passenger seat |
| ← EU-17-000797 | 36 | Two swabs of red-brown stains from Corvette center console |
| ← EU-17-000797 | 37 | Cartridge cases and intact cartridges from Corvette center console |
| ← EU-17-000797 | 39 | One water blank swab |
| ← EU-17-000797 | 4 | Digital watch, disposable lighter, and three laser pointer lenses |
| ← EU-17-000797 | 5 | Expended bullet |
| → EU-17-000797 | 6 | Two swabs of apparent blood from roadway |
| ← EU-17-000797 | 7 | Two swabs of apparent blood from roadway |
| → EU-17-000797 | 8 | Glass from roadway below front passenger door HCSO #07179 Ford Explorer |
| ← EU-17-000797 | 9 | Reference glass from front passenger door HCSO #07179 Ford Explorer |
| ← EU-17-000797 | D 1 | Expended cartridge case |
| ← EU-17-000797 | D 2 | Expended cartridge case |
| ← EU-17-000797 | D 3 | Expended cartridge case |

SIGNATURES

| | |
|---|---------------------------------------|
| Evidence Relinquished By: _____ | Evidence Received By: _____ |
|---|---------------------------------------|

EVIDENCE TRANSFER RECEIPT

EUKB853K0P67V3

EVIDENCE TRANSFER TRANSACTION

| | |
|--|---|
| Evidence Relinquished By: [REDACTED] | Agency: EU PIN Entered [X] |
| Evidence Received By: [REDACTED] | Agency: SOHUEU PIN Entered [X] |
| VIA: Note: | |
| Date & Time: 1/2/18 11:31:42 Hours | |
| Operator: [REDACTED] | |

LABORATORY CASE INFORMATION

| <u>Lab Case #</u> | <u>Lab Evid #</u> | <u>Evid Description</u> |
|-------------------|-------------------|-----------------------------|
| - EU-17-000797 | D 4 | Expended cartridge case |
| - EU-17-000797 | D 5 | Expended cartridge case |
| - EU-17-000797 | P 1 | Empty Glock pistol magazine |
| - EU-17-000797 | P 2 | Expended cartridge case |
| - EU-17-000797 | P 3 | Expended cartridge case |
| - EU-17-000797 | P 4 | Expended cartridge case |
| - EU-17-000797 | P 5 | Expended cartridge case |
| - EU-17-000797 | P 6 | Expended cartridge case |
| - EU-17-000797 | P 7 | Expended cartridge case |
| - EU-17-000797 | P 8 | Expended cartridge case |
| - EU-17-000797 | P 9 | Expended cartridge case |
| - EU-17-000797 | P10 | Expended cartridge case |
| - EU-17-000797 | P11 | Expended cartridge case |
| - EU-17-000797 | P12 | Expended cartridge case |
| - EU-17-000797 | P13 | Expended cartridge case |
| - EU-17-000797 | P14 | Expended cartridge case |
| - EU-17-000797 | P15 | Expended cartridge case |

SIGNATURES

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|---|---|
| Evidence Relinquished By: _____ | Evidence Received By: _____ |
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EVIDENCE TRANSFER RECEIPT

EUJKB853K0P9WRC

EVIDENCE TRANSFER TRANSACTION

| | |
|--|---|
| Evidence Relinquished By: [REDACTED] | Agency: EU PIN Entered [X] |
| Evidence Received By: [REDACTED] | Agency: SOHUEU PIN Entered [X] |
| VIA: Note: | |
| Date & Time: 1/2/18 11:31:44 Operator: [REDACTED] | Hours |

LABORATORY CASE INFORMATION

| <u>Lab Case #</u> | <u>Lab Evid #</u> | <u>Evid Description</u> |
|-------------------|-------------------|--|
| EU-17-000797 | 14 | Bullet core |
| EU-17-000797 | 148084t | Three bullets and five cartridge cases test fired in item 148084 |
| EU-17-000797 | 148098t | Three bullets and five cartridge cases test fired in item 148098 |
| EU-17-000797 | 148110t | Three bullets and five cartridge cases test fired in item 148110 |
| EU-17-000797 | 16 | Expended bullet |
| EU-17-000797 | 38 | Green laser from Corvette |

SIGNATURES

| | |
|---|---------------------------------------|
| Evidence Relinquished By: _____ | Evidence Received By: _____ |
|---|---------------------------------------|

EVIDENCE TRANSFER RECEIPT

EUKB853K00UBRH

EVIDENCE TRANSFER TRANSACTION

| | |
|--|---|
| Evidence Relinquished By: [REDACTED] | Agency: EU PIN Entered [X] |
| Evidence Received By: [REDACTED] | Agency: SOHUEU PIN Entered [X] |
| VIA: Note: | |
| Date & Time: 1/2/18 11:31:38 Hours | |
| Operator: [REDACTED] | |

LABORATORY CASE INFORMATION

| <u>Lab Case #</u> | <u>Lab Evid #</u> | <u>Evid Description</u> |
|-------------------|-------------------|---|
| EU-17-000797 | 10 | Ruger model Redhawk, serial [REDACTED] |
| ✓ EU-17-000797 | 148084 | Firearm box containing "Glock-22- serial [REDACTED] |
| ✓ EU-17-000797 | 148098 | Firearm box containing Glock-22- serial [REDACTED] |
| ✓ EU-17-000797 | 148110 | Firearm box containing Glock-22- serial [REDACTED] |
| ✓ EU-17-000797 | 30 | Winchester model 94 rifle, serial number [REDACTED] |

SIGNATURES

| | |
|---|---|
| Evidence Relinquished By: _____ | Evidence Received By: _____ |
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EVIDENCE TRANSFER RECEIPT

EUKB853K00ZEOJ

EVIDENCE TRANSFER TRANSACTION

| | |
|--|---|
| Evidence Relinquished By: [REDACTED] | Agency: EU PIN Entered [X] |
| Evidence Received By: [REDACTED] | Agency: SOHUEU PIN Entered [X] |
| VIA: Note: | |
| Date & Time: 1/2/18 11:31:40 Hours | |
| Operator: [REDACTED] | |

LABORATORY CASE INFORMATION

| <u>Lab Case #</u> | <u>Lab Evid #</u> | <u>Evid Description</u> |
|-------------------|-------------------|--|
| ✓ EU-17-000797 | 29 | Yellow backpack from rear of Corvette |
| ✓ EU-17-000797 | 29a | Ammunition removed from item 29 pack |
| ✓ EU-17-000797 | 3 | Shirt |
| ✓ EU-17-000797 | 33 | Miscellaneous ammunition and cartridge cases from rear of Corvette |

SIGNATURES

| | |
|---|---|
| Evidence Relinquished By: _____ | Evidence Received By: _____ |
|---|---|

201703390

RELATED BFS CASE #

BFS CASE #

State of California
Department of Justice
Bureau of Forensic Services

Physical Evidence Submission Form
(Instructions for use of form located on reverse side.)

| | | | |
|---------------------------------|---|--------------------------------------|-------------------------------------|
| INFORMATION AND REPORT SECURITY | ROUTINE <input checked="" type="checkbox"/> | AGENCY ONLY <input type="checkbox"/> | AGENT ONLY <input type="checkbox"/> |
|---------------------------------|---|--------------------------------------|-------------------------------------|

SUBMITTING AGENCY: Humboldt County Sheriffs Office AGENCY CASE NO : 201703390

COUNTY OF PROSECUTION: Humboldt RELATED AGENCIES/CASE NUMBER(S) :

OFFENSE(S): OIS DATE OF INCIDENT: 07/14/2017 DATE NEEDED: when pos REASON: investigation

INVESTIGATING OFFICER: PETERSON PHONE: 707-445-7251 FAX: 707-445-7298

INVESTIGATING OFFICER - EMAIL ADDRESS: mpeterson@co.humboldt.ca.us

| SUBJECTS | SUBJECTS | | | DATE OF BIRTH | CII # (LATENTS AND DNA) |
|----------|-----------|------------|----|---------------|----------------------------|
| | Last name | First Name | MI | | |
| | SOETH | MAXWELL | E | | |
| | CUMBOW | NATHAN | W | | |
| | MATILTON | TISMIL | V | | |

EVIDENCE SUBMITTED

| LINE | ITEM NUMBER | DESCRIPTION OF EVIDENCE (ONE ITEM PER LINE WHEN POSSIBLE) | COMMENTS OR REQUESTS FOR SERVICE* |
|------|-------------|--|--------------------------------------|
| 1 | 148084 | GLOCK 22 - SERIAL # [REDACTED] | FUNCTION TEST |
| 2 | 148098 | GLOCK 22 - SERIAL # [REDACTED] | FUNCTION TEST |
| 4 | 148110 | GLOCK 22 - SERIAL # [REDACTED] | FUNCTION TEST |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |

Chain of custody for items listed above

| Line/Item NUMBER | Received From (SIGN NAME LEGIBLY) | Delivered to | DATE |
|------------------|--------------------------------------|--------------|---------|
| 1, 2, 4 | [REDACTED] | [REDACTED] | 9/26/17 |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |

PLEASE SUBMIT A POLICE REPORT OR ATTACH A SEPARATE SHEET WITH A SUMMARY OF THE CASE FOR CRIMINALISTICS CASES
*BFS LABORATORIES SHALL DECIDE THE SPECIFIC METHOD OF ANALYSIS

EVIDENCE TRANSFER RECEIPT

EUKB85LA0OC14D

EVIDENCE TRANSFER TRANSACTION

| | |
|--|---|
| Evidence Relinquished By: [REDACTED] | Agency: EU PIN Entered [X] |
| Evidence Received By: a representative, | Agency: SOHUEU PIN Entered [] |
| VIA: Golden State Overnight Note: 546381044 | |
| Date & Time: 9/30/19 11:17:26 Hours Operator: [REDACTED] | |

LABORATORY CASE INFORMATION

| <u>Lab Case #</u> | <u>Lab Evid #</u> | <u>Evid Description</u> |
|-------------------------|-------------------|--|
| 17-2096 EU-17-000701 | 146883 | One evidence envelope containing one tube of blood from the [REDACTED] |
| EU-17-000701 | 146883_01 | One tube of blood from the [REDACTED] |
| 17-3390 EU-17-000797 | 148116 | One evidence envelope containing one tube of blood from the [REDACTED] |
| EU-17-000797 | 148116_01 | One tube of blood from the [REDACTED] |

SIGNATURES

| | |
|---|---|
| Evidence Relinquished By: _____ | Evidence Received By: _____ |
|---|---|



NOTIFICATION

JULY 14, 2017 – 2209 HOURS

1
2
3
4 On July 14, 2017 at about 2209 hours, I received a phone call from HCSO Sgt. Freese. Sgt. Freese advised me there
5 had been an officer involved shooting at Martin's Ferry Bridge in the Weitchpec area of Humboldt County. Sgt.
6 Freese told me few details were known, and relayed the following known information:

7
8 HCSO Corporal Soeth and HCSO Deputy Matilton were at Martin's Ferry Bridge. They advised that shots had been
9 fired, and had requested medical respond to the scene for an injured [REDACTED] Additional deputies and a patrol
10 supervisor were en route.

11
12 Sgt. Freese requested I respond to the scene. Sgt. Freese told me HCSO Criminal Investigations Division (CID) Lt.
13 Young and HCSO CID Detective Hicks would also be responding to the scene to assist. Sgt. Freese advised the
14 Humboldt County Critical Incident Response Team (CIRT) had been activated. Sgt. Freese told me she would
15 respond to HCSO CID in Eureka, coordinate with other responding CIRT members, and manage investigative
16 activities that would occur in the Eureka area.

17
18 After speaking with Sgt. Freese I began driving to the scene. While en route, I received a phone call from HCSO
19 Lt. Miller – the HCSO North Area Operations Division Commander. Lt. Miller advised he was also en route to
20 Martin's Ferry Bridge. Lt. Miller requested I retrieve a satellite phone from the HCSO Trinity River Division office
21 in Willow Creek as there was no cell phone service at the incident location. I retrieved the satellite phone as
22 requested.

23
24 **MARTIN'S FERRY BRIDGE**

25
26 Martin's Ferry Bridge is located in a rural area of Northeastern Humboldt County. Martin's Ferry Bridge is located
27 off of Hwy 169, and the bridge crosses the Klamath River. The bridge connects Hwy 169 to Tulley Creek Road. At
28 a later date, (on November 17, 2017 at about 0700 hours) I drove from Willow Creek to Martin's Ferry Bridge and
29 recorded the following drive times, distances, and details:



30

31 It is about 12.5 miles from downtown Willow Creek to downtown Hoopa (Intersection of Hwy 299 and Hwy 96 in
32 Willow Creek, to the parking lot of the Hoopa Valley Tribal Police Department off Hwy 96 in Hoopa). The drive
33 time was about 16 minutes. Hwy 96 consists of a two lane paved roadway.

34

35 It is about 13.7 miles from downtown Hoopa to Martin's Ferry Bridge (Parking lot of HVTPD off Hwy 96 in Hoopa,
36 to Hwy 169 at Martin's Ferry Bridge). The drive time was about 24 minutes. The intersection of Hwy 96 and Hwy
37 169 is located at mile post marker (MPM) 23.06 on Hwy 96 – Hwy 96 starts at MPM 0.0 in Willow Creek at Hwy
38 299. Hwy 169, as well as Martin's Ferry Bridge, consists of a single lane paved roadway – generally wide enough
39 for two vehicles to pass, but there is no center painted line. Martin's Ferry Bridge is located at about MPM 30.25
40 on Hwy 169. Hwy 169 terminates at Hwy 96 (MPM 33.75). The area commonly referred to as Weitchpec is the
41 area around the intersection of Hwy 169 at Hwy 96.

42

43 Based upon my experience as a Humboldt County Deputy Sheriff since December 1999, and as a former resident
44 deputy for the northeastern area of Humboldt County – which includes the Weitchpec area – I know that the area
45 of Martin's Ferry Bridge is rural and mountainous. It is surrounded by forest. There are no homes or businesses
46 within the immediate vicinity of the bridge.

47

SCENE

48

JULY 14, 2017 – 2341 HOURS

49

50

51 I arrived at Martin's Ferry Bridge on July 14, 2017 at about 2341 hours. Via radio, I heard that HCSO Sgt. Musson
52 had arrived at the scene just prior to me. It was dark upon my arrival. I saw there were no street lights or other
53 forms of artificial light in the area. For the purposes of this report, I will refer to Hwy 169 as a
54 northbound/southbound roadway. Martin's Ferry Bridge runs approximately east to west. Hwy 169 is on the east
55 side of the bridge, and Tulley Creek Road is on the west side of the bridge. I later saved an aerial image of this
56 area from Google Maps – imaged attached below. It should be noted that while the attached photo shows a bend
57 or curve in the bridge, there is no noticeable curve or bend in the bridge from ground level. On the attached
58 image, north is toward the top of the photo.



59

60



61

62

63 Upon my arrival, I parked in a turnout area off Hwy 169 on the east side and just south of Martin's Ferry Bridge. I
64 saw the east end of the bridge was blocked with crime scene tape and road flares. CHP Officer Combs was standing
65 by at the east end of the bridge, maintaining the road closure. I saw there was a crowd of about 10 subjects in a
66 turnout area off Hwy 169 on the east side and just north of Martin's Ferry Bridge. I saw there were vehicles parked
67 on the bridge. The vehicles were about 2/3 of the way across the bridge from Hwy 169. I walked out the bridge
68 to the vehicles. There were 3 vehicles parked near each another:

- 69 • White marked HCSO patrol vehicle – Ford Expedition – HCSO unit # 08344 – CA exempt license plate #
70 [REDACTED]
- 71 • Black and white marked HCSO patrol vehicle – Ford Explorer – HCSO unit # 07179 – CA exempt license
72 plate # [REDACTED]
- 73 • [REDACTED] Chevy Corvette – CA license plate number [REDACTED]

74

75 DOJ photographs, taken during daylight, attached below – depicting the vehicles and their positioning:

76



Humboldt County Sheriff's Office
Case # 201703390

Supplemental Report # 5
Investigator Peterson 1186

81 The bridge had been divided into 2 sections with crime scene tape at 3 locations. There was crime scene tape
82 across the west and east ends of the bridge. There was crime scene tape across the bridge in between HCSO unit
83 # 08344 (white Ford Expedition) and HCSO unit # 07179 (black and white Ford Explorer). The [REDACTED] Corvette (CA
84 [REDACTED]) was in the same taped off section as HCSO unit # 07179. The taped off section containing HCSO unit #
85 07179 and the [REDACTED] Corvette was determined to be the crime scene (west end of the bridge to the crime scene
86 tape in between HCSO unit # 07179 and HCSO unit # 08344). The taped off section from the east end of the bridge
87 to the crime scene tape between the two patrol vehicles acted as an outer perimeter to the crime scene.

88
89 I made contact with HCSO Sgt. Musson, HCSO Corporal Soeth, HCSO Deputy Cumbow, and HCSO Deputy Matilton
90 on the bridge. The subjects were standing near HCSO unit # 08344 (white Ford Expedition). I spoke briefly with
91 Corporal Soeth, Deputy Cumbow, and Deputy Matilton in the presence of Sgt. Musson. I did not question the
92 deputies, and the following information was volunteered to me.

93
94 The following is a summary of what Corporal Soeth told me:

95
96 **Corporal Soeth told me he had reloaded during the shooting incident and the magazine lying on**
97 **the ground near HCSO unit 07179 (black and white Ford Explorer) was his. Corporal Soeth told**
98 **me that after the shooting incident he had obtained a loaded pistol magazine from his patrol**
99 **vehicle and put it in his magazine pouch on his duty belt. Corporal Soeth had also obtained an**
100 **additional loaded magazine from a bag in his patrol vehicle for Deputy Cumbow. Deputy**
101 **Cumbow had performed an administrative reload – replacing a partially depleted magazine in**
102 **his pistol with the fully loaded magazine Corporal Soeth gave him. Deputy Cumbow had placed**
103 **the partially depleted magazine in one of his pants pockets. One [REDACTED] had been arrested.**
104 **The [REDACTED] was currently seated in Deputy Matilton's patrol vehicle – HCSO unit # 08344 (white**
105 **Ford Expedition). After the shooting incident, the on scene deputies (Corporal Soeth, Deputy**
106 **Cumbow, and Deputy Matilton) placed crime scene tape between HCSO unit # 07179 (black and**
107 **white Ford Explorer) and HCSO unit # 08344 (white Ford Expedition). The crime scene tape was**
108 **placed to help secure the area where the shooting had occurred; which was the area of HCSO**
109 **unit # 07179 (black and white Ford Explorer). They did not include HCSO unit # 08344 (white**



110 Ford Expedition) in the taped off area as they considered it to be outside of the shooting
111 incident scene. They had also placed crime scene tape across the west side of the bridge to
112 block off the west side of the scene. At some point after the shooting HCSO Deputy Melendy
113 arrived on scene. He drove to the area via Hwy 169 and arrived at the east side of the bridge.
114 Corporal Soeth wanted to have an officer posted at the west side of the bridge to maintain the
115 scene. Deputy Melendy entered the taped off area in order to walk to the west end of the
116 bridge. Corporal Soeth ensured that when Deputy Melendy walked through the shooting scene,
117 he did not disturb it, and avoided stepping on or moving any potential items of evidence, such
118 as broken glass or expended firearms cartridges. Deputy Melendy was still at the west end of
119 the bridge. No persons had entered the crime scene since Deputy Melendy crossed through it.
120 HCSO Deputy Eric Morris arrived on scene after Deputy Melendy posted at the west end of the
121 bridge. Deputy Morris drove to the west side of the bridge via Tulley Creek Road. Deputy
122 Morris would be maintaining the closure of the west end of the bridge. Deputy Melendy needed
123 to cross back through the crime scene to get back to his patrol vehicle. When CHP Officer Combs
124 arrived on scene, she blocked the east end of the bridge to help further secure the shooting
125 scene. Corporal Soeth told me there were no known witnesses to the shooting incident. The
126 crowd at the east end of the bridge formed after the shooting incident.

127

128 The following is a summary of what Deputy Matilton told me:

129

130 Deputy Matilton told me the [REDACTED] in custody had been identified as [REDACTED]
131 – date of birth [REDACTED]. The [REDACTED] was currently seated in the rear passenger
132 compartment of Deputy Matilton's patrol vehicle – HCSO unit # 08344 (white Ford Expedition).
133 [REDACTED] had received an injury during the shooting incident. Hoopa Ambulance had come to
134 the scene prior to my arrival. Ambulance personnel had examined [REDACTED] and determined he
135 did not have any injuries that required an emergency response to the hospital. The ambulance
136 personnel treated [REDACTED] and then departed the scene. Deputy Matilton had started a crime
137 scene log.

138



139 Deputy Matilton turned over his crime scene log to Sgt. Musson to maintain. I told the deputies to maintain the
140 equipment and gear that was on their persons as it was. I explained to the deputies they would be transported
141 to HCSO CID in Eureka where their gear and persons would be further documented.

142
143 I spoke privately with Sgt. Musson. I asked him if he had obtained any further statements from the involved
144 deputies, beyond what they had told me. Sgt. Musson told me he had not questioned them further about the
145 incident. Sgt. Musson told me Corporal Soeth was a Field Training Officer (FTO) and Deputy Cumbow was on the
146 Field Training Program. Corporal Soeth and Deputy Cumbow had been doubled in the same patrol car.

147
148 I entered the crime scene to conduct a walk through and to obtain a license plate of the Corvette (at this point it
149 had not yet been obtained). No other persons entered the crime scene with me. While in the crime scene I did
150 not move or touch any apparent items of evidence, such as expended firearms cartridges, broken glass, or blood.
151 While in the crime scene I looked inside of the vehicles while standing outside of them. I did not enter into the
152 vehicles or touch them. While in the crime scene I stayed on the north side of the vehicles. As I was leaving the
153 crime scene, I escorted Deputy Melendy through the crime scene - from the west side to the east side.

154
155 I made the following observations:

156
157 HCSO unit # 08344 (white Ford Expedition) was parked in the westbound lane and was facing westbound. The
158 vehicle was running. No vehicle or emergency lights were on. All doors and windows were closed.

159
160 HCSO unit # 07179 (black and white Ford Explorer) was in the eastbound lane and was facing westbound. It was
161 parked about 2 car lengths in front of HCSO unit # 08344. The vehicle was running. The vehicle's head lights and
162 both passenger and driver's side spot lights were on. The spot lights were aimed at the [REDACTED] Corvette. No
163 emergency lighting was activated. Both the passenger and driver's side doors were open. The passenger side
164 window appeared to be broken out. There was shattered glass on the ground below the door. The majority of
165 the glass had fallen out of the window frame, though there was still some glass remaining along the edges of the
166 window frame. There was a pistol magazine lying on the ground near the passenger side rear corner of the vehicle.
167 There were several apparent expended pistol cartridges lying on the ground along the passenger side of the



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168 vehicle. There was crime scene tape across the bridge in between HCSO unit # 08344 (white Ford Expedition) and
169 HCSO unit # 07179 (black and white Ford Explorer). The expended cartridges, broken glass, and pistol magazine
170 were all located on the west side of the crime scene tape.

171

172 The [REDACTED] Chevy Corvette, bearing CA license plate # [REDACTED], was in the east bound lane and was facing
173 eastbound. It was parked about one car length in front of HCSO unit # 07179 (black and white Ford Explorer). The
174 vehicle was off and none of the vehicle's lights were on. The passenger side door was closed. The driver's side
175 door was open. The driver's side window was not up. There were several holes in the vehicle's windshield. The
176 holes appeared consistent with bullet holes. There was a silver colored revolver partially exposed and partially in
177 between the driver's seat and center console in the vehicle. I saw no other persons in the vehicle.

178

179 There was no cell service at Martin's Ferry Bridge. Using the satellite phone I retrieved from the HCSO Willow
180 Creek office, I called Sgt. Freese and relayed the above information. The satellite phone had poor reception, and
181 our calls were repeatedly dropped. After several phone calls, Sgt. Freese told me she would be preparing a search
182 warrant for the [REDACTED] Corvette – CA [REDACTED] as well as for samples of [REDACTED] blood and saliva. Sgt.
183 Freese advised me California DOJ Criminalists would be responding to further process and document the scene.
184 HCSO Detective Hicks would be responding to the scene to document it via a Leica scanner.

185

186 I spoke again with Sgt. Musson. We determined Deputy Melendy would transport [REDACTED] to St. Joseph Hospital
187 in Eureka for medical clearance and a legal blood draw. I asked Sgt. Musson what [REDACTED] was in custody for. Sgt.
188 Musson asked Corporal Soeth. Corporal Soeth said something similar to: PC 245, he pointed a gun at me.

189

190 Deputy Melendy drove his patrol vehicle onto the bridge and parked near Deputy Matilton's vehicle – HCSO unit
191 # 08344 (white Ford Expedition). I stood by while Deputy Melendy moved [REDACTED] from one patrol vehicle to the
192 other. I did not speak with or question [REDACTED]. [REDACTED] was cooperative. I gave Deputy Melendy a digital audio
193 recorder and asked him to record his transport of [REDACTED] (Deputy Melendy recorded the transport and later gave
194 me the recorder with the recordings – see below for further). Deputy Melendy left the scene with [REDACTED] on July
195 15, 2017 at about 0015 hours. See Deputy Melendy's supplemental report # 2 for further information. After
196 [REDACTED] was transported from the scene, the crowd at the east end of the bridge began to disperse.



197

198 Lt. Miller arrived on scene on July 15, 2017 at about 0027 hours. It was determined Lt. Miller would transport
199 Corporal Soeth, Deputy Cumbow, and Deputy Matilton to HCSO CID. Lt. Miller left the scene with the deputies at
200 about 0055 hours. See Lt. Miller's supplemental report # 8 for further information.

201

202 At this point the remaining personnel on scene, in addition to myself, were:

- 203 • HCSO Deputy Morris, who was maintaining security at the west end of the bridge
- 204 • CHP Officer Combs, who was maintaining security at the east end of the bridge
- 205 • Sgt. Musson

206

207 I recall seeing HCSO Deputy Moore arrive on scene at some point and take over scene security at the west end of
208 the bridge. I did not record the time. Deputy Moore drove to the area via Tulley Creek Road. After Deputy Moore
209 arrived on scene, Deputy Morris was released from the scene. Per the HCSO dispatch CAD log, Deputy Moore
210 arrived on scene at about 0034 hours and Deputy Moore departed the scene at about 0100 hours.

211

212 HCSO Lt. Young arrived on scene at about 0105 hours. CA DOJ Criminalists [REDACTED] and [REDACTED] arrived
213 on scene at about 0140 hours. HCSO Detective Hicks arrived on scene at about 0210 hours. I recall speaking with
214 Sgt. Musson at some point regarding releasing CHP Officer Combs from the scene. Sgt. Musson told me he would
215 assume security at the east end of the bridge. Per Sgt. Musson's crime scene log CHP Officer Combs left the scene
216 at about 0212 hours.

217

218 After the arrival of Lt. Young, Detective Hicks, Criminalist [REDACTED], and Criminalist [REDACTED]; we formulated a plan to
219 further document and process the crime scene. It was agreed that Detective Hicks would document the scene via
220 the Leica scanner. The DOJ Criminalists would document the scene in its entirety – to include all 3 involved
221 vehicles. DOJ Criminalists would only collect evidence from the interior crime scene (area of HCSO unit # 07179 –
222 black and white Ford Explorer – and the [REDACTED] Corvette). I would collect any evidence from HCSO unit # 08344
223 (white Ford Expedition). At some point after the DOJ Criminalists arrived on scene, we were notified that the
224 search warrant Sgt. Freese prepared had been signed. I do not recall how we were notified. The search warrant



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225 – Humboldt County Superior Court SW1700355 – was signed on July 15, 2017 at 0205 hours by the Honorable
226 Judge Wilson.

227

228 I stood by at the bridge while the DOJ Criminalists and Detective Hicks conducted their documentation and
229 processing of the scene. See attached DOJ Bureau of Forensic Services (BFS) report # EU-17-000797-0001 and
230 Detective Hicks supplemental report # 3 for further information.

231

232 I was present when the DOJ Criminalists searched the [REDACTED] Corvette (CA [REDACTED]) pursuant to search warrant
233 SW1700355. I did not participate in the search. DOJ conducted a limited search of the vehicle on scene. DOJ
234 collected apparent bullet fragments from the vehicle and the silver colored revolver. The revolver was a stainless
235 steel .44 Magnum Ruger Redhawk revolver with wood grips – serial # [REDACTED]. The pistol had a 6 round cylinder.
236 DOJ Criminalist [REDACTED] inspected the cylinder when he took the pistol out of the vehicle. I saw the cylinder
237 contained 4 unexpended cartridges and 2 expended cartridges. DOJ kept possession of all items seized from the
238 Corvette. See DOJ BFS Report # EU-17-000797-0001 for further information.

239

240 I was present when the DOJ Criminalists searched HCSO unit # 07179 (black and white Ford Explorer). I did not
241 participate in the search. I saw there was a locking gun rack in the front passenger compartment of the vehicle.
242 There were no firearms in the gun rack. The only firearm DOJ located in the vehicle was in the rear cargo
243 compartment. The firearm was a Smith and Wesson, 223, M&P-15, rifle – serial # [REDACTED]. The rifle was
244 contained within a soft rifle case. The rifle's action was closed on an empty chamber and a loaded magazine was
245 inserted into the rifle. In addition to the magazine loaded into the rifle, there were 6 additional loaded magazines
246 in the rifle case. DOJ took possession of the rifle, rifle case, and magazines. I did not participate in or observe a
247 round count of the loaded magazines.

248

249 Prior to Corporal Soeth's departure, he requested he be allowed to take possession of his cellular phone and his
250 lunch bag which were in HCSO unit # 07179 (black and white Ford Explorer). Corporal Soeth told me the cell phone
251 was in the front passenger seat area of the vehicle, and the lunch bag was in the rear cargo compartment area of
252 the vehicle. Corporal Soeth described the lunch bag as a camouflage soft sided bag. I advised him that I would
253 not release the items at that time, though I would consult with DOJ personnel when they arrived on scene



254 regarding the release of the items. I relayed Corporal Soeth's request to the DOJ Criminalists. The DOJ Criminalists
255 located and documented the items. They searched the lunch bag. No items were seized from the lunch bag. They
256 turned over the phone, the lunch bag, and two green patrol jackets to me. The jackets were located in the rear
257 cargo compartment of the vehicle. One jacket had the name "Soeth" affixed to it, and the other had the name
258 "Cumbow" affixed to it. I later turned these items over to Corporal Soeth and Deputy Cumbow.

259

260 At about 0545 hours, the DOJ Criminalists advised me they were ready to document and process the interior of
261 HCSO unit # 08344 (white Ford Expedition). The DOJ Criminalists and I searched the vehicle together. We both
262 took photographs documenting the vehicle and our search of it. See DOJ BFS report # EU-17-000797-0001 for
263 further information. I made the following observations:

264

265 I saw no apparent damage to the interior or exterior of the vehicle. There was a locking gun rack in the front
266 driver's compartment. Locked in the rack were 2 firearms: a Remington 870 shotgun and a Colt M16A1 rifle. I
267 removed the firearms and conducted a round count of the firearm's magazines. We searched the remainder of
268 the vehicle and documented and collected all ammunition and magazines that were located. The following items
269 were seized from the vehicle:

270 • Colt M-16A1, 223 rifle, serial # [REDACTED]. The rifle's action was closed on an empty chamber. There was
271 a loaded magazine inserted into the rifle. The rifle was located in the gun rack in the front driver's
272 compartment. Barcode (BC) 148186

273 ○ The magazine inserted into the rifle was a plastic 20 round AR variant magazine. BC 148187.

274 ○ There were 20 unexpended Remington 223 cartridges loaded into the magazine. BC 148188.

275 • Remington 870 Wingmaster 12 gauge shotgun, serial # [REDACTED]. The shotgun's action was closed on an
276 empty chamber. The firearm was located in the gun rack in the front driver's compartment. The shotgun's
277 affixed magazine was loaded. BC 148189.

278 ○ There were 4 unexpended 12 gauge cartridges loaded into the shotgun's magazine: 2 Winchester
279 slugs and 2 Federal 00 buck. BC 148190.

280 • There were 3 loaded AR variant magazines in the front driver's side door pocket. Two of the magazines
281 were contained within a camouflage pouch, and 1 of the magazines was loose.

282 ○ Camo magazine pouch. BC 148185



- 283 ○ Metal 30 round AR variant magazine from the camouflage magazine pouch. BC 148181.
- 284 ▪ There were 29 unexpended Remington 223 cartridges in the above magazine. BC 148182.
- 285 ○ Metal 30 round AR variant magazine from the camouflage magazine pouch. BC 148183.
- 286 ▪ There were 31 unexpended Remington 223 cartridges in the above magazine. BC 148184.
- 287 ○ Plastic 20 round AR variant magazine. Loose in the driver's side front door pocket. BC 148179.
- 288 ▪ There were 21 unexpended Remington 223 cartridges in the above magazine. BC 148180.
- 289 ● Located in the vehicle's rear cargo compartment were a black plastic tote, a clear plastic tote, and a black
- 290 bag. Ammunition was located in the black bag and in the black plastic tote.
- 291 ○ A full 50 round box of unexpended Remington .40S&W cartridges was located in a black bag in
- 292 the rear cargo compartment. BC 148191.
- 293 ○ 10 loose unexpended Winchester .40S&W cartridges were located in the right pocket of a patrol
- 294 jacket. The jacket was in a black plastic tote in the rear cargo compartment. BC 148192
- 295 ○ 3 full 20 round boxes of American Eagle .223 cartridges were located at the bottom of the black
- 296 plastic tote in the rear cargo compartment. BC 148193.

297

298 I took possession of the above items and later booked them into evidence at HCSO. I downloaded the photographs

299 I took of HCSO unit # 08344 (white Ford Expedition) and of the scene to a CD and later booked the CD into evidence

300 at HCSO – BC 150804. Printed photos attached.

301

302 After HCSO unit # 08344 was documented and processed it was released from the scene. Lt. Young and Detective

303 Hicks drove the vehicle to a secure parking area at the Hoopa Valley Tribal Police Department (HVTPD).

304

305 At some point during the night, while we were on scene, [REDACTED] stopped at the east end of the bridge.

306 She spoke with Lt. Young. [REDACTED] stated she was [REDACTED] mother. [REDACTED] inquired about [REDACTED] dog "Baby," a

307 Pomeranian. [REDACTED] told Lt. Young the dog was always with [REDACTED]. At that point we had not seen a dog. [REDACTED]

308 requested we contact her at [REDACTED] if we located the dog. Later in the morning, at about 0800 hours, Lt.

309 Young saw the dog in the Corvette. The dog had been hiding in the rear cargo compartment. The cargo

310 compartment was open to and accessible from the driver's compartment. It should be noted that DOJ had limited

311 their search to the driver's compartment of the vehicle while on scene. Lt. Young was able to call the dog out of



312 the vehicle. The dog was uninjured. I called [REDACTED] and advised her we had located the dog. [REDACTED] responded to
313 the scene and took possession of the dog. I spoke with [REDACTED] about the shooting incident. I explained to her that
314 I was the investigating officer. [REDACTED] told me she did not witness the incident and she knew no details. [REDACTED] did
315 not know of anyone else who witnessed the incident or knew any details. I gave [REDACTED] my business card with my
316 contact information. I asked [REDACTED] to give my contact information to anyone who may have information regarding
317 the shooting incident.

318

319 At some point during the night I spoke with [REDACTED] at the east end of the bridge. The following is a summary
320 of what [REDACTED] told me:

321

322 [REDACTED] knew there was a night watchman who guarded construction equipment stored in a
323 turnout off Hwy 169, just south of Martin's Ferry Bridge. [REDACTED] told me the night watchman
324 was [REDACTED] and that he drove a [REDACTED] Corvette. [REDACTED] was not present in the area at the
325 time of the shooting and he did not know anything about what had happened.

326

327 I gave [REDACTED] my business card and asked him to give my contact information to anyone who may have information
328 regarding the shooting incident.

329

330 DOJ requested the [REDACTED] Corvette (CA license plate [REDACTED] and HCSO unit # 07179 (black and white Ford
331 Explorer) be towed from the scene so they could be further examined at a later date. I requested Humboldt
332 Towing of Eureka respond to the scene to tow the vehicles. Humboldt Towing arrived on scene on July 15, 2017
333 at about 0825 hours. Both of the above vehicles were towed from the scene pursuant to CVC 22655.5 and stored
334 in secure storage at Humboldt Towing, 101 H Street, Eureka, CA. I sealed the doors of both vehicles with evidence
335 tape prior to Humboldt Towing leaving the scene. Copies of CHP 180's attached.

336

337 HCSO dispatch ran a registration check on CA license plate [REDACTED]. The plate returned to a [REDACTED] Chevrolet,
338 with registration expired as of September 2016. The vehicle was registered to [REDACTED] or [REDACTED]
339 [REDACTED] at [REDACTED], [REDACTED] Hoopa, CA. Copy of registration attached.

340



341 HCSO dispatch ran a California Driver's License check on [REDACTED] - DOB [REDACTED]. [REDACTED]
342 CDL was [REDACTED]. Copy of CDL attached. The addresses listed on the CD were:
343 • [REDACTED]
344 • [REDACTED]
345 • [REDACTED]
346
347 Sgt. Musson left the scene at about 0830 hours. Upon his departure he turned over the crime scene log to me. I
348 made no entries into the log. At about 0900 hours the scene was released and the bridge was reopened.

349
350 **OVERVIEW OF REPORTS**
351

352 The following is a list of CIRT investigators who assisted in this investigation, and a brief synopsis of their activities:

- 353 • HCSO Sgt. Freese acted as the team leader for the initial CIRT response. Sgt. Freese prepared
354 SW1700355, on July 15, 2017, for the search of the [REDACTED] Corvette bearing CA license plate # [REDACTED]
355 and for a blood draw and saliva sample from [REDACTED]. Sgt. Freese later prepared a follow-up
356 search warrant to further search the [REDACTED] Corvette bearing CA license plate # [REDACTED]. Sgt. Freese
357 also conducted investigation into the .44 Magnum Ruger Redhawk pistol located in the [REDACTED] Corvette.
358 The pistol had been reported as stolen to the Siskiyou County Sheriff's Office on May 6, 2012. Sgt. Freese
359 documented her activities in HCSO case # 201703390 – Supplemental 7.
- 360 • Eureka Police Department (EPD) Detective Gordon, EPD Officer Linfoot, and HCSO Detective Havens
361 processed Corporal Soeth, Deputy Cumbow, and Deputy Matilton at HCSO for evidence on the morning
362 of July 15, 2017. Detective Havens documented this teams activities in HCSO case # 201703390 –
363 Supplemental 4.
- 364 • Humboldt County District Attorney's office (HCDA) Investigator Cooper, and Arcata Police Department
365 (APD) Losey went to St. Joseph's Hospital in Eureka on the morning of July 15, 2017. They interviewed
366 [REDACTED] at the hospital and obtained a statement. The statement was recorded. Investigator
367 Cooper prepared a report documenting the interview. Investigator Cooper provided me a copy of his
368 report, which I attached to this report – HCDA case # DA17-212. There were 5 printed photos of [REDACTED]
369 [REDACTED] attached to Investigator Cooper's report. Investigator Cooper also provided me a digital copy



370 of the audio recording from his interview with [REDACTED]. I booked a copy of the recording into evidence
371 at HCSO on CD – BC 150784. Investigator Cooper also obtained a blood and saliva sample from [REDACTED]
372 pursuant to search warrant # SW1700355. Deputy Melendy took possession of the saliva sample at the
373 hospital and booked it into evidence at HCSO – BC 148058 (See Deputy Melendy's Supplemental Report
374 # 9 for further). Investigator Cooper took [REDACTED] blood sample from the hospital and turned it over to
375 Detective Havens at HCSO. Detective Havens booked the blood sample into evidence at HCSO (See
376 Detective Havens Supplemental Report # 4 for further).

377

378 The following is a list of HCSO reports completed as part of the initial response/investigation into this incident. All
379 reports were drawn under HCSO case # 201703390:

- 380 • Initial Report – Deputy Matilton provided a statement which is documented in supplemental report # 10.
- 381 No further report will be completed by Deputy Matilton.
- 382 • Supplemental # 1 – Sgt. Musson. Response to scene.
- 383 • Supplemental # 2 – Deputy Melendy. Transport of [REDACTED] to the hospital and to jail.
- 384 • Supplemental # 3 – Investigator Hicks. Scan of the incident scene with a Leica Scanner.
- 385 • Supplemental # 4 – Detective Havens. Processing the involved officers for evidence.
- 386 • Supplemental # 5 – Investigator Peterson. (This report).
- 387 • Supplemental #6 – Detective Havens. Receipt of evidence from HCDA.
- 388 • Supplemental # 7 – Sgt. Freese. Preparation of search warrants and follow-up investigation.
- 389 • Supplemental # 8 – Lt. Miller. Transport of the involved deputies to HCSO.
- 390 • Supplemental # 9 – Deputy Melendy. Evidence booking.
- 391 • Supplemental # 10 – Investigator Peterson. Interview of involved deputies.

392

393

POST SCENE INFORMATION

394

395 [REDACTED] was booked into the Humboldt County Correctional Facility (HCCF) for violation of PC 417(c) and
396 PC 25850(a). HCSO Deputy Melendy transported [REDACTED] from the scene to St. Joseph's Hospital in Eureka, and
397 then to HCCF after medical treatment. Sgt. Freese completed the jail booking paperwork. See Deputy Melendy's
398 Supplemental Report # 2 and Sgt. Freese's Supplemental Report # 7 for further information.



399

400 Deputy Melendy recorded his transport of Robbins with a digital audio recorder I provided to him. Deputy
401 Melendy did not download the recording. He returned the audio recorder to me with the recording on it. I found
402 there were 3 recordings on the recorder from July 15, 2017. I reviewed the recordings and found they appeared
403 to be recordings of Deputy Melendy's transport of Robbins and of some of the time that Deputy Melendy was
404 with Robbins at St. Joseph's Hospital in Eureka. Investigator Cooper and Detective Losey's interview of Robbins
405 appears to be on the last recording (file 170715_0065). See Deputy Melendy's Supplemental Report # 2 for a
406 summary of the transport. I booked the 3 recordings into evidence at HCSO on CD – BC 150808. The length of
407 the recordings is as follows:

- 408 • File 170715_0063 – 10 minutes 11 seconds.
- 409 • File 170715_0064 – 20 minutes 22 seconds.
- 410 • File 170715_0065 – 51 minutes 28 seconds.

411

412 While listening to file 170715_0065, I heard ██████████ tell Investigator Cooper and Detective Losey that he
413 was employed by his brother, ██████████ of ██████████ Construction. ██████████ was on Martin's Ferry Bridge on July
414 14, 2017, working as a security guard for ██████████ Construction. ██████████ was guarding construction equipment
415 parked near the bridge. I did not see this information contained in Investigator Cooper's report.

416

417 Sgt. Musson turned over the crime scene log to me upon departing Martin's Ferry Bridge. I booked the original
418 log into evidence at HCSO – BC 150786. Copy of log attached.

419

420 I later returned search warrant # 1700355 to the courts. The search warrant was prepared by Sgt. Freese for the
421 search of the ██████████ Corvette bearing CA license plate # ██████████ and the collection of a blood and saliva sample
422 from ██████████. When I returned the warrant to the court, I included all items seized from the ██████████ Corvette
423 on July 15, 2017 on an attached inventory sheet. By error, I did not include the seizure of the blood and saliva
424 sample taken from ██████████ pursuant to the search warrant.

425

426 On July 15, 2017, HCSO Dispatcher ██████████ made copies of the dispatch tapes from the shooting incident.
427 Dispatcher ██████████ sent an e-mail advising she had saved the recordings onto a CD and put the CD in my in box at



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428 HCSO CID. I located the CD in my in box on July 17, 2017. I reviewed the contents of the CD. I found 8 recordings
429 on it. I reviewed the recordings and they appeared to be radio transmissions made regarding the shooting incident
430 on Martin's Ferry Bridge. I booked the CD into evidence – BC 150787. I also attached a copy of an e-mail sent by
431 Dispatcher [REDACTED] to this report.

432
433 On July 18, 2017, Sgt. Freese was provided a copy of the photos taken by DOJ at Martin's Ferry Bridge on
434 07/15/2017. Sgt. Freese gave me the CD, which was marked "DOJ 1." I booked the CD into evidence at HCSO –
435 BC 150795. Printed copy of photos attached. On August 22, 2017, I received a second CD from DOJ with additional
436 photos. The CD was marked "DOJ 2." I booked the CD into evidence at HCSO – BC 150796. Printed copy of photos
437 attached.

438
439 Further information will be documented by supplemental report. Supporting documentation attached:

- 440 • Evidence Booking Form (3)
- 441 • 27 – [REDACTED] (1)
- 442 • 28 – CA [REDACTED] (1)
- 443 • CHP 180 / Supporting docs (6)
- 444 • Humboldt County Superior Court SW1700355 (11)
- 445 • Printout of CFS 71417-153 (5)
- 446 • DOJ BFS report # EU-17-000797-0001 (10)
 - 447 ○ BC 150795 – 303 Printed Photos "DOJ 1" (9)
 - 448 ○ BC 150796 – 601 Printed Photos "DOJ 2" (19)
- 449 • HCDA Investigator Cooper's report – HCDA Case # DA17-212 (8)
- 450 • E-mail sent by HCSO Dispatcher [REDACTED] on July 15, 2017 (1)
- 451 • BC 150786 – Crime scene log (3)
- 452 • BC 150804 – 68 Printed photos (2)

453
454
455  1/4/18

456 Investigator M. Peterson 1186

 1/4/18

Supervisor Review



1 On 07/14/2017, at 2200 hours, I was contacted at home by Lt. Young of the Humboldt County Sheriff's Office.
2 He told me there had been an Officer involved shooting in Witchepeck, on Martin's Ferry Bridge. He told me
3 involved Deputies were Corporal Soeth and his Trainee Cumbow, and Deputy Matiliton. Lt. Young told me he
4 had little information at this time. Sergeant Musson was still responding from Eureka. Lt. Young told me he had
5 contacted HCSO Dispatch and Activated the Humboldt County Critical Response Team (CIRT).

6 I gathered my equipment and contacted Investigator Peterson and requested he respond to the scene. I
7 contacted Sergeant Musson, who told me he had little information to add. I asked him to obtain public safety
8 statements from the involved Deputies and to have them transported to CID. I responded to Humboldt County
9 Sheriff's Office Criminal Investigations Division (CID), where we met with the responding Team members. Those
10 present and representing were District Attorney Investigator Gary Cooper, Senior Detective John Gordon
11 (Eureka Police Department), Officer Linfoot (Eureka Police Department), Eric Losey (Arcata Police Department),
12 Department of Justice [REDACTED] and [REDACTED] Investigator Peterson (HCSO), Investigator Hicks (HCSO), Det. Havens
13 (HCSO), and I, Sergeant Diana Freese (HCSO).

14

15 Department of Justice [REDACTED] and [REDACTED] were assigned to process the scene on Martins Ferry Bridge.
16 Investigator Hicks was assigned to operate the Leica scan station, 3D scanner, out at the scene. Det. John
17 Gordon, Det Havens, and Officer Linfoot were assigned to document the involved Deputies for evidence and
18 conduct a round count. DAI Cooper and APD Losey were assigned to interview [REDACTED] I was assigned
19 to obtain a search warrant for the vehicle located out at the scene. See the respective reports.

20 At about 0030 hours, I received a phone call from Investigator Peterson. It should be noted this area has spotty
21 radio communication and no cellular phone service. I think Investigator Peterson had a Satellite Phone that had
22 spotty service as well. It took multiple poor reception phone calls to obtain the following information.
23 Investigator Peterson told me Sgt. Musson had not gotten a public safety statement from the involved deputies,
24 as he determined the back drop was such that it did not warrant it. Sgt. Musson determined it would be a
25 violation of POBAR. [REDACTED] was the [REDACTED] who was in the [REDACTED] Corvette. [REDACTED] was checked by
26 medical who arrived on scene and determined [REDACTED] injuries did not require an ambulance for transport.
27 Investigator Peterson described the scene to me. He told me there was a [REDACTED] Corvette Facing HWY 169 in the
28 proper lane of travel. There was a patrol car in front of the Corvette. The door to the Corvette was open and
29 there was a firearm visible in the car. The firearm was near the center console on the driver's side seat. The
30 Corvette had multiple bullet holes in the front windshield and one of the side windows was broken out.
31 Investigator Peterson told me the Corvette had a state of California Vehicle Plate of [REDACTED] Investigator
32 Peterson told me there were no witnesses to the incident.

33 I looked at the call for service from Dispatch. I saw they had a [REDACTED] with a date of Birth [REDACTED] in
34 the call.

35 I prepared the attached search warrant for the person of [REDACTED] DOB [REDACTED] for blood and a
36 buccal swab, and for the [REDACTED] Corvette.

37 I contacted the on call Judge and spoke to Humboldt County Superior Court Judge Christopher Wilson. We met
38 in person at Arcata Police Department. Judge Wilson reviewed the search warrant. While he was reviewing the
39 warrant, I received a phone call from DIA Cooper who told me [REDACTED] date of birth was wrong and he provide



40 me with a DOB of [REDACTED] I changed the date of birth on the search warrant in pen. Judge Wilson reviewed
41 the warrant and granted the warrant. I later learned that the true identity of the arrested [REDACTED] is [REDACTED]
42 [REDACTED] [REDACTED]. The person who the blood draw and buccal swab was collected from was in fact the
43 person who had been detained and the person who was involved in the shooting.

44 I arrived back in CID and was contacted by DIA Cooper who gave me a brief synopsis of his interview with
45 [REDACTED] was being treated at the hospital and would remain for some time getting treatment. [REDACTED]
46 was Mirandize and waived his rights.

47 [REDACTED] stated he was on the bridge conducting security for a construction site nearby. [REDACTED] stated he was
48 approached by two vehicles. He acknowledged there were spot lights shined on him. He stated he had a gun
49 sitting in the back of his Corvette. He obtained the gun and pointed it out the front windshield of his car. He
50 stated he did not hear any commands. He thought the persons in the vehicle were his cousins "messaging" with
51 him. He stated he was then fired upon by the persons who had pulled up in front of him. He did not know they
52 were Law Enforcement until later. (see DIA Cooper's report)

53 It was pre-arranged through Humboldt County Sheriff's Deputy Sheriff's Association and their Legal Defense
54 Fund that the Deputies would be interviewed on Monday 07/17/2017 at 1300 hours.

55 I contacted Investigator Peterson inquiring as to what [REDACTED] had been arrested for. Investigator Peterson told
56 me he had heard Sgt. Musson ask Deputy Soeth what they were arresting [REDACTED] for. Deputy Soeth made the
57 comment 245 PC, he pointed a gun at me. After some discussion, it was determined to book [REDACTED] for 417 (c)
58 PC and 25850 (a) PC. I completed a booking request and a probable cause form for the above charges.

59 I contacted Deputy Foy Melendy who had transported [REDACTED] to the Hospital. He told they were still treating
60 [REDACTED] and were currently removing a foreign object from [REDACTED] cheek. I advised that I would have the
61 booking forms in the jail for him upon his arrival at the Humboldt County Correctional Facility.

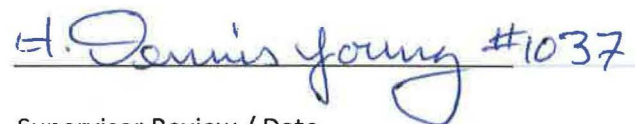
62 I later provided Investigator Peterson with the copies of the search warrant.

63 On 07/19/2017, I authored a second search warrant for the [REDACTED] Corvette in this investigation. The search
64 warrant was reviewed and granted by Humboldt County Superior Court Judge Reinholtsen. (see attached copy)

65 On July 18th 2017, I requested Dispatch run the fire arm involved in this incident. A .44 Mag Red hawk SR#
66 [REDACTED]. I learned the fire arm was booked in Siskiyou County Sheriff's Office as evidence. I contacted Siskiyou
67 County Sheriff's Office. They told me there was a data entry error and the gun was reported as stolen. I
68 requested a copy of their report. Siskiyou County corrected the DOJ data entry to stolen. I requested Dispatch to
69 send a locate on the firearm, and that it was currently in our evidence section and will be held for the duration
70 of this investigation. (See attached copy of Siskiyou's case regarding the theft of the gun in 2012.

71 No further action, see investigator Peterson's report.

72
73 
74 Sergeant Diana Freese 8/10/2017

 #1037
Supervisor Review / Date



Siskiyou County Sheriff Department
305 Butte Street, Yreka, CA 96097
(530) 842-8300 or (530) 841-2900
Fax: (530) 842-8356

FAX

To: Humboldt County SO, Attn: Sgt. Freese

From: [REDACTED]@SCSO Records

Fax Number: 707-445-7434

Fax Date: 7/20/17

Regarding: SCSO 1120491

Pages: 26 Including the Cover Sheet

Comments:

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THANK YOU.



COUNTY OF SISKIYOU
CRIME / INCIDENT
REPORT

| | |
|---|----------------------------------|
| CODE SECTION 245(a)(2)PC | CASE # 1120491 |
| CRIME ASSAULT WITH FIREARM ON PERSON | <input type="checkbox"/> ATTEMPT |
| CLASSIFICATION 245(a)(2)PC | |

| | | | | | | | |
|---|---------------|----------------|------|------------------------|------------|-------|----------|
| CASE TYPE 24 | JURIS SCSO | DISTRICT 4D | ZONE | OCCURRED ON OR FROM | DATE | TIME | DAY |
| LOCATION OF INCIDENT ██████████ HAPPY CAMP 96097 | | | | TO | | | |
| PREMISE NAME | | | | REPORTED | 05/06/2012 | 21:18 | |
| | | | | PREMISE TYPE | | | #ENTERED |

ADDITIONAL VIOLATION CODE SECTIONS

NATURE OF INCIDENT

| | | | |
|---|--|--|---------------------------------------|
| <input type="checkbox"/> Computer Used | <input type="checkbox"/> Hate/Bias Motivated | <input type="checkbox"/> Child Abuse | <input type="checkbox"/> Explosives |
| <input checked="" type="checkbox"/> Alcohol Related | <input type="checkbox"/> Officer Assault | <input type="checkbox"/> Domestic Violence | <input type="checkbox"/> USFS |
| <input type="checkbox"/> Drug Related | <input type="checkbox"/> Senior Citizen | <input type="checkbox"/> Arson | <input type="checkbox"/> Use Of Force |
| <input type="checkbox"/> Gang Related | <input type="checkbox"/> Juvenile | <input type="checkbox"/> K9 | |

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SYNOPSIS.

On 5/6/12, I received a report of an assault which involved a firearm. Upon my arrival I spoke to ██████████ briefly before he went unconscious, who was laying in the roadway in front of his residence ██████████ stated ██████████ beat him and took his gun and that ██████████ left on foot with the weapon, a loaded .44 revolver. ██████████ also said ██████████ was involved in the assault. ██████████ was transport by Mercy Air to Rogue Valley Medical Center for treatment. I located physical evidence in the residence that suggested a struggle took place. There was a Digital Video Recorder (DVR) hard drive in the residence which was connected to three cameras monitoring the exterior of the residence. I took the as evidence. I took digital photos of the interior of the residence before and after cleanup. I was unable to locate ██████████ or ██████████

7-18-12 DA ██████████
7-24-12 Case review to Tygart/Giannini/Butts ██████████
8-2-12 Tygart supp (7-13-12) & Medford P.D. case to DA ██████████
8-16-12 copy to DET ██████████
9-5-12 Hilsenberg supp to DA ██████████
7-20-17 copy of case to Lt. Frost ██████████

| | | | | | | |
|--------------------------------|----------------------------------|--------------------|-------------------------------------|-------------------|--------------------|--------|
| CASE STATUS INVC | DEPARTMENT DISPOSITION INVEST | | | | | |
| ASSOCIATED CASE NUMBERS | OTHER ROUTING | | | | | |
| OFFICER'S NAME TYGART, JOSH | ID NUMBER 2050 | DATE 05/07/2012 | SUPERVISOR REVIEW Randall, James | ID NUMBER 1650 | DATE 05/27/2012 | PAGE 1 |

1-12-0491

| CASE REPORT | | COUNTY OF SISKIYOU | | | | CASE NUMBER | | | |
|---|---|--------------------|---------------------------------------|-------------------|------------|-------------|------------|------------|------------|
| INVOLVED NAMES | | SHERIFF'S OFFICE | | | | 1120491 | | | |
| OFFICER'S NAME | | ID NUMBER | DATE | SUPERVISOR REVIEW | | ID NUMBER | PAGE | | |
| TYGART, JOSH | | 2050 | 05/07/2012 | Randall, James | | 1650 | 2 | | |
| 4-WI | LAST, FIRST, MIDDLE (FIRM, IF BUSINESS) | RACE | M | DOB | AGE | HT | WT | HAIR | EYES |
| | [REDACTED] | W | <input checked="" type="checkbox"/> F | [REDACTED] | 37 | [REDACTED] | [REDACTED] | [REDACTED] | [REDACTED] |
| ADDRESS | | | | PHONE | DL NUMBER | | | STATE | |
| [REDACTED] HAPPY CAMP CA 96039 | | | | [REDACTED] | [REDACTED] | | | CA | |
| BUSINESS NAME / SCHOOL NAME AND ADDRESS | | | | PHONE | OCCUPATION | | SSN | | |
| [REDACTED] | | | | [REDACTED] | [REDACTED] | | [REDACTED] | | |
| NAME INFORMATION: <input type="checkbox"/> NON DISCLOSURE <input type="checkbox"/> JUVENILE | | | | | | | | | |
| 5-WI | LAST, FIRST, MIDDLE (FIRM, IF BUSINESS) | RACE | M | DOB | AGE | HT | WT | HAIR | EYES |
| | [REDACTED] | W | <input checked="" type="checkbox"/> F | [REDACTED] | 54 | [REDACTED] | [REDACTED] | [REDACTED] | [REDACTED] |
| ADDRESS | | | | PHONE | DL NUMBER | | | STATE | |
| [REDACTED] HAPPY CAMP CA 96039 | | | | [REDACTED] | [REDACTED] | | | CA | |
| BUSINESS NAME / SCHOOL NAME AND ADDRESS | | | | PHONE | OCCUPATION | | SSN | | |
| [REDACTED] | | | | [REDACTED] | [REDACTED] | | [REDACTED] | | |
| NAME INFORMATION: <input type="checkbox"/> NON DISCLOSURE <input type="checkbox"/> JUVENILE | | | | | | | | | |
| 1-RP | LAST, FIRST, MIDDLE (FIRM, IF BUSINESS) | RACE | M | DOB | AGE | HT | WT | HAIR | EYES |
| | [REDACTED] | W | <input checked="" type="checkbox"/> F | [REDACTED] | 37 | [REDACTED] | [REDACTED] | [REDACTED] | [REDACTED] |
| ADDRESS | | | | PHONE | DL NUMBER | | | STATE | |
| [REDACTED] HAPPY CAMP CA 96039 | | | | [REDACTED] | [REDACTED] | | | CA | |
| BUSINESS NAME / SCHOOL NAME AND ADDRESS | | | | PHONE | OCCUPATION | | SSN | | |
| [REDACTED] | | | | [REDACTED] | [REDACTED] | | [REDACTED] | | |
| NAME INFORMATION: <input type="checkbox"/> NON DISCLOSURE <input type="checkbox"/> JUVENILE | | | | | | | | | |

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| | | | | | | | | | |
|---|-------------------|--|---|--|--------------------|---|------------------|------|------|
| CASE REPORT OFFENDERS | | COUNTY OF SISKIYOU SHERIFF'S OFFICE | | | | CASE NUMBER 1120491 | | | |
| OFFICER'S NAME TYGART, JOSH | | ID NUMBER 2050 | DATE 05/07/2012 | SUPERVISOR REVIEW Randall, James | | ID NUMBER 1650 | PAGE 3 | | |
| [REDACTED] | | RACE I | <input checked="" type="checkbox"/> M <input type="checkbox"/> F | DOB [REDACTED] | AGE 0 | HT | WT | HAIR | EYES |
| AKA / MONIKER | | | | | | RELATIONSHIP TO VICTIM | | | |
| ADDRESS HAPPY CAMP CA 96039 | | | | | | PHONE [REDACTED] | Local | | |
| BUSINESS NAME / SCHOOL NAME AND ADDRESS | | | | | | SID [REDACTED] | | | |
| OCCUPATION | | | | DL NUMBER [REDACTED] | STATE CA | SSN [REDACTED] | [REDACTED] | | |
| ARREST LOCATION | | | ARRESTING OFFICER | | ARREST DATE | | CUSTODY STATUS | | |
| WHERE BOOKED | | | PARENT/GUARDIAN <input type="checkbox"/> Notified | | ARREST # | | DISPOSITION | | |
| UNDER THE INFLUENCE OF | TEST ADMINISTERED | LEVEL | TIME OF TEST | WARRANT# | | CITE# | | | |
| SCARS, MARKS, TATTOOS ETC. | | | | | | <p style="text-align: right;">RECEIVED MAY 31 2012 SISKIYOU CO. SHERIFF OFFICE</p> | | | |
| REMARKS | | | | | | | | | |

| | | | | | | | | | | | |
|---|-------------------|--------------------------------------|--|-------------------------|---|------------------------|-------------------|----------------|----|------|------|
| [REDACTED] | | LAST FIRST MIDDLE (FIRM IF BUSINESS) | | RACE I | <input checked="" type="checkbox"/> M <input type="checkbox"/> F | DOB [REDACTED] | AGE 0 | HT | WT | HAIR | EYES |
| AKA / MONIKER | | | | | | RELATIONSHIP TO VICTIM | | | | | |
| ADDRESS HAPPY CAMP CA 96039 | | | | | | PHONE [REDACTED] | Local | | | | |
| BUSINESS NAME / SCHOOL NAME AND ADDRESS | | | | | | PHONE [REDACTED] | SID [REDACTED] | | | | |
| OCCUPATION | | | | DL NUMBER [REDACTED] | STATE CA | SSN [REDACTED] | [REDACTED] | | | | |
| ARREST LOCATION | | | ARRESTING OFFICER | | | ARREST DATE | | CUSTODY STATUS | | | |
| WHERE BOOKED | | | PARENT/GUARDIAN <input type="checkbox"/> Notified | | | ARREST # | | DISPOSITION | | | |
| UNDER THE INFLUENCE OF | TEST ADMINISTERED | LEVEL | TIME OF TEST | WARRANT# | | CITE# | | | | | |
| SCARS, MARKS, TATTOOS ETC. | | | | | | | | | | | |
| REMARKS | | | | | | | | | | | |

| CASE REPORT | | | COUNTY OF SISKIYOU | | | | CASE NUMBER | |
|----------------------------|--------|-----------|--------------------|-------------------|-----------|-----------|-------------|--|
| PROPERTY | | | SHERIFF'S OFFICE | | | | 1120491 | |
| OFFICER'S NAME | | ID NUMBER | DATE | SUPERVISOR REVIEW | | ID NUMBER | PAGE | |
| TYGART, JOSH | | 2050 | 05/07/2012 | Randall, James | | 1650 | 4 | |
| ITEM | REASON | QTY | BRAND | MODEL | SERIAL NO | \$ VALUE | \$ RECOV | |
| 1 | E | 0 | LOREX | | | | | |
| DESCRIPTION | | | | | | | STATUS | |
| COMPUTER HARDWARE/SOFTWARE | | | | | | | | |
| ITEM | REASON | QTY | BRAND | MODEL | SERIAL NO | \$ VALUE | \$ RECOV | |
| 2 | E | 0 | | | | | | |
| DESCRIPTION | | | | | | | STATUS | |
| MATCH BOOK | | | | | | | | |
| ITEM | REASON | QTY | BRAND | MODEL | SERIAL NO | \$ VALUE | \$ RECOV | |
| 3 | E | 0 | | | | | | |
| DESCRIPTION | | | | | | | STATUS | |
| BEER CAN | | | | | | | | |
| ITEM | REASON | QTY | BRAND | MODEL | SERIAL NO | \$ VALUE | \$ RECOV | |
| 4 | E | 0 | | | | | | |
| DESCRIPTION | | | | | | | STATUS | |
| RUM BOTTLE | | | | | | | | |
| ITEM | REASON | QTY | BRAND | MODEL | SERIAL NO | \$ VALUE | \$ RECOV | |
| 5 | E | 0 | | | | | | |
| DESCRIPTION | | | | | | | STATUS | |
| CIGARETTE BUTTS | | | | | | | | |
| ITEM | REASON | QTY | BRAND | MODEL | SERIAL NO | \$ VALUE | \$ RECOV | |
| 6 | E | 0 | NIKE | | | | | |
| DESCRIPTION | | | | | | | STATUS | |
| SHOES | | | | | | | | |
| ITEM | REASON | QTY | BRAND | MODEL | SERIAL NO | \$ VALUE | \$ RECOV | |
| 7 | E | 0 | | | | | | |
| DESCRIPTION | | | | | | | STATUS | |
| AUDIO CD | | | | | | | | |
| ITEM | REASON | QTY | BRAND | MODEL | SERIAL NO | \$ VALUE | \$ RECOV | |
| 8 | E | 0 | | | | | | |
| DESCRIPTION | | | | | | | STATUS | |
| PHOTO CD | | | | | | | | |
| ITEM | REASON | QTY | BRAND | MODEL | SERIAL NO | \$ VALUE | \$ RECOV | |
| 9 | E | 0 | | | | | | |
| DESCRIPTION | | | | | | | STATUS | |
| COMPUTER HARDWARE/SOFTWARE | | | | | | | | |

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SISKIYOU CO. SHERIFF OFFICE

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|---------------------------------|-------------------|--|-------------------------------------|--|-------------------------------|-----------|
| CASE REPORT NARRATIVE | | COUNTY OF SISKIYOU SHERIFF'S OFFICE | | | CASE NUMBER 1120491 | |
| OFFICER'S NAME TYGART, JOSH | ID NUMBER 2050 | DATE 05/07/2012 | SUPERVISOR REVIEW Randall, James | RECEIVED MAY 31 2012 SISKIYOU CO. SHERIFF OFFICE | ID NUMBER 1850 | PAGE 5 |

On 5/6/12 at about 2120 hours, I received a report of an assault with a deadly weapon at [REDACTED]

[REDACTED] Dispatch advised [REDACTED] reported being assaulted by [REDACTED]

[REDACTED] Dispatch explained [REDACTED] left on foot armed with a .44 handgun.

Upon my arrival, I located [REDACTED] lying in the roadway in front of his residence, just outside the gate. [REDACTED] told me the following in summary: I asked which way [REDACTED] went and he told me he did not know and that [REDACTED] had a loaded .44 magnum. I asked [REDACTED] why [REDACTED] was there and he told me [REDACTED] took the gun out of his hands. I asked what happened and [REDACTED] stated, [REDACTED] took the gun from his hands and beat him.

I asked [REDACTED] what he was doing with a gun and he told me he saw [REDACTED] on the cameras ([REDACTED] maintains a video security system on the property) and as soon as he opened the gate [REDACTED] hit him. I asked [REDACTED] if he was checking what was going on after seeing [REDACTED] on the video and he told me yes. [REDACTED] stated [REDACTED] (later identified as [REDACTED]) took the gun and [REDACTED] hit him.

I was having difficulty interviewing [REDACTED] and he would not give me a detailed statement he repeated himself several times saying that they took his gun and beat him. At one point [REDACTED] said "I tried to shoot him and he took it out of my hand." I continued trying to get a better statement from [REDACTED] but he was uncooperative. [REDACTED] made another statement saying "He hit me so hard and took the gun out of my hand, I wanted to shoot him." [REDACTED] told me 10 to 15 times that [REDACTED] had a loaded .44 magnum.

Happy Camp Ambulance medical personnel arrived and began treatment on [REDACTED]. During treatment of [REDACTED] he told one of the medical staff "I was literally trying to beat the shit out of him and he took my gun." As he was being treated I again heard him make a comment saying, they hit me with my own gun. I recorded this contact with [REDACTED] using a digital recorder.

As [REDACTED] was being treated I noticed that he had two signs posted on his fence stating "Trespassers will be shot, survivors will be shot twice."

[REDACTED] was then transported to the Happy Camp Airport where he was picked up by Mercy Air and flown to Rogue Valley Medical Center for treatment.

While [REDACTED] was being loaded into the ambulance I saw a boy, about twelve years old (later identified as [REDACTED]) walk up. I asked him what he was doing and he told me he lived at the residence. I asked him where his mother was and he told me at a neighbor's house. I asked the [REDACTED] to go get his mother.

[REDACTED] (wife) arrived and I explained to her what had happened. I asked [REDACTED] if I could look inside of the residence and she agreed to let me inside. As we walked towards the residence I began interviewing her. [REDACTED] told me the following in summary: She told me about an hour prior she was at the residence and [REDACTED] had just returned home. [REDACTED] explained [REDACTED] returned with [REDACTED] and [REDACTED] and they were all just hanging out. [REDACTED] told me [REDACTED] was upset because [REDACTED] was in the hospital dying. I know from past patrol experience that [REDACTED] was living with both [REDACTED] and [REDACTED] as his wives.

| | | | | | | |
|---------------------------------------|--------------------------|--|--|--------------------|--------------------------|--------------------------------------|
| CASE REPORT NARRATIVE | | COUNTY OF SISKIYOU SHERIFF'S OFFICE | | | RECEIVED | CASE NUMBER 1120491 |
| OFFICER'S NAME TYGART, JOSH | ID NUMBER 2050 | DATE 05/07/2012 | SUPERVISOR REVIEW Randall, JAMES | MAY 31 2012 | ID NUMBER 1650 | PAGE 6 |

██████████ told me ██████████ and ██████████ were talking about death and that ██████████ father is dyeing, so they had common ground being that each had ██████████ was dying. ██████████ stated she did not want to deal with that and left to go to the neighbor's house.

As I talked to ██████████ I looked around the house and took digital photos. The house was out of order and it appeared that struggle may have taken place. I asked ██████████ if ██████████ had ever thrown things or damaged the residence while angry. ██████████ told me that he occasionally did mess up the house while he was angry.

In the living room I saw a fan that was meant to be mounted in a window lying on the floor. ██████████ told me it was out of place. I saw stand up lamp about six feet tall laying across a mattress that was on the floor in the living room. ██████████ told me the lamp should have been standing near the entrance to the kitchen. In the dining area of the kitchen, I saw approximately twenty to twenty five cans of canned food items laying on the floor along with flour that was scattered on the floor. In the food preparation area of the kitchen I saw a large free standing butcher block that had been knocked over along with several other items for preparing food (blender, toaster, etc.) ██████████ told me all of the kitchen tools were supposed to be sitting on top of the butcher block. While checking the kitchen area I saw a fifth of Jose Cuervo Tequila that was mostly gone. I saw sitting on the stove top an empty pint bottle Sailor Jerry Rum. There were several empty beer cans lying around the kitchen.

I asked ██████████ where ██████████ kept his gun. ██████████ told me the only gun ██████████ owned was the .44 pistol and that he kept it staged in the living room for home security due to a recent and unrelated event. I asked ██████████ if anything was missing from the residence and she told me no. I used a digital recorder to record most of this statement. I failed to turn it on at the beginning of our interview and the batteries died part way through the interview and I did not notice.

While taking digital photos of the residence, I noticed a Digital Video Recorder (DVR) hard drive and monitor in the living room. I asked ██████████ if she could show me video footage on the hard drive. ██████████ was obviously under the influence of an alcoholic beverage, she had an unsteady gait and smelled of and alcoholic beverage. ██████████ began trying to show me video footage but was having difficulty remembering how to operate the DVR. She began navigating into settings. I became concerned ██████████ may accidentally erase the video footage which had the potential to be important evidence. I stopped ██████████ and asked her if I could take the DVR as evidence. ██████████ agreed and allowed me to take the DVR. As I walked outside to place the DVR into my patrol unit there were a set of red and white Nike sandals near the front porch ██████████ told me those were the shoes that ██████████ was wearing when she saw him at the residence. I took the shoes as evidence. When I looked the shoes over I saw they had a small amount of blood on them.

I advised ██████████ that I needed to make an attempt to locate ██████████ and ██████████. And told her that I would be back later in the night.

I telephoned ██████████ girlfriend, ██████████ and asked if she knew where he was. ██████████ told me no and that if she heard from him she would call me. As short time later I received a telephone call from ██████████, ██████████ mother. ██████████ told me she had just returned home from the a rodeo and that she heard law enforcement was looking for ██████████. ██████████ told me she would start looking for ██████████ and she would bring him to me as soon as she located him.

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|---------------------------------|--|--------------------|-------------------------------------|--------------------------------------|
| CASE REPORT NARRATIVE | COUNTY OF SISKIYOU SHERIFF'S OFFICE | | MAY 31 2012 | CASE NUMBER 1120491 |
| OFFICER'S NAME TYGART, JOSH | ID NUMBER 2050 | DATE 05/07/2012 | SUPERVISOR REVIEW Randall, James | ID NUMBER PAGE 7 |

I checked the Frontier Saloon and other known associates of [REDACTED] and [REDACTED] but was unable to locate them. I went to [REDACTED] Lower Airport Road, [REDACTED] residence, and was unable to locate [REDACTED] or [REDACTED] there.

I returned to [REDACTED] residence and spoke to [REDACTED]. I asked [REDACTED] if I could further interview her and take more photos of the residence, [REDACTED] agreed. [REDACTED] advised me, [REDACTED] was not doing well and would most likely be at the hospital for three or four more days. [REDACTED] told me at this point that the gun belonged to [REDACTED] father, [REDACTED]. I later had Dispatch check [REDACTED] in NCIC and check if he had any AFS entries. Dispatch informed me, [REDACTED] had one single .44 revolver Ruger Redhawk Serial# [REDACTED] registered to him.

While in the residence I took several digital photos and spoke with [REDACTED] about the incident. I was accompanied by Deputy Buker who also spoke with [REDACTED]. I took digital photos of the living room and kitchen. [REDACTED] had cleaned up prior to this set of pictures. I also collected some evidence items inside the residence. [REDACTED] pointed out some items that she believed were left behind by [REDACTED] and [REDACTED]. She pointed out a matchbook, a pot pie pan with two cigarette butts in it. She told me that no one in the residence smoked. I located a beer can in the sink that she had not removed and a Sailor Jerry Rum Bottle. I packaged the items separately in paper bags. While talking to [REDACTED] she told me she found out that [REDACTED] had died earlier in the day and she told me she believed [REDACTED] knew [REDACTED] died. [REDACTED] said she knew [REDACTED] and said he had always been respectful to her. [REDACTED] then stated it was the first time she had met [REDACTED] but that he seemed like a nice guy. [REDACTED] told Deputy Buker her in laws, [REDACTED] parents, lived in a trailer in the back yard and that she spoke to them. She said she woke them up to speak to them and they told her that they heard nothing.

I then took digital photos of the front exterior of the residence from the front door, out the gate and to the roadway where I locate [REDACTED] upon my initial response.

On 5/7/12 at about 1515 hours, I contacted Rogue Valley Medical Center and faxed a request for medical records release on [REDACTED] for any records related to this incident.

I contacted Medford Police Department for assistance in taking photos of [REDACTED] injuries at the hospital. I spoke to Officer Cromwoel who agreed to take digital photos put them to CD and send the photos to my department. Officer Cromwoel documented the assistance under case #12-8301.

On 5/7/12 at about 1730 hours, I received a telephone call from [REDACTED]. [REDACTED] advised me he and [REDACTED] wanted to give me a statement and would meet with me at the Happy Camp Substation. While speaking with [REDACTED] I told him if he had [REDACTED] pistol to bring it with him. [REDACTED] told me he threw the gun in the river.

A short time Later [REDACTED] and [REDACTED] arrived at the substation.

I took [REDACTED] inside the substation for an interview while [REDACTED] waited outside. Before interviewing [REDACTED] I advised him he was free to go, that I had no intention of arresting him and that I just wanted to hear his side of the story.

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| CASE REPORT NARRATIVE | COUNTY OF SISKIYOU SHERIFF'S OFFICE | | CASE NUMBER 1120491 |
| OFFICER'S NAME TYGART, JOSH | ID NUMBER 2050 | DATE 05/07/2012 | SUPERVISOR REVIEW Randall, James |
| | | | ID NUMBER 1650 |
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SISKIYOU CO. SHERIFF OFFICE

██████████ agreed to speak with me and told me the following in summary: ██████████ told me he had met with ██████████ and ██████████ at a Bigfoot Car Wash on Highway 96 at Park Way. He stated he was talking with ██████████ and ██████████ when ██████████ came along and invited him to his residence to drink tequila. While at the residence ██████████ began drinking tequila and getting agitated, destroying the house saying he was going to kill somebody. ██████████ explained he tried to tell ██████████ to calm down. ██████████ said ██████████ then went to the bathroom and came out with a .44 pistol. He said ██████████ was pointing the gun at him and ██████████ then spun the cylinder of the gun and pointed it at ██████████. ██████████ said he was starting to get freaked out at this point and he told ██████████ to stop or he was going to punch him. ██████████ said he told ██████████ to hand him the gun and that he would give it to his wife. ██████████ stated ██████████ then pointed the gun at him. ██████████ told me when ██████████ pointed the gun at him he punched him. He said ██████████ went down from the punch and he took the gun. After taking the gun ██████████ left, walked through River Park and threw the gun into the river. ██████████ later told me he was standing under the Elk Creek Bridge and threw the gun straight out into the Klamath River.

I asked ██████████ if ██████████ was present during the fight. ██████████ told me yes and that she was in her bedroom. I asked ██████████ if ██████████ came out of the room when the fighting occurred and he told me no. ██████████ told me ██████████ left and went to her bedroom because ██████████ being rude calling her a cunt. ██████████ then told me ██████████ has more than one wife and that one of them is dying. I asked ██████████ if it was possible that ██████████ did not go to her room and she left the house. ██████████ told me yes and that he did not see her after she left. I asked ██████████ what room in the house they were hanging out in. ██████████ explained it was a small home and that they were between both the living room and kitchen.

██████████ told me before taking out the gun ██████████ was head butting the refrigerator, punching and kicking things. I asked ██████████ about when ██████████ got the gun. ██████████ said he was unsure if ██████████ went to the bathroom or to a back room and came out with the gun. ██████████ said when ██████████ brought out the gun he started to turn and walk out. ██████████ turned back and saw ██████████ was pointing the gun at ██████████ face. I asked ██████████ if ██████████ and ██████████ had a disagreement and he told me no and that they had been getting along fine.

I went over ██████████ statement and he told me ██████████ spun the cylinder of the gun pointed it at ██████████ and pulled the trigger. ██████████ said the hammer of the gun came down and if it had been loaded ██████████ would have shot ██████████. ██████████ then spun the cylinder of the gun, pointed it at ██████████. At that point ██████████ punched ██████████ and knocked him down. I told ██████████ that ██████████ was pretty busted up. ██████████ assured me he only punched ██████████ ounce and said he was sure that ██████████ hit the ground hard after the punch. ██████████ told me he then took the gun and ran. ██████████ told me he was wearing a pair of sandals and he ran out of them and left them behind. I had collected ██████████ sandals as evidence. At this point I showed ██████████ the sandals and he identified them as his. ██████████ told me when he ran, he was so scared he blacked out.

I asked ██████████ what damage ██████████ did when he beat up the house. ██████████ described some can food ██████████ kicked off a shelf and the butcher block that had been knocked over. ██████████ showed me his hands and told me he had no injuries from his altercation with ██████████. I saw several old injuries on ██████████ hands but nothing that looked fresh. It should be noted that ██████████ often punches things when he gets angry. I have had multiple contacts with ██████████ over the past several years and he seems to always have some sort of injury to his hands.

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I asked [REDACTED] if they smoked any marijuana with [REDACTED]. [REDACTED] that [REDACTED] got a large tray of marijuana and dumped it on the ground. [REDACTED] said he started to try and help pick it up and that [REDACTED] started stepping on his hands. [REDACTED] then stated he was just trying to be a friend to [REDACTED] and help him through a bad time. [REDACTED] said [REDACTED] scared him and he thought he was going to kill him. I asked [REDACTED] if he took the holster for the gun and he told me no.

I asked [REDACTED] where his punch landed when he struck [REDACTED] and he told me he hit him on the area of his eyebrow. [REDACTED] told me he believed [REDACTED] went down on the front porch. He then stated he was unsure because at this point he blacked out. [REDACTED] told me he believed [REDACTED] was still down when he and [REDACTED] left.

[REDACTED] told me after leaving he went to his moms for a short time then went and sat by the water tower in Indian Housing.

I told [REDACTED] about the video cameras at [REDACTED] residence [REDACTED] was familiar with them and told me he helped [REDACTED] put them up. I asked [REDACTED] what he thought the video would show. [REDACTED] said it would show exactly what he just told me.

I asked [REDACTED] to step outside so I could interview [REDACTED]. Before interviewing [REDACTED] I advised him he was not required to give me a statement and I had no intention of arresting him. I told [REDACTED] he was free to leave if he wanted. [REDACTED] understood and gave me a statement.

I spoke to [REDACTED] who told me the following in summary: [REDACTED] confirmed that he and [REDACTED] met with [REDACTED] at the car wash. He explained that it was the first time he had met [REDACTED]. [REDACTED] stated they were given a pint of Sailor Jerry's Rum by the girls they met with. He said they all took drinks from the bottle. [REDACTED] said when they met with [REDACTED] he told them that his wife had just died. [REDACTED] then invited [REDACTED] and [REDACTED] over to drink a fifth of tequila. [REDACTED] said he was confused because when he got to [REDACTED] home he was introduced to [REDACTED] wife. [REDACTED] then said he found out [REDACTED] had two wives.

[REDACTED] said the first time [REDACTED] spoke [REDACTED] started cussing her out. [REDACTED] did not know [REDACTED] name but described her as a big girl and being [REDACTED] wife. He said [REDACTED] called [REDACTED] a whore, bitch and slut. [REDACTED] then began talking about his other wife the one who died and called her a whore as well. As [REDACTED] spoke about the dead wife he began talking about how some people did not deserve to live. [REDACTED] said how come she deserves to die and we deserve to live. [REDACTED] told me [REDACTED] kept repeating that throughout the night and that it was like his mantra.

[REDACTED] told me [REDACTED] then got out a tray containing three to four ounces of marijuana told [REDACTED] to take it. [REDACTED] said [REDACTED] told [REDACTED] he did not have to buy his friends and that he did not have to give them marijuana. [REDACTED] then threw the marijuana on the floor. At this point [REDACTED] began trying to clean up the marijuana. He said [REDACTED] started yelling don't pick up my weed and started stomping at it. [REDACTED] said [REDACTED] stomped on about a half ounce to three quarters of an ounce of marijuana. [REDACTED] stated at this point things started to get weird.

[REDACTED] told [REDACTED] he was hungry and asked if he had anything to eat. [REDACTED] told me [REDACTED] took him into the kitchen and made him something to eat. [REDACTED] then began calling [REDACTED] a bitch and telling her to get out. [REDACTED] said while in the kitchen [REDACTED]

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kicked some canned food off a shelf under the counter. After kicking the can food, [REDACTED] punched a wall. [REDACTED] said the first time [REDACTED] punched the wall it was not hard and he said it was like [REDACTED] was uncomfortable doing it. [REDACTED] stated [REDACTED] hit the wall a second time and he was a bit more comfortable and hit the wall harder. After hitting the wall [REDACTED] began head butting the refrigerator. [REDACTED] said he could hear stuff falling inside of the refrigerator. [REDACTED] told me [REDACTED] head butted the refrigerator so hard that he knocked soda cans of the top of the refrigerator. [REDACTED] said the tantrum [REDACTED] was throwing was starting to scare him. [REDACTED] then began kicking the sodas out of the way to get a beer for [REDACTED] [REDACTED] said [REDACTED] began throwing a table around, referring to the butcher block after he got the beer.

[REDACTED] told me he got some food out of the refrigerator and began eating. [REDACTED] said as he ate [REDACTED] began talking about who deserved to live and die again. [REDACTED] stated [REDACTED] began talking about a guy down river by the last name of [REDACTED] and that he was going to kill him. [REDACTED] began trying to calm [REDACTED] and told him they could go beat him up and not kill him.

At this point [REDACTED] walked to a back room. [REDACTED] told [REDACTED] to come and that they needed to check on [REDACTED] [REDACTED] said when they got into the backroom [REDACTED] was going through some drawers. He said when [REDACTED] opened the drawer that contained the gun his eyes lit up and [REDACTED] grabbed the gun and said forty four magnum and started pointing it around the room and then pointed it at [REDACTED] [REDACTED] asked if the gun was loaded and [REDACTED] told him his firearms are always loaded and started calling the gun his firearm.

[REDACTED] told me he was unsure where they went when [REDACTED] got the gun due his level of intoxication. [REDACTED] said the cylinder of the gun had one bullet in it and that you could see the bullet. He said [REDACTED] spun the cylinder of the gun pointed the gun at [REDACTED] and pulled the trigger. [REDACTED] then spun the cylinder pointed the gun at [REDACTED] and pulled the trigger. [REDACTED] stated [REDACTED] again spun the cylinder of the gun and this time pointed at himself and pulled the trigger. All the while [REDACTED] and [REDACTED] were telling [REDACTED] to stop. [REDACTED] said they were outside and [REDACTED] loaded the gun completely pointed it at [REDACTED] pulled the hammer back then pulled the trigger and slowly let the hammer down with his thumb. [REDACTED] then put the gun to his own head. At this time [REDACTED] was slowly stepping closer to [REDACTED]

[REDACTED] stated [REDACTED] then held the gun point at him and said you don't deserve to live, you deserve to die. [REDACTED] then punched [REDACTED]. As [REDACTED] punched [REDACTED] grabbed the gun and pushed it away. [REDACTED] then took the gun and said [REDACTED] did not need the gun and that he was dangerous. [REDACTED] said [REDACTED] went down just a few feet from the front porch. [REDACTED] told me [REDACTED] then left and he stayed, in shock for a moment, then left.

[REDACTED] and [REDACTED] walked back up near the car wash. [REDACTED] said after meeting at the car wash they briefly spoke and decided to meet at the mouth of Indian Creek (Indian Creek River Access). They met a short time later and [REDACTED] said [REDACTED] was wet from his feet up to his chest. I asked [REDACTED] if [REDACTED] still had the gun at this point and he told me no.

After meeting at the mouth of Indian Creek they got a ride from a friend and then walked down the River Walk. The River Walk is a trail between River Park and Elk Creek Bridge [REDACTED] and [REDACTED] stayed the night on the trail and slept until the sun came up then went their separate ways. [REDACTED] told me he believed [REDACTED] saved his life.

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After speaking to [REDACTED] I asked [REDACTED] to come back in for a second interview to clear up some inconsistencies between statements. I again advised [REDACTED] that he was free to leave at any time and was not required to speak to me. [REDACTED] agreed to talk to me.

I spoke to [REDACTED] who told me the following in summary: I told [REDACTED] there were some differences in the statements given by he and [REDACTED] told me he understood and stated he blacked out. I asked [REDACTED] about going outside. [REDACTED] explained that they went into a grow room off the kitchen. [REDACTED] said [REDACTED] did not go through drawers. He stated [REDACTED] opened one drawer and took the gun from it. I told [REDACTED] what [REDACTED] told me about [REDACTED] spinning the cylinder of the gun and pointing it at each of them. [REDACTED] told me that was how it happened and believed the statements made by [REDACTED] were correct.

I asked [REDACTED] what happened after they left [REDACTED] residence and met at the car wash. [REDACTED] told me they decided to meet at the mouth of Indian Creek. [REDACTED] said after he and [REDACTED] split up, he went to River Park and walked the River walk, then made his way up to the Indian Creek Bridge on Second Avenue. [REDACTED] crossed Indian Creek under the bridge and then walked down the creek to meet with [REDACTED] at the mouth of Indian Creek. After meeting with [REDACTED] he said they took a short drive with [REDACTED]. After taking the drive with [REDACTED] and [REDACTED] went to the River Walk. They walked up the trail and stayed until the sun came up and then went their own ways.

On 5/8/12 at about 1045 hours, I spoke to Sergeant Gilley (Dive Commander). I requested Sergeant Gilley deploy the dive team to attempt to locate the firearm involved in this case. Sergeant Gilley agreed to dive the location and told me he had other diving operations set up and that he would handle this one later in the week.

On 5/8/12 Deputy Zook contacted [REDACTED] and she signed a consent to search form, giving consent to check the DVR taken for any evidence.

On 5/11/12 I emailed Evidence Technician [REDACTED] and requested he view the content of the DVR and enhance any poor quality video and burn anything he finds that may be related to this incident to CD and send it to me.

On 5/11/12 at about 1645 hours, I contacted [REDACTED] at her residence and did a follow up interview. [REDACTED] told me the following in summary: [REDACTED] told me [REDACTED] wanted to speak to me about the incident as soon as he is released from the hospital. [REDACTED] also told me [REDACTED] is due to be released 5/12/12 or 5/13/12. I asked [REDACTED] what [REDACTED] wanted to talk about. [REDACTED] told me [REDACTED] was starting to remember things. [REDACTED] told [REDACTED] they pistol whipped me and beat me up. She said she believed [REDACTED] said [REDACTED] ran and [REDACTED] beat him up. [REDACTED] then told me [REDACTED] spoke to a social worker at the hospital and she thought [REDACTED] may have told the social worker some things about the incident.

[REDACTED] stated she believed it was possible [REDACTED] may have known about the death of [REDACTED] before the incident occurred. [REDACTED] seemed concerned that it may have had something to do with [REDACTED] behavior.

[REDACTED] then told me [REDACTED] was missing a knife and his cellular phone. I told [REDACTED]

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that I gave [redacted] phone to ambulance personnel so it could be transported with [redacted] so that he could have access to it if needed. [redacted] told me she checked [redacted] phone via the internet and she believes it has been used during [redacted] hospitalization. She told me she could not access any phone numbers that may have been called by the phone. [redacted] advised me she had the phone deactivated.

[redacted] then stated her son [redacted] came home and said kids at school said [redacted] and [redacted] was playing Russian Roulette. He told [redacted] that while playing Russian Roulette [redacted] told [redacted] it was not cool and head butted [redacted] took his gun and hit him with it, then left. [redacted] stated [redacted] did tell her that he remembered [redacted] running before [redacted] was out of the gate. [redacted] asked [redacted] who did it to you and he said [redacted] and that [redacted] was running.

I spoke to [redacted] who told me he could not remember what kids at school told him the story. I asked [redacted] if he was at the house at any time while [redacted] and [redacted] were there and he told me no.

I asked [redacted] if she remembers [redacted] beating up the house before she left and told her that was what was reported to me. She said she did not remember him beating up the house. She told me she was introduced to [redacted] and then she took a shot of Tequila with them. [redacted] told me after taking the shot she commented on a conversation they were having and [redacted] started bad mouthing her telling her. [redacted] said she took that as her cue to go and she left shortly after. [redacted] stated that [redacted] could have beat up the house but she was not aware of it.

On 5/13/12 at about 1545 hours, I contacted [redacted] at [redacted] for follow up. I spoke to [redacted] who told me the following in summary: [redacted] told me [redacted] found the holster to the gun in the garage on the floor. [redacted] explained that the garage is a detached building from the home.

I asked [redacted] about being in the hospital and telling a social worker that he wanted to leave and go find [redacted] and [redacted] and kill them. [redacted] told me he did say that. [redacted] then explained at the time he said he wanted to kill [redacted] and [redacted] he was highly medicated. [redacted] assured me that he had no intention of seeking revenge. He told me he thought he would lose if he tried.

[redacted] stated he could not most of what happened during this incident. [redacted] told me he met with [redacted] near Bigfoot Car Wash. He said he spoke to [redacted] about his wife [redacted] and invited [redacted] to his residence for drinks. [redacted] told me he had never met [redacted] before this incident but [redacted] introduced [redacted] as his brother and asked if he could come along. [redacted] told me [redacted] and [redacted] had a bottle of Ten High Whiskey.

[redacted] told me he remembered taking shots of liquor with [redacted] and [redacted] [redacted] told me he also remembered standing in the kitchen and twirling the gun cowboy style in the kitchen [redacted] told me at some point he wanted [redacted] and [redacted] to leave. he gave [redacted] and [redacted] a hand full of marijuana and walked them to the gate. [redacted] unlocked the gate so [redacted] and [redacted] could leave. [redacted] told me at the time he unlocked the gate [redacted] and [redacted] attacked him trying to take his gun away. [redacted] told me he remembered be punched several time and kicked in the back. [redacted] told me during the struggle for the gun he pulled the trigger hoping to gun would fire and scare [redacted] and [redacted] told me the

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gun did not fire because it was unloaded. [redacted] stated [redacted] and [redacted] then ran took the gun and ran away.

I asked [redacted] if he recalled how he got the gun. [redacted] told me he could not remember. I asked him where the gun was kept and he told me it was kept in various places in the home and he could not remember where it was when this incident occurred. [redacted] told me he was assuming he had the gun out earlier in the night twirling it and he left it on the kitchen table. I asked [redacted] if he knew that to be true and he told me he was assuming it.

I asked [redacted] about the statement he made to [redacted] (ambulance personnel), stating that he pulled the trigger and tried to shoot them and that he wanted to kill them [redacted] told me he pulled the trigger during the struggle and did not point the gun at anybody.

I asked [redacted] if it was common for him to hit or knock things around in the home when he is angry and he told me yes and stated it is better than hitting people. I told [redacted] about the damage in the residence and asked him if it was possible that he could have purposely made a mess of the residence while angry. [redacted] told me he did not remember it but that it was possible.

I asked [redacted] if at the time the incident happened if he knew [redacted] had died. [redacted] told me know. [redacted] then explained that he had seen [redacted] a couple of days prior and that she was a vegetable and when she was admitted into the hospital he knew that her death was coming soon [redacted] then told me due to [redacted] family he had quit receiving information on her status and considered her as dead. I asked [redacted] if he was upset about [redacted] death and he told me yes.

[redacted] then told me [redacted] had been at his residence a couple of weeks prior and bought a compound bow from him for one hundred dollars. [redacted] then explained [redacted] took the bow without paying and they agreed he would pay [redacted] for the bow at another time. [redacted] described the bow as a green compound bow but did not know the brand or model.

When I responded to this incident and arrived on scene [redacted] told me several times the gun was loaded. I reminded of this and asked him if when the incident occurred if the gun was loaded or unloaded. [redacted] told me the gun was not loaded and that he told me it was because he treats all firearms as if they are loaded.

I asked [redacted] what he referred to guns as, weapons guns firearms, etc. [redacted] told me he referred to the gun as the .44. I alter spoke to [redacted] who told me [redacted] refers to guns as firearms. As I spoke to [redacted] I noticed he referred to guns as firearms several times.

I asked [redacted] about playing Russian Roulette. [redacted] told me he never played with guns. I asked [redacted] what about twirling them. He said it's a cowboy gun. [redacted] then described the gun to me as a Ruger Super Redhawk .44, stainless steel with a wood handle.

I spoke to [redacted] during the my interview with [redacted] I asked [redacted] about [redacted] demeanor when he is dealing with stress. [redacted] explained that [redacted] has extreme highs and lows with his personality while dealing with stress. [redacted] told me she has experienced [redacted] personality highs and lows several times while dealing with [redacted] illness and death

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Due to an oversight (battery failure) I was not able to record my entire interview with [REDACTED] I did however record a large portion of it.

I completed an Automated Firearms System Entry Form and had the firearm placed in the system as a stolen weapon.

I copied the digital photos and digital recordings taken in the investigation to CD and placed them into the Happy Camp Evidence Locker. I also booked the other items collected as evidence and placed them into the Happy Camp Evidence Locker

Evidence: Digital Photo CD
 Digital Audio CD
 Lorex Digital Video Recorder
 Matchbook
 Beer Can
 Rum Bottle
 Cigarette Butts
 Nike Sandals
 Digital Video Recorder Remote

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Attachments AFS Entry Form

Disposition: Investigation To Continue

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5/8/12- Deputy Tygart briefed me on this case and requested that I conduct follow up. Deputy Tygart requested I contact [REDACTED] and have her sign a consent to search form. The form is requesting consent to search the Lorex DVR hard drive which Deputy Tygart collected on 5/6/12.

At about 1858 hours, I drove to [REDACTED] and contacted [REDACTED] I explained the consent to search form to [REDACTED] told me she understood and consented to a search. [REDACTED] signed the form at that time. The form has been attached to this case.

Evidence: None
Attachments: Consent to Search Form
Disposition: Investigation to Continue

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On 5/14/12 at about 1618 hours, I received a telephone call from [REDACTED] regarding some information that came back to memory.

[REDACTED] told me the following in summary: [REDACTED] told me while he was twirling the gun in the kitchen he had unloaded it and set the bullets down on the table. He later looked for the bullets and they were gone. [REDACTED] asked [REDACTED] and [REDACTED] where the bullets were.

[REDACTED] told [REDACTED] he had the bullets in his pocket. [REDACTED] told [REDACTED] the to give the bullets back and [REDACTED] refused. At this time [REDACTED] became angry and told [REDACTED] and [REDACTED] to leave.

[REDACTED] explained this is the reason he was telling me the gun was loaded on my initial response to this incident.

Evidence: None
 Attachments: None
 Disposition: Refer to Main Narrative

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On 5/19/12 at about 1800 hours, I spoke to [REDACTED] who told me the following in summary: [REDACTED] told me he at no time picked up the bullets for [REDACTED] gun. [REDACTED] also told me [REDACTED] did not twirl the gun, he immediately began pointing it.

On 5/25/12, I received a digital photo CD via United States Postal Service from Officer Cromwell. The CD contains digital photos taken of [REDACTED] injuries while at the hospital. I also received to Reward Posters that were taken from local bulletin boards. The posters state there is a reward for information leading to the return or location of the weapon taken in this incident. The posters seem to be generated by [REDACTED] The posters state [REDACTED] was attacked by [REDACTED] and [REDACTED]

Attachments: 2x Reward Poster
 Evidence: Digital Photo CD
 Disposition: Refer to Main Case

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 SISKIYOU CO. SHERIFF OFFICE

| | | | | | | | |
|---|-------------|--|--------------------|-------------------------------------|--------------------------------------|-----------|----------|
| CASE REPORT SUPPLEMENT PROPERTY | | COUNTY OF SISKIYOU SHERIFF'S OFFICE | | | CASE NUMBER 1120491 | | |
| OFFICER'S NAME TYGART, JOSH | | ID NUMBER 2050 | DATE 05/25/2012 | SUPERVISOR REVIEW Randall, James | ID NUMBER 1650 | PAGE 2 | |
| ITEM 1 | REASON E | QTY 0 | BRAND | MODEL | SERIAL NO | \$ VALUE | \$ RECOV |
| DESCRIPTION DIGITAL PHOTO CD | | | | | | STATUS | |

RECEIVED
MAY 31 2012
 SISKIYOU CO. SHERIFF OFFICE

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| CASE REPORT SUPPLEMENT | COUNTY OF SISKIYOU SHERIFF'S OFFICE | | | CASE NUMBER 1120491 | |
| OFFICER'S NAME | ID NUMBER | DATE | SUPERVISOR REVIEW | ID NUMBER | PAGE |
| PIKE, YVES | 1628 | 06/05/2012 | Giannini, Bob | 1280 | 1 |

Supplemental Report

Case #1-12-0491

Detective Pike

On 06-05-12, at 0950 hours, I checked out evidence items #1 (Digital Video Recorder (DVR)) and #9 (DVR remote) from Sheriff Evidence. Sergeant Giannini had requested detective assistance in retrieving video surveillance from the video DVR taken as evidence in this case.

At 1020 hours, I transferred custody of the DVR and remote to [REDACTED], at Yreka Computers, and requested that he would retrieve the video surveillance from the night of 05-06-12.

At 1635 hours, I retrieved the DVR and remote from [REDACTED]. [REDACTED] provided me with a DVD, which contained video footage that had been retrieved from the DVR. I later entered the DVD into evidence (Item #001YP). I was also provided a 2-page hand written time log for the video surveillance. For further information, refer to the attached log.

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At 1735 hours, I returned the DVR and remote to Sheriff Evidence.

JUN 11 2012

EVIDENCE:

SISKIYOU CO. SHERIFF OFFICE

001YP- DVD containing video surveillance.

ATTACHMENTS:

1. 2-page video time log for video surveillance.

DISPOSITION:

Refer to Deputy Tygart's master report.

| | | | | | | | |
|-------------------------|--------|---------------------------|------------|-------------------|-----------|--------------------|----------|
| CASE REPORT | | COUNTY OF SISKIYOU | | | | CASE NUMBER | |
| SUPPLEMENT PROPERTY | | SHERIFF'S OFFICE | | | | 1120491 | |
| OFFICER'S NAME | | ID NUMBER | DATE | SUPERVISOR REVIEW | | ID NUMBER | PAGE |
| PIKE, YVES | | 1628 | 06/05/2012 | Giannini, Bob | | 1280 | 2 |
| ITEM | REASON | QTY | BRAND | MODEL | SERIAL NO | \$ VALUE | \$ RECOV |
| 001YP | E | 1 | | | | | |
| DESCRIPTION | | | | | | | STATUS |
| RECORDINGS-AUDIO/VISUAL | | | | | | | |

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SISKIYOU CO. SHERIFF OFFICE

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|-----------------------------------|------------------|--|--------------------------|------------------|--------------------------------|--|
| CASE REPORT SUPPLEMENT | | COUNTY OF SISKIYOU SHERIFF'S OFFICE | | | CASE NUMBER 1120491 | |
| OFFICER'S NAME | ID NUMBER | DATE | SUPERVISOR REVIEW | ID NUMBER | PAGE | |
| TYGART, JOSH | 2050 | 06/20/2012 | Giannini, Bob | 1280 | 1 | |

On 6/20/12 at about 1400 hours, I contacted Evidence Technician [REDACTED] and check out the Lorex DVR and remote control from evidence in Yreka.

At about 1710 hours, I contacted [REDACTED] [REDACTED] at [REDACTED] [REDACTED] [REDACTED] and returned the DVR and remote to him. [REDACTED] signed a Pre-adjudication Property Release Form.

Evidence: None

Attachments: Pre-Adjudication Property Release Form

Disposition: Refer to Main Narrative

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JUN 25 2012
SISKIYOU CO. SHERIFF OFFICE

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|-----------------------------------|------------------|--|--------------------------|------------------|--------------------------------|--|
| CASE REPORT SUPPLEMENT | | COUNTY OF SISKIYOU SHERIFF'S OFFICE | | | CASE NUMBER 1120491 | |
| OFFICER'S NAME | ID NUMBER | DATE | SUPERVISOR REVIEW | ID NUMBER | PAGE | |
| TYGART, JOSH | 2050 | 07/13/2012 | Giannini, Bob | 1280 | 1 | |

On 7/11/12, I received a supplemental report with printed photos attached to it and a photo CD from Officer Cromwell of Medford Police Department.

I attached the supplemental report to this case and placed the photo CD into evidence.

Evidence: Digital Photo CD

Attachments: Officer Cromwell's Supplemental Report

Disposition: Refer to Main Narrative

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JUL 31 2012

SISKIYOU CO. SHERIFF OFFICE

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|---------------------|--------|---------------------------|------------|-------------------|--------------------|----------|----------|
| CASE REPORT | | COUNTY OF SISKIYOU | | | CASE NUMBER | | |
| SUPPLEMENT PROPERTY | | SHERIFF'S OFFICE | | | 1120491 | | |
| OFFICER'S NAME | | ID NUMBER | DATE | SUPERVISOR REVIEW | ID NUMBER | PAGE | |
| TYGART, JOSH | | 2050 | 07/13/2012 | Giannini, Bob | 1280 | 2 | |
| ITEM | REASON | QTY | BRAND | MODEL | SERIAL NO | \$ VALUE | \$ RECOV |
| 1 | E | 0 | | | | | |
| DESCRIPTION | | | | | | STATUS | |
| DIGITAL PHOTO CD | | | | | | | |

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JUL 31 2012

SISKIYOU CO. SHERIFF OFFICE

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|-----------------------------------|--|------------|-------------------|--------------------------------|------|
| CASE REPORT SUPPLEMENT | COUNTY OF SISKIYOU SHERIFF'S OFFICE | | | CASE NUMBER 1120491 | |
| OFFICER'S NAME | ID NUMBER | DATE | SUPERVISOR REVIEW | ID NUMBER | PAGE |
| HILSENBERG, MARK | 1357 | 08/24/2012 | Jefferson, Buckv | 1395 | 1 |

Investigation:

On 8/24/2012 I received the requested medical records for [REDACTED] [REDACTED] from Rogue Valley Medical Center. These records had been delivered via mail to the Sheriff's Department and were placed in my mail slot. Upon receiving the records I confirmed they were in fact [REDACTED] and re-sealed them. These medical records will be placed into evidence.

Evidence:

Medical Records for [REDACTED]

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AUG 30 2012

SISKIYOU CO. SHERIFF OFFICE

Attachments:

None

Disposition:

Refer to master case.

| | | | | | | | | |
|---|--------------------|--------------------------|--|--|-----------|--------------------------|--------------------------------------|--|
| CASE REPORT SUPPLEMENT PROPERTY | | | COUNTY OF SISKIYOU SHERIFF'S OFFICE | | | | CASE NUMBER 1120491 | |
| OFFICER'S NAME HILSENBERG. MARK | | ID NUMBER 1357 | DATE 08/24/2012 | SUPERVISOR REVIEW Jefferson. Buckv | | ID NUMBER 1395 | PAGE 2 | |
| ITEM 1 | REASON E | QTY 0 | BRAND | MODEL | SERIAL NO | \$ VALUE | \$ RECOV | |
| DESCRIPTION | | | | | | | STATUS | |

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AUG 30 2012

SISKIYOU CO. SHERIFF OFFICE



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STATEMENT – DEPUTY MATILTON

JULY 17, 2017 – 1255 HOURS

On July 17, 2017 at about 1255 hours, HCDA Investigator Cooper and I interviewed Humboldt County Sheriff's Office (HCSO) Deputy Matilton at the HCSO Criminal Investigations Division (CID). Also present was Attorney [REDACTED] who was representing Deputy Matilton.

I recorded the interview on a digital audio recorder. I later copied the recording onto a DVD and booked the DVD into evidence at HCSO – barcode 150800. The recording is 55:42 in length. While speaking with Deputy Matilton I showed him a printed aerial photograph of the area of Martin's Ferry Bridge. Deputy Matilton drew on the photograph during the interview. During the interview, I also showed Deputy Matilton a printed photograph that had been taken of him after the shooting incident. I later booked both photographs into evidence at HCSO – barcode 150801. Copies of the photographs attached. The following is a summary of Deputy Matilton's interview – see recording for further:

Deputy Matilton is 35 years old. He has been employed as a full-time deputy sheriff with HCSO for about 1.5 years. Deputy Matilton was previously employed as a police officer with the Hoopa Valley Tribal Police Department for about 8.5 years. Deputy Matilton is currently assigned to the Humboldt County Sheriff's Office Trinity River Division – which provides patrol services to the North Eastern area of Humboldt County, including the Weitchpec area. Based upon Deputy Matilton's previous law enforcement experience he is familiar with the Weitchpec area, and the area known as Martin's Ferry Bridge located off of Hwy 169.

Deputy Matilton is currently assigned to a weekend graveyard shift. His normal workdays are Friday-Sunday from 1800 to 0600 hours. As part of Deputy Matilton's normal shift, he also works one Monday and one Thursday per month. July 14, 2017 was a normal workday. Deputy Matilton woke up on July 14, 2017 at about 1200 hours. He had slept for about 6 hours, which was normal for him.



30 Deputy Matilton was dressed in a standard HCSO patrol uniform while working on July 14, 2017.
31 During the interview I showed Deputy Matilton a picture that was taken of him after the
32 shooting incident. Deputy Matilton stated the picture accurately depicted how he was dressed
33 at the time of the incident, and he was not wearing any additional items at the time of the
34 incident; such as a hat or jacket. Deputy Matilton wears prescription eye glasses and he was
35 wearing them at the time of the incident.

36
37 Deputy Matilton carries various items on his duty belt including a pistol. The pistol is a .40 S&W
38 Glock 22, and it was issued to Deputy Matilton upon his employment with HCSO. This pistol is
39 Deputy Matilton's primary duty weapon. Deputy Matilton carries the pistol in a department
40 issued holster. Deputy Matilton uses department issued magazines for the Glock 22. Each
41 magazine holds 15 rounds. Deputy Matilton carries a total of 4 magazines for the pistol upon
42 his person (1 magazine loaded in the pistol and 3 spare magazines kept in a pouch on his duty
43 belt). Deputy Matilton loads his magazines to capacity and loads a round into the chamber of
44 the pistol (Total of 61 rounds). Deputy Matilton was current on his training and qualification
45 with the pistol and had attended the last quarterly departmental pistol training.

46
47 Deputy Matilton also carries a personally owned back-up pistol on his person while working.
48 The pistol is kept in a carrier attached to the chest of Deputy Matilton's soft body armor. The
49 carrier (and pistol) are concealed by Deputy Matilton's uniform shirt. The back-up pistol is a
50 9mm semi-automatic pistol. Deputy Matilton could not recall the make or model of the pistol.
51 Deputy Matilton carried the pistol loaded to capacity with a round chambered. He carried one
52 spare magazine for his back-up pistol in the left cargo pocket of his pants. The spare magazine
53 was loaded to capacity. Deputy Matilton had department authorization to carry the back-up
54 pistol and was current on training and qualification with the firearm. Deputy Matilton utilized
55 privately purchased ammunition in the pistol and utilized the same ammunition in the pistol
56 during department training.

57



58 Deputy Matilton had two other firearms in his patrol vehicle at the time of the incident: a
59 department issued Colt "AR-15," and a 12 gauge shotgun. Both firearms were secured in a
60 gunlock mounted in-between the front seats of his patrol vehicle. Neither firearm was removed
61 from the gunlock or deployed during the incident. Both firearms were "patrol loaded." The
62 firearms had no rounds loaded in the chamber and the magazines of the firearms were loaded
63 to capacity. Deputy Matilton was current on training and qualification on both firearms.
64 Deputy Matilton had last attended department firearms training on July 13, 2017. Deputy
65 Matilton used both his patrol rifle and duty pistol during the training.

66
67 Deputy Matilton kept some extra ammunition for his patrol rifle in the front driver's
68 compartment area of his vehicle. The ammunition was loaded into three spare magazines: one
69 20 round magazine and two 30 round magazines. The magazines were fully loaded and kept in
70 the door pocket of the driver's side front door. Deputy Matilton stated he did not recall having
71 any other spare ammunition for any of his firearms in the driver's compartment area of his
72 patrol vehicle. Deputy Matilton stated he knew he had some extra ammunition in a plastic tote
73 in the rear cargo area of his patrol vehicle. Deputy Matilton did not recall how much
74 ammunition was in the tote. He stated he believed he had .223 and 12 gauge ammunition
75 contained within factory boxes.

76
77 Deputy Matilton did not discharge any firearms during the incident on July 14, 2017.

78
79 Deputy Matilton was driving his assigned patrol vehicle on July 14, 2017. The vehicle is a white
80 Ford Expedition assigned unit # 08344. The vehicle has a Sheriff's star on each front door, an
81 emergency light bar attached to the roof, and emergency lighting attached to the front bumper.
82 The vehicle is not equipped with a departmental or personally owned dash camera or any other
83 similar type of audio or video recording device. Deputy Matilton is not issued a body camera,
84 nor does he utilize any type of privately owned body camera.

85



86 On the night of July 14, 2017, Deputy Matilton was working patrol in his assigned beat area –
87 Trinity River Division. Corporal Soeth was also working patrol in the Trinity River Division beat
88 area. Corporal Soeth had a newly hired Deputy Sheriff, Deputy Cumbow, working with him who
89 was on the Field Training program. Corporal Soeth and Deputy Cumbow were in the same
90 patrol vehicle. Deputy Matilton was alone in his patrol vehicle. Deputy Matilton, Corporal
91 Soeth, and Deputy Cumbow were the only deputies on duty in the Trinity River Division area on
92 the night of July 14, 2017.

93
94 At some point prior to about 2130 hours, Deputy Matilton met with Corporal Soeth and Deputy
95 Cumbow in the Hoopa area. They had a discussion and decided to drive to the Weitchpec area
96 for beat orientation for Deputy Cumbow. Corporal Soeth and Deputy Cumbow drove to the
97 Weitchpec area in their patrol vehicle and Deputy Matilton followed them in his patrol vehicle.
98 Upon leaving the Hoopa area, Deputy Matilton saw that Deputy Cumbow was driving the other
99 patrol vehicle and Corporal Soeth was in the front passenger seat of the other patrol vehicle.

100
101 Based upon Deputy Matilton's experience of working in the Weitchpec area, he knew the area
102 of Martin's Ferry Bridge to be rural. Radio contact with dispatch in the area was poor. Units in
103 the field were often unreadable to dispatch.

104
105 Upon arrival in the Weitchpec area the deputies proceeded north on Hwy 169. They drove to
106 Martin's Ferry Bridge which goes across the Klamath River and connects Hwy 169 to Tully Creek
107 Rd. Deputy Matilton stated he believed they arrived at the bridge at about 2130 hours. It was
108 dark upon their arrival. While driving from Hoopa to Martin's Ferry Bridge, Deputy Matilton
109 followed behind Deputy Cumbow and Corporal Soeth and stayed within sight of their vehicle.
110 The area of Martin's Ferry Bridge is rural. There are no street lights or other forms of artificial
111 light in the area. Deputy Matilton stated he knew of no residences or other structures in the
112 area of the bridge.

113



114 Upon arrival at the bridge, Deputy Cumbow drove onto the bridge – proceeding west toward
115 Tully Creek Rd. Deputy Matilton followed immediately behind them. Deputy Matilton could
116 not recall if the windows of his vehicle were rolled up or down. When about 1/3 of the way
117 across the bridge, Deputy Matilton saw that a vehicle was parked on the bridge. The car was
118 parked along the left side of the bridge (if proceeding W/B). Deputy Matilton could not see
119 what type of car it was, and only saw it was a [REDACTED] Corvette after later walking up to the vehicle.
120 Deputy Matilton did not see any light coming from the car, such as headlights or parking lights.
121 The car was parked in about the center of the bridge. Deputy Cumbow continued driving across
122 the bridge, toward the vehicle. Deputy Cumbow drove along the right side of the bridge.
123 Deputy Matilton had no car to car radio traffic with Deputy Cumbow or Corporal Soeth as they
124 drove across the bridge. Deputy Matilton heard a radio transmission from Corporal Soeth's
125 vehicle, stating they were going to do a vehicle investigation. The transmission went over a
126 repeater channel to HCSO dispatch. Deputy Matilton did not recall hearing dispatch
127 acknowledge the transmission. Deputy Matilton stated that he had no prior knowledge of this
128 car being on the bridge.

129
130 Deputy Cumbow drove up to the car stopped on the bridge. Deputy Cumbow angled the front
131 of his vehicle toward the parked car, and stopped about ½ a car length away from it. Deputy
132 Matilton saw that the passenger side spot light of Deputy Cumbow's patrol vehicle was turned
133 on. No red or blue emergency lighting was activated on Deputy Cumbow's patrol vehicle.

134
135 Deputy Matilton stopped his patrol vehicle behind and off to the right side of the other patrol
136 vehicle. Deputy Matilton had the headlights and fog lights of his vehicle on. Deputy Matilton
137 did not activate any other emergency lighting. Deputy Matilton could not see the parked car at
138 this point, as the other patrol vehicle was blocking his view. As Deputy Matilton put his vehicle
139 into park, he saw the front passenger door of the other patrol vehicle open. Corporal Soeth got
140 out of the car and yelled, "Gun, gun, gun." Deputy Matilton got out of his patrol vehicle and
141 started running toward Corporal Soeth. Deputy Matilton saw that Corporal Soeth had un-
142 holstered his duty pistol from his duty belt, and was pointing the pistol toward the parked



143 vehicle. Corporal Soeth was standing along the passenger side and at about the rear of his
144 patrol vehicle. Corporal Soeth fired his pistol toward the parked car. Deputy Matilton did not
145 know how many times Corporal Soeth fired his pistol. Deputy Matilton heard and saw Corporal
146 Soeth begin shooting, as Deputy Matilton was getting out of his vehicle. Deputy Matilton saw
147 Corporal Soeth shoot the window of the open passenger door of his patrol vehicle (Corporal
148 Soeth's patrol vehicle) while shooting. From the time Deputy Matilton opened the door of his
149 patrol vehicle to the time he first heard shooting, he did not recall hearing anyone saying
150 "Sheriff's Office" or anything similar.

151
152 Deputy Matilton ran to about the front of his patrol vehicle. He saw that the headlights and fog
153 lights of his vehicle were illuminating Corporal Soeth. Deputy Matilton returned to his patrol
154 vehicle and shut off his lights. While at his patrol vehicle, Deputy Matilton heard Corporal Soeth
155 trying to radio dispatch that shots had been fired. Deputy Matilton did not hear the
156 transmission come over his vehicle radio. Deputy Matilton then used the radio in his patrol
157 vehicle to transmit to dispatch that shots had been fired on Martin's Ferry Bridge.

158
159 Deputy Matilton left his patrol vehicle and ran up to Corporal Soeth. Corporal Soeth was
160 standing at the rear portion of his patrol vehicle. Deputy Matilton saw a male [REDACTED] lying on
161 his stomach, on the ground, in between Corporal Soeth's patrol vehicle and the Corvette. The
162 [REDACTED] was yelling, saying he was a security guard. Deputy Matilton did not see the [REDACTED] get
163 out of the Corvette. The [REDACTED] was already lying on the ground when Deputy Matilton first
164 saw him. Corporal Soeth was giving the [REDACTED] commands. Corporal Soeth was telling the
165 [REDACTED] on the ground to crawl towards him.

166
167 At some point after the shooting, Deputy Matilton and Corporal Soeth had Deputy Cumbow
168 come over to the passenger side, from the driver's side, of the lead patrol vehicle. The deputies
169 did not know if there were any other [REDACTED] in the Corvette. Deputy Cumbow covered the
170 [REDACTED] lying on the ground. Corporal Soeth and Deputy Matilton walked up to the Corvette
171 and looked inside of it. They did not see any other [REDACTED] in the car. Deputy Matilton saw a



172 silver colored revolver in the Corvette. The pistol was on the driver's seat, next to the center
173 console.

174
175 Corporal Soeth and Deputy Matilton then moved back to the male [REDACTED] who was still lying
176 on the ground. Corporal Soeth handcuffed the [REDACTED] and Deputy Matilton searched the
177 [REDACTED] for weapons. Deputy Matilton asked the [REDACTED] if there were any other weapons in
178 the Corvette. The [REDACTED] said there was, "his 44," and a 30-30 rifle in the car. After the [REDACTED]
179 was in custody, Corporal Soeth cut off the [REDACTED] shirt to check him for injuries. Deputy
180 Matilton saw the [REDACTED] had no apparent gunshot wounds. Deputy Cumbow and Deputy
181 Matilton stood the [REDACTED] up and walked him to Deputy Matilton's patrol vehicle. The [REDACTED]
182 was seated in the driver's side of the rear passenger compartment. Deputy Matilton did not
183 know who the [REDACTED] was and had no prior contacts with him.

184
185 Deputy Matilton knew of no other [REDACTED] in the area at the time of the shooting, other than
186 Corporal Soeth, Deputy Cumbow, the [REDACTED] in the Corvette, and himself. Corporal Soeth
187 requested an ambulance respond to the scene. The first person to arrive on scene, after the
188 shooting was Sgt. Mabry of the Hoopa Valley Tribal Police Department (HVTPD). Sgt. Mabry
189 checked to make sure everyone was okay, and then left when not needed. The next person to
190 arrive on scene was California Highway Patrol (CHP) Officer Combs. An ambulance from Kimaw
191 Medical Center arrived on scene next. The paramedic on board was [REDACTED] Deputy
192 Matilton did not remember who the EMT was on the ambulance.

193
194 The ambulance personnel treated the [REDACTED] from the Corvette. They examined him and
195 cleaned his wounds. The ambulance personnel saw no life threatening injuries, and decided
196 the [REDACTED] did not require ambulance transport to a hospital. The ambulance then departed
197 the scene.

198
199 Deputy Matilton started a crime scene log, documenting the arrival of the above subjects.
200 Deputy Matilton maintained the crime scene log until he left the scene with HCSO Lt. Miller.



201 Deputy Matilton was keeping the crime scene log in his notebook. When he left the scene, he
202 tore the pages out of his notebook containing the crime scene log and turned them over to
203 HCSO Sgt. Musson.

204
205 At the time of the shooting, Deputy Matilton could not see Deputy Cumbow. Deputy Matilton
206 did not see Deputy Cumbow shoot a firearm. Deputy Matilton did not see Deputy Cumbow
207 until after Deputy Cumbow came around to the passenger side of the lead patrol vehicle.
208 Deputy Matilton could not see the Corvette at the time of the shooting either. His view of the
209 Corvette was blocked by Corporal Soeth and Deputy Matilton's patrol vehicle.

210
211 Deputy Matilton described that after the shooting, Corporal Soeth's "adrenalin was up," but he
212 calmed down after a short time. Corporal Soeth asked Deputy Matilton and Deputy Cumbow if
213 they were okay. After the [REDACTED] from the Corvette was secured in Deputy Matilton's patrol
214 vehicle, Corporal Soeth retrieved crime scene tape from his patrol vehicle and taped off the
215 area. Corporal Soeth told Deputy Matilton that he had retrieved ammunition out of his patrol
216 vehicle, but Deputy Matilton did not see Corporal Soeth do this.

217
218 Deputy Matilton described that after the shooting Deputy Cumbow was in an excited state and
219 had "adrenalin" but he was able to calm down.

220
221 Further information will be documented by supplemental report. Supporting documentation attached:
222 • Copy of BC 150801 – Two (2) Printed Photographs.

223
224
225  1186

226 Investigator M. Peterson 1186

 #1037
Supervisor Review 3-20-2018



1 STATEMENT – DEPUTY CUMBOW

2 JULY 17, 2017 – 1522 HOURS

3
4 On July 17, 2017 at about 1409 hours, HCDA Investigator Cooper and I interviewed Humboldt County Sheriff's
5 Office (HCSO) Deputy Cumbow at the HCSO Criminal Investigations Division (CID). Also present was Attorney
6 [REDACTED] who was representing Deputy Cumbow.

7
8 I recorded the interview on a digital audio recorder. I later copied the recording onto a DVD and booked the DVD
9 into evidence at HCSO – barcode 150798. The recording is 1:00:27 in length. While speaking with Deputy Cumbow
10 I showed him a printed aerial photograph of the area of Martin's Ferry Bridge. Deputy Cumbow drew on the
11 photo and also completed a further hand drawn diagram on a blank piece of paper. During the interview, I also
12 showed Deputy Cumbow a printed photograph that had been taken of him after the shooting incident. I later
13 booked both photographs and the diagram into evidence at HCSO – barcode 150799. Copies attached. The
14 following is a summary of Deputy Cumbow's interview – see recording for further:

15
16 **Deputy Cumbow is 23 years old. He was hired by HCSO on December 19, 2016. He attended**
17 **the police academy as an employee of HCSO. Deputy Cumbow graduated the police academy**
18 **in June 2017. Upon graduation, Deputy Cumbow began working as a patrol deputy for HCSO**
19 **and began the field training program. Deputy Cumbow has no previous law enforcement**
20 **experience.**

21
22 **Friday July 14, 2017, was Deputy Cumbow's 2nd shift of his 5th week of being on the field training**
23 **program. Deputy Cumbow worked on Thursday July 13, 2017. He spent the day working with**
24 **Deputy Coroner Zeck at the Coroner's Office. Deputy Cumbow went to sleep on July 13, 2017**
25 **at about 2300 hours and woke up on July 14, 2017 at about 0900 hours.**

26
27 **Deputy Cumbow was assigned to work with Corporal Soeth on July 14, 2017. This was Deputy**
28 **Cumbow's first time working with Corporal Soeth. Their shift was 1800-0600 hours. They were**
29 **working patrol in the area referred to as the 40 beat. Corporal Soeth had Deputy Cumbow drive.**



30 Corporal Soeth rode in the front passenger seat. No one else was in the vehicle with them. The
31 patrol vehicle they were driving was a black and white Ford SUV with Sheriff's insignias on both
32 front doors and a light bar on the roof. The vehicle was not equipped with a departmental or
33 personally owned dash camera or any other similar type of audio or video recording equipment.
34 Deputy Cumbow was not issued a body camera, nor did he utilize any type of privately owned
35 body camera.

36
37 Deputy Cumbow was dressed in a standard HCSO patrol uniform while working on July 14, 2017.
38 During the interview, I showed Deputy Cumbow a picture that was taken of him after the
39 shooting incident. Deputy Cumbow stated the picture accurately depicted how he was dressed
40 at the time of the incident, and he was not wearing any additional items at the time of the
41 incident; such as a hat or jacket. Deputy Cumbow wears prescription eye glasses and was
42 wearing them while working on July 14, 2017 and at the time of the shooting incident.

43
44 Deputy Cumbow carries a .40 S&W Glock 22 pistol on his duty belt, and was issued the pistol by
45 HCSO while he was attending the police academy. Deputy Cumbow used the pistol during the
46 firearms training portions of the academy. The pistol is Deputy Cumbow's only firearm. He has
47 not yet been issued a patrol rifle or a shotgun. Deputy Cumbow does not carry a back-up
48 firearm. Deputy Cumbow uses department magazines for the Glock 22. Each magazine holds a
49 maximum of 15 rounds. Deputy Cumbow carries 3 magazines upon his person (1 magazine
50 loaded in the pistol and 2 spare magazines kept in a pouch on his duty belt). Deputy Cumbow
51 loads the magazine loaded in the pistol to capacity and loads a round into the chamber of the
52 pistol (16 rounds). Deputy Cumbow downloads each of his spare magazines by 1 round (14
53 rounds in each magazine – total of 44 rounds carried on his person). Deputy Cumbow fired his
54 issued Glock 22 during the shooting incident on July 14, 2017.

55
56 Deputy Cumbow grew up in the Humboldt area. He was somewhat familiar with the Hoopa and
57 Willow Creek area. He knew where the communities were located, but he did not know the
58 names of the streets in the communities. Deputy Cumbow had heard of Martin's Ferry Bridge,



59 but had not previously been there. July 14, 2017 was the first time that Deputy Cumbow had
60 worked in the 40 beat area. During the first part of the shift, Corporal Soeth conducted beat
61 orientation with Deputy Cumbow in the Hoopa area. They were working on checking off
62 locations in Deputy Cumbow's field training manual – green book. Deputy Cumbow asked
63 Corporal Soeth if they could go to the Weitchpec area, as he had never been there. Corporal
64 Soeth agreed. Corporal Soeth and Deputy Cumbow met with Deputy Matilton at the gas station
65 in Hoopa. Corporal Soeth and Deputy Cumbow then drove to the Weitchpec area. Deputy
66 Matilton followed immediately behind them.

67
68 Deputy Cumbow followed Hwy 96 to Hwy 169, and then turned onto Hwy 169 per Corporal
69 Soeth's instruction. Corporal Soeth pointed out roads and areas of interest while they were
70 driving. Deputy Cumbow was unsure what time it was when they arrived at Martin's Ferry
71 Bridge. It was dark upon their arrival.

72
73 Upon arrival at Martin's Ferry Bridge, Corporal Soeth advised Deputy Cumbow to turn left onto
74 the bridge and to go across it. As they turned onto the bridge, Deputy Cumbow saw what
75 appeared to be a vehicle parked at the far end of the bridge. The vehicle appeared to have its
76 orange parking lights on. Deputy Cumbow saw that the car appeared to be leaning lower on its
77 right side than its left side. Deputy Cumbow told me, "The first thing that popped in my mind
78 was maybe this motorist was broken down, or something along those lines." Initially Deputy
79 Cumbow could not tell the make or model of the vehicle. As he got closer to the car he could
80 see that it was some type of sports car with no front license plate. The vehicle was parked along
81 the left hand side of the road (as Deputy Cumbow and Corporal Soeth were driving toward Tully
82 Creek Road from Hwy 169 across the bridge), and the vehicle was facing towards Hwy 169. As
83 Deputy Cumbow and Corporal Soeth drove toward the vehicle they had a brief discussion,
84 stating that the vehicle looked suspicious, they recognized that it was leaning to one side, and
85 that they were going to do a vehicle investigation.

86



87 As Deputy Cumbow approached the sports car, he made a radio transmission to HCSO dispatch
88 that he was doing a vehicle investigation on Martin's Ferry Bridge. Deputy Cumbow was unsure
89 if HCSO dispatch heard the transmission. He told me that he, "didn't get that far." As Deputy
90 Cumbow got close to the sports car he pulled the patrol vehicle to the left and stopped his patrol
91 vehicle about a car length in front of the sports car – slightly off set and canted to the left.

92
93 As Deputy Cumbow was bringing the patrol vehicle to a stop, Corporal Soeth turned on the
94 passenger side spot light and directed it at the sports car. Deputy Cumbow saw a hand holding
95 a silver revolver come out of the darkness from within the interior driver's seat area of the
96 sports car. Deputy Cumbow could not see a face or a person. He only saw the hand and the
97 pistol. The revolver was pointed directly at them. Deputy Cumbow stated that the revolver
98 appeared to be pointed more at the passenger side of the patrol car. Instantly, Corporal Soeth
99 announced, "Gun, Gun, Gun." Deputy Cumbow ducked his head down behind the steering
100 wheel of the patrol car, in case firing started. At this point, Deputy Cumbow had not yet put
101 the patrol car into park and his seatbelt was still fastened. No emergency lighting had been
102 activated.

103
104 When Deputy Cumbow ducked behind the steering wheel, he lost sight of the sports car.
105 Deputy Cumbow put the patrol vehicle into park, and began taking off his seatbelt and opening
106 his door. Before Deputy Cumbow had his seatbelt off and door open, he heard gun fire and
107 heard glass breaking. Deputy Cumbow got out of his patrol vehicle and stood in the driver's
108 side doorway area. He un-holstered his duty pistol and pointed it at the sports car. During the
109 interview Deputy Cumbow told me, "When I came back up, I seen movement in the car, and I
110 still believed that there was a sustained threat in the vehicle at that time, because I had seen
111 some sort of – and I definitely seen a person at that point – of movement, and I was genuinely
112 afraid that he was going to come back up shooting," (49:20). Deputy Cumbow fired his duty
113 pistol at the driver's side area of the sports car.

114



115 Deputy Cumbow was not sure how many times he had fired his pistol at the sports car, when
116 he heard Corporal Soeth yell, "Red, Red, Red." Deputy Cumbow stopped firing his pistol at this
117 point. Deputy Cumbow kept his pistol pointed at the sports car. Deputy Cumbow believed that
118 Corporal Soeth was out of ammunition, or that his firearm had malfunctioned, based upon
119 hearing Corporal Soeth yell, "Red, Red, Red." During the interview Deputy Cumbow told me, "I
120 stopped shooting because I heard Soeth go red, and I knew I had not shot that much into the
121 vehicle, and I had ammunition in my weapon that I could cover him with if he did have a major
122 malfunction" (49:56).

123
124 Deputy Cumbow remembered hearing Corporal Soeth yelling before and during the shooting,
125 though he could not remember exactly what Corporal Soeth said. Deputy Cumbow told me he
126 heard Corporal Soeth yelling, "Gun, Gun, Gun," prior to the shooting. Deputy Cumbow told me
127 he remembered hearing Corporal Soeth yelling something similar to, "Hands, hands, I want to
128 see your hands," during the shooting. I asked Deputy Cumbow why he thought he could not
129 remember exactly what Corporal Soeth said. Deputy Cumbow told me, "Because at that
130 moment I was trying to get myself out of the kill zone. Cause I knew I was in that car. I was,
131 like I said, seat belted into that car still at that point. I hadn't put the radio, I put the radio down
132 as we were coming up to it, and I made that decision to off-set my vehicle, and I was, I was right
133 caught in the middle of that transition when that spot light, Soeth's spot light, went on the
134 vehicle," (54:15).

135
136 Deputy Cumbow was not certain who was shooting at the time he was still seated in the patrol
137 car. Deputy Cumbow assumed it was Corporal Soeth. Deputy Cumbow told me that he saw
138 what appeared to be bullet strikes on the sports car before he began shooting.

139
140 Deputy Cumbow told me that at some point after the shooting, he remembered looking at his
141 patrol vehicle and seeing that the driver's side spot light was on. Deputy Cumbow did not
142 remember turning the spot light on.

143



144 At about the 55:30 minute mark of the interview, I asked Deputy Cumbow what he remembered
145 more clearly, the time of the shooting or the time after the shooting? Deputy Cumbow told me,
146 "I remember seeing that gun, I mean, vivid, it's, it's right there, it's when I close my eyes, it's
147 that gun being pointed directly at our car." Referring to the spot light that Deputy Cumbow did
148 not remember turning on, I asked Deputy Cumbow if there were other things about the incident
149 he may not remember as well. Deputy Cumbow told me, "Yeah, like I said, I don't remember
150 turning that spot light on, but as far as everything else, I remember everything else
151 confidentially to the point through the actual shooting and the points afterwards where we
152 were dealing with packaging our [REDACTED] and to that effect."

153
154 After Corporal Soeth and Deputy Cumbow stopped shooting, Deputy Cumbow stayed in the
155 driver's side doorway of his patrol vehicle. He continued to point his gun at the Corvette.
156 Deputy Cumbow heard Deputy Matilton calling out that he was walking up behind Corporal
157 Soeth. Deputy Cumbow told me that "right after" he stopped firing, he saw 2 palms come up
158 from inside the sports car. The hands came up from about the middle of the car. The hands
159 were empty. Corporal Soeth called out commands to the sports car, telling the occupant to get
160 out of the car and to lay on the ground. The [REDACTED] in the car complied. Deputy Cumbow saw
161 a male [REDACTED] get out of the sports car and lie on the ground. The man was yelling something
162 similar to, "You shot me. I can't believe you shot me." The man was dressed in a blue t-shirt,
163 jeans, and tennis shoes.

164
165 Corporal Soeth told the man to crawl towards him (Corporal Soeth). The man complained he
166 could not crawl because of a car wreck he was in, but then crawled toward Corporal Soeth.
167 Corporal Soeth told Deputy Cumbow to come around to the passenger side of the patrol vehicle,
168 and Deputy Cumbow did. Once Deputy Cumbow was with Corporal Soeth and Deputy Matilton,
169 Corporal Soeth and Deputy Matilton walked up to the sports car to see if there was anyone else
170 in the car. Deputy Cumbow stayed with the man. During this time, Deputy Cumbow saw
171 movement from within the sports car. The man said that his dog was in the car.

172



173 Corporal Soeth then went to the man and placed handcuffs on him. Corporal Soeth asked the
174 man if he was shot, and the man said that he did not know. Corporal Soeth cut the man's shirt
175 off and checked him for injuries. Deputy Cumbow saw that the man had a cut on his side.
176 Corporal Soeth instructed Deputy Cumbow and Deputy Matilton to conduct a search of the
177 man, and to have the man sit in Deputy Matilton's patrol vehicle. Corporal Soeth went to his
178 patrol vehicle and made radio transmissions.

179
180 The man initially refused to get into Deputy Matilton's patrol vehicle. Deputy Cumbow stated
181 that "tensions were high." The man was cussing at them and saying that they had shot him.
182 Corporal Soeth told the man that he needed to sit in the patrol vehicle while they figured things
183 out. Eventually the man agreed to sit in Deputy Matilton's patrol vehicle, and got into the car
184 on his own.

185
186 After the man was seated in Deputy Matilton's patrol vehicle, Corporal Soeth and Deputy
187 Cumbow put up crime scene tape. They put tape across the bridge in-between their (Deputy
188 Cumbow and Corporal Soeth's) patrol vehicle and Deputy Matilton's patrol vehicle. They also
189 put tape across the bridge at the Tully Creek Road end of the bridge, and set out road flares at
190 that location.

191
192 At some point after the shooting, and prior to the arrival of additional law enforcement
193 personnel, Corporal Soeth and Deputy Cumbow did a gear check. Deputy Cumbow removed
194 the partially depleted magazine from his pistol and put the magazine in his left cargo pants
195 pocket. He then took one of his magazines from his magazine pouch and loaded that into his
196 pistol. Corporal Soeth gave Deputy Cumbow a loaded magazine that Corporal Soeth had
197 retrieved from his "go bag." The magazine was marked with white tape. Printed on the tape
198 was, "L-70." Deputy Cumbow put this magazine in his magazine pouch. Deputy Cumbow told
199 me, "We didn't know what was going to happen next. As far as, our biggest fear was someone
200 else was going to come out shooting at us," (30:30).

201



202 The first person to arrive on scene after the shooting was an unknown Tribal Police sergeant.
203 The sergeant asked them if they were okay. Deputy Cumbow was unsure how long after the
204 shooting the sergeant arrived. The next person to arrive was an unknown female CHP Officer.
205 The Tribal Police sergeant left at about the time the CHP officer arrived. The CHP officer blocked
206 and stood by at the Hwy 169 end of the bridge. An ambulance arrived on scene at some point
207 after the arrival of the CHP officer and the departure of the Tribal Police sergeant. When the
208 ambulance personnel were examining the man from the sports car, the involved deputies
209 stayed back and tried to give them space, as to not further irritate the man.

210
211 People began coming to both ends of Martin's Ferry Bridge after the bridge had been blocked
212 at both ends. At one point Corporal Soeth and Deputy Cumbow walked to the Tully Creek Road
213 side of the bridge to speak with people who had come to the bridge. They were careful not to
214 step on or move anything as they walked through the shooting scene. Deputy Cumbow did not
215 know who the people were that came to the bridge, and he did not ask them for their names.
216 Deputy Cumbow stated that one of the people asked if her brother was okay. Some of the
217 people were angry with them. Deputy Cumbow remembered someone saying that the man on
218 the bridge was just the night security guard.

219
220 Deputy Cumbow did not believe Deputy Matilton fired a weapon during this incident. Deputy
221 Cumbow stated that the shooting had stopped by the time Deputy Matilton walked up to their
222 (Deputy Cumbow and Corporal Soeth's) patrol vehicle. Deputy Cumbow was not familiar with
223 the [REDACTED] in the Corvette or the Corvette, and was not aware of any prior contacts with either.

224
225 At about the 50:19 minute mark of the interview, I asked Deputy Cumbow what he thought
226 would have happened had he not fired his weapon when he did. Deputy Cumbow told me, "I
227 don't know, I don't know if it would have gave him a chance to, my thought on that would be
228 that he would come back up and would have shot me." At about the 50:52 minute mark of the
229 interview, I asked Deputy Cumbow how he felt, or what he was thinking, right after the
230 shooting. Deputy Cumbow told me, "My first thought was to make sure everything was okay,



231 and I was okay. I was really worried about Soeth. Because I knew, I could see that he had fired
232 a lot of ammunition at that car. So I wanted to make sure he was okay. So we kind of checked
233 each other." At about the 52:00 minute marked of the interview, I asked Deputy Cumbow what
234 his physical state was right after the shooting. Deputy Cumbow told me, "I kind of just took a
235 deep breath and took it in and did what needed to be done. I mean, as far as moving on, and
236 blocking the road, and I knew we weren't out of, we weren't clear yet. Because it was dark and
237 still possible threats."
238

239 Further information will be documented by supplemental report. Supporting documentation attached:

- 240 • Copy of BC 150799 – Two (2) Printed Photographs, and a Hand Drawn Diagram.

241

242

243

244

245

246

247

A handwritten signature in blue ink, appearing to be "M. Peterson 1186", written over a horizontal line.

Investigator M. Peterson 1186

248

249

250

A handwritten signature in blue ink, appearing to be "Lt. Dennis Young #1037", written over a horizontal line.

Supervisor Review

3.22.18



STATEMENT – CORPORAL SOETH

JULY 17, 2017 – 1409 HOURS

On July 17, 2017 at about 1409 hours, HCDA Investigator Cooper and I interviewed Humboldt County Sheriff's Office (HCSO) Corporal Soeth at the HCSO Criminal Investigations Division (CID). Also present was Attorney [REDACTED] who was representing Corporal Soeth.

I recorded the interview on a digital audio recorder. I later copied the recording onto a DVD and booked the DVD into evidence at HCSO – barcode 150802. The recording is 1:08:10 in length. While speaking with Corporal Soeth, I showed him a printed aerial photograph of the area of Martin's Ferry Bridge. Corporal Soeth drew on the photo and also completed a hand drawn diagram on a blank piece of paper. During the interview, I also showed Corporal Soeth a printed photograph that had been taken of him after the shooting incident. I later booked both photographs and the diagram into evidence at HCSO – barcode 150803. Copies attached. The following is a summary of Corporal Soeth's interview – see recording for further:

Corporal Soeth is 30 years old. He has been employed with HCSO since November 26, 2015. Prior to his employment with HCSO, Corporal Soeth was employed as a police officer with the Fortuna Police Department for about 6 years, and as a correctional officer with the Plumas County Sheriff's Office for about 1.5 years. Corporal Soeth's duties as a corporal with HCSO include training newly hired deputies and acting as a supervisor in the absence of a sergeant.

Corporal Soeth is currently assigned to the HCSO patrol division. He is assigned to work in the area known as the 40 beat – the northeastern area of Humboldt County which includes the Weitchpec area. Corporal Soeth has been working in the 40 beat for about 1 year. Corporal Soeth feels confident of street names and locations for the majority of his beat area, including the area of Hwy 169 from Weitchpec to the area of Martin's Ferry Bridge. Corporal Soeth does not feel as confident of streets names and locations in the area of Hwy 169 past Martin's Ferry Bridge to the end of the road in Pecwan.



30 Corporal Soeth's normal work days are Friday-Sunday from 1800-0600 hours. He also is
31 scheduled to work 1 Monday and 1 Thursday per month. Corporal Soeth worked on Thursday,
32 July 13, 2017. It was a scheduled work day, and he attended department firearms training. The
33 training consisted of both patrol rifle and duty pistol training. Corporal Soeth went to sleep on
34 July 13th at about 2100 hours and woke up on July 14th at about 0900 hours.

35
36 Corporal Soeth was dressed in a standard HCSO patrol uniform while working on July 14, 2017.
37 During the interview I showed Corporal Soeth a picture that was taken of him after the shooting
38 incident. Corporal Soeth stated the picture accurately depicted how he was dressed at the time
39 of the incident, and he was not wearing any additional items at the time of the incident; such
40 as a hat or jacket. Corporal Soeth does not wear prescription eye glasses or any other aids.

41
42 Corporal Soeth carries a .40 S&W Glock 22 pistol on his duty belt, and was issued the pistol upon
43 his employment with HCSO. The pistol is Corporal Soeth's primary duty weapon. Corporal
44 Soeth carries the pistol in a department approved personally owned holster. Corporal Soeth
45 has a departmentally approved personally owned weapon light affixed to the pistol. Corporal
46 Soeth uses department issued magazines for the Glock 22. Each magazine holds 15 rounds.
47 Corporal Soeth carries a total of 4 magazines for the pistol upon his person (1 magazine loaded
48 in the pistol and 3 spare magazines kept in a pouch on his duty belt). Corporal Soeth loads his
49 magazines to capacity and loads a round into the chamber of the pistol (total of 61 rounds).
50 Corporal Soeth was current on his training and qualification with the pistol and had attended
51 the last quarterly departmental pistol training.

52
53 Corporal Soeth carries a personally owned back-up pistol on his person while working. The
54 pistol is kept in his left outer cargo pocket of his pants. The pistol is carried concealed. The
55 back-up pistol is a Smith and Wesson .38 Special – 5 shot revolver. The pistol is kept loaded to
56 capacity with privately purchased ammunition. Corporal Soeth carries no extra ammunition for
57 the pistol upon his person. Corporal Soeth was current on training and qualification with the
58 firearm.



59

60 Corporal Soeth had 1 additional firearm in his patrol vehicle at the time of the incident: a
61 personally owned Smith and Wesson "AR-15" rifle. The rifle was in a gun case in the rear cargo
62 compartment of his patrol vehicle.

63

64 Corporal Soeth kept some extra ammunition in his patrol vehicle. The ammunition was kept in
65 a backpack in the rear cargo compartment of his patrol vehicle. The bag contained various
66 supplies including ammunition, food, water, and medical supplies including a tourniquet.
67 Corporal Soeth carried several loaded Glock 22 magazines in the backpack.

68

69 During the shooting incident on Martin's Ferry Bridge on July 14, 2017, Corporal Soeth only fired
70 his Glock 22 pistol. He did not shoot or deploy any other firearms. His back-up pistol was not
71 removed from its holster and he did not remove his rifle from his patrol vehicle. Corporal Soeth
72 did not see Deputy Matilton or Deputy Cumbow deploy (carry or remove from a vehicle) any
73 firearms other than their duty pistols (issued Glock 22's).

74

75 Corporal Soeth is not assigned a patrol vehicle. He checks out a patrol vehicle at the beginning
76 of each shift. On July 14, 2017, Corporal Soeth was driving patrol unit # 07179; which was a
77 black and white marked Ford Explorer. The car had an emergency light bar attached to the roof.
78 The vehicle is not equipped with a departmental or personally owned dash camera or any other
79 similar type of audio or video recording device. Corporal Soeth is not issued a body camera, nor
80 does he utilize any type of privately owned body camera.

81

82 On July 14, 2017, Corporal Soeth was partnered with Deputy Cumbow. Deputy Cumbow was
83 newly hired and was still on the Field Training Program. Corporal Soeth knew that Deputy
84 Cumbow had been hired as a Deputy Sheriff Recruit, and that Deputy Cumbow attended the
85 police academy at College of the Redwoods as an employee of HCSO. Upon graduation from
86 the academy, Deputy Cumbow began his field training as a patrol deputy. Corporal Soeth did
87 not know Deputy Cumbow well. While Deputy Cumbow was attending the police academy, he



88 went on 1 ride along with Corporal Soeth. Other than that interaction, Corporal Soeth had not
89 worked with or associated with Deputy Cumbow. July 14, 2017, was the first day that Corporal
90 Soeth had acted as Deputy Cumbow's training officer. They were scheduled to work together
91 for 2 shifts. July 14, 2017, was day 2 of week 5 of Deputy Cumbow's training program – his 19th
92 shift as a sworn police officer. While working together on July 14, 2017, Corporal Soeth had
93 Deputy Cumbow drive their patrol vehicle, and Corporal Soeth rode in the front passenger seat.
94

95 As part of Corporal Soeth's responsibilities as a Field Training Officer, he does beat orientation
96 with his trainees. Each trainee is assigned a training manual, which is referred to as a green
97 book. One of the items contained in the training manual are lists of locations for each beat
98 area. The training officer is to ensure that their trainee is familiar with and goes to each of the
99 locations in the training manual. The area of Martin's Ferry Bridge is one of the locations listed
100 in the training manual for the 40 beat area. Corporal Soeth has taken trainees to the area of
101 Martin's Ferry Bridge in the past. While in the area he shows them other roads and locations
102 in the area of the bridge. Corporal Soeth knows that the area of Martin's Ferry Bridge is in a
103 more rural and less populated area of northeastern Humboldt County. When traveling to the
104 more rural areas of his beat, such as the area of Martin's Ferry Bridge, Corporal Soeth prefers
105 to take 2 units due to the lack of resources in the areas, and the additional response time it
106 would take for a back-up officer to travel to the area. Corporal Soeth had been to Martin's Ferry
107 Bridge before during daylight hours. Corporal Soeth does not know exactly how far it is from
108 the bridge to the river below, but estimated about 200 feet.
109

110 At some point during the late evening of July 14, 2017, Corporal Soeth decided to have Deputy
111 Cumbow drive to the area of Martin's Ferry Bridge. Prior to driving to the area, they met with
112 Deputy Matilton in the downtown Hoopa area. Deputy Matilton was driving his own patrol
113 vehicle. Deputy Matilton followed Corporal Soeth and Deputy Cumbow, as they drove to the
114 area of Martin's Ferry Bridge. They drove to the area via Hwy 96, and then on Hwy 169 from
115 the intersection of Hwy 96 and Hwy 169.
116



117 Corporal Soeth did not know the exact time that they arrived in the area of Martin's Ferry
118 Bridge. He thought it was about 2200 hours. It was dark upon their arrival in the area. There
119 was no moon. Corporal Soeth did not remember there being any forms of artificial light in the
120 area. Upon arrival in the area, he had Deputy Cumbow slow down. Corporal Soeth began
121 pointing out various landmarks to Deputy Cumbow. Corporal Soeth pointed out a large turnout
122 off Hwy 169 near the bridge. Corporal Soeth noted there was heavy equipment parked in the
123 turnout. Corporal Soeth directed Deputy Cumbow to drive across the bridge. He was going to
124 have Deputy Cumbow drive to the intersection of Bald Hills Road and Dowd Road for further
125 beat orientation.

126
127 As they turned onto the bridge, both Corporal Soeth and Deputy Cumbow verbalized that they
128 saw an object on the bridge. The object was along the left side of the bridge (when traveling
129 from Hwy 169 towards Tully Creek Road). Corporal Soeth saw that the object was stationary,
130 and he saw 2 lights emitting from it. The lights were low to the ground and few feet apart. The
131 lights did not appear to be headlights or parking lights of an automobile. At first, Corporal Soeth
132 did not know what the object was. They continued driving across the bridge. Corporal Soeth
133 saw Deputy Matilton was following immediately behind them.

134
135 Deputy Cumbow drove along the right hand side of the bridge. As they got closer to the object,
136 Corporal Soeth saw it was a parked vehicle. Deputy Cumbow asked Corporal Soeth, "Vehicle
137 investigation?" Corporal Soeth told him yes. As they approached the car, Corporal Soeth
138 activated the passenger side spot light of their patrol car, and pointed the light at the driver's
139 area of the car. Corporal Soeth saw what appeared to be a white male adult with a bald head
140 sitting behind the steering wheel – driver's seat. Corporal Soeth did not know if there was
141 anyone else in the vehicle. Once Deputy Cumbow had driven closer to the vehicle, he activated
142 his driver's side spot light and pointed it at the car. Corporal Soeth saw the vehicle was a black
143 Corvette with no front license plate. Deputy Cumbow drove up to within about 10-15 yards of
144 the Corvette. As Deputy Cumbow pulled up to the Corvette, he turned the patrol vehicle to the
145 left from the right hand side of the road. Deputy Cumbow stopped the patrol vehicle in front



146 of the Corvette (patrol vehicle canted and off to the left side, but in front of the Corvette). At
147 this point the only lighting activated on the patrol vehicle were the head lights and both spot
148 lights.

149
150 Before Deputy Cumbow brought the patrol vehicle to a full stop, Corporal Soeth saw a silver
151 colored revolver come up over the steering wheel of the Corvette. Corporal Soeth was looking
152 down the barrel and cylinders of the gun, and could not see the side of it. The pistol appeared
153 to be a large revolver. Corporal Soeth thought the gun was pointed directly at him. Corporal
154 Soeth yelled out, "Gun," and "bailed" out his door. Once out of the patrol vehicle, Corporal
155 Soeth continued screaming, "Gun, gun, gun." Corporal Soeth crouched his body low and ran
156 toward the back of the patrol vehicle. Corporal Soeth lost sight of the Corvette while running.
157 As Corporal Soeth was running he removed his duty pistol from its holster. Corporal Soeth saw
158 Deputy Matilton's patrol vehicle parked behind his patrol vehicle.

159
160 Once Corporal Soeth was at about the passenger side of the rear axle of his patrol vehicle, he
161 turned around and pointed his pistol at the Corvette. Corporal Soeth did not see the revolver
162 at this point. Corporal Soeth stated, "I yell: Sheriff's Office, drop the gun, show me your hands."
163 Corporal Soeth then saw the revolver come up over the steering wheel again and point towards
164 him. Corporal Soeth could not see if the gun was held with one or two hands. He could see that
165 the gun was held in an upright position – or a normal shooting position. Corporal Soeth then
166 fired at the area of the driver's seat of the Corvette with his Glock 22 pistol. Corporal Soeth
167 fired as fast as he could, and continued firing until he felt his pistol run out of ammunition.

168
169 Corporal Soeth had left the front passenger door of his patrol vehicle open when he exited the
170 car. When Corporal Soeth fired at the Corvette, he shot through the closed window of his door,
171 breaking the window out.

172
173 Once Corporal Soeth's pistol was out of ammunition he moved back to about the right rear
174 quarter panel of his patrol vehicle. He yelled, "Red, red, red." (Investigator's note: The term



175 red is used by law enforcement to indicate that your firearm is out of ammunition or that it has
176 malfunctioned). Corporal Soeth reloaded his pistol. He performed a "combat reload."
177 (Investigator's note: A combat reload is the reloading of a firearm that has the slide locked to
178 the rear and an empty magazine inserted into the magazine well. The empty magazine is
179 ejected onto the ground, and a loaded magazine is inserted into the firearm's magazine well.
180 The slide is then locked forward, chambering a round.)

181
182 Corporal Soeth remembered trying to radio dispatch on his portable radio at some point during
183 the shooting. Corporal Soeth knows from past experience that portable radios often are not
184 able to reach HCSO dispatch from the area of Martin's Ferry Bridge, and he was uncertain if his
185 radio transmission had been heard. During this time, Corporal Soeth heard a transmission come
186 over his portable radio. The transmission was Deputy Matilton advising that shots had been
187 fired. Since Corporal Soeth was able to hear Deputy Matilton's transmission on his portable
188 radio, he believed that the transmission was most likely also heard by HCSO dispatch.

189
190 After Corporal Soeth reloaded his pistol, he heard Deputy Matilton calling out that he was
191 walking up behind him. Corporal Soeth moved up to his open passenger side door. Corporal
192 Soeth no longer saw the revolver. He shouted, "Sheriff's Office, show me your hands," at the
193 Corvette. Corporal Soeth then saw a pair of hands come up from the passenger side of the car.
194 The hands were empty. The hands continued to move up and towards the driver's side of the
195 vehicle in a sweeping motion. Corporal Soeth did not know if there were additional persons in
196 the vehicle. Corporal Soeth continued giving commands to the subject he could see. He told
197 the subject to keep his hands in the air and to get out of the car. The subject complied. The
198 subject slowly got out of the car. Once out of the car, the subject got on his knees and then
199 onto his stomach without being asked to do so. The subject was on the ground just outside of
200 the driver's side door of the Corvette. Corporal Soeth wanted the subject to be further away
201 from the Corvette to minimize any potential danger. Corporal Soeth ordered the subject to
202 crawl toward him, and the subject complied.

203



204 Corporal Soeth saw that the man who had been in the Corvette had some blood on him.
205 Corporal Soeth noted the man was audible – yelling and complaining of pain – and was able to
206 move freely and was not grabbing anywhere on his body, as if he were severely injured. The
207 man was wearing a blue t-shirt and blue jeans. Corporal Soeth did not recall what kind of shoes
208 the man was wearing.

209
210 Corporal Soeth looked through his patrol vehicle and saw that Deputy Cumbow was standing at
211 the driver's side door of their patrol vehicle. Deputy Cumbow was holding his duty pistol and
212 was facing the Corvette. Corporal Soeth asked Deputy Cumbow if he was okay, and Deputy
213 Cumbow replied, "Yes." Corporal Soeth asked Deputy Cumbow if he had been hit, and Deputy
214 Cumbow replied, "No." Corporal Soeth directed Deputy Cumbow to come over to his side of
215 the patrol vehicle. Deputy Cumbow came around the back of the patrol vehicle to the passenger
216 side.

217
218 Corporal Soeth told Deputy Cumbow to cover the man on the ground while Corporal Soeth and
219 Deputy Matilton moved up to the Corvette to check it for additional persons. Corporal Soeth
220 and Deputy Matilton walked up to the Corvette and looked in it. They saw no one else inside.
221 They then moved back to the man on the ground. Corporal Soeth holstered his pistol. Corporal
222 Soeth detained the man in handcuffs and conducted a search for weapons. Corporal Soeth then
223 began administering first aid to the subject. Corporal Soeth asked the man where he hurt, and
224 the man said on his left side. Corporal Soeth asked the man if he had been shot, and he said he
225 did not know. The man was lying on his stomach. Corporal Soeth rolled the man onto his back
226 to further examine him. Corporal Soeth did not see the man bleeding profusely from anywhere.
227 The man had some blood on his shirt, on his neck, and on the left side of his face; but Corporal
228 Soeth saw no injuries. Corporal Soeth then used his pocket knife to cut open the front of the
229 man's shirt. Corporal Soeth saw no injuries on the man's torso. Corporal Soeth then cut the
230 sleeves of the man's shirt and removed the shirt. Corporal Soeth then saw a wound on the
231 subject's left shoulder. Corporal Soeth said the wound appeared to be a "graze" wound that
232 was about 2 inches long. Corporal Soeth did not know the mechanism of the injury. Corporal



233 Soeth saw the wound was bleeding, but not heavily. Corporal Soeth checked the man's legs
234 and found no further injury. The man said he was not injured anywhere else.

235
236 Corporal Soeth said the man was argumentative, and stated he was, "understandably jacked
237 up, for lack of a better term." The man stated that he was security, and that he was guarding
238 the equipment parked near the bridge. The man said he knew Deputy O'Rourke. Corporal
239 Soeth said something similar to, "That doesn't give you the right to point guns at people." The
240 man said that people "fucked" with him while he was guarding the equipment and that he
241 armed himself.

242
243 Corporal Soeth directed Deputy Cumbow and Deputy Matilton to conduct a full search of the
244 man, to get his name and information, and to have the man sit in Deputy Matilton's patrol
245 vehicle. Corporal Soeth went to his patrol vehicle to use the vehicle's radio. Corporal Soeth
246 checked with HCSO dispatch to ensure that an ambulance was en route, and coordinated the
247 response of additional deputies. Corporal Soeth was not familiar with the subject in the
248 Corvette or the Corvette, and was not aware of any prior contacts with either.

249
250 Corporal Soeth retrieved crime scene tape from his patrol bag in the rear cargo compartment
251 of his patrol vehicle. With the assistance of Deputy Cumbow, Corporal Soeth put crime scene
252 tape across Martin's Ferry Bridge in between his patrol vehicle and Deputy Matilton's patrol
253 vehicle. Corporal Soeth then blocked Martin's Ferry Bridge at Tully Creek Road with crime scene
254 tape and road flares.

255
256 At some point after the shooting, and prior to the arrival of additional law enforcement officers,
257 Corporal Soeth retrieved extra ammunition from his backpack in the rear cargo compartment
258 of his patrol vehicle – the backpack that contained food, water, medical supplies, ammunition,
259 and preloaded Glock 22 magazines. Corporal Soeth retrieved 1 loaded Glock 22 magazine and
260 put it in his empty magazine pouch slot – the slot that was empty from his earlier reload.
261 Corporal Soeth asked Deputy Cumbow if he had fired his duty pistol, and Deputy Cumbow said



262 that he had. Corporal Soeth had Deputy Cumbow remove the magazine from his pistol while
263 the pistol was holstered. Corporal Soeth looked at the magazine. He did not count the rounds,
264 but saw the magazine was partially depleted. Corporal Soeth gave Deputy Cumbow one of the
265 loaded magazines from his backpack and told Deputy Cumbow to load that into his duty pistol.
266 Corporal Soeth gave the partially depleted magazine back to Deputy Cumbow and told him to
267 put that in one of his pockets. Corporal Soeth stated he did the above as he was aware how far
268 away additional responding law enforcement officers were, and he did not know what would
269 happen prior to their arrival.

270
271 Corporal Soeth knew of no other persons who were present during the time of the shooting
272 other than himself, Deputy Cumbow, Deputy Matilton, and the man in the Corvette.

273
274 After placing crime scene tape across the bridge and between Corporal Soeth's patrol vehicle
275 and Deputy Matilton's patrol vehicle; Corporal Soeth, Deputy Cumbow, and Deputy Matilton
276 limited their access to the taped off area between the patrol vehicles and the west end of
277 Martin's Ferry Bridge (Martin's Ferry Bridge at Tully Creek Road). Corporal Soeth directed
278 Deputy Matilton to start and maintain a crime scene log. The first additional person to arrive
279 at the bridge was Hoopa Valley Tribal Police Department (HVTPD) Sgt. Mabry. Corporal Soeth
280 estimated he arrived within about 5-10 minutes after the shooting. Sgt. Mabry stayed only a
281 short time. The next officer to arrive was a female California Highway Patrol (CHP) Officer –
282 Corporal Soeth was unsure of her name. She arrived within about 10-15 minutes after the
283 shooting. The CHP officer stayed on scene, and blocked the east end of the bridge (Martin's
284 Ferry Bridge at Hwy 169). An ambulance arrived next, about 20 minutes after the shooting.
285 Deputy Matilton stood by with the subject from the Corvette and the ambulance. Corporal
286 Soeth was unsure why the subject from the Corvette was not transported by the ambulance.
287 The paramedic aboard the ambulance told Corporal Soeth that they were not transporting the
288 subject. The ambulance left the scene after looking at the subject. Within about 30 minutes
289 after the shooting, family members of the subject began arriving at the bridge. Corporal Soeth
290 did not obtain names from the subjects. When Corporal Soeth had to walk through the crime



291 scene area to go to the west end of the bridge to speak with arriving civilians, he was careful
292 not to step on or kick any items lying on the ground.

293
294 At about the 47:50 minute mark of the interview, I asked Corporal Soeth what he thought would
295 have happened had he not fired his weapon at the Corvette when he did. Corporal Soeth stated,
296 "I feel that, that guy was going to shoot me. Given the fact that I'd just gave an announcement
297 saying who I am, and to drop the gun, show me your hands; and then the gun was presented
298 again. I felt that I was going to get shot."

299
300 I asked Corporal Soeth why he did not continue shooting after he reloaded. Corporal Soeth
301 stated, "I no longer observed a threat." Corporal Soeth stated at that point he could not see
302 the subject in the car. He gave further commands, and then saw the man raise his hands into
303 view.

304
305 Corporal Soeth stated at the time he was shooting, he was not aware if any of the other officers
306 on scene were shooting.

307
308 At about the 52:00 minute mark of the interview, I asked Corporal Soeth to describe how he felt
309 at the time of the shooting and after the shooting. Corporal Soeth stated, "I was scared shitless
310 when that gun came up when I was still seated in my car. I thought when I was getting out of
311 the car I was going to get shot in the back. I've done this job for 8 years now, and I've never
312 been that fucking scared. For myself. So, and then the added stress of having a trainee, and
313 making sure he wasn't hurt. It was stressful."

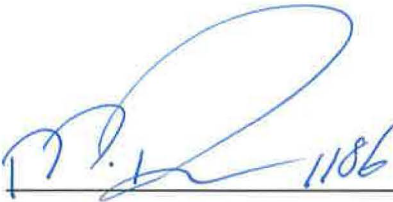
314
315 I asked Corporal Soeth what crimes he was aware of that had been reported in the Weitchpec
316 area. Corporal Soeth told me he was aware of assaults, incidents of domestic violence,
317 carjacking's, homicides, attempted homicides, and robberies that had been reported in the
318 area. I asked Corporal Soeth if he knew details of a recent carjacking that had been reported.
319 Corporal Soeth told me he was not the investigating officer on the investigation, but he was

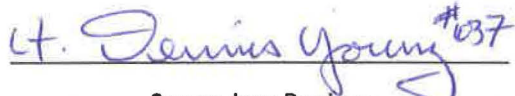
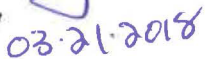


320 aware of a Buddy's Towing tow truck that had recently been carjacked in the Weitchpec area.
321 In speaking with a CHP officer, Corporal Soeth learned that a chain saw had been left alongside
322 of a roadway. He believed the roadway was Hwy 96, near Weitchpec. A Buddy's Towing tow
323 truck came upon the chain saw and stopped. When the driver got out of his truck he was
324 accosted by 1 or 2 suspects, who shot firearms at the driver's feet. The [REDACTED] then stole the
325 Buddy's Towing tow truck.

326
327 Further information will be documented by supplemental report. Supporting documentation attached:

- 328 • Copy of BC 150803 – Two (2) Printed Photographs, and a Hand Drawn Diagram.

329
330
331
332 
333 Investigator M. Peterson 1186

334

Supervisor Review 



1 **ASSIGNMENT:**

2 On Friday July 14, 2017 at about 1029 hours, I was off duty and received a phone call from Detective
3 Sergeant Freese requesting I respond to the office for a Critical Incident Response Team(CIRT)
4 investigation. Sergeant Freese advised me there had been an officer involved shooting on Martin's Ferry
5 Bridge in Whitchpec and requested I meet with other CIRT investigators in an hour.
6 I arrived at the Criminal Investigation Division and was briefed on the incident. I was tasked with
7 memorializing the incident scene using the Leica Scanstation.

8 **SCENE:**

9 I responded to the Martin's Ferry Bridge and arrived on July 15, 2017 at about 0206 hours. Criminalists
10 from the California Department of Justice(DOJ) were on scene processing evidence.

11 DOJ Criminalists indicated the scene appeared to be contained to the Martin's Ferry Bridge and that a
12 marked Sheriff's Expedition, a marked Sheriff's Police Interceptor, and a black Corvette were involved.

13 I completed the attached sketch outlining how I was going to use the Leica Scanstation. Once Criminalists
14 were done marking evidence, I conducted 5 scans to document the scene. During my scans all evidence
15 was still in place and was marked with placards placed by the Criminalists.

16 Criminalist [redacted] advised me that he had photographed the scene and was completing a detailed
17 sketch of the scene including evidence locations. Criminalist [redacted] stated he did not need any additional
18 assistance.

19 **DATA PRESERVATION:**

20 Evidence Technician [redacted] exported the raw data from the Leica Scanstation. I reviewed the data and
21 determined it contained all five scans I conducted. I booked a USB drive containing the RAW data into
22 Humboldt County Sheriff's Office evidence section.

23 Any additional information will be documented in a supplemental report.

Scott N Hicks 1149 7/18/17

Detective Scott Hicks #1149

[Signature] 086
7/18/17

Supervisor Review / Date

| | | | | | |
|---|---------------------|--------------------------------|---|---|--|
| REPORTING DEPARTMENT Humboldt Co. S.O. | | LOCATION CODE | DATE / TIME OF REPORT 7/11/17 0825 | NOTICE OF STORED VEHICLE DELIVERED PERSONALLY <input type="checkbox"/> | FILE NO. 201703390 |
| LOCATION TOWED / STOLEN FROM Martin Ferry @ Hwy 169, Westhope | | ODOMETER READING unk | VIN CLEAR IN SVS? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO LIC. CLEAR IN SVS? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO | DATE / TIME DISPATCH NOTIFIED | |
| YEAR 2014 | MAKE Ford | MODEL Explorer | BODY TYPE SUV | COLOR Blk/Whit | ONE <input type="checkbox"/> TWO <input checked="" type="checkbox"/> MONTH / YEAR Exempt |
| REGISTERED OWNER | | | ENGINE NO. --- | VALUATION BY <input checked="" type="checkbox"/> OFFICER <input type="checkbox"/> OWNER <input type="checkbox"/> 0-300 <input checked="" type="checkbox"/> 401-4000 <input type="checkbox"/> 4001+ <input type="checkbox"/> \$ | |

REGISTERED OWNER
**County of Humboldt
825 Fifth St
Eureka, CA 95501**

LEGAL OWNER
 SAME AS R/O

STORED IMPOUNDED RELEASED RECOVERED - VEHICLE / COMPONENT

| | |
|---|---|
| TOWING / STORAGE CONCERN (NAME, ADDRESS, PHONE) Humboldt Towing, 101 H St, Eureka, CA | STORAGE AUTHORITY / REASON CVC 22653.5 |
| TOWED TO / STORED AT Same | AIRBAG? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> 1 <input type="checkbox"/> 2 |
| DRIVEABLE? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> JUNK <input type="checkbox"/> UNK | VIN SWITCHED? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO |

| CONDITION | YES | NO | ITEMS | YES | NO | ITEMS | YES | NO | ITEMS | YES | NO | TIRES / WHEELS | CONDITION |
|------------------------------|-----|-------------------------------------|--------------|-------------------------------------|-------------------------------------|------------------|-------------------------------------|----|----------------|-------------------------------------|-------------------------------------|----------------|-------------|
| WRECKED | | <input checked="" type="checkbox"/> | SEAT (FRONT) | <input checked="" type="checkbox"/> | | REGISTRATION | <input checked="" type="checkbox"/> | | CAMPER | | <input checked="" type="checkbox"/> | LEFT FRONT | Good |
| BURNED HULK per 431(c) VC | | <input checked="" type="checkbox"/> | SEAT (REAR) | <input checked="" type="checkbox"/> | | ALT. / GENERATOR | <input checked="" type="checkbox"/> | | VESSEL AS LOAD | | <input checked="" type="checkbox"/> | RIGHT FRONT | u |
| VANDALIZED | | <input checked="" type="checkbox"/> | RADIO | <input checked="" type="checkbox"/> | | BATTERY | <input checked="" type="checkbox"/> | | FIREARMS | <input checked="" type="checkbox"/> | | LEFT REAR | u |
| ENG. / TRANS. STRIP | | <input checked="" type="checkbox"/> | TAPE DECK | | <input checked="" type="checkbox"/> | DIFFERENTIAL | <input checked="" type="checkbox"/> | | OTHER | | <input checked="" type="checkbox"/> | RIGHT REAR | u |
| MISC. PARTS STRIP | | <input checked="" type="checkbox"/> | TAPES | | <input checked="" type="checkbox"/> | TRANSMISSION | <input checked="" type="checkbox"/> | | | | | SPARE | unk |
| BODY METAL STRIP | | <input checked="" type="checkbox"/> | OTHER RADIO | <input checked="" type="checkbox"/> | | AUTOMATIC | <input checked="" type="checkbox"/> | | | | | HUB CAPS | No |
| SURGICAL STRIP per 431(b) VC | | <input checked="" type="checkbox"/> | IGNITION KEY | <input checked="" type="checkbox"/> | | MANUAL | <input checked="" type="checkbox"/> | | | | | SPECIAL WHEELS | No |

| | | |
|--|--|-------------------------------|
| RELEASE VEHICLE TO: <input type="checkbox"/> R/O OR AGENT <input type="checkbox"/> AGENCY HOLD <input type="checkbox"/> 22850.3 VC | GARAGE PRINCIPAL / AGENT STORING VEHICLE (SIGNATURE) <i>[Signature]</i> | DATE / TIME 7-15-17 |
|--|--|-------------------------------|

| | | | |
|---|---------------------------------------|------|---|
| NAME OF PERSON / AGENCY AUTHORIZING RELEASE | I.D. NO. | DATE | CERTIFICATION: I, THE UNDERSIGNED, DO HEREBY CERTIFY THAT I AM LEGALLY AUTHORIZED AND ENTITLED TO TAKE POSSESSION OF THE ABOVE DESCRIBED VEHICLE. |
| SIGNATURE OF PERSON AUTHORIZING RELEASE | SIGNATURE OF PERSON TAKING POSSESSION | | |

STOLEN VEHICLE / COMPONENT EMBEZZLED VEHICLE PLATE(S) REPORT

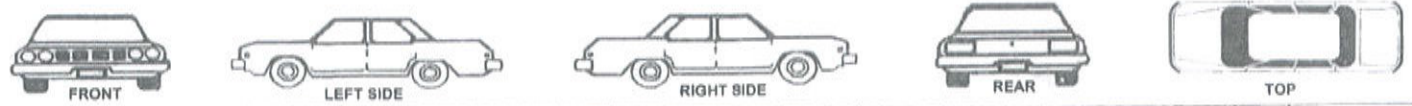
| | | | |
|---|----------------------|-----------------------------------|----------------------------|
| DATE / TIME OF OCCURRENCE | DATE / TIME REPORTED | NAME OF REPORTING PARTY (R/P) | DRIVER LICENSE NO. / STATE |
| LAST DRIVER OF VEHICLE | DATE / TIME | ADDRESS OF R/P | TELEPHONE OF R/P () |
| I CERTIFY OR DECLARE UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT THE FOREGOING IS TRUE AND CORRECT. | | SIGNATURE OF PERSON MAKING REPORT | |

REMARKS

(LIST PROPERTY, TOOLS, VEHICLE DAMAGE, ARRESTS)

| | | | | |
|---------------|---|-------------|---|--|
| DRIVER'S NAME | ARRESTED / SECTION? <input type="checkbox"/> YES <input type="checkbox"/> NO | REPORTED BY | CARGO / TYPE? <input type="checkbox"/> YES <input type="checkbox"/> NO | VALUE \$ <input type="checkbox"/> BILL OF LADING ATTACHED |
|---------------|---|-------------|---|--|

Front passenger side window broken out. Dent front passenger door



| | | | | |
|--|-------------------------|------------|--|---------------|
| SIGNATURE OF OFFICER TAKING REPORT M. Peterson | I.D. NO. 1186 | SUPERVISOR | REQUIRED NOTICES SENT TO REGISTERED AND LEGAL OWNERS PER 22852 VC? <input type="checkbox"/> YES <input type="checkbox"/> NO | DATE NOTIFIED |
|--|-------------------------|------------|--|---------------|



1 **ASSIGNMENT:**

2 On 07/14/17, at about 2332 hours, I was called at my residence by Humboldt County Sheriff's Office
3 (HCSO) Sergeant Freese. Sergeant Freese stated there had been an officer involved incident, and she had
4 activated the Critical Incident Response Team (CIRT). Sergeant Freese requested I respond to the office and
5 meet her there. Please refer to HCSO report 201703390 for further details.

6 I responded to the office at about 1205 hours, and met with several members of the CIRT; Sergeant Freese,
7 HCSO Investigator Hicks, Humboldt County District Attorney Investigator Cooper, Arcata Police
8 Department (APD) Losey, Eureka Police Department (EPD) Detective Gordon, and EPD Officer Linfoot.

9 Sergeant Freese assigned Detective Gordon, Officer Linfoot and I to process the involved HCSO deputies
10 (Corporal Soeth, Deputy Matilton, and Deputy Cumbow) upon their arrival to the HCSO Main Station.

11 Investigator Cooper later provided me with a legal blood draw from the [REDACTED] [REDACTED] he
12 obtained at Saint Joseph Hospital in Eureka, CA. (please refer to Sergeant Freese and Investigator Cooper's
13 supplemental reports for further information). Investigator Cooper also provided me with the signed Blood
14 Test Request by Peace Officer form, which I have attached to this report. The blood draw was sealed and
15 secured in the HCSO CID evidence fridge, before it was later booked into evidence as Item#HH40.

16 **PROCESSING OF HCSO DEPUTIES**

17 Lieutenant Miller transported Corporal Soeth, Deputy Cumbow and Deputy Matilton to the HCSO Main
18 Station at about 0225 hours. Corporal Soeth, Deputy Cumbow and Deputy Matilton were then directed to
19 HCSO Criminal Investigations Division (CID) briefing room to await processing.

20 I observed Corporal Soeth, Deputy Cumbow and Deputy Matilton were dressed in approved HCSO duty
21 uniforms. Corporal Soeth, Deputy Cumbow and Deputy Matilton's uniforms had HCSO patches on both
22 arms, and their names embroidered in black on the right side of their shirts, with a metal HCSO Department
23 Badge on the left side of their shirts. I did not observe any visible signs of injury, and all three deputies
24 stated they were uninjured.

25 It was determined Detective Gordon and I would document/collect physical evidence, and Officer Linfoot
26 would take photographs of the deputies and their gear. Detective Gordon and I packaged all collected
27 evidence, and stored it in a secured office. I later sealed and initialed these items and booked them into
28 evidence on 07/17/17.

29 Officer Linfoot took about 106 photographs total using a digital camera. These photographs were later
30 downloaded to a thumb drive, which was later provided to me by Detective Gordon and booked into
31 evidence as Item#HH41.

32 ***Processing Corporal Soeth***

33 Shortly after their arrival, Corporal Soeth was taken into the CID conference room for processing. Officer
34 Linfoot took photographs of Corporal Soeth in his duty uniform, his miscellaneous pocket contents, as well
35 as his handguns, magazines, and bullets. Officer Linfoot took about 35 photographs of Corporal Soeth.

36 Detective Gordon and I then collected the following items from Corporal Soeth:

- 37
- HH1 – Miscellaneous contents of right front shirt pocket
 - HH2 – Miscellaneous contents of left front shirt pocket
- 38
-



- 39 • HH3 – Miscellaneous contents of right cargo pant pocket, including folding pocket knife
- 40 • HH4 – Contents of left cargo pant pocket: Smith and Wesson Air Weight 38 Special revolver, black
- 41 in color, serial number [REDACTED]
- 42 ○ HH5 –Five .38 caliber live rounds in chamber of revolver (HH4), R-P 38 SPL + P
- 43 ○ HH6 –fabric “de Santis” revolver holster, and Corporal Soeth’s HCSO ID card
- 44 • HH7 – Miscellaneous contents of left SAP pant pocket
- 45 • HH8 – Miscellaneous contents of right rear pant pocket
- 46 • HH9 – Miscellaneous contents of left front pant pocket
- 47 • HH10 – Duty belt: Firearm (HH11) holster, OC spray, miscellaneous keys, magazine pouch with
- 48 three holsters (full; HH13, HH14), knife, double handcuff case with key and one set of handcuffs,
- 49 collapsible baton, radio, Taser, tourniquet, flashlight ring, and four belt keepers.
- 50 • HH11 – Duty firearm located on duty belt (HH10): Glock 22, .40 caliber, black in color, serial
- 51 number:MFW874
- 52 • HH12 – One magazine marked “Q70”located in duty firearm (HH11) with 14 live rounds of SW RP
- 53 .40 Caliber ammunition, and 1 round of same located in chamber.
- 54 • HH13 – Two magazines marked “Q70” with 15 live rounds each of SW RP .40 caliber ammunition
- 55 from duty belt (HH10) magazine pouch located next to OC spray.
- 56 • HH14 – One magazine marked “L70” with 15 live rounds of Federal .40 caliber ammunition from
- 57 duty belt (HH10) magazine pouch located next to handcuff case.

58 Corporal Soeth stated Item#HH12 was a combat reload magazine. Corporal Soeth went on to say he
59 retrieved Item#HH14 after the incident and placed it in his duty belt magazine pouch.

60 This concludes our processing of Corporal Soeth.

61 ***Processing of Deputy Cumbow***

62 Upon Corporal Soeth’s departure from the CID conference room, Deputy Cumbow entered the room for
63 processing. Officer Linfoot then took photographs of Deputy Cumbow in his duty uniform, his
64 miscellaneous pocket contents, as well as his handgun, magazines, and bullets. Officer Linfoot took about
65 33 photographs of Deputy Cumbow.

66 Detective Gordon and I collected the following items from Deputy Cumbow:

- 67 • HH15 – Miscellaneous contents of upper right shirt pocket
- 68 • HH16 – Miscellaneous contents of upper left shirt pocket: includes used gloves
- 69 • HH17 – Miscellaneous contents of right front pant pocket
- 70 • HH18 – Miscellaneous contents of left front pant pocket: folding pocket knife (Deputy Cumbow kept
- 71 his personal keys to his residence and vehicle)
- 72 • HH19 – Miscellaneous contents of left SAP pocket
- 73 • HH20 – Miscellaneous contents of left cargo pant pocket (Deputy Cumbow kept his personal
- 74 cellular device and chewing gum).
- 75 ○ HH21 - One magazine with 9 live rounds of SW RP .40 caliber ammunition
- 76 • HH22 – Miscellaneous contents of left rear pant pocket
- 77 • HH23 – Duty firearm located on duty belt (HH24): Glock 22, .40 caliber, black in color, serial
- 78 number [REDACTED]



- 79 • HH24 – Duty belt: Magazine pouch with two holsters (full; HH26, HH27), flashlight, radio, OC spray,
80 collapsible baton, firearm (HH23) holster, key case, double handcuff case with two sets of
81 handcuffs, and four belt keepers
- 82 • HH25 - One magazine located in duty firearm (HH11) with 14 live rounds of SW RP .40 Caliber
83 ammunition, and 1 round of same located in chamber.
- 84 • HH26 - One magazine marked "L70" with 15 live rounds of Federal .40 caliber ammunition from
85 duty belt (HH24) magazine pouch located next to belt buckle.
- 86 • HH27 – One magazine with 14 live rounds of SW RP .40 Caliber ammunition from duty belt (HH24)
87 magazine pouch located next to flashlight.
- 88 • HH28 – HCSO long sleeve duty uniform shirt with small reddish colored stain on cuff of right
89 sleeve.

90 Deputy Cumbow stated the gloves from his shirt pocket (Item#HH16) were used at incident, as well as
91 gloves used from a prior unrelated incident. Deputy Cumbow kept his personal wallet.

92 This concludes our processing of Deputy Cumbow.

93 ***Processing of Deputy Matilton***

94 Upon Deputy Cumbow's departure from the CID conference room, Deputy Matilton entered the room for
95 processing. Officer Linfoot then took photographs of Deputy Matilton in his duty uniform, his miscellaneous
96 pocket contents, as well as his handguns, magazines, and bullets. Officer Linfoot took about 38 photographs
97 of Deputy Matilton.

98 Detective Gordon and I collected the following items from Deputy Matilton:

- 99 • HH29 – Miscellaneous contents from upper right front shirt pocket
- 100 • HH30 – Miscellaneous contents from upper left front shirt pocket (Deputy Matilton kept his
101 department issued fuel card)
- 102 • HH31 – Miscellaneous contents from left front pant pocket; folding pocket knife
- 103 • HH32 – Miscellaneous contents of left cargo pant pocket: one magazine with 6 live rounds of PMC
104 9mm ammunition, and gloves (Deputy Matilton kept his personal flat badge wallet)
- 105 • HH33 – Miscellaneous contents from right rear pant pocket
- 106 • HH34 – Duty firearm located on duty belt (HH35): Glock 22, .40 caliber, black in color, serial
107 number: [REDACTED]
- 108 • HH35 – Duty belt: magazine pouch with three holsters (full; HH36), vehicle key, OC spray, radio,
109 flashlight, two single handcuff cases with only one set of handcuffs (handcuffs in case next to
110 flashlight), tourniquet, firearm (HH34) holster, and four belt keepers
- 111 • HH36 - Three magazines marked "Q85" with 15 live rounds each of SW RP .40 caliber ammunition
112 from duty belt (HH35) magazine pouch located between belt buckle and vehicle key.
- 113 • HH37 - One magazine located in duty firearm (HH34) with 15 live rounds of SW RP .40 Caliber
114 ammunition, and 1 round of same located in chamber.
- 115 • HH38 – Firearm located in bullet proof vest front pocket: Glock 43, 9mm, black in color, SN:
116 [REDACTED]
- 117 ○ HH39 - One magazine located in firearm (HH38) with 6 live rounds of PMC 9mm
118 ammunition, and 1 round of same located in chamber.

119 Deputy Matilton stated the gloves from his left cargo pant pocket (Item#HH32) were used during the
120 incident. Deputy Matilton kept his personal wallet.



- 121 This concludes our processing of Deputy Matilton.
122 Please review all related reports and photographs for further details. I have attached the FileOnQ evidence
123 report to this report.
124 End of report, nothing further.

125

126

127

128

Hilary Havens #1917 7/19/17

Detective Hilary Havens #1917

[Signature] 7/19/2017
[Signature]

Supervisor Review / Date

St. Joseph Hospital
Eureka, California
REGISTRATION OF FORENSIC PHLEBOTOMIES

| Reg Field # | Demographics | |
|-------------|---------------------------------------|--|
| 1. | Patient Name | [REDACTED] |
| 2. | Patient Sex | m |
| 3. | Patient Birthdate | [REDACTED] |
| 4. | Patient Soc. Sec. # | [REDACTED] |
| 5. | Outpatient Category | Policy Agency (CIRCLE ONE) CHP EPD <u>HISO</u> Fortuna PD Arcata PD Other _____ |
| 6. | Type of draw | (CIRCLE ONE) Drunk Driving Other _____ |
| | Date and Time of Collection | 7-15-17, 0215 |
| | Collected by (Tech) (Please Print) | [REDACTED] |
| | Officer Identification | Name <u>G. COOPER</u> Badge # <u>7K12</u> |

BLOOD TEST REQUEST BY PEACE OFFICER

The undersigned, a duly authorized peace officer of (*name of law enforcement agency*)
Humboldt Co DA, hereby requests that a blood sample be obtained from (*name of person being tested*)
[REDACTED].

I certify that I have probable cause to believe that the sample obtained will provide evidence that the person being tested was driving a motor vehicle in violation of Vehicle Code Section 23140, 23152 or 23153.

Date: 7-15-17 Time: 0210 AM / PM










Signature: [Signature]
 (Peace Officer)

CASE NUMBER: 201703390

HUMBOLDT COUNTY SHERIFF'S OFFICE
PROPERTY/EVIDENCE BOOKING REPORT

[REDACTED]
[REDACTED]
1: [REDACTED]

PROPERTY/EVIDENCE LISTING











| BarCode | Item # | Recovering Officer / Date / Address | Item Type / Description |
|---|--------|---|---|
|  148058 | FM1 | Melendy, Foy - 2067 07/15/2017 Recovery Address: ST JOSEPH HOSPITAL 2700 DOLBEER Recovery Location: ER ROOM 18 | Biological Evidence Each GUAZE CONTAINING SALIVA |
|  148072 | HH1 | Havens, Hilary - 1917 07/15/2017 Recovery Address: 826 4TH ST. EUREKA Recovery Location: HCSO CID | Miscellaneous Each CONTENTS OF RIGHT FRONT SHIRT POCKET |
|  148073 | HH2 | Havens, Hilary - 1917 07/15/2017 Recovery Address: 826 4TH ST. EUREKA Recovery Location: HCSO CID | Miscellaneous Each LEFT FRONT SHIRT POCKET CONTENTS |
|  148075 | HH3 | Havens, Hilary - 1917 07/15/2017 Recovery Address: 826 4TH ST. EUREKA Recovery Location: HCSO CID | Miscellaneous Each RIGHT CARGO PANTS POCKET CONTENTS |
|  148076 | SH-1 | Hicks, Scott - 1149 07/15/2017 Recovery Address: MARTIN'S FERRY BRIDGE Recovery Location: | Miscellaneous RAW DATA FROM LEICA SCANSTATION |
|  148077 | HH4 | Havens, Hilary - 1917 07/15/2017 Recovery Address: 826 4TH ST. EUREKA Recovery Location: HCSO CID | Firearms SMITH & WESSON AIR WEIGHT 38 SPECIAL Caliber: .38 Ser #: [REDACTED] Each LEFT CARGO POCKET CONTENTS REVOLVER |
|  148078 | HH5 | Havens, Hilary - 1917 07/15/2017 Recovery Address: 826 4TH ST. EUREKA Recovery Location: HCSO CID | Ammunition R-P, 38 SPL + P Caliber: .38 5 Each 5 ROUNDS IN CHAMBER OF REVOLVER (HH4) |
|  148079 | HH6 | Havens, Hilary - 1917 07/15/2017 Recovery Address: 826 4TH ST. EUREKA Recovery Location: HCSO CID | Miscellaneous DE SANTIS Each LEFT CARGO PANT POCKET : FABRIC HOLSTER (FOR REVOLVER HH4) AND [REDACTED] HCSO ID CARD |
|  148080 | HH7 | Havens, Hilary - 1917 07/15/2017 Recovery Address: 826 4TH ST. EUREKA Recovery Location: HCSO CID | Miscellaneous Each LEFT SAP PANT POCKET CONTENTS |

CASE NUMBER: 201703390

HUMBOLDT COUNTY SHERIFF'S OFFICE
PROPERTY/EVIDENCE BOOKING REPORT

██████████ MAXWELL SOETH
██████████
██████████ 1: ██████████

PROPERTY/EVIDENCE LISTING











| BarCode | Item # | Recovering Officer / Date / Address | Item Type / Description |
|---|--------|---|---|
|  148081 | HH8 | Havens, Hilary - 1917 07/15/2017 Recovery Address: 826 4TH ST. EUREKA Recovery Location: HCSO CID | Miscellaneous Each RIGHT REAR PANT POCKET CONTENTS |
|  148082 | HH9 | Havens, Hilary - 1917 07/15/2017 Recovery Address: 826 4TH ST. EUREKA Recovery Location: HCSO CID | Miscellaneous Each LEFT FRONT PANT POCKET CONTENTS |
|  148083 | HH10 | Havens, Hilary - 1917 07/15/2017 Recovery Address: 826 4TH ST. EUREKA Recovery Location: HCSO CID | Miscellaneous DUTY BELT: FIREARM HOLSTER, 1 HANDCUFF, MISC. KEYS, RADIO, TASER, OC SPRAY, BATON, TOURNIQUET, KNIFE |
|  148084 | HH11 | Havens, Hilary - 1917 07/15/2017 Recovery Address: 826 4TH ST. EUREKA Recovery Location: | Firearms GLOCK 22 Caliber: .40 Ser #: ██████████ Each DUTY FIREARM LOCATED IN HOLSTER ON DUTY BELT (HH10) |
|  148086 | HH12 | Havens, Hilary - 1917 07/15/2017 Recovery Address: 826 4TH ST. EUREKA Recovery Location: HCSO CID | Ammunition SW RP (ISSUED) Caliber: .40 15 Each 1 ROUND CHAMBERED IN FIREARM AND MAGAZINE WITH 14 ROUNDS (PREVIOUSLY IN HH11) |
|  148087 | HH13 | Havens, Hilary - 1917 07/15/2017 Recovery Address: 826 4TH ST. EUREKA Recovery Location: HCSO CID | Ammunition S&W RP, ISSUED AMMO Caliber: .40 30 Each TWO 15 ROUND MAGAZINES FROM DUTY BELT POUCH MARKED Q70(MAGAZINE NEXT TO OC SPRAY & MIDDLE MAGAZINE) |
|  148088 | HH14 | Havens, Hilary - 1917 07/15/2017 Recovery Address: 826 4TH ST. EUREKA Recovery Location: HCSO CID | Ammunition FEDERAL Caliber: .40 15 Each THIRD 15 ROUND MAGAZINE IN DUTY BELT POUCH MARKED L70 (NEXT TO CUFF CASE) |
|  148089 | HH15 | Havens, Hilary - 1917 07/15/2017 Recovery Address: 826 4TH ST. EUREKA Recovery Location: | |
|  148090 | HH15 | Havens, Hilary - 1917 07/15/2017 Recovery Address: 826 4TH ST. EUREKA Recovery Location: HCSO CID | Miscellaneous Each UPPER RIGHT SHIRT POCKET CONTENTS |
|  148091 | HH16 | Havens, Hilary - 1917 07/15/2017 Recovery Address: 826 4TH ST. EUREKA Recovery Location: HCSO CID | Miscellaneous Each UPPER LEFT SHIRT POCKET CONTENTS: INCLUDES GLOVES USED AT INCIDENT, AND PRIOR UNRELATED INCIDENT |

CASE NUMBER: 201703390

HUMBOLDT COUNTY SHERIFF'S OFFICE
PROPERTY/EVIDENCE BOOKING REPORT

██████ NATHAN CUMBOW
██████
██████ 1: ██████

PROPERTY/EVIDENCE LISTING

| BarCode | Item # | Recovering Officer / Date / Address | Item Type / Description |
|---|--------|---|--|
|  148092 | HH17 | Havens, Hilary - 1917 07/15/2017 Recovery Address: 826 4TH ST. EUREKA Recovery Location: HCSO CID | Miscellaneous Each RIGHT FRONT PANT CARGO POCKET CONTENTS |
|  148093 | HH18 | Havens, Hilary - 1917 07/15/2017 Recovery Address: 826 4TH ST. EUREKA Recovery Location: HCSO CID | Miscellaneous Each LEFT FRONT PANT POCKET CONTENTS (KEPT PERSONAL KEYS FROM POCKET) |
|  148094 | HH19 | Havens, Hilary - 1917 07/15/2017 Recovery Address: 826 4TH ST. EUREKA Recovery Location: HCSO CID | Miscellaneous Each LEFT SAP POCKET CONTENTS |
|  148095 | HH20 | Havens, Hilary - 1917 07/15/2017 Recovery Address: 826 4TH ST. EUREKA Recovery Location: HCSO CID | Miscellaneous Each LEFT CARGO PANT POCKET CONTENTS (V1 KEPT PERSONAL CELLULAR PHONE AND CHEWING GUM) |
|  148096 | HH21 | Havens, Hilary - 1917 07/15/2017 Recovery Address: 826 4TH ST. EUREKA Recovery Location: HCSO CID | Ammunition S&W RP, ISSUED AMMO Caliber: .40 9 Each LEFT CARGO PANT POCKET: 9 ROUNDS IN MAGAZINE |
|  148097 | HH22 | Havens, Hilary - 1917 07/15/2017 Recovery Address: 826 4TH ST. EUREKA Recovery Location: HCSO CID | Miscellaneous Each LEFT REAR PANT POCKET CONTENTS |
|  148098 | HH23 | Havens, Hilary - 1917 07/15/2017 Recovery Address: 826 4TH ST. EUREKA Recovery Location: HCSO CID | Firearms GLOCK 22 Caliber: .40 Ser #: ██████ Each DUTY FIREARM LOCATED ON DUTY BELT (HH24) |
|  148099 | HH24 | Havens, Hilary - 1917 07/15/2017 Recovery Address: 826 4TH ST. EUREKA Recovery Location: HCSO CID | Miscellaneous Each DUTY BELT:MAGAZINE POUCH, FLASHLIGHT, RADIO, OC SPRAY, BATON, HOLSTER, KEY CASE, CUFF CASE |
|  148100 | HH25 | Havens, Hilary - 1917 07/15/2017 Recovery Address: 826 4TH ST. EUREKA Recovery Location: HCSO CID | Ammunition S&W RP, ISSUED AMMO Caliber: .40 15 Each 1 ROUND IN CHAMBER OF FIREARM (HH23); AND 14 ROUND MAGAZINE |
|  148101 | HH26 | Havens, Hilary - 1917 07/15/2017 Recovery Address: 826 4TH ST. EUREKA Recovery Location: HCSO CID | Ammunition FEDERAL Caliber: .40 15 Each 15 ROUND MAGAZINE ON DUTY BELT (HH24) LOCATED NEXT TO BUCKLE AND MARKED L70 |











CASE NUMBER: 201703390

HUMBOLDT COUNTY SHERIFF'S OFFICE
PROPERTY/EVIDENCE BOOKING REPORT

NATHAN CUMBOW

1: [REDACTED]

PROPERTY/EVIDENCE LISTING

| BarCode | Item # | Recovering Officer / Date / Address | Item Type / Description |
|---|--------|---|---|
|  148102 | HH27 | Havens, Hilary - 1917 07/15/2017 Recovery Address: 826 4TH ST. EUREKA Recovery Location: HCSO CID | Ammunition S&W RP, ISSUED AMMO Caliber: .40 14 Each 14 ROUND MAGAZINE ON DUTY BELT IN MAGAZINE POUCH NEXT TO FLASHLIGHT |
|  148103 | HH28 | Havens, Hilary - 1917 07/15/2017 Recovery Address: 826 4TH ST. EUREKA Recovery Location: HCSO CID | Clothing 1 Each HCSO LONG SLEEVE SHIRT W/SMALL REDDISH STAIN ON RIGHT CUFF OF SLEEVE |
|  148104 | HH29 | Havens, Hilary - 1917 07/15/2017 Recovery Address: 826 4TH ST. EUREKA Recovery Location: HCSO CID | Miscellaneous Each UPPER RIGHT SHIRT POCKET CONTENTS |
|  148106 | HH30 | Havens, Hilary - 1917 07/15/2017 Recovery Address: 826 4TH ST. EUREKA Recovery Location: HCSO CID | Miscellaneous Each UPPER LEFT SHIRT POCKET CONTENTS: V1 KEPT FUEL CARD |
|  148107 | HH31 | Havens, Hilary - 1917 07/15/2017 Recovery Address: 826 4TH ST. EUREKA Recovery Location: HCSO CID | Knife Each LEFT FRONT PANT POCKET CONTENTS: FOLDING POCKET KNIFE |
|  148108 | HH32 | Havens, Hilary - 1917 07/15/2017 Recovery Address: 826 4TH ST. EUREKA Recovery Location: LEFT CARGO PANT POCKET | Ammunition PMC Caliber: 9 mm 9 Each 6 ROUND MAGAZINE, WALLET WITH FLAT BADGE (V1 KEPT WALLET), GLOVES USED DURING INCIDENT |
|  148109 | HH33 | Havens, Hilary - 1917 07/15/2017 Recovery Address: 826 4TH ST. EUREKA Recovery Location: HCSO CID | Miscellaneous Each RIGHT REAR PANT POCKET |
|  148110 | HH34 | Havens, Hilary - 1917 07/15/2017 Recovery Address: 826 4TH ST. EUREKA Recovery Location: HCSO CID | Firearms GLOCK 22 Caliber: .40 Ser #: [REDACTED] Each DUTY FIREARM LOCATED ON DUTY BELT (HH35) |
|  148111 | HH35 | Havens, Hilary - 1917 07/15/2017 Recovery Address: 826 4TH ST. EUREKA Recovery Location: HCSO CID | Miscellaneous Each DUTY BELT: MAGAZINE POUCH, KEY, OC SPRAY, RADIO, FLASHLIGHT, 2 CUFF CASES, TOURNIQUET, FIREARM HOLSTER |
|  148112 | HH36 | Havens, Hilary - 1917 07/15/2017 Recovery Address: 826 4TH ST. EUREKA Recovery Location: HCSO CID | Ammunition S&W RP Caliber: .40 45 Each THREE 15 ROUND MAGAZINES LOCATED ON DUTY BELT IN MAGAZINE POUCH |









CASE NUMBER: 201703390

HUMBOLDT COUNTY SHERIFF'S OFFICE
PROPERTY/EVIDENCE BOOKING REPORT

TIS-MIL MATILTON

1:

PROPERTY/EVIDENCE LISTING

| BarCode | Item # | Recovering Officer / Date / Address | Item Type / Description |
|---|---------|---|---|
|  148113 | HH37 | Havens, Hilary - 1917 07/15/2017 Recovery Address: 826 4TH ST. EUREKA Recovery Location: HCSO CID | Ammunition S&W RP, ISSUED AMMO Caliber: .40 16 Each 1 CHAMBERED ROUND WITH 15 ROUNDS IN MAGAZINE LOCATED PREVIOUSLY IN HH34 |
|  148114 | HH38 | Havens, Hilary - 1917 07/15/2017 Recovery Address: 826 4TH ST. EUREKA Recovery Location: HCSO CID | Firearms GLOCK 43 Caliber: 9 mm Ser #: BAKV662 Each FIREARM LOCATED IN BULLET PROOF VEST |
|  148115 | HH39 | Havens, Hilary - 1917 07/15/2017 Recovery Address: 826 4TH ST. EUREKA Recovery Location: HCSO CID | Ammunition PMC Caliber: 9 mm 7 Each 1 ROUND CHAMBERED IN FIREARM AND 6 ROUND MAGAZINE IN FIREARM (HH38) |
|  148116 | HH40 | Havens, Hilary - 1917 07/15/2017 Recovery Address: 826 4TH ST. EUREKA Recovery Location: HCSO CID | Biological Evidence Each LEGAL BLOOD DRAW/DNA EVIDENCE TAKEN FROM [REDACTED] AT SAINT JOSEPHS HOSPITAL |
|  148117 | HH1 | Havens, Hilary - 1917 07/17/2017 Recovery Address: 826 4TH ST. EUREKA Recovery Location: HCSO CID | Photo CD - Agency Created 1 Each PHOTOGRAPHS TAKEN BY EPD OFFICER LINFOOT AND LATER TRANSFERRED TO THUMB DRIVE |
|  148141 | DOJ-11 | Outside Agency 07/18/2017 Recovery Address: DOJ Recovery Location: EU-17-000797 | Firearms SMITH AND WESSON M&P15 Caliber: .223 Ser #: [REDACTED] LONG GUN ITEM #11 FROM DOJ |
|  148142 | DOJ-11A | Outside Agency 07/18/2017 Recovery Address: DOJ Recovery Location: EU-17-000797 | Ammunition ITEM 11A FROM DOJ, AMMUNITION |
|  148143 | DOJ-11T | Outside Agency 07/18/2017 Recovery Address: DOJ Recovery Location: EU-17-000797 | Ammunition ITEM 11T FROM DOJ, 5 CARTRIDGE CASES TEST FIRES IN ITEM 11 |

AGENCY CASE NUMBER
201703390

**DEPARTMENT OF JUSTICE
BUREAU OF FORENSIC SERVICES**

BFS CASE NUMBER
EU-17-000797-0004

TO: DOJ Alcohol Report Recipient
Humboldt County Sheriff's Office, Eureka
826 Fourth Street
Eureka, CA 95501

FROM: Eureka Laboratory
1011 West Wabash
Eureka, CA 95501
(707) 445-6682 FAX (707) 445-6688

Forensic Alcohol Analysis

OFFENSE DATE: 7/14/2017

SUMMARY:

The blood sample (Item 148116_01) of [REDACTED] contained 0.000% (W/V) alcohol.

[REDACTED] blood sample will be forwarded to the DOJ Toxicology Laboratory in Sacramento, California.

EVIDENCE:

On 7/25/2017, the following evidence was received from [REDACTED] of the Humboldt County Sheriff's Office, Eureka:

Submission 148116: One evidence envelope containing one tube of blood from the [REDACTED]

Item 148116_01: One tube of blood from the [REDACTED]

DISPOSITION:

The evidence will be returned to your agency in the normal course of business.

I, the undersigned, declare under penalty of perjury: (1) I am employed by the State of California, Department of Justice, Bureau of Forensic Services (BFS); (2) I am qualified to engage in forensic alcohol analysis as a Forensic Alcohol Supervisor, Analyst, or as a Trainee under supervision pursuant to Title 17 of the CA Code of Regulations; (3) I performed an analysis of the material described above during the regular course of my duties according to approved laboratory procedures; (4) The recording of the analytical results was done at the time the analysis was performed and included creation of contemporaneous documentation; (5) Any opinions, interpretations, or conclusions in this report are based upon data in the associated laboratory case record; (6) This laboratory report has been prepared and retained by BFS in the normal course of business according to BFS' regular practices and procedures. This Laboratory is accredited by American Society of Crime Laboratory Directors/Laboratory Accreditation Board.

DATE ANALYSIS COMPLETE: 7/27/2017

DATE OF REPORT: 7/27/2017

Technical Reviewer: [REDACTED]

Administrative Reviewer: [REDACTED]

[REDACTED]
Criminalist

cc: DOJ Alcohol Report Recipient DAHUMB 707-445-7416

201703390

Hollingsworth, Bruce

From: Fleming, Maggie
Sent: Thursday, August 24, 2017 1:59 PM
To: Peterson, Mark
Cc: Freese, Diana; Hokman, Edith; Hollingsworth, Bruce; Young, Dennis
Subject: RE: Release of Personal Property

Thank you Investigator Peterson,
I have no objection to the release of the listed items.
Maggie

Maggie Fleming
Humboldt County District Attorney
825 5th Street, Fourth Floor
Eureka, CA 95501
707-445-7411

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From: Peterson, Mark
Sent: Thursday, August 24, 2017 1:53 PM
To: Fleming, Maggie <MFleming@co.humboldt.ca.us>
Cc: Freese, Diana <DFreese@co.humboldt.ca.us>; Hokman, Edith <EHokman@co.humboldt.ca.us>; Hollingsworth, Bruce <BHollingsworth@co.humboldt.ca.us>; Young, Dennis <DYoung@co.humboldt.ca.us>
Subject: Release of Personal Property

District Attorney Fleming,

Regarding the Officer Involved Shooting that occurred in the Weitchpec area on July 14, 2017 – HCSO Case # 201703390:

As per our previous discussion it is my intention to release the following items of personal property to the involved deputies. The items have been photographed, and documented in associated police reports. Further, the items have been viewed by myself and other law enforcement personnel and it has been determined that they have no evidentiary value. HCSO Lt. Young has been briefed and concurs with the following items being released.

The following items were initially taken from the persons of the involved Deputies and booked into evidence at HCSO. The items were viewed by HCDA investigator Cooper and I on 08/22/2017:

Items belonging to HCSO Corporal Soeth:

- Barcode 148072: Contents of right front shirt pocket – Renner fuel card and law enforcement reference cards.
- Barcode 148073: Contents left front shirt pocket – Pens, junior deputy badges, business cards for Corporal Soeth, and a digital audio recorder. The recordings on the recorder were reviewed and they were not related to this case.

- Barcode 148075: Contents of right cargo pants pocket – The contents include 4 latex gloves that appear unused, a pocket knife, and a police notebook. The latex gloves and the pocket knife will be retained as evidence. The contents of the notebook were reviewed and they are not related to this case. The notebook will be released.
- Barcode 148080: Contents of left sap pants pocket – Flashlight
- Barcode 148081: Contents of right rear pants pocket – 1 pair of utility / patrol gloves
- Barcode 148082: Contents of front pants pocket – 1 tube of chap stick

Items belonging to HCSO Deputy Cumbow:

- Barcode 148090: Contents of right shirt pocket – Blank calendar, law enforcement reference cards.
- Barcode 148091: Contents of left shirt pocket – The contents include pen, handcuff key, digital audio recorder, a USB drive, and 4 latex gloves. The gloves will be retained as evidence. The other items will be released. The contents of the digital audio recorder and the USB drive were reviewed and contained no items related to this case.
- Barcode 148092: Contents of right cargo pocket pants pocket – 2 police notebooks. The contents of the notebooks were viewed. On 1 page of 1 of the notebooks was the name and DOB of the suspect of this case. The page was photographed. The remainder of the notes were not related to this case.
- Barcode 148093 – Contents left front pants pocket – CRKT pocket knife.
- Barcode 148094: Contents left sap pocket – Flashlight.
- Barcode 148097: Contents left rear pants pocket – Handcuff key and key FOB.

Items belonging to HCSO Deputy Matilton:

- Barcode 148104: Contents right shirt pocket – USB drive and loose change. The contents of the USB drive were reviewed and contained no items related to this case.
- Barcode 148106: Contents left shirt pocket – Pen, handcuff key, business cards for Deputy Matilton, and Miranda Card.
- Barcode 148107: Contents left front pants pocket – Benchmade pocket knife.
- Barcode 148109: 1 police notebook. The contents of the notebook were reviewed and contained no items related to this case.

The following items were located in the patrol vehicle driven / occupied by Deputy Cumbow and Corporal Soeth. The vehicle was processed for evidence by CA DOJ Criminalists. I was present while the vehicle was processed for evidence. The following items were viewed and searched by DOJ personnel. It was determined that the following items were not, and contained no, items of evidentiary value beyond photographing and documenting of the items and contents. These items were left in the patrol vehicle at the conclusion of DOJ evidence processing and were not booked into evidence at HCSO. The vehicle and the items in it were left in secure storage at Humboldt Towing. On 08/24/2017 I removed the below items from the patrol vehicle. HCDA Investigator Dunn witnessed my removal of the items. These items are currently in my possession:

Items belonging to Corporal Soeth:

- Tan backpack
- Black patrol bag
- GPS car navigation unit
- 2 flashlights
- Notebook. The contents of the notebook were reviewed and it contained no items related to this case.
- Electronic device charging cable

Items belonging to Deputy Cumbow:

- Black patrol bag
- Map book
- Fingerprint kit

If you have no objection to releasing the above items, they will be released immediately.

Respectfully,

Investigator Mark Peterson
Humboldt County Sheriff's Office
Criminal Investigations Division
826 4th Street, Eureka, CA 95501
707-445-7251 Main
707-268-3663 Desk



SHERIFF'S OFFICE
COUNTY OF HUMBOLDT

Property Section (707) 268-3651

To: HUMBOLDT COUNTY DISTRICT ATTORNEYS OFFICE
Attn: Tom Cooke

From: [Redacted] Property Technician
Humboldt County Sheriffs Office

Date: 7/2/19

SUBJECT: REQUEST FOR CASE REVIEW FOR DISPOSITION OF EVIDENCE

HCSO Case #: 201703390

Date of incident: 7/14/17

[Redacted]

[Redacted]

[Redacted]

DOB
DOB

Charges: no charges

Notes from the Property Section: Requesting to clear search warrant per Sheriff Honsal to return property. 1536 attached.

EVIDENCE DISPOSTION REQUESTED:

Please advise if the evidence being held by our agency can be processed for final disposition.

Reply/Remarks May Dispose

[Signature] 7/2/19
Your signature Date

Please return to HCSO property section once completed.

Thank you for your help in this matter.

People vs [REDACTED] Case No. CR/NC1700182. Filed on 07-17-17. Agency: Humboldt Sheriff's Office. Case Not Filed on 09-25-17. Suspend

Arrest on 07-15-17 by Humboldt Sheriff's Office. File #: 201703390. Booking Agency: Humboldt Sheriff's Office. File #: 170005671

Felony - PC 25850(A)

09-25-17 Disposition: Case Not Filed, Before Hearing

201703390

From: Honsal, William
Sent: Monday, July 1, 2019 2:42 PM
To: [REDACTED]
Subject: [REDACTED] - RETURN OF HEIRLOOM RIFLE

Good Afternoon [REDACTED]

Please go through your normal process to release this property.

B/C 151492
Rifle

William F. Honsal, Sheriff

County of Humboldt
826 4th Street
Eureka, CA 95501
Main: 707.445.7251
Office: 707.268.3618

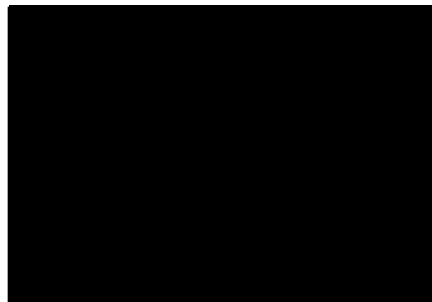
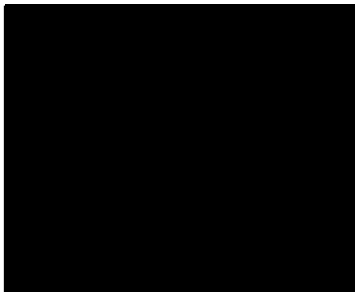
From: [REDACTED]
Sent: Monday, July 1, 2019 1:35 PM
To: Honsal, William <WHonsal@co.humboldt.ca.us>
Cc: [REDACTED]
Subject: [REDACTED] RETURN OF HEIRLOOM RIFLE

Hello Billy,

Just spoke to [REDACTED] and I think we have a way forward.

If you okay the release of the rifle, then [REDACTED] can get approval from the Court. Then, your office can send me the DOJ forms for [REDACTED] to fill out and send to DOJ Sacramento. The rifle was his grandma's and she has passed away so it is an heirloom. The case was never filed so I cannot file a motion for return of property as I have no CR#.

Will this work okay? Thanks so much for all your help with this.



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FILED

JUL 17 2019 K

**SUPERIOR COURT OF CALIFORNIA
COUNTY OF HUMBOLDT**

1 WILLIAM F HONSAL, SHERIFF/CORONER
2 County of Humboldt
3 826 Fourth Street
4 Eureka, California 95501
5 Telephone: (707)445-7251

6 SUPERIOR COURT OF THE STATE OF CALIFORNIA
7 COUNTY OF HUMBOLDT

8 PEOPLE OF THE STATE OF CALIFORNIA,

9 Plaintiff,

10 vs.

Case No.:201703390

Search Warrant Number 1700355
**REQUEST FOR RELEASE
OF SEIZED PROPERTY
(PENAL CODE SECTION 1536 P.C.)**

11
12
13 **Motion and Affidavit**

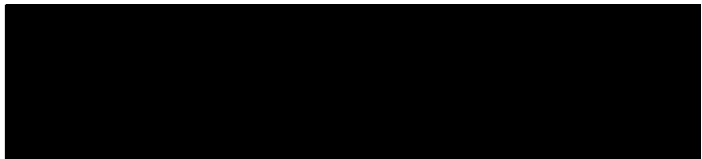
14
15 Comes now, [REDACTED] employed by the Humboldt County Sheriff's
16 Office and alleges as follows:

17 On or about 7/20/17, Search Warrant Number 1700355 was issued by the Court and
18 executed by the Humboldt County Sheriff's Office. The seized property is indicated on the
19 attached evidence lists (See exhibit 1).

- 20 No charges were filed in connection with the service of this warrant.
21 Contraband disposal pursuant to 11473.5 of the Health and Safety Code.
22 Charges were filed and the actions has proceeded to a final determination
23 within the meaning of Penal Code Section 1417.1 and/or Health and Safety
24 Code Section 11473.
25 Charges pending on defendants request is made to photograph and release
26 stolen property to victims; photos retained as evidence. Items in dispute of
27 ownership (between suspect and victims) to be held pursuant to Court and/or
28 Attorney's determination.

1 Wherefore, I request that the property seized be returned to its lawful owner,
2 disposed of according to his or her directions, or by operation of law. Contraband to be
3 destroyed by the Humboldt County Sheriff's Office pursuant to 11473 & 11473.5 H&S
4 Uncontaminated science equipment to be donated to schools (11473(b) & 11473.5(b)
5 H&S).

6 Dated: 7/2/19



7
8 Dated: 7/12/19

[Signature]
Humboldt County
District Attorney's Office

10
11
12 **ORDER**

13
14 Good cause appearing, IT IS HEREBY ORDERED that the property seized pursuant
15 to Search Warrant No. 1700355 and retained by the Humboldt County Sheriff's Office be
16 returned to it's legal owner, disposed of according to his or her directions or by operation of
17 law.

18
19 Dated JUL 16 2019

Judge's Signature

LAWRENCE M. KILLORN

20 Judge of the Superior Court
21 County of Humboldt
22
23
24
25
26
27
28



SUPERIOR COURT OF CALIFORNIA
County of Humboldt

FILED

BRENDA N.

JUL 20 2017

SUPERIOR COURT OF CALIFORNIA
COUNTY OF HUMBOLDT

SEARCH WARRANT RETURN
and
INVENTORY

Search Warrant No. SW1700355
Address of place searched:
THE PERSON OF [REDACTED] - California Driver's License: DL/NO:
[REDACTED]
THE VEHICLE: [REDACTED] Chevy Corvette: LIC#: [REDACTED] YRMD: [REDACTED] MAKE:CHEV BTM :CP
VIN: [REDACTED] Registered owner: [REDACTED]
[REDACTED] City: Hoopa C.C:12 ZIP#:95546
Issuing Magistrate: Judge Wilson
Name of affiant: Sergeant Diana Freese
Date warrant issued: 07/15/2017
Date warrant executed: 07/15/2017
Person served and title: [REDACTED] and copy left on scene
Manner of warrant service: Personal service Mail Fax

I, the affiant for this search warrant, state the following:

- (1) The information listed above is correct.
- (2) During the execution of the search warrant, the following property was seized:
 - Legal blood draw from [REDACTED] as per search warrant
 - See attached inventory for further

I declare under penalty of perjury that the foregoing is true.

Date: 7/20/17

[Signature]
Affiant

GIVEN under my hand and dated this 20 day of July, 2017

[Signature]

Deputy Clerk of the Superior Court of California,
County of Humboldt.



SEARCH WARRANT INVENTORY

DATE ITEMS REMOVED 7/15/17

CASE NUMBER 201703390

DEPUTY SHERIFF SEIZING ITEMS Peterson

SEARCH WARRANT NUMBER _____

ITEMS REMOVED FROM ADDRESS/LOCATION ████ Chevy Corvette - CA █████ -

Located at Martin's Ferry Bridge, Weitchpec, CA

* Items seized by CA Dept of Justice *

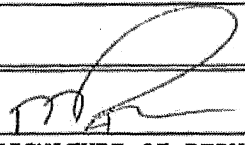
1. Ruger Redhawk .44 mag
stainless steel revolver
with wood grips - ser#
██████████

Right side of drivers
seat

2. Bullet fragments

Interior + exterior of
vehicle

7/15/17
DATE TIME 0930













SIGNATURE OF DEPUTY SHERIFF PIN# 1186

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

CASE NUMBER: 201703390

HUMBOLDT COUNTY SHERIFF'S OFFICE
PROPERTY/EVIDENCE BOOKING REPORT

PROPERTY/EVIDENCE LISTING











| BarCode | Item # | Recovering Officer / Date / Address | Item Type / Description |
|---|--------|---|---|
|  148058 | FM1 | Melendy, Foy - 2067 07/15/2017 Recovery Address: ST JOSEPH HOSPITAL 2700 DOLBEER Recovery Location: ER ROOM 18 | Biological Evidence Each GUAZE CONTAINING SALIVA |
|  148075 | HH3 | Havens, Hilary - 1917 07/15/2017 Recovery Address: 826 4TH ST. EUREKA Recovery Location: HCSO CID | Miscellaneous Each RIGHT CARGO PANTS POCKET CONTENTS |
|  148076 | SH-1 | Hicks, Scott - 1149 07/15/2017 Recovery Address: MARTIN'S FERRY BRIDGE Recovery Location: | Miscellaneous RAW DATA FROM LEICA SCANSTATION |
|  148084 | HH11 | Havens, Hilary - 1917 07/15/2017 Recovery Address: 826 4TH ST. EUREKA Recovery Location: | Firearms GLOCK 22 Caliber: .40 Ser #:  Each DUTY FIREARM LOCATED IN HOLSTER ON DUTY BELT (HH10) |
|  148086 | HH12 | Havens, Hilary - 1917 07/15/2017 Recovery Address: 826 4TH ST. EUREKA Recovery Location: HCSO CID | Ammunition SW RP (ISSUED) Caliber: .40 15 Each 1 ROUND CHAMBERED IN FIREARM AND MAGAZINE WITH 14 ROUNDS (PREVIOUSLY IN HH11) |
|  148087 | HH13 | Havens, Hilary - 1917 07/15/2017 Recovery Address: 826 4TH ST. EUREKA Recovery Location: HCSO CID | Ammunition S&W RP, ISSUED AMMO Caliber: .40 30 Each TWO 15 ROUND MAGAZINES FROM DUTY BELT POUCH MARKED Q70(MAGAZINE NEXT TO OC SPRAY & MIDDLE MAGAZINE) |
|  148088 | HH14 | Havens, Hilary - 1917 07/15/2017 Recovery Address: 826 4TH ST. EUREKA Recovery Location: HCSO CID | Ammunition FEDERAL Caliber: .40 15 Each THIRD15 ROUND MAGAZINE IN DUTY BELT POUCH MARKED L70 (NEXT TO CUFF CASE) |
|  148091 | HH16 | Havens, Hilary - 1917 07/15/2017 Recovery Address: 826 4TH ST. EUREKA Recovery Location: HCSO CID | Miscellaneous Each UPPER LEFT SHIRT POCKET CONTENTS: INCLUDES GLOVES USED AT INCIDENT, AND PRIOR UNRELATED INCIDENT |
|  148095 | HH20 | Havens, Hilary - 1917 07/15/2017 Recovery Address: 826 4TH ST. EUREKA Recovery Location: HCSO CID | Miscellaneous Each LEFT CARGO PANT POCKET CONTENTS (V1 KEPT PERSONAL CELLULAR PHONE AND CHEWING GUM) |
|  148116 | HH40 | Havens, Hilary - 1917 07/15/2017 Recovery Address: 826 4TH ST. EUREKA Recovery Location: HCSO CID | Biological Evidence Each LEGAL BLOOD DRAW/DNA EVIDENCE TAKEN FROM  1 AT SAINT JOSEPHS HOSPITAL |

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|---|---------|---|---|
|  148117 | HH41 | Havens, Hilary - 1917 07/17/2017 Recovery Address: 826 4TH ST. EUREKA Recovery Location: HCSO CID | Photo CD - Agency Created 1 Each PHOTOGRAPHS TAKEN BY EPD OFFICER LINFOOT AND LATER TRANSFERRED TO THUMB DRIVE |
|  148143 | DOJ-11T | Outside Agency 07/18/2017 Recovery Address: DOJ Recovery Location: EU-17-000797 | Ammunition ITEM 11T FROM DOJ, 5 CARTRIDGE CASES TEST FIRES IN ITEM 11 |
|  148180 | MP2 | Peterson, Mark - 1186 07/15/2017 Recovery Address: MARTINS FERRY BRIDGE Recovery Location: HCSO VEHICLE 08-344 | Ammunition REMINGTON Caliber: .223 21 Each FROM ITEM # MP1 |
|  148182 | MP4 | Peterson, Mark - 1186 07/15/2017 Recovery Address: MARTINS FERRY BRIDGE Recovery Location: HCSO VEHICLE 08-344 | Ammunition REMINGTON Caliber: .223 29 Each FROM ITEM # MP3 |
|  148184 | MP6 | Peterson, Mark - 1186 07/15/2017 Recovery Address: MARTINS FERRY BRIDGE Recovery Location: HCSO VEHICLE 08-344 | Ammunition REMINGTON Caliber: .223 31 Each FROM ITEM # MP5 |
|  148185 | MP7 | Peterson, Mark - 1186 07/15/2017 Recovery Address: MARTINS FERRY BRIDGE Recovery Location: HCSO VEHICLE 08-344 | Miscellaneous CAMO POUCH - CONTAINED MP3 AND MP5 |
|  148186 | MP8 | Peterson, Mark - 1186 07/15/2017 Recovery Address: MARTINS FERRY BRIDGE Recovery Location: HCSO VEHICLE 08-344 | Firearms COLT M-16A1 Caliber: .223 Ser #:  |
|  148188 | MP10 | Peterson, Mark - 1186 07/15/2017 Recovery Address: MARTINS FERRY BRIDGE Recovery Location: HCSO VEHICLE 08-344 | Ammunition REMINGTON Caliber: .223 20 Each FROM ITEM # MP9 |
|  148189 | MP11 | Peterson, Mark - 1186 07/15/2017 Recovery Address: MARTINS FERRY BRIDGE Recovery Location: HCSO VEHICLE 08-344 | Firearms REMINGTON WINGMASTER 870 Caliber: 12 GA Ser #: S745324V |

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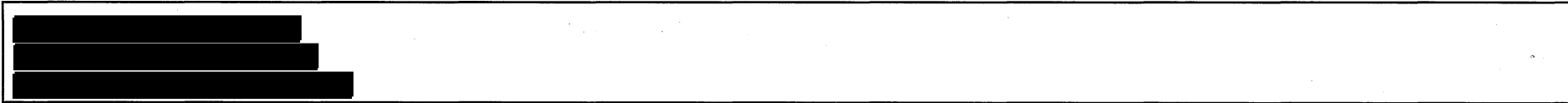


PROPERTY/EVIDENCE LISTING

| BarCode | Item # | Recovering Officer / Date / Address | Item Type / Description |
|---------|---------|--|---|
| 148190 | MP12 | Peterson, Mark - 1186 07/15/2017 Recovery Address: MARTINS FERRY BRIDGE Recovery Location: HCSO VEHICLE 08-344 | Ammunition Caliber: 12 GA 4 Each FROM MP11 - 2 WINCHESTER SLUGS, 2 FEDERAL 00 BUCK |
| 148192 | MP14 | Peterson, Mark - 1186 07/15/2017 Recovery Address: MARTINS FERRY BRIDGE Recovery Location: HCSO VEHICLE 08-344 | Ammunition WINCHESTER Caliber: .40 10 Each 10 LOOSE CARTRIDGES |
| 148193 | MP15 | Peterson, Mark - 1186 07/15/2017 Recovery Address: MARTINS FERRY BRIDGE Recovery Location: HCSO VEHICLE 08-344 | Ammunition AMERICAN EAGLE Caliber: .223 60 Each 3 FULL FACTORY 20 ROUND BOXES |
| 148938 | 148186T | California Dept. of Justice Eureka Lab 07/15/2017 Recovery Address: MARTINS FERRY BRIDGE Recovery Location: | DOJ Lab Generated Evidence COLT M-16A1 Caliber: .223 Ser #: 5437504 FOUR CARTRIDGE CASES TEST FIRED IN ITEM 148186 |
| 150784 | MP16 | Peterson, Mark - 1186 07/25/2017 Recovery Address: HCSO Recovery Location: | Audio/Video Statements - Agency Created INTERVIEW ROBBINS 2017-07-14 |
| 150786 | MP17 | Peterson, Mark - 1186 07/14/2017 Recovery Address: MARTIN FERRY BRIDGE, WEITCHPEC Recovery Location: | Indicia CRIME SCENE LOG |
| 150787 | MP18 | Peterson, Mark - 1186 07/14/2017 Recovery Address: MARTIN FERRY BRIDGE, WEITCHPEC Recovery Location: | Audio/Video Statements - Agency Created DISPATCH RECORDINGS |
| 150795 | MP19 | Peterson, Mark - 1186 07/18/2017 Recovery Address: EUREKA DOJ Recovery Location: | Photo CD - Agency Created PHOTOS - DOJ ITEM "DOJ 1" |
| 150796 | MP20 | Peterson, Mark - 1186 08/22/2017 Recovery Address: EUREKA DOJ Recovery Location: | Photo CD - Agency Created PHOTOS - DOJ ITEM "DOJ 2" |

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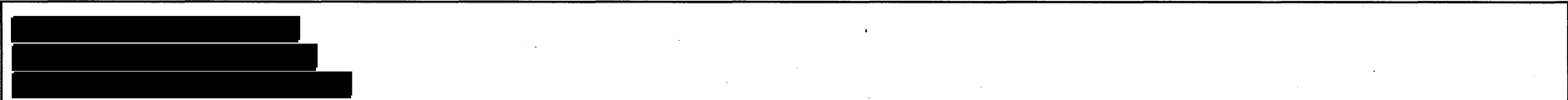


PROPERTY/EVIDENCE LISTING

| BarCode | Item # | Recovering Officer / Date / Address | Item Type / Description |
|------------|--------|--|---|
| 150798 | MP21 | Peterson, Mark - 1186 Recovery Address: HCSO Recovery Location: | 07/17/2017 Audio/Video Statements - Agency Created INTERVIEW CUMBOW - AUDIO - 1:00:27 |
| 150799 | MP22 | Peterson, Mark - 1186 Recovery Address: HCSO Recovery Location: | 07/17/2017 Miscellaneous INTERVIEW CUMBOW - PHOTO / DIAGRAM |
| 150800 | MP23 | Peterson, Mark - 1186 Recovery Address: HCSO Recovery Location: | 07/17/2017 Audio/Video Statements - Agency Created INTERVIEW MATILTON - AUDIO - 55:42 |
| 150801 | MP24 | Peterson, Mark - 1186 Recovery Address: HCSO Recovery Location: | 07/17/2017 Miscellaneous INTERVIEW MATILTON - PHOTO / DIAGRAM |
| 150802 | MP25 | Peterson, Mark - 1186 Recovery Address: HCSO Recovery Location: | 07/17/2017 Audio/Video Statements - Agency Created INTERVIEW SOETH - AUDIO - 1:08:10 |
| 150803 | MP26 | Peterson, Mark - 1186 Recovery Address: HCSO Recovery Location: | 07/17/2017 Miscellaneous INTERVIEW SOETH - PHOTO / DIAGRAM |
| 150804 | MP27 | Peterson, Mark - 1186 Recovery Address: MARTIN FERRY BRIDGE, HWY 169 Recovery Location: | 07/15/2017 Photo CD - Agency Created PHOTOS SCENE 2017-07-15 |
| 150805 | MP28 | Peterson, Mark - 1186 Recovery Address: HUMBOLDT TOWING Recovery Location: | 07/19/2017 Photo CD - Agency Created PHOTOS SW 2017-07-19 |
| 150806 | MP29 | Peterson, Mark - 1186 Recovery Address: HCSO Recovery Location: | 08/22/2017 Photo CD - Agency Created PHOTOS PROPERTY 2017-08-22 |
| 150807 | MP30 | Peterson, Mark - 1186 Recovery Address: HCSO Recovery Location: | 08/24/2017 Photo CD - Agency Created PHOTOS PROPERTY 2017-08-24 |

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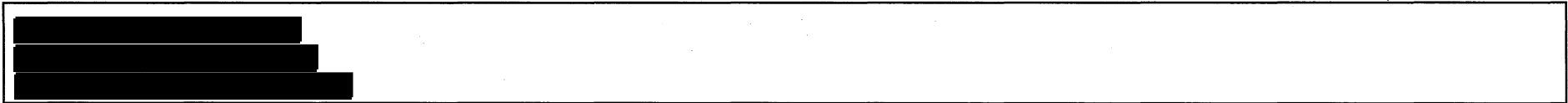


PROPERTY/EVIDENCE LISTING






| BarCode | Item # | Recovering Officer / Date / Address | Item Type / Description |
|------------|--------|---|---|
| 150808 | MP31 | Peterson, Mark - 1186 07/15/2017 Recovery Address: MARTIN FERRY BRIDGE / HWY 169 Recovery Location: | Audio/Video Statements - Agency Created TRANSPORT AUDIO 2017-07-15 (3 FILES) |
| 151492 | 30 | California Dept. of Justice Eureka Lab 07/15/2017 Recovery Address: MARTINS FERRY BRIDGE Recovery Location: | DOJ Lab Generated Evidence [REDACTED] RIFLE WINCHESTER 94 Caliber: 12 GA |
| 151493 | 10 | California Dept. of Justice Eureka Lab 07/15/2017 Recovery Address: MARTINS FERRY BRIDGE Recovery Location: | DOJ Lab Generated Evidence Ser #: [REDACTED] RUGER HANDGUN RUGER REDHAWK Caliber: 12 GA |
| 151494 | 29 | California Dept. of Justice Eureka Lab 07/15/2017 Recovery Address: MARTINS FERRY BRIDGE Recovery Location: | DOJ Lab Generated Evidence Caliber: 12 GA YELLOW BACKPACK FROM REAR OF CORVETTE |
| 151495 | 29A | California Dept. of Justice Eureka Lab 07/15/2017 Recovery Address: MARTINS FERRY BRIDGE Recovery Location: | DOJ Lab Generated Evidence Caliber: 12 GA AMMUNITION REMOVED FROM ITEM #29 PACK |
| 151496 | 3 | California Dept. of Justice Eureka Lab 07/15/2017 Recovery Address: MARTINS FERRY BRIDGE Recovery Location: | DOJ Lab Generated Evidence Caliber: 12 GA SHIRT |
| 151497 | 33 | California Dept. of Justice Eureka Lab 07/15/2017 Recovery Address: MARTINS FERRY BRIDGE Recovery Location: | DOJ Lab Generated Evidence Caliber: 12 GA MISC AMMO & CARTRIDGE CASES FROM REAR OF CORVETTE |

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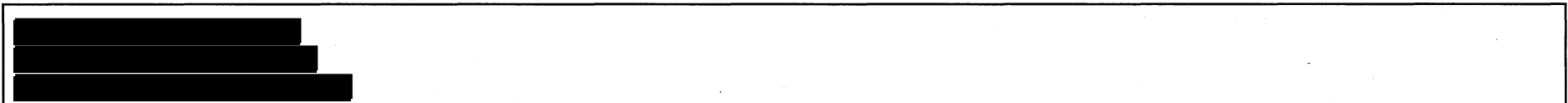


PROPERTY/EVIDENCE LISTING







| BarCode | Item # | Recovering Officer / Date / Address | Item Type / Description |
|---|--------|--|---|
|  151535 | 1 | California Dept. of Justice Eureka Lab 07/15/2017 Recovery Address: MARTINS FERRY BRIDGE Recovery Location: RECEIVED FROM CDOJ EU-17-000797 | Ammunition EXPENDED .223 CARTRIDGE CASE |
|  151536 | 2 | California Dept. of Justice Eureka Lab 07/15/2017 Recovery Address: MARTINS FERRY BRIDGE Recovery Location: RECEIVED FROM CDOJ EU-17-000797 | Ammunition EXPENDED .223 CARTRIDGE CASE |
|  151537 | 4 | California Dept. of Justice Eureka Lab 07/15/2017 Recovery Address: MARTINS FERRY BRIDGE Recovery Location: RECEIVED FROM CDOJ EU-17-000797 | Jewelry DIGITAL WATCH, DISPOSABLE LIGHTER, AND THREE LASER POINTER LENSES |
|  151538 | 5 | California Dept. of Justice Eureka Lab 07/15/2017 Recovery Address: MARTINS FERRY BRIDGE Recovery Location: RECEIVED FROM CDOJ EU-17-000797 | Ammunition EXPENDED BULLET |
|  151539 | 6 | California Dept. of Justice Eureka Lab 07/15/2017 Recovery Address: MARTINS FERRY BRIDGE Recovery Location: RECEIVED FROM CDOJ EU-17-000797 | Biological Evidence TWO SWABS OF APPARENT BLOOD FROM ROADWAY |

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| BarCode | Item # | Recovering Officer / Date / Address | Item Type / Description |
|---|--------|--|--|
|  151540 | 7 | California Dept. of Justice Eureka Lab 07/15/2017 Recovery Address: MARTINS FERRY BRIDGE Recovery Location: RECEIVED FROM CDOJ EU-17-000797 | Biological Evidence TWO SWABS OF APPARENT BLOOD FROM ROADWAY |
|  151541 | 8 | California Dept. of Justice Eureka Lab 07/15/2017 Recovery Address: MARTINS FERRY BRIDGE Recovery Location: RECEIVED FROM CDOJ EU-17-000797 | Trace Evidence GLASS FROM ROADWAY BELOW FRONT DOOR HCSO #07179 FORD EXPLORER |
|  151542 | 9 | California Dept. of Justice Eureka Lab 07/15/2017 Recovery Address: MARTINS FERRY BRIDGE Recovery Location: RECEIVED FROM CDOJ EU-17-000797 | Trace Evidence REFERENCE GLASS FROM FORNT PASSENGER DOOR HCSO #07179 FORD EXPLORER |
|  151543 | 12 | California Dept. of Justice Eureka Lab 07/15/2017 Recovery Address: MARTINS FERRY BRIDGE Recovery Location: RECEIVED FROM CDOJ EU-17-000797 | Ammunition MISCELLANEOUS EXPENDED CARTRIDGE CASES |
|  151544 | 13 | California Dept. of Justice Eureka Lab 07/15/2017 Recovery Address: MARTINS FERRY BRIDGE Recovery Location: RECEIVED FROM CDOJ EU-17-000797 | Ammunition BULLET JACKET |
|  151545 | 14 | California Dept. of Justice Eureka Lab 07/15/2017 Recovery Address: MARTINS FERRY BRIDGE Recovery Location: RECEIVED FROM CDOJ EU-17-000797 | Ammunition BULLET CORE |

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|------------|--------|--|--|
| 151546 | 15 | California Dept. of Justice Eureka Lab 07/15/2017 Recovery Address: MARTINS FERRY BRIDGE Recovery Location: RECEIVED FROM CDOJ EU-17-000797 | Ammunition BULLET JACKET |
| 151547 | 16 | California Dept. of Justice Eureka Lab 07/15/2017 Recovery Address: MARTINS FERRY BRIDGE Recovery Location: RECEIVED FROM CDOJ EU-17-000797 | Ammunition EXPENDED BULLET |
| 151548 | 17 | California Dept. of Justice Eureka Lab 07/15/2017 Recovery Address: MARTINS FERRY BRIDGE Recovery Location: RECEIVED FROM CDOJ EU-17-000797 | Ammunition BULLET JACKET FRAGMENTS |
| 151549 | 21 | California Dept. of Justice Eureka Lab 07/15/2017 Recovery Address: MARTINS FERRY BRIDGE Recovery Location: RECEIVED FROM CDOJ EU-17-000797 | Ammunition EXPENDED CARTRIDGE CASE FROM SOETH'S BAG |
| 151550 | 22 | California Dept. of Justice Eureka Lab 07/15/2017 Recovery Address: MARTINS FERRY BRIDGE Recovery Location: RECEIVED FROM CDOJ EU-17-000797 | Ammunition BULLET FRAGMENT FROM DASHBOARD OF CORVETTE |

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|---|--------|--|--|
|  151551 | 23 | California Dept. of Justice Eureka Lab 07/15/2017 Recovery Address: MARTINS FERRY BRIDGE Recovery Location: RECEIVED FROM CDOJ EU-17-000797 | Ammunition EXPENDED BULLET FROM DASHBOARD OF CORVETTE |
|  151552 | 24 | California Dept. of Justice Eureka Lab 07/15/2017 Recovery Address: MARTINS FERRY BRIDGE Recovery Location: RECEIVED FROM CDOJ EU-17-000797 | Ammunition BULLET CORE THAT FELL OUT OF BLANKET FROM CORVETTE |
|  151553 | 25 | California Dept. of Justice Eureka Lab 07/15/2017 Recovery Address: MARTINS FERRY BRIDGE Recovery Location: RECEIVED FROM CDOJ EU-17-000797 | Ammunition EXPENDED BULLETS AND BULLET FRAGMENTS FROM DRIVER'S SEAT AREA OF CORVETTE |
|  151554 | 26 | California Dept. of Justice Eureka Lab 07/15/2017 Recovery Address: MARTINS FERRY BRIDGE Recovery Location: RECEIVED FROM CDOJ EU-17-000797 | Ammunition BULLET JACKET FROM PASSENGER SEAT OF CORVETTE |
|  151555 | 27 | California Dept. of Justice Eureka Lab 07/15/2017 Recovery Address: MARTINS FERRY BRIDGE Recovery Location: RECEIVED FROM CDOJ EU-17-000797 | Ammunition EXPENDED BULLET FROM BEHIND DRIVER'S SEAT OF CORVETTE |
|  151556 | 28 | California Dept. of Justice Eureka Lab 07/15/2017 Recovery Address: MARTINS FERRY BRIDGE Recovery Location: RECEIVED FROM CDOJ EU-17-000797 | Ammunition EXPENDED BULLET FROM BEHIND DRIVER'S SEAT OF CORVETTE |

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|---|--------|--|--|
|  151557 | 30A | California Dept. of Justice Eureka Lab 07/15/2017 Recovery Address: MARTINS FERRY BRIDGE Recovery Location: RECEIVED FROM CDOJ EU-17-000797 | Ammunition 2 CARTRIDGES REMOVED FROM WINCHESTER MODEL 94 RIFLE |
|  151558 | 31 | California Dept. of Justice Eureka Lab 07/15/2017 Recovery Address: MARTINS FERRY BRIDGE Recovery Location: RECEIVED FROM CDOJ EU-17-000797 | Ammunition BULLET FRAGMENTS FROM BEHIND DRIVER'S SEAT OF CORVETTE |
|  151559 | 32 | California Dept. of Justice Eureka Lab 07/15/2017 Recovery Address: MARTINS FERRY BRIDGE Recovery Location: RECEIVED FROM CDOJ EU-17-000797 | Ammunition EXPENDED BULLET FROM BEHIND PASSENGER SEAT OF CORVETTE |
|  151560 | 34 | California Dept. of Justice Eureka Lab 07/15/2017 Recovery Address: MARTINS FERRY BRIDGE Recovery Location: RECEIVED FROM CDOJ EU-17-000797 | Ammunition BULLET JACKET FROM REAR OF CORVETTE |
|  151561 | 35 | California Dept. of Justice Eureka Lab 07/15/2017 Recovery Address: MARTINS FERRY BRIDGE Recovery Location: RECEIVED FROM CDOJ EU-17-000797 | Ammunition CARTRIDGE CASE IN FRONT OF AND NTACT CARTIDGE CASE BEHIND CORVETTE PASSENGER SEAT |

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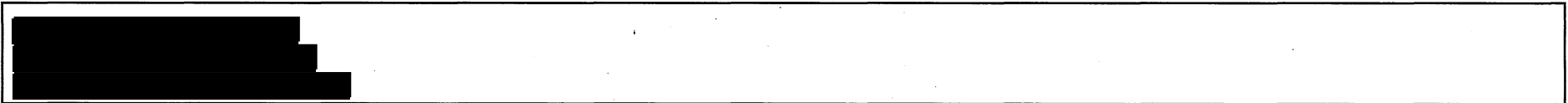


PROPERTY/EVIDENCE LISTING

| BarCode | Item # | Recovering Officer / Date / Address | Item Type / Description |
|---|--------|--|---|
|  151562 | 36 | California Dept. of Justice Eureka Lab 07/15/2017 Recovery Address: MARTINS FERRY BRIDGE Recovery Location: RECEIVED FROM CDOJ EU-17-000797 | Biological Evidence 2 SWABS OF RED BROWN STAINS FROM CORVETTE CENTER CONSOLE |
|  151563 | 37 | California Dept. of Justice Eureka Lab 07/15/2017 Recovery Address: MARTINS FERRY BRIDGE Recovery Location: RECEIVED FROM CDOJ EU-17-000797 | Ammunition CARTRIDGE CASES AND INTACT CARTRIDGES FROM CORVETTE CENTER CONSOLE |
|  151564 | 38 | California Dept. of Justice Eureka Lab 07/15/2017 Recovery Address: MARTINS FERRY BRIDGE Recovery Location: RECEIVED FROM CDOJ EU-17-000797 | Miscellaneous GREEN LASER FROM CORVETTE |
|  151565 | 39 | California Dept. of Justice Eureka Lab 07/15/2017 Recovery Address: MARTINS FERRY BRIDGE Recovery Location: RECEIVED FROM CDOJ EU-17-000797 | Biological Evidence 1 WATER BLANK SWAB |
|  151566 | D1 | California Dept. of Justice Eureka Lab 07/15/2017 Recovery Address: MARTINS FERRY BRIDGE Recovery Location: RECEIVED FROM CDOJ EU-17-000797 | Ammunition EXPENDED CARTRIDGE CASE |
|  151567 | D2 | California Dept. of Justice Eureka Lab 07/15/2017 Recovery Address: MARTINS FERRY BRIDGE Recovery Location: RECEIVED FROM CDOJ EU-17-000797 | Ammunition EXPENDED CARTRIDGE CASE |

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| 151568 | D3 | California Dept. of Justice Eureka Lab 07/15/2017 Recovery Address: MARTINS FERRY BRIDGE Recovery Location: RECEIVED FROM CDOJ EU-17-000797 | Ammunition EXPENDED CARTRIDGE CASE |
| 151569 | D4 | California Dept. of Justice Eureka Lab 07/15/2017 Recovery Address: MARTINS FERRY BRIDGE Recovery Location: RECEIVED FROM CDOJ EU-17-000797 | Ammunition EXPENDED CARTRIDGE CASE |
| 151570 | D5 | California Dept. of Justice Eureka Lab 07/15/2017 Recovery Address: MARTINS FERRY BRIDGE Recovery Location: RECEIVED FROM CDOJ EU-17-000797 | Ammunition EXPENDED CARTRIDGE CASE |
| 151572 | P1 | California Dept. of Justice Eureka Lab 07/15/2017 Recovery Address: MARTINS FERRY BRIDGE Recovery Location: RECEIVED FROM CDOJ EU-17-000797 | Firearms EMPTY GLOCK PISTOL MAGAZINE |
| 151573 | P2 | California Dept. of Justice Eureka Lab 07/15/2017 Recovery Address: MARTINS FERRY BRIDGE Recovery Location: RECEIVED FROM CDOJ EU-17-000797 | Ammunition EXPENDED CARTRIDGE CASE |

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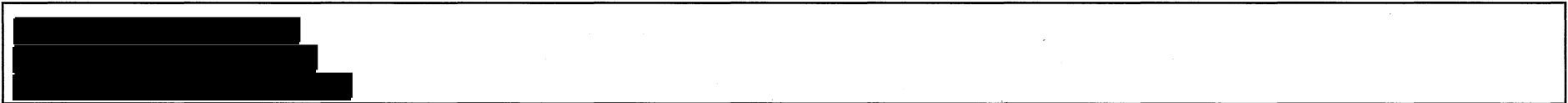


PROPERTY/EVIDENCE LISTING

| BarCode | Item # | Recovering Officer / Date / Address | Item Type / Description |
|---|--------|--|---------------------------------------|
|  151574 | P3 | California Dept. of Justice Eureka Lab 07/15/2017 Recovery Address: MARTINS FERRY BRIDGE Recovery Location: RECEIVED FROM CDOJ EU-17-000797 | Ammunition EXPENDED CARTRIDGE CASE |
|  151575 | P4 | California Dept. of Justice Eureka Lab 07/15/2017 Recovery Address: MARTINS FERRY BRIDGE Recovery Location: RECEIVED FROM CDOJ EU-17-000797 | Ammunition EXPENDED CARTRIDGE CASE |
|  151576 | P5 | California Dept. of Justice Eureka Lab 07/15/2017 Recovery Address: MARTINS FERRY BRIDGE Recovery Location: RECEIVED FROM CDOJ EU-17-000797 | Ammunition EXPENDED CARTRIDGE CASE |
|  151577 | P6 | California Dept. of Justice Eureka Lab 07/15/2017 Recovery Address: MARTINS FERRY BRIDGE Recovery Location: RECEIVED FROM CDOJ EU-17-000797 | Ammunition EXPENDED CARTRIDGE CASE |
|  151578 | P7 | California Dept. of Justice Eureka Lab 07/15/2017 Recovery Address: MARTINS FERRY BRIDGE Recovery Location: RECEIVED FROM CDOJ EU-17-000797 | Ammunition EXPENDED CARTRIDGE CASE |
|  151579 | P8 | California Dept. of Justice Eureka Lab 07/15/2017 Recovery Address: MARTINS FERRY BRIDGE Recovery Location: RECEIVED FROM CDOJ EU-17-000797 | Ammunition EXPENDED CARTRIDGE CASE |

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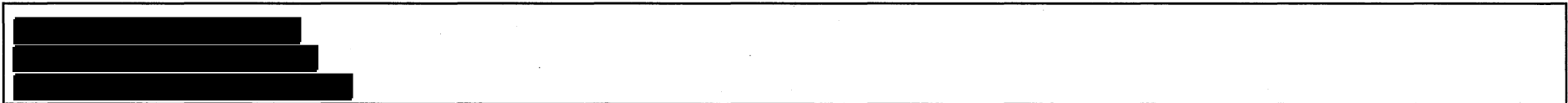


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|------------|--------|--|---------------------------------------|
| 151580 | P9 | California Dept. of Justice Eureka Lab 07/15/2017 Recovery Address: MARTINS FERRY BRIDGE Recovery Location: RECEIVED FROM CDOJ EU-17-000797 | Ammunition EXPENDED CARTRIDGE CASE |
| 151581 | P10 | California Dept. of Justice Eureka Lab 07/15/2017 Recovery Address: MARTINS FERRY BRIDGE Recovery Location: RECEIVED FROM CDOJ EU-17-000797 | Ammunition EXPENDED CARTRIDGE CASE |
| 151582 | P11 | California Dept. of Justice Eureka Lab 07/15/2017 Recovery Address: MARTINS FERRY BRIDGE Recovery Location: RECEIVED FROM CDOJ EU-17-000797 | Ammunition EXPENDED CARTRIDGE CASE |
| 151583 | P12 | California Dept. of Justice Eureka Lab 07/15/2017 Recovery Address: MARTINS FERRY BRIDGE Recovery Location: RECEIVED FROM CDOJ EU-17-000797 | Ammunition EXPENDED CARTRIDGE CASE |
| 151584 | P13 | California Dept. of Justice Eureka Lab 07/15/2017 Recovery Address: MARTINS FERRY BRIDGE Recovery Location: RECEIVED FROM CDOJ EU-17-000797 | Ammunition EXPENDED CARTRIDGE CASE |

CASE NUMBER: 201703390

HUMBOLDT COUNTY SHERIFF'S OFFICE
PROPERTY/EVIDENCE BOOKING REPORT





PROPERTY/EVIDENCE LISTING

| BarCode | Item # | Recovering Officer / Date / Address | Item Type / Description |
|------------|---------|--|---|
| 151585 | P14 | California Dept. of Justice Eureka Lab 07/15/2017 Recovery Address: MARTINS FERRY BRIDGE Recovery Location: RECEIVED FROM CDOJ EU-17-000797 | Ammunition EXPENDED CARTRIDGE CASE |
| 151586 | P15 | California Dept. of Justice Eureka Lab 07/15/2017 Recovery Address: MARTINS FERRY BRIDGE Recovery Location: RECEIVED FROM CDOJ EU-17-000797 | Ammunition EXPENDED CARTRIDGE CASE |
| 151587 | 148084T | California Dept. of Justice Eureka Lab 07/15/2017 Recovery Address: MARTINS FERRY BRIDGE Recovery Location: RECEIVED FROM CDOJ EU-17-000797 | DOJ Lab Generated Evidence THREE BULLETS AND FIVE CARTRIDGES TEST FIRED IN ITEM 148084 |
| 151588 | 148098T | California Dept. of Justice Eureka Lab 07/15/2017 Recovery Address: MARTINS FERRY BRIDGE Recovery Location: RECEIVED FROM CDOJ EU-17-000797 | DOJ Lab Generated Evidence 3 BULLETS AND FIVE CARRIDGE CASES TEST FIRED IN ITEM 148098 |
| 151589 | 148110T | California Dept. of Justice Eureka Lab 07/15/2017 Recovery Address: MARTINS FERRY BRIDGE Recovery Location: RECEIVED FROM CDOJ EU-17-000797 | DOJ Lab Generated Evidence THREE BULLETS AND FIVE CARTRIDGE CASES TEST FIRED IN ITEM 148110 |
| 151777 | AC-3 | Campbell, Andrew - 2015 01/11/2018 Recovery Address: HUMBOLDT TOWING Recovery Location: | Photo CD - Agency Created PHOTOS OF ITEMS REMOVED FROM CORVETTE ON 01/11/2018 |

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HUMBOLDT COUNTY SHERIFF'S OFFICE
PROPERTY/EVIDENCE BOOKING REPORT

PROPERTY/EVIDENCE LISTING

| BarCode | Item # | Recovering Officer / Date / Address | Item Type / Description |
|---|--------|---|---|
|  152796 | AC-4 | Campbell, Andrew - 2015 Recovery Address: HCSO Recovery Location: | Miscellaneous LEICA SCANNER TRU VIEW |
|  152913 | MP32 | Peterson, Mark - 1186 Recovery Address: HCSO Recovery Location: | Miscellaneous CD CONTAINING 39 E-MAILS |



1 JULY 19, 2017

2 FOLLOW-UP VEHICLE SEARCHES

3
4 On July 19, 2017 at about 0900 hours, I met with California Department of Justice (DOJ) Criminalists [REDACTED]
5 and [REDACTED] at Humboldt Towing in Eureka. The DOJ Criminalists were going to further process the vehicles
6 that had been towed from Martin's Ferry Bridge on July 15, 2017:

- 7 • Black and white marked HCSO patrol vehicle – Ford Explorer – HCSO unit # 07179 – CA exempt license
8 plate # [REDACTED]
9 • [REDACTED] Chevy Corvette – CA license plate number [REDACTED]

10 I had placed evidence seals on the vehicle's doors before the vehicles had been towed from Martin's Ferry Bridge
11 on July 15, 2017. I saw the evidence seals were in place and intact on both vehicles on July 19, 2017. I took overall
12 photographs of the exteriors of both vehicles prior to DOJ processing the vehicles.

13
14 I stood by at Humboldt Towing and observed while the DOJ Criminalists further processed both vehicles for
15 evidence. I did not participate in the search or examination of the vehicles. DOJ Criminalist [REDACTED] completed
16 DOJ report # EU-17-000797-0001 (and report # EU-17-000797-0008, a corrected copy of EU-17-000797-0001)
17 documenting his search and examination of the vehicles; both on July 15, 2017 and July 19, 2017. Copies of both
18 reports attached. See the DOJ reports for further information.

19
20 The DOJ Criminalists processed HCSO unit # 07179 first. The DOJ Criminalists collected numerous items of
21 evidence from the vehicle. See the DOJ report for a full list and description of the items.

22
23 One of the items collected by DOJ was a Field Training Manual – Deputy Cumbow's Field Training Manual. The
24 manual had been located in between the front seats of the vehicle. The item was assigned item # 20 in the DOJ
25 report. On July 25, 2017, DOJ released the manual to Humboldt County District Attorney's Office Investigator
26 Cooper. Investigator Cooper made a photocopy of the manual, and gave the photo copy to HCSO patrol – to
27 facilitate Deputy Cumbow's training program. HCSO Detective Havens then booked the original manual into
28 evidence at HCSO.



30 The DOJ criminalists removed a pair of sunglasses from the passenger side sun visor and a silver colored water jug
31 from in between the seats of HCSO unit # 07-179. The items were photographed and released to me. I later
32 released the items to Corporal Soeth.

33
34 HCSO Sgt. Freese prepared a follow-up search warrant authorizing a further search of the [REDACTED] Chevy Corvette,
35 bearing CA license plate number [REDACTED]. The search warrant was signed on July 19, 2017 at 1024 hours by the
36 Honorable Judge Reinholtzen. Sgt. Freese brought a copy of the search warrant – SW1700356 – to Humboldt
37 Towing. The DOJ Criminalists began their search and exam of the Corvette after the search warrant had been
38 signed. It should be noted that Sgt. Freese had also authored a search warrant authorizing a search of the Corvette
39 on July 15, 2017 – SW1700355. This search warrant had been served on July 15, 2017 at Martin's Ferry Bridge,
40 when DOJ Criminalists [REDACTED] and [REDACTED] began their search and exam of the vehicle while on scene at the bridge.

41
42 The DOJ Criminalists collected numerous items of evidence from the Corvette. See the DOJ report for a full list
43 and description of the items. One of the items located and seized by DOJ was a Winchester, model 94, 30-30
44 caliber, lever action rifle – serial # [REDACTED]. The rifle had been located in the rear cargo compartment of the
45 vehicle. I was present when DOJ Criminalist [REDACTED] unloaded the rifle. I saw there were 2 unexpended rounds
46 loaded into the rifles magazine. The rifles chamber was empty. I later had HCSO dispatch run a registration and
47 stolen property check on the rifle. The rifle had not been reported as stolen and there was no dealer record on
48 file.

49
50 At the conclusion of the DOJ Criminalists search of the [REDACTED] Corvette bearing CA license plate number [REDACTED]
51 on July 19, 2017, I placed a copy of both search warrant SW1700355 and search warrant SW1700356 in the vehicle.
52 I completed an inventory of items seized by DOJ from the Corvette on July 15, 2017 and on July 19, 2017, and
53 attached the inventories to the search warrants. I later filed and returned the search warrants to the courts.
54 Copies attached.

55
56 Both vehicles were retained as evidence and left stored at Humboldt Towing.

57



58 I later copied the digital photographs I took on July 19, 2017 to a DVD and booked the DVD into evidence at HCSO
59 – barcode # 150805.

60

61

EVIDENCE REVIEW AND DISPOSITION

62

63 On August 3, 2017, after consultation with my chain of command and the Humboldt County District Attorney's
64 Office, I determined Deputy Matilton's duty belt could be released from HCSO evidence. Deputy Matilton's duty
65 pistol and pistol magazines were retained as evidence. I notified HCSO property division that Deputy Matilton's
66 duty belt could be released to him – barcode # 148111.

67

68 On August 10, 2017, I requested HCSO Property send Deputy Matilton's patrol rifle to DOJ for function testing and
69 collection of sample fired cartridges – barcode 148186. Corporal Soeth's patrol rifle had been collected by DOJ
70 on July 15, 2017 and was in their possession. It was requested that DOJ function test and collect sample fired
71 brass from Corporal Soeth's patrol rifle as well. It does not appear that either rifle was deployed or fired during
72 the shooting incident on Martin's Ferry Bridge on July 14, 2017. However, DOJ personnel advised me that
73 expended .223 cartridges had been located on the bridge in the area of the shooting. DOJ personnel advised me
74 that the expended .223 cartridges they located on the bridge appeared to be old, and not related to the shooting
75 incident that occurred on July 14, 2017. DOJ collected the expended .223 cartridges from the bridge. No request
76 has been made to DOJ to compare the sample fired cartridges from Deputy Matilton and Corporal Soeth's patrol
77 rifles to the expended .233 cartridges located on the bridge.

78

79 On August 22, 2017 at about 1030 hours, HCDA Investigator Cooper and I viewed the following items of evidence
80 that were in the possession of HCSO Property Division:

- 81 • BC 148072 – Corporal Soeth's right front shirt pocket contents
- 82 • BC 148073 – Corporal Soeth's left front shirt pocket contents
- 83 • BC 148075 – Corporal Soeth's right cargo pant pocket contents
- 84 • BC 148080 – Corporal Soeth's left sap pant pocket contents
- 85 • BC 148081 – Corporal Soeth's right rear pant pocket contents
- 86 • BC 148082 – Corporal Soeth's left rear pant pocket contents



-
- 87 • BC 148090 – Deputy Cumbow's right shirt pocket contents
 - 88 • BC 148091 – Deputy Cumbow's left shirt pocket contents
 - 89 • BC 148092 – Deputy Cumbow's right front cargo pant pocket contents
 - 90 • BC 148093 – Deputy Cumbow's left front cargo pant pocket contents
 - 91 • BC 148094 – Deputy Cumbow's left sap pant pocket contents
 - 92 • BC 148097 – Deputy Cumbow's left rear pant pocket contents
 - 93 • BC 148104 – Deputy Matilton's right shirt pocket contents
 - 94 • BC 148106 – Deputy Matilton's left shirt pocket contents
 - 95 • BC 148107 – Deputy Matilton's left front pant pocket contents
 - 96 • BC 148109 – Deputy Matilton's right rear pant pocket contents

97 These items had been previously photographed by HCSO Detective Havens when she collected them as evidence
98 after the shooting incident on July 14, 2017. Investigator Cooper and I viewed the items in the HCSO Property
99 Division area. I took some additional photographs of the items, and later booked the photographs into evidence
100 at HCSO on CD – barcode 150806. Requests had been made for the return of this property, as the property
101 contained notes and recordings related to other investigations / calls for service – investigations not related to
102 the shooting incident that occurred on July 14, 2017 on Martin's Ferry Bridge. The involved officers needed the
103 notes and recordings to complete reports and investigations into the other unrelated calls for service.

104

105 Regarding Corporal Soeth's property:

- 106 • BC 148072 – Corporal Soeth's right front shirt pocket contents: Items consisted of a Renner fuel card, a
107 bus schedule, and miscellaneous law enforcement reference cards.
- 108 • BC 148073 – Corporal Soeth's left front shirt pocket contents: The items consisted of pens, Jr. Deputy
109 stickers, business cards, and an Olympus VN-6200PC digital audio recorder. Investigator Cooper and I
110 reviewed the contents of the digital audio recorder on a computer in HCSO Property Division. There were
111 no recordings related to this investigation on the recorder.
- 112 • BC 148075 – Corporal Soeth's right cargo pant pocket contents. Items consisted of 4 latex gloves – that
113 appeared unused, a Smith and Wesson folding pocket knife, and a notebook. Investigator Cooper and I
114 reviewed the contents of the notebook and found no notes related to this investigation. I removed the
115 notebook from the bag containing the items booked in under barcode 148075. The notebook was booked



116 back into evidence under barcode 148813. The pocket knife and the gloves were booked back into
117 evidence under barcode 148075. I saw an about ¼ inch size area on the side of the pocket knife blade
118 that had an unknown substance on it that was dark in color.

- 119 • BC 148080 – Corporal Soeth's left sap pant pocket contents. Item consisted of a Klarus XT12 flashlight.
- 120 • BC 148081 – Corporal Soeth's right rear pant pocket contents. The item consisted of a pair of Under
121 Armour brand gloves.
- 122 • BC 148082 – Corporal Soeth's left rear pant pocket contents. The item consisted of a tube of Blistex – lip
123 protection / sun screen.

124 After viewing the items, I determined barcode numbers 148072, 148073, 148813, 148080, 148081, and 148082
125 could be released from evidence and returned to Corporal Soeth. Barcode 148075 – pocket knife and latex gloves
126 – was retained as evidence.

127

128 Regarding Deputy Cumbow's property:

- 129 • BC 148090 – Deputy Cumbow's right shirt pocket contents. The items consisted of a blank pocket
130 calendar and law enforcement reference cards.
- 131 • BC 148091 – Deputy Cumbow's left shirt pocket contents. The items consisted of 4 latex gloves, an
132 Olympus WS-853 digital audio recorder, a Scandisk USB drive, a pen, and a handcuff key. Investigator
133 Cooper and I viewed the contents of the USB drive and the digital audio recorder on a computer in HCSO
134 Property Division. The USB drive was blank. There were no recordings on the digital audio recorder
135 related to this investigation. All items except for the latex gloves were placed in a different bag and
136 booked into evidence under barcode 148780. The gloves were booked back into evidence under barcode
137 148091.
- 138 • BC 148092 – Deputy Cumbow's right front cargo pant pocket contents. The items consisted of 2
139 notebooks. Investigator Cooper and I looked through the contents of the notebooks. The name and date
140 of birth of George Robbins was written on a page in one of the notebooks. I took a photo of the
141 handwriting. There were no other notes related to this investigation.
- 142 • BC 148093 – Deputy Cumbow's left front cargo pant pocket contents. The item consisted of a CRKT
143 Hammond Cruiser pocket knife. The knife appeared to be clean.



144 • BC 148094 – Deputy Cumbow's left sap pant pocket contents. The item consisted of a Night Stick 9744XL
145 flashlight. The flashlight appeared to be clean.

146 • BC 148097 – Deputy Cumbow's left rear pant pocket contents. The item consisted of a handcuff key and
147 a key FOB on a keyring.

148 After viewing the items, I determined barcode numbers 148090, 148780, 148092, 148093, 148094, and 148097
149 could be released from evidence and returned to Deputy Cumbow. Barcode 148091 – 4 latex gloves – was
150 retained as evidence.

151

152 Regarding Deputy Matilton's property:

153 • BC 148104 – Deputy Matilton's right shirt pocket contents. The item consisted of a Verbatim USB drive
154 and loose change. Investigator Cooper and I viewed the contents of the USB drive on a computer in HCSO
155 Property Division. The contents of the USB drive were not related to this investigation.

156 • BC 148106 – Deputy Matilton's left shirt pocket contents. The items consisted of a Miranda card, business
157 cards, a handcuff key, and a pen.

158 • BC 148107 – Deputy Matilton's left front pant pocket contents. The item consisted of a Benchmade
159 pocket knife. The knife appeared to be clean.

160 • BC 148109 – Deputy Matilton's right rear pant pocket contents. The item consisted of a notebook.
161 Investigator Cooper and I reviewed the contents of the notebook. There were no notes related to this
162 investigation.

163 After viewing the items, I determined barcode numbers 148104, 148106, 148107, and 148109 could be released
164 from evidence and returned to Deputy Matilton.

165

166 On August 24, 2017, HCDA Investigator Dunn and I went to Humboldt Towing in Eureka. I retrieved items from
167 HCSO unit 07179. These items had already been searched and documented by DOJ Criminalists on 07/19/2017. I
168 took additional photographs of the items I retrieved and later booked the photographs into evidence at HCSO on
169 CD – barcode 150807. I retrieved the following items and released them as follows:

170

171 Items released to Corporal Soeth:

172 • Tan backpack



- 173 • Black patrol bag
- 174 • GPS car navigation unit
- 175 • Flashlight
- 176 • Notebook
- 177 • Electronic device charging cable

178 Investigator Dunn and I looked through the contents of the notebook. I saw no notes related to this investigation.

179

180 Items released to Deputy Cumbow:

- 181 • Black patrol bag
- 182 • Map book
- 183 • Fingerprint kit

184

185 On about September 22, 2017, I began an e-mail dialog with DOJ Criminalist [REDACTED] about what work the Eureka
186 DOJ lab still needed to complete for this investigation. We determined the following:

- 187 • DOJ would function test the Ruger Redhawk .44 Magnum revolver seized from the [REDACTED] Corvette bearing
188 CA license plate [REDACTED] on July 15, 2017.
- 189 • Corporal Soeth's, Deputy Cumbow's, and Deputy Matilton's duty pistols (Glock 22's) would be function
190 tested and sample expended brass would be collected from them. The sample expended brass would not
191 be compared to the expended .40 S&W brass collected from the scene at this time. The items would be
192 retained as evidence and a comparison could be done in the future if needed.
- 193 • Corporal Soeth's back-up pistol (.38 Special revolver) and Deputy Matilton's back-up pistol (9mm Glock
194 43) would not be function tested or test fired as no expended 9mm or 38 special cartridges were located
195 at the scene. Both pistol are retained as evidence.

196

197 [REDACTED] PROPERTY

198

199 On about October 13, 2017, I began an e-mail dialog with [REDACTED], [REDACTED] attorney. Ms. [REDACTED]
200 requested property be released from [REDACTED] vehicle – [REDACTED] Chevy Corvette bearing CA license plate
201 [REDACTED]. I advised Ms. [REDACTED] that a consent to search would be required to enter the vehicle and retrieve



202 property. On about January 8, 2018, I received a consent form from Ms. [REDACTED] via e-mail that had been signed
203 by Mr. [REDACTED] and Ms. [REDACTED]. On January 11, 2018 at about 0900 hours, HCSO Sgt. Freese, HCSO Evidence
204 Technician Campbell, and I were at Humboldt Towing in Eureka. Sgt. Freese entered the [REDACTED] Corvette – CA
205 [REDACTED] – per the signed consent and retrieved the following items of property (Items later booked in as
206 safekeeping at HCSO):

- 207 • Barcode 151775 – Black and silver case with scope
- 208 • Barcode 151776 – Manila envelope and white envelope with paperwork, keys, and a Samsung tablet.

209 I notified Ms [REDACTED] and HCSO Property Division that the items could be released to Ms. [REDACTED] and/or Mr.
210 [REDACTED]. Photographs were taken of the items and booked into evidence at HCSO – barcode 151777.

211

212

DOJ REPORTS

213

214 The following DOJ reports have been received and are attached to this report:

- 215 • EU-17-000797-0001: Documentation of the scene and follow-up vehicle searches.
- 216 • EU-17-000797-0002: Documentation of function test and test firing of Corporal Soeth's patrol rifle.
- 217 • EU-17-000797-0003: Documentation of function test and test firing of Corporal Soeth's, Deputy
218 Cumbow's, and Deputy Matilton's duty pistols.
- 219 • EU-17-000797-0004: Documentation of an alcohol screening performed on a sample of [REDACTED]
220 blood. The report stated the blood contained no alcohol. The blood sample was forwarded to DOJ
221 Laboratory in Sacramento, CA for analysis.
- 222 • EU-17-000797-0006: Documentation of function test and test firing of Deputy Matilton's patrol rifle.
- 223 • EU-17-000797-0007: Documentation of function test and test firing of the Ruger .44 Magnum Blackhawk
224 revolver – serial # [REDACTED]
- 225 • EU-17-000797-0008: Corrected copy of EU-17-000797-0001.

226

227 The following DOJ report is still outstanding:

- 228 • EU-17-000797-00005: Toxicology screening of [REDACTED] blood sample. I spoke with the DOJ
229 Laboratory in Sacramento, CA on March 27, 2017. I was told that the laboratory did have possession of
230 [REDACTED] blood sample, but they had not yet finished testing the sample.



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ATTACHMENTS

I booked referenced e-mails into evidence at HCSO on CD – barcode 152913. Printed copies of the e-mails are not attached. The e-mails (39) are attached to the electronic copy of this report.

Any further investigation or information will be documented by supplemental report.

Supporting documentation attached:

- Evidence Booking Form – Inclusive (20)
- Search Warrant SW1700355 (11)
- Search Warrant SW1700356 (11)
- DOJ Report EU-17-000797-0001 (10)
- DOJ Report EU-17-000797-0002 (2)
- DOJ Report EU-17-000797-0003 (2)
- DOJ Report EU-17-000797-0004 (2)
- DOJ Report EU-17-000797-0006 (3)
- DOJ Report EU-17-000797-0007 (1)
- DOJ Report EU-17-000797-0008 (9)
- BC 150805 – 36 Printed Photos (2)
- BC 150806 – 9 Printed Photos (1)
- BC 150807 – 11 Printed Photos (1)
- BC 151777 - 7 Printed Photos (1)

Investigator M. Peterson 1186

Supervisor Review

STATE OF CALIFORNIA
DEPARTMENT OF CALIFORNIA HIGHWAY PATROL
VEHICLE REPORT
CHP 180 (Rev. 12-06) OPI 062

NOTE: CHP 180 IS FURNISHED TO ALL PEACE OFFICERS BY THE CALIFORNIA HIGHWAY PATROL

| | | | | |
|--|----------------------|--|---|---|
| REPORTING DEPARTMENT Humboldt Co. S.O. | LOCATION CODE | DATE / TIME OF REPORT 7/15/17 0825 | NOTICE OF STORED VEHICLE DELIVERED PERSONALLY <input type="checkbox"/> | FILE NO. 201703390 |
| LOCATION TOWED / STOLEN FROM Martin Ferry & Hwy 169. Weitchpec | | ODOMETER READING unk | VIN CLEAR IN SVS? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO LIC. CLEAR IN SVS? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO | DATE / TIME DISPATCH NOTIFIED Sept 16 |
| YEAR | MAKE Chevy | MODEL Corvette | BODY TYPE Coupe | COLOR |
| | | | | LICENSE NO. |
| | | | | MONTH / YEAR Sept 16 |
| | | | | STATE CA |
| | | | ENGINE NO. | VALUATION BY <input checked="" type="checkbox"/> OFFICER <input type="checkbox"/> OWNER |
| | | | | <input type="checkbox"/> 0-300 <input type="checkbox"/> 4001+ <input type="checkbox"/> |
| REGISTERED OWNER | | | LEGAL OWNER | |

STORED IMPOUNDED RELEASED RECOVERED - VEHICLE / COMPONENT

| | |
|---|---|
| TOWING / STORAGE CONCERN (NAME, ADDRESS, PHONE) Humboldt Towing, 101 H St, Eureka, CA | STORAGE AUTHORITY / REASON CVC 22655.5 |
| TOWED TO / STORED AT Same | AIRBAG? <input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> 1 <input type="checkbox"/> 2 |
| | DRIVEABLE? <input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> JUNK <input checked="" type="checkbox"/> UNK |
| | VIN SWITCHED? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO |

| CONDITION | YES | NO | ITEMS | YES | NO | ITEMS | YES | NO | ITEMS | YES | NO | TIRES / WHEELS | CONDITION |
|------------------------------|-----|-------------------------------------|--------------|-------------------------------------|-------------------------------------|------------------|-------------------------------------|----|----------------|-----|-------------------------------------|----------------|-------------|
| WRECKED | | <input checked="" type="checkbox"/> | SEAT (FRONT) | <input checked="" type="checkbox"/> | | REGISTRATION | <input checked="" type="checkbox"/> | | CAMPER | | <input checked="" type="checkbox"/> | LEFT FRONT | Flat |
| BURNED HULK per 431(c) VC | | <input checked="" type="checkbox"/> | SEAT (REAR) | | <input checked="" type="checkbox"/> | ALT. / GENERATOR | <input checked="" type="checkbox"/> | | VESSEL AS LOAD | | <input checked="" type="checkbox"/> | RIGHT FRONT | Good |
| VANDALIZED | | <input checked="" type="checkbox"/> | RADIO | <input checked="" type="checkbox"/> | | BATTERY | <input checked="" type="checkbox"/> | | FIREARMS | | <input checked="" type="checkbox"/> | LEFT REAR | " |
| ENG. / TRANS. STRIP | | <input checked="" type="checkbox"/> | TAPE DECK | | <input checked="" type="checkbox"/> | DIFFERENTIAL | <input checked="" type="checkbox"/> | | OTHER | | <input checked="" type="checkbox"/> | RIGHT REAR | " |
| MISC. PARTS STRIP | | <input checked="" type="checkbox"/> | TAPES | <input checked="" type="checkbox"/> | | TRANSMISSION | <input checked="" type="checkbox"/> | | | | <input checked="" type="checkbox"/> | SPARE | unk |
| BODY METAL STRIP | | <input checked="" type="checkbox"/> | OTHER RADIO | <input checked="" type="checkbox"/> | | AUTOMATIC | <input checked="" type="checkbox"/> | | | | <input checked="" type="checkbox"/> | HUB CAPS | No |
| SURGICAL STRIP per 431(b) VC | | <input checked="" type="checkbox"/> | IGNITION KEY | <input checked="" type="checkbox"/> | | MANUAL | <input checked="" type="checkbox"/> | | | | <input checked="" type="checkbox"/> | SPECIAL WHEELS | no |

| | | |
|---|--|---------------------------------------|
| RELEASE VEHICLE TO: <input type="checkbox"/> R/O OR AGENT <input checked="" type="checkbox"/> AGENCY HOLD <input type="checkbox"/> 22850.3 VC | DAMAGE PRINCIPAL / AGENT STORING VEHICLE (SIGNATURE) <i>[Signature]</i> | DATE / TIME 7-15-17 8:30 Am |
| NAME OF PERSON / AGENCY AUTHORIZING RELEASE | I.D. NO. | DATE |
| CERTIFICATION: I, THE UNDERSIGNED, DO HEREBY CERTIFY THAT I AM LEGALLY AUTHORIZED AND ENTITLED TO TAKE POSSESSION OF THE ABOVE DESCRIBED VEHICLE. | | |
| SIGNATURE OF PERSON AUTHORIZING RELEASE | | SIGNATURE OF PERSON TAKING POSSESSION |

STOLEN VEHICLE / COMPONENT EMBEZZLED VEHICLE PLATE(S) REPORT

| | | | |
|---|----------------------|-------------------------------|-----------------------------------|
| DATE / TIME OF OCCURRENCE | DATE / TIME REPORTED | NAME OF REPORTING PARTY (R/P) | DRIVER LICENSE NO. / STATE |
| LAST DRIVER OF VEHICLE | DATE / TIME | ADDRESS OF R/P | TELEPHONE OF R/P () |
| I CERTIFY OR DECLARE UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT THE FOREGOING IS TRUE AND CORRECT. | | | SIGNATURE OF PERSON MAKING REPORT |

REMARKS
(LIST PROPERTY, TOOLS, VEHICLE DAMAGE, ARRESTS)

| | | | | |
|---------------|---|-------------|---|--|
| DRIVER'S NAME | ARRESTED / SECTION? <input type="checkbox"/> YES <input type="checkbox"/> NO | REPORTED BY | CARGO / TYPE? <input type="checkbox"/> YES <input type="checkbox"/> NO | VALUE \$ <input type="checkbox"/> BILL OF LADING ATTACHED |
|---------------|---|-------------|---|--|

Holes in wind shield + front left fender. Front drivers side tire flat. Front end / bumper - cracks / missing parts - Interior not searched. Dents + scratches 360. Driver side door + mirror loose + has scratch below mirror. Front drivers side headlight cover missing. Front license plate cover damaged - taped on.



| | | | | |
|--|-------------------------|------------|--|---------------|
| SIGNATURE OF OFFICER TAKING REPORT m. Peterson | I.D. NO. 1186 | SUPERVISOR | REQUIRED NOTICES SENT TO REGISTERED AND LEGAL OWNERS PER 22852 VC? <input type="checkbox"/> YES <input type="checkbox"/> NO | DATE NOTIFIED |
|--|-------------------------|------------|--|---------------|

201703390

From: Honsal, William
Sent: Tuesday, October 23, 2018 4:09 PM
To: [REDACTED]
Cc: Freese, Diana; Cumbow, Nathan
Subject: FW: Evidence 201703390

Release Authorization

HCSO Case # 201703390

Good Afternoon [REDACTED]

Please return all patrol gear and firearms associated with this case to Max Soeth and Nathan Cumbow. This case has been closed with the District Attorney.

Thank you,

William Honsal, Sheriff

From: Cumbow, Nathan
Sent: Tuesday, October 23, 2018 3:08 PM
To: Honsal, William <WHonsal@co.humboldt.ca.us>
Subject: Evidence

Good afternoon sir,

I was wondering if you could authorize the release of my gear from property? I spoke with property and she request a written authorization from you.

Thank you for your time in regards to this matter.

Deputy Cumbow

201703390

From: Honsal, William
Sent: Monday, October 29, 2018 12:06 PM
To: [REDACTED]
Cc: Braud, Justin; Matilton, Tis-Mil
Subject: Return property HCSO Case # 201703390

Dispo Authorization

HCSO Case # 201703390

Good Afternoon [REDACTED]

Please return all patrol gear and firearms associated with this case to Deputy Tis-MI Matilton. This case has been closed with the District Attorney.

Thank you,

William Honsal, Sheriff

William F. Honsal, Sheriff

County of Humboldt
826 4th Street
Eureka, CA 95501
Main: 707.445.7251
Office: 707.268.3618

REQUESTING AGENCY CASE NO.
201703390

CALIFORNIA DEPARTMENT OF JUSTICE
BUREAU OF FORENSIC SERVICES
EUREKA REGIONAL CRIMINALISTICS LABORATORY
1011 West Wabash Ave. Eureka, CA 95501-2121
Phone No. (707) 445-6682 FAX No. (707) 445-6688

BFS CASE NUMBER
EU-17-000797-0001

ATTN: Mark Peterson
Humboldt County Sheriff's Office
826 Fourth Street
Eureka, CA 95501

COPIES: Gary Cooper,
Humboldt County District Attorney's Office

FIELD INVESTIGATION REPORT

██████████ ██████████ ██████████

OFFENSE: OFFICER INVOLVED SHOOTING

DEPUTIES: NATHAN CUMBOW, TISMIL MATILTON, MAX SOETH

OFFENSE DATE: JULY 14, 2017

I, the undersigned, declare under penalty of perjury: (1) I am employed by the State of California, Department of Justice (DOJ), Bureau of Forensic Services; (2) I conducted an examination of the material described below in the ordinary course of my work as a qualified examiner, according to approved laboratory procedures that include creation of contemporaneous documentation and the technical review of my work; (3) The observable data is set forth in the associated laboratory case record; (4) Any opinions, interpretations, or conclusions in this report are based upon data in the associated laboratory case record and findings listed below.

Note: This laboratory report has been prepared and retained by DOJ in the normal course of business according to DOJ's regular practices and procedures.

BACKGROUND

On July 14, 2017, at 2157 hours, Deputies with the Humboldt County Sheriff's Office (HCSO) were on patrol in the area of Highway 169 north of Weitchpec. The deputies observed a suspicious vehicle in the roadway on Martins Ferry Bridge. The Deputies contacted the sole occupant driver of the vehicle and during the course of that contact an officer involved shooting occurred, wounding the driver. The driver was removed from the vehicle and transported to hospital for medical evaluation.

FIELD ACTIVITIES

I was advised of the scene response request by Assistant Laboratory Director ██████████ at approximately 2235 hours on July 14, 2017. I responded with Criminalist ██████████ to the Humboldt County Sheriff's office and attended a briefing at approximately 2345 hours. We departed from the Sheriff's office just after midnight and arrived at the Martins Ferry Bridge at approximately 0140 hours on July 15, 2017.

The scene was located on the Martins Ferry Bridge, approximately one-third of the way across the bridge from the west end. Access was restricted by marked HCSO patrol vehicles stopped at either end of the bridge. A marked HCSO Ford Explorer and the ██████████ GM Corvette were facing each other from approximately 15 feet apart. A marked HCSO Ford Expedition was stopped approximately 60 feet behind the Explorer and facing both vehicles.

The Ford Expedition was marked with HCSO vehicle number 08344 and had California exempt license plates ██████████. All four doors, all windows, and the hatchback were closed. The vehicle's headlights, spotlights, and emergency lights were off. This was reportedly the second HCSO vehicle on scene and was driven by Deputy Matilton.

The Ford Explorer was marked with HCSO vehicle number 07179 and had California exempt license plates [REDACTED]. Both front doors were opened and their windows were in the closed position; however, the passenger side window was broken. The rear doors, the hatchback, and the remaining windows were in the closed position. The vehicle's headlights and spotlights were on and directed towards the Corvette; the emergency lights were off. This was reportedly the first HCSO vehicle on scene and was driven by Deputy Cumbow, with Deputy Soeth in the front passenger seat.

The Corvette was a [REDACTED] model with California license plate [REDACTED] [REDACTED] [REDACTED] was reportedly seated in the driver's seat of the Corvette at the time of the shooting. The hatchback, passenger door, and passenger door window were closed. The driver's side door and driver's-door window were open. The vehicle was not running. The passenger-side headlight was in the off or closed position and the driver-side headlight was retracted and missing its cover. The driver's side front tire was flat.

The scene was documented and select evidence items were collected. A limited examination of the Ford Expedition, consisting of taking photographs and conducting an inventory of firearms and ammunition, was conducted at the scene. Examination of the [REDACTED] vehicle at the scene was limited to securing a revolver from the front seat of the vehicle and loose bullets/bullet fragments from the driver's seat area. The scene was also documented with a Leica scanning station operated by the HCSO. The Corvette and the Ford Explorer were towed from the scene on the morning of July 15, 2017, for further examination at a later date.

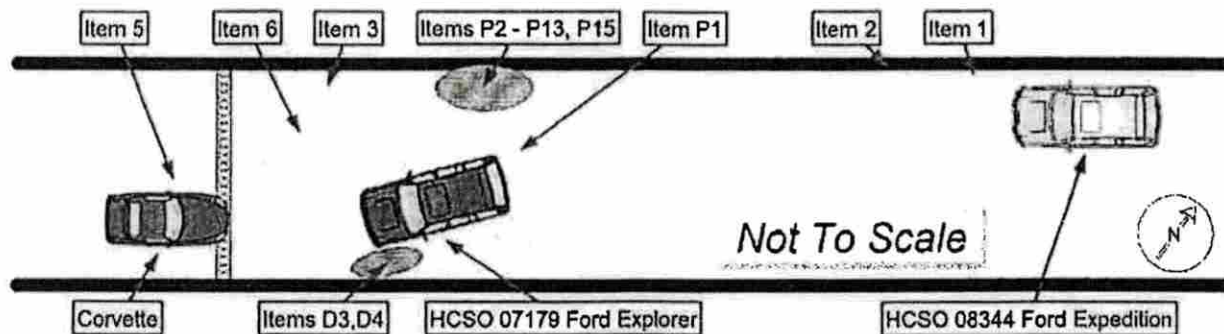


Figure 1- Diagram showing relative positions of vehicles and select evidence items

On July 19, 2017, I processed the Ford Explorer and the Corvette at a prearranged time at Humboldt Towing in Eureka, California. I was assisted by Criminalist [REDACTED] Investigator Mark Peterson was present throughout.

Evidence collected from the roadway on the Martins Ferry Bridge

Items 1 and 2 are each expended cartridge cases with "WINCHESTER" "223 REM" head stamps. The cartridge cases were collected based on their proximity to the Ford Expedition and knowledge that rifles chambered for the 5.56 NATO cartridge are used by HCSO deputies. Firearms chambered for the 5.56 NATO cartridge can safely fire 223 Remington cartridges. Both items appeared to be weathered and damaged from exposure on the bridge; neither item had a head stamp marking that matched any observed from either of the HCSO vehicles on the bridge. Item 12 is an expended cartridge case with a "WINCHESTER" "223 REM" head stamp and several other cartridge cases of varying calibers collected from the same immediate area. The item 12 cartridge cases were collected from the edge of the bridge behind the Ford Expedition as an example of the variety of expended cartridge cases observed at various locations along the bridge. Based on the weathered appearance of the cartridge cases and differences in their head stamps, the cartridge cases in items 1, 2, and 12 appear to be unrelated to the shooting under investigation because they predate the event and are inconsistent with the 223 Remington ammunition carried by the HCSO deputies.

The Corvette was stopped facing east with its front bumper directly above a steel expansion joint in the bridge. Item 3 is a blue t-shirt recovered from the roadway between the Explorer and the Corvette, near the bridge's north side barrier wall. Item 4 is a digital watch with no band, a disposable lighter, and three laser pointer lenses recovered from the roadway between the Explorer and the Corvette. Items 6 and 7 are swabs of representative apparent bloodstains from an apparent blood trail that began at the driver's door of the Corvette and ended approximately midway between the Explorer and the Corvette. Item 5 is an expended bullet recovered from the roadway below the Corvette's open driver's door.

Broken safety glass was found on the roadway below the open front passenger door of the Ford Explorer. The location and type of glass indicate that the front passenger door was in the open position when the window was broken. Samples of glass were collected from the broken window (item 9) and from the ground below the passenger door (item 8).

Evidence items found on the driver's side and on top of the Ford Explorer were given a "D" prefix. Evidence items found on the passenger side and underneath were given a "P" prefix.

Items D1 through D5 were each identified as expended cartridge cases with "R-P" "40 S&W" head stamps. Items D1 and D2 are cartridge cases recovered from the roof of the Ford Explorer and item D5 is a cartridge case recovered from the windshield of the Ford Explorer. Items D3 and D4 are expended cartridge cases recovered from the roadway near the driver's side front-end of the Ford Explorer.

Item P1 is an empty Glock pistol magazine recovered from the ground adjacent to the passenger side rear end of the Ford Explorer. Items P2 through P15 are each expended cartridge cases with "R-P" "40 S&W" head stamps. Items P2 through P13 were recovered from the roadway along the barrier wall opposite the rear passenger side of the Ford Explorer. Item P14 was recovered from the roadway below the passenger side of the Ford Explorer. Item P15 was recovered from the top outside edge of the barrier wall above the clustered P2 through P13 cartridge cases.

Based on the locations of the cartridge cases recovered at the scene, it is possible that additional expended cartridge cases were lost over the side of the bridge.

Evidence and observations related to the Ford Expedition

The interior of the vehicle was clean and organized. A locked gun rack between the front seats contained a Remington model 870 Wingmaster shotgun next to the driver's seat and a Colt model M16A1 rifle next to the passenger seat. The firearms are further described below:

- Remington model 870 Wingmaster shotgun, serial number [REDACTED] chambered for 12 gauge shells
 - Chamber empty
 - Four shells in magazine
- Colt model M16A1 rifle, serial number [REDACTED] chambered for the 5.56 NATO cartridge
 - Chamber empty
 - Twenty-round capacity magazine containing twenty cartridges, each with Federal Premium Ammunition "FC" "223 Remington" head stamps

The following items were found in the driver's door pocket of the Ford Expedition:

- Twenty-round capacity AR15 platform rifle magazine containing twenty-one cartridges, each with Federal Premium Ammunition "FC" "223 Remington" head stamps
- Thirty-round capacity AR15 platform rifle magazine containing twenty-nine cartridges, each with Federal Premium Ammunition "FC" "223 Remington" head stamps
- Thirty-round capacity AR15 platform rifle magazine containing thirty-one cartridges, each with Federal Premium Ammunition "FC" "223 Remington" head stamps

A barrier was installed between the back seat and rear compartment of the Ford Expedition; the only access to the rear of the vehicle was through the hatchback door. The rear of the vehicle contained a plastic tote and a black duffel bag. Ammunition found in the rear of Ford Expedition consisted of the following:

- The tote contained
 - Three sealed boxes of American Eagle (Federal Premium Ammunition) AR 223 ammunition
 - A jacket that contained ten JHP cartridges, each with a "WIN" "40 S&W" head stamp
- The duffel bag contained
 - One full box of Remington Golden Saber ammunition containing fifty cartridges, each with Remington "RP" "40 S&W" head stamps

No other ammunition, magazines, or firearms were observed in the Ford Expedition. The vehicle and its contents, including firearms and ammunition, were released to the HCSO at the scene. The Colt M16A1 rifle was subsequently submitted to the laboratory for examination on August 15, 2017; see report EU-17-000797-0006.

Evidence and observations related to the Ford Explorer

A barrier was installed between the back seat and rear compartment of the Ford Explorer; the only access to the rear of the vehicle was through the hatchback door. A cell phone from the front passenger door pocket and a lunch bag and two jackets from the rear compartment were released to the HCSO at the scene after confirming that no firearms or ammunition were present in any of the items. Item 11, a Smith and Wesson model M&P-15 rifle, rifle case, and sealed box of cartridges was collected from the rear compartment of the Ford Explorer at the scene. The item 11 rifle was marked with serial number [REDACTED]. Item 11a consisted of seven loaded rifle magazines that were removed from the item 11 rifle case prior to transport from the scene. See report EU-17-000797-0002 for examination of items 11 and 11a. No other firearms were observed in the vehicle; a locking gun rack between the front seats was empty. The Ford Explorer was transported from the scene for further examination at a later date.

On July 19, 2017, I processed the Ford Explorer at a prearranged time at Humboldt Towing in Eureka, California. I was assisted by Criminalist [REDACTED]. Investigator Mark Peterson was present throughout. Intact tape seals were present on all four doors and the hatchback.

Bullet damage was limited to the front passenger door of the Ford Explorer. One bullet entered the door from the inside, approximately ten inches to the right of the interior door handle. The bullet did not exit the door but left a raised dent on the door's exterior surface; the door was not disassembled to collect the bullet. A second bullet strike, approximately seven inches above the first, was observed at the top edge of the door panel and base of the window. The second bullet strike showed directionality from inside to out, or from the rear of the vehicle towards the front if the door was open. Glass fragments in the passenger door window frame and glass on the roadway observed during processing at the scene on the Martin's Ferry Bridge indicate that the door was open and the window was closed when it was broken. Therefore, the position of the shooter at the time the passenger door was damaged is behind the open door along the passenger side of the vehicle. No other apparent bullet damage was observed to the interior or exterior of the Ford Explorer.

No expended cartridge cases, intact ammunition, or firearms were observed in the front seat area of the Ford Explorer. A training log for Deputy Cumbow was collected as item 20 from between the front seats.

The remaining items in the rear of the Ford Explorer were removed and examined. A single expended cartridge case was collected as item 21 from Deputy Soeth's patrol bag. A tan backpack from the rear of the vehicle contained the following ammunition:

- Two 12 gauge shotgun slug shells
- Thirty-round capacity AR15 platform rifle magazine containing twenty-nine cartridges, each with Winchester Cartridge Company "WCC" "08" head stamps
- Thirty-round capacity AR15 platform rifle magazine containing twenty-seven cartridges, and one loose cartridge, each with Turkish "MKE" "14" head stamps
- One full box of five and partial box of three Federal 12 gauge 00 buckshot shells
- One partial box of Remington 38 Special semi-jacketed hollow point ammunition containing seven cartridges
- One partial box of Winchester 40 Smith and Wesson ammunition containing forty-one cartridges, each with "WIN" "40 S&W" head stamps
- Two Glock pistol magazines, each containing fifteen cartridges with Federal "FEDERAL" "40 S&W" head stamps

No other ammunition, magazines, or firearms were observed in the Ford Explorer.

Evidence and observations related to the Corvette

Item 10 is a Ruger model Redhawk revolver that was recovered from the gap between the driver's seat and center console of the Corvette. The revolver was marked with serial number [REDACTED] and was chambered for the 44 Remington Magnum cartridge. Item 10 was readily visible from the open car door at the scene and was collected prior to transport of the Corvette from the scene on July 15, 2017. The revolver had expended cartridge cases in the first two chambers and intact cartridges in the remaining four chambers of the cylinder. The revolver's hammer was down on the expended cartridge case in the second chamber.

Items 13 through 16 each consist of expended bullets or bullet fragments recovered from the windshield and driver's seat area of the Corvette prior to transport of the Corvette from the scene on July 15, 2017. These items were collected to prevent possible loss during transport from the scene.

On July 19, 2017, I processed the Corvette at a prearranged time at Humboldt Towing in Eureka, California. I was assisted by Criminalist [REDACTED]. Investigator Mark Peterson was present throughout. Intact tape seals were present on both doors and the hatchback.

Items 22 through 28, 31, 32, and 34 each consist of expended bullets or bullet fragments recovered from various locations inside the Corvette.

Item 29 is a yellow wildland firefighting style backpack that was found among miscellaneous items in the rear of the Corvette. The following intact ammunition and components were recovered from the bag as item 29a:

- Seventeen intact 44 Remington Magnum cartridges
- One box "REMINGTON" "338 WIN MAG" ammunition containing five intact cartridges and nine cartridge cases
- One box "FEDERAL AMMUNITION" "30-30 WIN." ammunition containing twenty intact cartridges
- One box "Hornady" 204 Ruger ammunition containing seven intact cartridges and ten expended cartridge cases
- One box of "BLAZER AMMUNITION" containing thirteen intact 44 Remington Magnum cartridges
- Thirteen 44 Remington Magnum cartridge cases
- Five intact 44 Remington Magnum shot-shells
- Fifteen intact 12 gauge shotgun shells

Item 30 is a Winchester model 94 lever-action rifle that was found under miscellaneous items in the rear of the Corvette during vehicle processing on July 19, 2017. The rifle was marked with serial number [REDACTED], was chambered for the 30-30 cartridge, had an empty chamber, and two intact cartridges were removed from its magazine and retained as item 30a.

The following loose intact ammunition and components were recovered from the rear trunk area of the Corvette as item 33:

- One intact 22 Magnum cartridge
- One intact 204 Ruger cartridge
- One box of "BARNES VORTEX" "338 WIN MAG" ammunition containing fourteen intact cartridges and two cartridge cases
- Two 338 Winchester Magnum cartridge cases
- Two 240 Weatherby Magnum cartridge cases
- One 44 Remington Magnum cartridge case

The following intact ammunition and components were recovered from the front passenger seat area of the Corvette as item 35:

- One intact 40 Smith and Wesson cartridge
- One 44 Remington Magnum cartridge case

Item 36 consists of two swabs of apparent blood stains collected from the center console of the Corvette. Item 39 is a corresponding water blank swab.

The following loose intact ammunition and components were recovered from the center console of the Corvette as item 37:

- One intact 410 gauge shell
- Sixteen intact 22 Magnum cartridges
- Eleven intact 5.56 NATO cartridge
- 2 intact 30-30 Winchester cartridges
- 1 expended 30-30 Winchester cartridge case
- Five expended 44 Remington Magnum cartridge cases

Item 38 is a green-laser pointer collected from the space between the driver's seat and door. The three lenses in item 4 appear to be made for item 38.

Bullet damage to Corvette exterior

Seventeen identifiable bullet strikes were visible to the Corvette's exterior; grazing damage from a possible eighteenth bullet was observed on the driver's door. The identified bullet strikes were observed in the following locations:

- Two to the front left (driver's side) tire, facing the Ford Explorer
- Three to the front left quarter panel
- One to the left-hand side of the hood
- Eleven penetrated the windshield (a twelfth windshield strike was identified as a non-penetrating ricochet from the hood)

One of the three bullet strikes to the left front quarter panel penetrated the panel and struck the interior leading edge of the driver's door. Based on the locations of the bullet damage in the quarter panel and driver's door, the driver's door was in the closed position when the bullet damage occurred.

The driver's seat was struck seven times by bullets or bullet fragments and the seat belt near the driver's left shoulder seat back showed fraying damage that may have been caused by bullets or bullet fragments. The seven observed strikes to the seat may be the result of fewer than seven shots, since bullet fragmentation was observed in most of the bullets recovered from the vehicle

EVIDENCE

I collected the following evidence at the scene on July 15, 2017:

- Item 1: Expended 223 Remington cartridge case
- Item 2: Expended 223 Remington cartridge case
- Item 3: Shirt
- Item 4: Digital watch, disposable lighter, three laser lenses
- Item 5: Bullet
- Item 6: Two swabs of apparent blood from roadway
- Item 7: Two swabs of apparent blood from roadway
- Item 8: Glass from roadway below passenger door of HCSO Ford Explorer
- Item 9: Reference glass from passenger door of HCSO Ford Explorer
- Item 10: Ruger model Redhawk revolver, serial number [REDACTED]
- Item 11: Smith and Wesson model M&P-15 rifle, soft rifle case, and sealed box of cartridges
- Item 11a: Seven loaded rifle magazines
- Item 12: Miscellaneous expended cartridge cases
- Item 13: Bullet jacket
- Item 14: Bullet core
- Item 15: Bullet jacket
- Item 16: Bullet
- Item 17: Bullet jacket fragments
- Item D1: Expended cartridge case
- Item D2: Expended cartridge case
- Item D3: Expended cartridge case
- Item D4: Expended cartridge case
- Item D5: Expended cartridge case
- Item P1: Empty Glock pistol magazine
- Item P2: Expended cartridge case
- Item P3: Expended cartridge case
- Item P4: Expended cartridge case
- Item P5: Expended cartridge case
- Item P6: Expended cartridge case
- Item P7: Expended cartridge case
- Item P8: Expended cartridge case
- Item P9: Expended cartridge case
- Item P10: Expended cartridge case
- Item P11: Expended cartridge case
- Item P12: Expended cartridge case
- Item P13: Expended cartridge case
- Item P14: Expended cartridge case
- Item P15: Expended cartridge case

EVIDENCE (continued)

I collected the following evidence during vehicle processing on July 19, 2017:

- Item 20: Training log, Cumbow
- Item 21: Expended cartridge case from Soeth's bag
- Item 22: Bullet fragments from dashboard of Corvette
- Item 23: Bullet core from dashboard of Corvette
- Item 24: Bullet core that fell out of blanket from Corvette
- Item 25: Expended bullets and bullet fragments from driver's seat area of Corvette
- Item 26: Bullet jacket from passenger seat of Corvette
- Item 27: Bullet from behind driver's seat of Corvette
- Item 28: Bullet from behind driver's seat of Corvette
- Item 29: Yellow backpack from rear of Corvette
- Item 29a: Ammunition removed from the item 29 backpack
- Item 30: Winchester model 94 rifle, serial number [REDACTED]
- Item 30a: Two intact cartridges removed from the item 30 rifle
- Item 31: Bullet fragments from behind driver's seat of Corvette
- Item 32: Bullet core from behind passenger seat of Corvette
- Item 33: Miscellaneous ammunition and cartridge cases from rear of Corvette
- Item 34: Bullet jacket from rear of Corvette
- Item 35: Cartridge case in front of and intact cartridge behind Corvette passenger seat
- Item 36: Two swabs of apparent blood from Corvette center console
- Item 37: Cartridge cases and intact cartridges from Corvette center console
- Item 38: Green laser pointer from Corvette
- Item 39: One water blank swab

I generated the following evidence at the Eureka Laboratory on July 18, 2017:

- Item DOJ1: One CD with 303 photographs of scene and evidence items

I generated the following evidence at the Eureka Laboratory on August 22, 2017:

- Item DOJ2: One DVD with photographs of scene and vehicle processing

DISPOSITION

Items 11 and 11a were examined and the evidence transferred to the HCSO; see report EU-17-000797-0002. Item 20 was released to DA Investigator G. Cooper on July 25, 2017. Items DOJ1 and DOJ2 were transferred to representatives of the HCSO on July 18 and August 22 of 2017, respectively. The remaining items will be retained pending analysis or return to the HCSO.

Date of Report: September 12, 2017

EXAMINED

[REDACTED]

Senior Criminalist

Technical review by:

[REDACTED]

Date:

9/14/17

Administrative review by:

Date:

9/14/17

EVIDENCE TRANSFER RECEIPT

EUKB84ZT0TPSM0

EVIDENCE TRANSFER TRANSACTION

| | |
|---|---|
| Evidence Relinquished By: [REDACTED] | Agency: EU PIN Entered [X] |
| Evidence Received By: Peterson, Mark | Agency: SOHUEU PIN Entered [X] |
| VIA: Note: | |
| Date & Time: 8/22/17 13:51:16 Hours | |
| Operator: [REDACTED] | |

LABORATORY CASE INFORMATION

| <u>Lab Case #</u> | <u>Lab Evid #</u> | <u>Evid Description</u> |
|-------------------|-------------------|---|
| EU-17-000797 | DOJ2 | One DVD with photos of scene and vehicle processing |

SIGNATURES

| | |
|---|---------------------------------------|
| Evidence Relinquished By: _____ | Evidence Received By: _____ |
|---|---------------------------------------|

County of Humboldt
Office of the District Attorney
INVESTIGATIVE REPORT

| | | |
|------------------------|--------------------|---------------------|
| NAME | DATE | CASE NUMBER |
| [REDACTED] | 07-15-2017 | DA17-212 |
| CROSS REFERENCE AGENCY | AGENCY CASE NUMBER | SUPPLEMENTAL NUMBER |
| HCSO 201703390 | | 1 |

| CHARGES | CODE SECTION | DESCRIPTION |
|-------------|--------------|--|
| TYPE | | |
| PC 25850(a) | | Carrying a loaded firearm in a vehicle in a Public place |

| NAME | DATE OF BIRTH | ADDRESS | PHONE |
|---------------------|---------------|---------|-------|
| [REDACTED] | | | |
| State of California | | | |

| WITNESS | NAME | DATE OF BIRTH | ADDRESS | PHONE |
|---------|------|---------------|---------|-------|
| | | | | |

| NAME | DATE OF BIRTH | ADDRESS | PHONE |
|------------|---------------|-------------------------|------------|
| [REDACTED] | [REDACTED] | [REDACTED] Weitchpec Ca | [REDACTED] |

NARRATIVE

On 07-14-2017 at approximately 2300 hours I received a phone call from Chief Investigator Wayne Cox. He told me there had been an officer involved shooting on the Martin's Ferry Bridge in the Hoopa area . Chief Investigator Cox advised me there would be a briefing at the Sheriff's Department Detective Bureau. I told him I would respond and I met with other investigators at the Sheriff's Department.

When I arrived at the Sheriff's Department, Humboldt County Sheriff's Department Detective Sergeant Freese asked me if I would go with Detective Losey from Arcata Police Department to St Joseph Hospital and interview the [REDACTED] in this case [REDACTED]

Detective Losey and I arrived at St Joseph Hospital and met with [REDACTED] who was in an examination room being treated by hospital staff. We identified ourselves to [REDACTED] and advised him of why we were at the hospital to talk with him. When I first found him in the exam room he was still in handcuffs. I used my department issued Miranda card and Mirandized him. I asked him if he understood his rights and he said, "yes Sir". I asked him if he was willing to talk to me and he said, "ya".

I asked [REDACTED] to tell me what happened tonight. He started out by saying he would start from the beginning. He said he is at the Martin's Ferry Bridge from dusk till dawn every night. He said he watches the job site there because "shit has been getting stolen".

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| | <input type="checkbox"/> Probation | <input type="checkbox"/> Parole | <input type="checkbox"/> Other: | | | 1 of 1 |
| INVESTIGATOR | ID | DATE | APPROVED BY | DATE | | |
| Gary Cooper | 7K12 | 07-18-2017 | <i>[Signature]</i> | 7/20/17 | | |

County of Humboldt
Office of the District Attorney
INVESTIGATIVE REPORT

| | | | |
|-------|-----------------------------|--------------------|---------------------|
| | DEFENDANT / [REDACTED] NAME | DATE | CASE NUMBER |
| | [REDACTED] [REDACTED] | 07-15-2017 | DA17-212 |
| CRIME | CROSS REFERENCE AGENCY | AGENCY CASE NUMBER | SUPPLEMENTAL NUMBER |
| | HCSO 201703390 | | 1 |

He said, "They came rolling down the bridge, pulled right up on me and shined their lights right on me". There weren't any identification lights. I had no clue they were cops. It was just headlights and their floodlights right on me. I thought it was my cousin, "fucking with me". He would pull up and do that sometimes. I just pointed at them. I watched [REDACTED] making a motion with his finger similar to a gun pointing. He said for no reason it was like, "boom, boom, boom. He said he lay down and prayed. He said, "they" didn't say anything nothing at all.

It was at this point we were interrupted by a hospital staff member. After asking [REDACTED] a few questions the staff member left and we resumed talking.

I asked [REDACTED] where he was parked. He said on the Martin's Ferry Bridge. Towards the Tulley Creek side which is located on the south side of the bridge. . He said he was sitting in his car so he could see both job sites. He reiterated how "they" just pulled up on him so he pointed his gun at them thinking it was his cousin coming to "screw with him". That's when he heard gun and boom, boom, boom, boom, boom, boom and "they" just opened up on him. I asked [REDACTED] what happened after the shots were fired. He said he started yelling don't shoot, don't shoot. It was at this point a lab tech came and with drew blood from [REDACTED] After the lab tech left we continued our conversation.

I asked [REDACTED] if his cousin has come to the location of this incident and messed with him in the past. [REDACTED] said he has. I asked [REDACTED] later in the conversation if he has pointed his gun at his cousin when he came to screw with him and he said he has.

After the shots were fired [REDACTED] said he lay down in the passenger seat and put his hands in the air and said repeatedly, "don't" shoot, don't shoot". He said someone started yelling at him to get out of the car so he slid out of the car onto the ground. He continued to follow the verbal commands and was ultimately arrested.

I asked [REDACTED] where the gun had been prior to the shooting. He said it was on the back deck of his car. The car does not have a back seat just a back deck. I asked him what kind of gun he had. He said it was a 44. I asked him if it was loaded and he said it was. I asked him if he had any other guns and he said a 30/30 rifle that was in the back area of the car. I asked him if he meant the trunk area and he said, "ya".

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| | <input type="checkbox"/> Probation | <input type="checkbox"/> Parole | <input type="checkbox"/> Other: | | | 2 of 1 |
| INVESTIGATOR | ID | DATE | APPROVED BY | DATE | | |
| Gary Cooper | 7K12 | 07-18-2017 | | | | |

County of Humboldt
Office of the District Attorney
INVESTIGATIVE REPORT

| | | |
|----------------------|------------------------|---------------------|
| ██████ / ██████ NAME | DATE | CASE NUMBER |
| ██████ ██████ | 07-15-2017 | DA17-212 |
| CRIME | CROSS REFERENCE AGENCY | AGENCY CASE NUMBER |
| | HCSO 201703390 | SUPPLEMENTAL NUMBER |
| | | 1 |

I asked him if the gun was registered to him and he said no. I asked him if he knew who it was registered to and he said he had no idea. I asked him where he obtained the gun and he said from a cousin. It was during this time another hospital staff member came into the room and started talking with Detective Losey. While this was happening I continued talking with ██████ I asked him if he was always armed while doing this job and he said yes. He said there were a lot of "crazy people" that lived in the area and he had the gun for his own protection.

Detective Losey asked ██████ how many rounds the gun held and ██████ said six rounds. Detective Losey asked if the gun was fully loaded. ██████ said there was one cartridge that had been fired. I asked ██████ if he had fired any rounds this evening and he said no. It was during this period a hospital staff member came in and started talking with Detective Losey and me.

Detective Losey asked ██████ when the shooting started what he did with his gun. He said he just dropped it. Detective Losey asked ██████ how long he has been working at this job site and he said a couple months.

██████ received two minor wounds during this incident. A minor flesh wound to the back of his left shoulder and a minor wound to his left jaw line area. I photographed ██████ injuries. I printed the photographs out and attached them to this report.

Both Detective Losey and I recorded this conversation. When I checked my recorder I found my recorder had malfunctioned. I contacted Detective Losey and he said his recorder had worked properly. I obtained his recorder and made a copy of the conversation from his recorder.

Disposition: Attach to case file/copy to Discovery

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|--------------|--|---------------------------------|---------------------------------|------------------------------|------------------------------|--------|
| COPIES TO: | <input checked="" type="checkbox"/> DA | <input type="checkbox"/> HCSO | <input type="checkbox"/> FPD | <input type="checkbox"/> EPD | <input type="checkbox"/> CHP | PAGE |
| | <input type="checkbox"/> Probation | <input type="checkbox"/> Parole | <input type="checkbox"/> Other: | | | 3 of 1 |
| INVESTIGATOR | ID | DATE | APPROVED BY | DATE | | |
| Gary Cooper | 7K12 | 07-18-2017 | | | | |

Peterson, Mark

From: [REDACTED]
Sent: Saturday, July 15, 2017 4:45 PM
To: Freese, Diana; Peterson, Mark; Hicks, Scott
Subject: DR# 3390

I made discs of the radio traffic from the shooting on Martin's Ferry Bridge and left them on your doors.

[REDACTED]
*Senior Emergency Communications Dispatcher
Humboldt County Sheriff's Office
707-445-7251*

Sgt. Tribal
2215 Mabry on scene.

2230 HRS Soeth out

2230 - CHP on scene.
combs.

2231 - medical on
scene.

Paramedic - [REDACTED]

EMT - [REDACTED]

2245 - Medical Left

no transport.

2245 Melendy on scene

2330 - Soeth, ~~Soeth~~ Cumber, Melendy
in crime scene.

2330 Morris on scene

west side of bridge

2336 - Soethy mills out.

2340 Sgt. Musson on
scene

2345- Det. Peterson
on scene.

out 2345 hrs
DHS melody clear @ 0015
with 10-15

Smith, Matilton 0055
Quintan left at 7
Morris left @ 0059
Lt Young arrived 0105 hrs
Yanez 2500 @ 0118 hrs

DOS arrived
@ 0143 hrs

CHP Combs left @ 0212
Moapa Tribal Yanez
left @ 0212 hrs
Det Hicks arrived
@ 0210 hrs
Hicks & Young departed
@ 0215

REQUESTING AGENCY CASE NO.
201703390

CALIFORNIA DEPARTMENT OF JUSTICE
BUREAU OF FORENSIC SERVICES
EUREKA REGIONAL CRIMINALISTICS LABORATORY
1011 West Wabash Ave. Eureka, CA 95501-2121
Phone No. (707) 445-6682 FAX No. (707) 445-6688

BFS CASE NUMBER
EU-17-000797-0001

ATTN: Mark Peterson
Humboldt County Sheriff's Office
826 Fourth Street
Eureka, CA 95501

COPIES: Gary Cooper,
Humboldt County District Attorney's Office

FIELD INVESTIGATION REPORT

██████████ ██████████ OFFENSE: OFFICER INVOLVED SHOOTING

DEPUTIES: NATHAN CUMBOW, TISMIL MATILTON, MAX SOETH

OFFENSE DATE: JULY 14, 2017

| |
|--|
| <p><i>I, the undersigned, declare under penalty of perjury: (1) I am employed by the State of California, Department of Justice (DOJ), Bureau of Forensic Services; (2) I conducted an examination of the material described below in the ordinary course of my work as a qualified examiner, according to approved laboratory procedures that include creation of contemporaneous documentation and the technical review of my work; (3) The observable data is set forth in the associated laboratory case record; (4) Any opinions, interpretations, or conclusions in this report are based upon data in the associated laboratory case record and findings listed below.</i></p> <p><i>Note: This laboratory report has been prepared and retained by DOJ in the normal course of business according to DOJ's regular practices and procedures.</i></p> |
|--|

BACKGROUND

On July 14, 2017, at 2157 hours, Deputies with the Humboldt County Sheriff's Office (HCSO) were on patrol in the area of Highway 169 north of Weitchpec. The deputies observed a suspicious vehicle in the roadway on Martins Ferry Bridge. The Deputies contacted the sole occupant driver of the vehicle and during the course of that contact an officer involved shooting occurred, wounding the driver. The driver was removed from the vehicle and transported to hospital for medical evaluation.

FIELD ACTIVITIES

I was advised of the scene response request by Assistant Laboratory Director ██████████ at approximately 2235 hours on July 14, 2017. I responded with Criminalist ██████████ to the Humboldt County Sheriff's office and attended a briefing at approximately 2345 hours. We departed from the Sheriff's office just after midnight and arrived at the Martins Ferry Bridge at approximately 0140 hours on July 15, 2017.

The scene was located on the Martins Ferry Bridge, approximately one-third of the way across the bridge from the west end. Access was restricted by marked HCSO patrol vehicles stopped at either end of the bridge. A marked HCSO Ford Explorer and the ██████████ GM Corvette were facing each other from approximately 15 feet apart. A marked HCSO Ford Expedition was stopped approximately 60 feet behind the Explorer and facing both vehicles.

The Ford Expedition was marked with HCSO vehicle number 08344 and had California exempt license plates ██████████ All four doors, all windows, and the hatchback were closed. The vehicle's headlights, spotlights, and emergency lights were off. This was reportedly the second HCSO vehicle on scene and was driven by Deputy Matilton.

The Ford Explorer was marked with HCSO vehicle number 07179 and had California exempt license plates [REDACTED]. Both front doors were opened and their windows were in the closed position; however, the passenger side window was broken. The rear doors, the hatchback, and the remaining windows were in the closed position. The vehicle's headlights and spotlights were on and directed towards the Corvette; the emergency lights were off. This was reportedly the first HCSO vehicle on scene and was driven by Deputy Cumbow, with Deputy Soeth in the front passenger seat.

The Corvette was a [REDACTED] model with California license plate [REDACTED]. [REDACTED] was reportedly seated in the driver's seat of the Corvette at the time of the shooting. The hatchback, passenger door, and passenger door window were closed. The driver's side door and driver's-side window were open. The vehicle was not running. The passenger-side headlight was in the off or closed position and the driver-side headlight was retracted and missing its cover. The driver's side front tire was flat.

The scene was documented and select evidence items were collected. A limited examination of the Ford Expedition, consisting of taking photographs and conducting an inventory of firearms and ammunition, was conducted at the scene. Examination of the suspect vehicle at the scene was limited to securing a revolver from the front seat of the vehicle and loose bullets/bullet fragments from the driver's seat area. The scene was also documented with a Leica scanning station operated by the HCSO. The Corvette and the Ford Explorer were towed from the scene on the morning of July 15, 2017, for further examination at a later date.

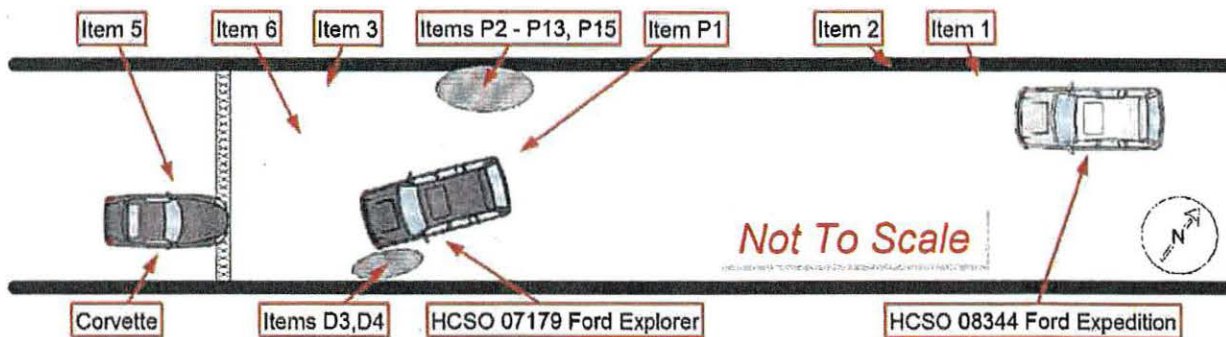


Figure 1- Diagram showing relative positions of vehicles and select evidence items

On July 19, 2017, I processed the Ford Explorer and the Corvette at a prearranged time at Humboldt Towing in Eureka, California. I was assisted by Criminalist [REDACTED]. Investigator Mark Peterson was present throughout.

Evidence collected from the roadway on the Martins Ferry Bridge

Items 1 and 2 are each expended cartridge cases with "WINCHESTER" "223 REM" head stamps. The cartridge cases were collected based on their proximity to the Ford Expedition and knowledge that rifles chambered for the 5.56 NATO cartridge are used by HCSO deputies. Firearms chambered for the 5.56 NATO cartridge can safely fire 223 Remington cartridges. Both items appeared to be weathered and damaged from exposure on the bridge; neither item had a head stamp marking that matched any observed from either of the HCSO vehicles on the bridge. Item 12 is an expended cartridge case with a "WINCHESTER" "223 REM" head stamp and several other cartridge cases of varying calibers collected from the same immediate area. The item 12 cartridge cases were collected from the edge of the bridge behind the Ford Expedition as an example of the variety of expended cartridge cases observed at various locations along the bridge. Based on the weathered appearance of the cartridge cases and differences in their head stamps, the cartridge cases in items 1, 2, and 12 appear to be unrelated to the shooting under investigation because they predate the event and are inconsistent with the 223 Remington ammunition carried by the HCSO deputies.

The Corvette was stopped facing east with its front bumper directly above a steel expansion joint in the bridge. Item 3 is a blue t-shirt recovered from the roadway between the Explorer and the Corvette, near the bridge's north side barrier wall. Item 4 is a digital watch with no band, a disposable lighter, and three laser pointer lenses recovered from the roadway between the Explorer and the Corvette. Items 6 and 7 are swabs of representative apparent bloodstains from an apparent blood trail that began at the driver's door of the Corvette and ended approximately midway between the Explorer and the Corvette. Item 5 is an expended bullet recovered from the roadway below the Corvette's open driver's door.

Broken safety glass was found on the roadway below the open front passenger door of the Ford Explorer. The location and type of glass indicate that the front passenger door was in the open position when the window was broken. Samples of glass were collected from the broken window (item 9) and from the ground below the passenger door (item 8).

Evidence items found on the driver's side and on top of the Ford Explorer were given a "D" prefix. Evidence items found on the passenger side and underneath were given a "P" prefix.

Items D1 through D5 were each identified as expended cartridge cases with "R-P" "40 S&W" head stamps. Items D1 and D2 are cartridge cases recovered from the roof of the Ford Explorer and item D5 is a cartridge case recovered from the windshield of the Ford Explorer. Items D3 and D4 are expended cartridge cases recovered from the roadway near the driver's side front-end of the Ford Explorer.

Item P1 is an empty Glock pistol magazine recovered from the ground adjacent to the passenger side rear end of the Ford Explorer. Items P2 through P15 are each expended cartridge cases with "R-P" "40 S&W" head stamps. Items P2 through P13 were recovered from the roadway along the barrier wall opposite the rear passenger side of the Ford Explorer. Item P14 was recovered from the roadway below the passenger side of the Ford Explorer. Item P15 was recovered from the top outside edge of the barrier wall above the clustered P2 through P13 cartridge cases.

Based on the locations of the cartridge cases recovered at the scene, it is possible that additional expended cartridge cases were lost over the side of the bridge.

Evidence and observations related to the Ford Expedition

The interior of the vehicle was clean and organized. A locked gun rack between the front seats contained a Remington model 870 Wingmaster shotgun next to the driver's seat and a Colt model M16A1 rifle next to the passenger seat. The firearms are further described below:

- Remington model 870 Wingmaster shotgun, serial number [REDACTED] chambered for 12 gauge shells
 - Chamber empty
 - Four shells in magazine
- Colt model M16A1 rifle, serial number [REDACTED] chambered for the 5.56 NATO cartridge
 - Chamber empty
 - Twenty-round capacity magazine containing twenty cartridges, each with Federal Premium Ammunition "FC" "223 Remington" head stamps

The following items were found in the driver's door pocket of the Ford Expedition:

- Twenty-round capacity AR15 platform rifle magazine containing twenty-one cartridges, each with Federal Premium Ammunition "FC" "223 Remington" head stamps
- Thirty-round capacity AR15 platform rifle magazine containing twenty-nine cartridges, each with Federal Premium Ammunition "FC" "223 Remington" head stamps
- Thirty-round capacity AR15 platform rifle magazine containing thirty-one cartridges, each with Federal Premium Ammunition "FC" "223 Remington" head stamps

A barrier was installed between the back seat and rear compartment of the Ford Expedition; the only access to the rear of the vehicle was through the hatchback door. The rear of the vehicle contained a plastic tote and a black duffel bag. Ammunition found in the rear of Ford Expedition consisted of the following:

- The tote contained
 - Three sealed boxes of American Eagle (Federal Premium Ammunition) AR 223 ammunition
 - A jacket that contained ten JHP cartridges, each with a "WIN" "40 S&W" head stamp
- The duffel bag contained
 - One full box of Remington Golden Saber ammunition containing fifty cartridges, each with Remington "RP" "40 S&W" head stamps

No other ammunition, magazines, or firearms were observed in the Ford Expedition. The vehicle and its contents, including firearms and ammunition, were released to the HCSO at the scene. The Colt M16A1 rifle was subsequently submitted to the laboratory for examination on August 15, 2017; see report EU-17-000797-0006.

Evidence and observations related to the Ford Explorer

A barrier was installed between the back seat and rear compartment of the Ford Explorer; the only access to the rear of the vehicle was through the hatchback door. A cell phone from the front passenger door pocket and a lunch bag and two jackets from the rear compartment were released to the HCSO at the scene after confirming that no firearms or ammunition were present in any of the items. Item 11, a Smith and Wesson model M&P-15 rifle, rifle case, and sealed box of cartridges was collected from the rear compartment of the Ford Explorer at the scene. The item 11 rifle was marked with serial number SY40101. Item 11a consisted of seven loaded rifle magazines that were removed from the item 11 rifle case prior to transport from the scene. See report EU-17-000797-0002 for examination of items 11 and 11a. No other firearms were observed in the vehicle; a locking gun rack between the front seats was empty. The Ford Explorer was transported from the scene for further examination at a later date.

On July 19, 2017, I processed the Ford Explorer at a prearranged time at Humboldt Towing in Eureka, California. I was assisted by Criminalist [REDACTED]. Investigator Mark Peterson was present throughout. Intact tape seals were present on all four doors and the hatchback.

Bullet damage was limited to the front passenger door of the Ford Explorer. One bullet entered the door from the inside, approximately ten inches to the right of the interior door handle. The bullet did not exit the door but left a raised dent on the door's exterior surface; the door was not disassembled to collect the bullet. A second bullet strike, approximately seven inches above the first, was observed at the top edge of the door panel and base of the window. The second bullet strike showed directionality from inside to out, or from the rear of the vehicle towards the front if the door was open. Glass fragments in the passenger door window frame and glass on the roadway observed during processing at the scene on the Martin's Ferry Bridge indicate that the door was open and the window was closed when it was broken. Therefore, the position of the shooter at the time the passenger door was damaged is behind the open door along the passenger side of the vehicle. No other apparent bullet damage was observed to the interior or exterior of the Ford Explorer.

No expended cartridge cases, intact ammunition, or firearms were observed in the front seat area of the Ford Explorer. A training log for Deputy Cumbow was collected as item 20 from between the front seats.

The remaining items in the rear of the Ford Explorer were removed and examined. A single expended cartridge case was collected as item 21 from Deputy Soeth's patrol bag. A tan backpack from the rear of the vehicle contained the following ammunition:

- Two 12 gauge shotgun slug shells
- Thirty-round capacity AR15 platform rifle magazine containing twenty-nine cartridges, each with Winchester Cartridge Company "WCC" "08" head stamps
- Thirty-round capacity AR15 platform rifle magazine containing twenty-seven cartridges, and one loose cartridge, each with Turkish "MKE" "14" head stamps
- One full box of five and partial box of three Federal 12 gauge 00 buckshot shells
- One partial box of Remington 38 Special semi-jacketed hollow point ammunition containing seven cartridges
- One partial box of Winchester 40 Smith and Wesson ammunition containing forty-one cartridges, each with "WIN" "40 S&W" head stamps
- Two Glock pistol magazines, each containing fifteen cartridges with Federal "FEDERAL" "40 S&W" head stamps

No other ammunition, magazines, or firearms were observed in the Ford Explorer.

Evidence and observations related to the Corvette

Item 10 is a Ruger model Redhawk revolver that was recovered from the gap between the driver's seat and center console of the Corvette. The revolver was marked with serial number [REDACTED] and was chambered for the 44 Remington Magnum cartridge. Item 10 was readily visible from the open car door at the scene and was collected prior to transport of the Corvette from the scene on July 15, 2017. The revolver had expended cartridge cases in the first two chambers and intact cartridges in the remaining four chambers of the cylinder. The revolver's hammer was down on the expended cartridge case in the second chamber.

Items 13 through 16 each consist of expended bullets or bullet fragments recovered from the windshield and driver's seat area of the Corvette prior to transport of the Corvette from the scene on July 15, 2017. These items were collected to prevent possible loss during transport from the scene.

On July 19, 2017, I processed the Corvette at a prearranged time at Humboldt Towing in Eureka, California. I was assisted by Criminalist [REDACTED]. Investigator Mark Peterson was present throughout. Intact tape seals were present on both doors and the hatchback.

Items 22 through 28, 31, 32, and 34 each consist of expended bullets or bullet fragments recovered from various locations inside the Corvette.

Item 29 is a yellow wildland firefighting style backpack that was found among miscellaneous items in the rear of the Corvette. The following intact ammunition and components were recovered from the bag as item 29a:

- Seventeen intact 44 Remington Magnum cartridges
- One box "REMINGTON" "338 WIN MAG" ammunition containing five intact cartridges and nine cartridge cases
- One box "FEDERAL AMMUNITION" "30-30 WIN." ammunition containing twenty intact cartridges
- One box "Hornady" 204 Ruger ammunition containing seven intact cartridges and ten expended cartridge cases
- One box of "BLAZER AMMUNITION" containing thirteen intact 44 Remington Magnum cartridges
- Thirteen 44 Remington Magnum cartridge cases
- Five intact 44 Remington Magnum shot-shells
- Fifteen intact 12 gauge shotgun shells

Item 30 is a Winchester model 94 lever-action rifle that was found under miscellaneous items in the rear of the Corvette during vehicle processing on July 19, 2017. The rifle was marked with serial number 3549236, was chambered for the 30-30 cartridge, had an empty chamber, and two intact cartridges were removed from its magazine and retained as item 30a.

The following loose intact ammunition and components were recovered from the rear trunk area of the Corvette as item 33:

- One intact 22 Magnum cartridge
- One intact 204 Ruger cartridge
- One box of "BARNES VORTEX" "338 WIN MAG" ammunition containing fourteen intact cartridges and two cartridge cases
- Two 338 Winchester Magnum cartridge cases
- Two 240 Weatherby Magnum cartridge cases
- One 44 Remington Magnum cartridge case

The following intact ammunition and components were recovered from the front passenger seat area of the Corvette as item 35:

- One intact 40 Smith and Wesson cartridge
- One 44 Remington Magnum cartridge case

Item 36 consists of two swabs of apparent blood stains collected from the center console of the Corvette. Item 39 is a corresponding water blank swab.

The following loose intact ammunition and components were recovered from the center console of the Corvette as item 37:

- One intact 410 gauge shell
- Sixteen intact 22 Magnum cartridges
- Eleven intact 5.56 NATO cartridge
- 2 intact 30-30 Winchester cartridges
- 1 expended 30-30 Winchester cartridge case
- Five expended 44 Remington Magnum cartridge cases

Item 38 is a green-laser pointer collected from the space between the driver's seat and door. The three lenses in item 4 appear to be made for item 38.

Bullet damage to Corvette exterior

Seventeen identifiable bullet strikes were visible to the Corvette's exterior; grazing damage from a possible eighteenth bullet was observed on the driver's door. The identified bullet strikes were observed in the following locations:

- Two to the front left (driver's side) tire, facing the Ford Explorer
- Three to the front left quarter panel
- One to the left-hand side of the hood
- Eleven penetrated the windshield (a twelfth windshield strike was identified as a non-penetrating ricochet from the hood)

One of the three bullet strikes to the left front quarter panel penetrated the panel and struck the interior leading edge of the driver's door. Based on the locations of the bullet damage in the quarter panel and driver's door, the driver's door was in the closed position when the bullet damage occurred.

The driver's seat was struck seven times by bullets or bullet fragments and the seat belt near the driver's left shoulder seat back showed fraying damage that may have been caused by bullets or bullet fragments. The seven observed strikes to the seat may be the result of fewer than seven shots, since bullet fragmentation was observed in most of the bullets recovered from the vehicle

EVIDENCE

I collected the following evidence at the scene on July 15, 2017:

- Item 1: Expended 223 Remington cartridge case
- Item 2: Expended 223 Remington cartridge case
- Item 3: Shirt
- Item 4: Digital watch, disposable lighter, three laser lenses
- Item 5: Bullet
- Item 6: Two swabs of apparent blood from roadway
- Item 7: Two swabs of apparent blood from roadway
- Item 8: Glass from roadway below passenger door of HCSO Ford Explorer
- Item 9: Reference glass from passenger door of HCSO Ford Explorer
- Item 10: Ruger model Redhawk revolver, serial number [REDACTED]
- Item 11: Smith and Wesson model M&P-15 rifle, soft rifle case, and sealed box of cartridges
- Item 11a: Seven loaded rifle magazines
- Item 12: Miscellaneous expended cartridge cases
- Item 13: Bullet jacket
- Item 14: Bullet core
- Item 15: Bullet jacket
- Item 16: Bullet
- Item 17: Bullet jacket fragments
- Item D1: Expended cartridge case
- Item D2: Expended cartridge case
- Item D3: Expended cartridge case
- Item D4: Expended cartridge case
- Item D5: Expended cartridge case
- Item P1: Empty Glock pistol magazine
- Item P2: Expended cartridge case
- Item P3: Expended cartridge case
- Item P4: Expended cartridge case
- Item P5: Expended cartridge case
- Item P6: Expended cartridge case
- Item P7: Expended cartridge case
- Item P8: Expended cartridge case
- Item P9: Expended cartridge case
- Item P10: Expended cartridge case
- Item P11: Expended cartridge case
- Item P12: Expended cartridge case
- Item P13: Expended cartridge case
- Item P14: Expended cartridge case
- Item P15: Expended cartridge case

EVIDENCE (continued)

I collected the following evidence during vehicle processing on July 19, 2017:

- Item 20: Training log, Cumbow
- Item 21: Expended cartridge case from Soeth's bag
- Item 22: Bullet fragments from dashboard of Corvette
- Item 23: Bullet core from dashboard of Corvette
- Item 24: Bullet core that fell out of blanket from Corvette
- Item 25: Expended bullets and bullet fragments from driver's seat area of Corvette
- Item 26: Bullet jacket from passenger seat of Corvette
- Item 27: Bullet from behind driver's seat of Corvette
- Item 28: Bullet from behind driver's seat of Corvette
- Item 29: Yellow backpack from rear of Corvette
- Item 29a: Ammunition removed from the item 29 backpack
- Item 30: Winchester model 94 rifle, serial number 3549236
- Item 30a: Two intact cartridges removed from the item 30 rifle
- Item 31: Bullet fragments from behind driver's seat of Corvette
- Item 32: Bullet core from behind passenger seat of Corvette
- Item 33: Miscellaneous ammunition and cartridge cases from rear of Corvette
- Item 34: Bullet jacket from rear of Corvette
- Item 35: Cartridge case in front of and intact cartridge behind Corvette passenger seat
- Item 36: Two swabs of apparent blood from Corvette center console
- Item 37: Cartridge cases and intact cartridges from Corvette center console
- Item 38: Green laser pointer from Corvette
- Item 39: One water blank swab

I generated the following evidence at the Eureka Laboratory on July 18, 2017:

- Item DOJ1: One CD with 303 photographs of scene and evidence items

I generated the following evidence at the Eureka Laboratory on August 22, 2017:

- Item DOJ2: One DVD with photographs of scene and vehicle processing

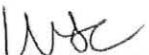
DISPOSITION

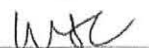
Items 11 and 11a were examined and the evidence transferred to the HCSO; see report EU-17-000797-0002. Item 20 was released to DA Investigator G. Cooper on July 25, 2017. Items DOJ1 and DOJ2 were transferred to representatives of the HCSO on July 18 and August 22 of 2017, respectively. The remaining items will be retained pending analysis or return to the HCSO.

EXAMINED BY: 

Date of Report: September 12, 2017

DALE CLOUTIER
Senior Criminalist

Technical review by:  Date: 9/14/17

Administrative review by:  Date: 9/14/17

EVIDENCE TRANSFER RECEIPT

EUKB84ZT0TPSM0

EVIDENCE TRANSFER TRANSACTION

| | |
|---|---|
| Evidence Relinquished By: Escobar, Allison | Agency: EU PIN Entered [X] |
| Evidence Received By: Peterson, Mark | Agency: SOHUEU PIN Entered [X] |
| VIA: Note: | |
| Date & Time: 8/22/17 13:51:16 Hours | |
| Operator: Allison Escobar | |

LABORATORY CASE INFORMATION

| <u>Lab Case #</u> | <u>Lab Evid #</u> | <u>Evid Description</u> |
|-------------------|-------------------|---|
| EU-17-000797 | DOJ2 | One DVD with photos of scene and vehicle processing |

SIGNATURES

| | |
|---|---|
| Evidence Relinquished By: _____ | Evidence Received By: _____ |
|---|---|

REQUESTING AGENCY CASE NO.
201703390

CALIFORNIA DEPARTMENT OF JUSTICE
BUREAU OF FORENSIC SERVICES
EUREKA REGIONAL CRIMINALISTICS LABORATORY
1011 West Wabash Ave. Eureka, CA 95501-2121
Phone No. (707) 445-6682 FAX No. (707) 445-6688

BFS CASE NUMBER
EU-17-000797-0002

ATTN: Mark Paterson
Humboldt County Sheriff's Office
826 Fourth Street
Eureka, CA 95501

COPIES: DA Investigator Gary Cooper

PHYSICAL EVIDENCE EXAMINATION REPORT

██████████ GEORGE ROBBINS

OFFENSE: OFFICER INVOLVED SHOOTING

DEPUTIES: NATHAN CUMBOW, TISMIL MATILTON, MAX SOETH

OFFENSE DATE: JULY 14, 2017

I, the undersigned, declare under penalty of perjury: (1) I am employed by the State of California, Department of Justice (DOJ), Bureau of Forensic Services; (2) I conducted an examination of the material described below in the ordinary course of my work as a qualified examiner, according to approved laboratory procedures that include creation of contemporaneous documentation and the technical review of my work; (3) The observable data is set forth in the associated laboratory case record; (4) Any opinions, interpretations, or conclusions in this report are based upon data in the associated laboratory case record and findings listed below.

Note: This laboratory report has been prepared and retained by DOJ in the normal course of business according to DOJ's regular practices and procedures. The Department of Justice Laboratory is accredited by the American Society of Crime Laboratory Directors / Laboratory Accreditation Board (ASCLD/LAB).

SUMMARY/RESULTS

Item 11 is a Smith and Wesson model M&P-15 rifle marked with serial number ██████████. The rifle was found to be functional and was test fired five times.

EVIDENCE

The following evidence items were collected on July 15, 2017:

- Item 11: Smith and Wesson model M&P-15 rifle, soft rifle case, and sealed box of cartridges
- Item 11a: Seven loaded rifle magazines

I generated the following evidence during examination of the items listed above on July 17, 2017:

- Item 11t: Five cartridge cases test fired in the item 11 rifle

See request EU-17-000797-0001 for a listing of other evidence items collected during scene processing.

EXAMINATION

Item 11 is a Smith and Wesson model M&P-15 rifle, a soft rifle case, and a box of intact cartridges. The rifle is chambered for the 5.56 NATO cartridge and is marked with serial number ██████████. The rifle's appearance was like new; no burned or unburned gunpowder was observed in either the rifle's barrel or action. Item 11 is semi-automatic only and had a measured trigger pull of five to five and one-half pounds. The rifle was found to be functional and was test fired five times using a magazine and cartridges from item 11a. Test-fired cartridge cases were retained as item 11t; the test-fired bullets were not recovered. The intact box of cartridges was sealed and marked as containing twenty 223 Remington cartridges under the brand name American Eagle (Federal Premium Ammunition). Firearms chambered for the 5.56 NATO cartridge can safely fire 223 Remington cartridges.

EXAMINATION (continued)

Item 11a consists of one rifle magazine removed from the item 11 rifle and six rifle magazines removed from the item 11 rifle case. All seven rifle magazines had a measured maximum capacity of thirty cartridges. The magazine removed from the rifle contained twenty-nine cartridges, as did two of the magazines from the rifle case. The remaining four magazines contained twenty-eight cartridges each. Each cartridge consisted of an FMJ (full metal jacket) or TMJ (total metal jacket) bullet set in a cartridge case with a Federal Premium Ammunition "FC" "223 REM" head stamp.

No other items were examined for this report.

DISPOSITION

Items 11, 11a, and 11t were transferred to the Humboldt County Sheriff's Office on July 18, 2017.

Date of Report: July 26, 2017

EXAMINED BY

[Redacted Signature]

Senior Criminalist

Technical review by:

[Redacted Name]

Date: 7/27/17

Administrative review by:

[Redacted Name]

Date: 7/27/17

REQUESTING AGENCY CASE NO.
201703390

CALIFORNIA DEPARTMENT OF JUSTICE
BUREAU OF FORENSIC SERVICES
EUREKA REGIONAL CRIMINALISTICS LABORATORY
1011 West Wabash Ave. Eureka, CA 95501-2121
Phone No. (707) 445-6682 FAX No. (707) 445-6688

BFS CASE NUMBER
EU-17-000797-0003

ATTN: Mark Paterson
Humboldt County Sheriff's Office
826 Fourth Street
Eureka, CA 95501

COPIES: DA Investigator Gary Cooper

PHYSICAL EVIDENCE EXAMINATION REPORT

██████████ ██████████ ██████████

OFFENSE: OFFICER INVOLVED SHOOTING

DEPUTIES: NATHAN CUMBOW, TISMIL MATILTON, MAX SOETH

OFFENSE DATE: JULY 14, 2017

I, the undersigned, declare under penalty of perjury: (1) I am employed by the State of California, Department of Justice (DOJ), Bureau of Forensic Services; (2) I conducted an examination of the material described below in the ordinary course of my work as a qualified examiner, according to approved laboratory procedures that include creation of contemporaneous documentation and the technical review of my work; (3) The observable data is set forth in the associated laboratory case record; (4) Any opinions, interpretations, or conclusions in this report are based upon data in the associated laboratory case record and findings listed below.
Note: This laboratory report has been prepared and retained by DOJ in the normal course of business according to DOJ's regular practices and procedures. The Department of Justice Laboratory is accredited by the American Society of Crime Laboratory Directors / Laboratory Accreditation Board (ASCLD/LAB).

SUMMARY/RESULTS

Items 148084, 148098, and 148110 are each Glock model 22 pistols. Each of the pistols was found to be functional and each was test fired with no observed malfunctions.

EVIDENCE

The following evidence items were received by the BFS Eureka Laboratory on September 26, 2017:

- Item 148084: Glock model 22 pistol, serial number ██████████
- Item 148098: Glock model 22 pistol, serial number ██████████
- Item 148110: Glock model 22 pistol, serial number ██████████

I generated the following evidence during examination of the items listed above on November 28, 2017:

- Item 148084t: Five cartridge cases and three bullets test fired in the item 148084
- Item 148098t: Five cartridge cases and three bullets test fired in the item 148098
- Item 148110t: Five cartridge cases and three bullets test fired in the item 148110

EXAMINATION

Item 148084 is a Glock model 22 pistol chambered for the 40 Smith and Wesson cartridge and marked with serial number ██████████. The pistol was received with a functional flashlight attached to the accessory rail but was not received with a magazine or ammunition. The pistol's double-action only trigger pull had a measured range of 5 to 6 pounds. The pistol was found to be functional and was test fired five times using a laboratory supplied magazine and ammunition. No malfunctions were encountered during test firing. All test-fired cartridge cases and three of the test-fired bullets were retained as item 148084t.

EXAMINATION (continued)

Item 148098 is a Glock model 22 pistol chambered for the 40 Smith and Wesson cartridge and marked with serial number [REDACTED]. The pistol was received with a functional flashlight attached to the accessory rail but was not received with a magazine or ammunition. The pistol's double-action only trigger pull had a measured range of 4½ to 5½ pounds. The pistol was found to be functional and was test fired five times using a laboratory supplied magazine and ammunition. No malfunctions were encountered during test firing. All test-fired cartridge cases and three of the test-fired bullets were retained as item 148098t.

Item 148110 is a Glock model 22 pistol chambered for the 40 Smith and Wesson cartridge and marked with serial number [REDACTED]. The pistol was received with a functional flashlight attached to the accessory rail but was not received with a magazine or ammunition. The pistol's double-action only trigger pull had a measured range of 4½ to 6½ pounds. The pistol was found to be functional and was test fired five times using a laboratory supplied magazine and ammunition. No malfunctions were encountered during test firing. All test-fired cartridge cases and three of the test-fired bullets were retained as item 148110t.

No other items were examined for this report.

DISPOSITION

The items 148084, 148098, and 148110 pistols and items 148084t, 148098t, and 148110t test-fired components will be transferred to the Humboldt County Sheriff's Office. The test-fired components may be returned to the BFS Eureka Laboratory if a comparative examination is requested at a later date.

Date of Report: November 29, 2017

EXAMINED BY: _____

[REDACTED]

Senior Criminalist

Technical review by: _____

[REDACTED]

Date: 12/5/17

Administrative review by: _____

[REDACTED]

Date: 12/5/17

AGENCY CASE NUMBER
201703390

DEPARTMENT OF JUSTICE
BUREAU OF FORENSIC SERVICES

BFS CASE NUMBER
EU-17-000797-0004

TO: DOJ Alcohol Report Recipient
Humboldt County Sheriff's Office, Eureka
826 Fourth Street
Eureka, CA 95501

FROM: Eureka Laboratory
1011 West Wabash
Eureka, CA 95501
(707) 445-6682 FAX (707) 445-6688

Forensic Alcohol Analysis

OFFENSE DATE: 7/14/2017

SUMMARY:

The blood sample (Item 148116_01) of [REDACTED] contained 0.000% (W/V) alcohol.

[REDACTED] blood sample will be forwarded to the DOJ Toxicology Laboratory in Sacramento, California.

EVIDENCE:

On 7/25/2017, the following evidence was received from [REDACTED] of the Humboldt County Sheriff's Office, Eureka:

Submission 148116: One evidence envelope containing one tube of blood from the [REDACTED]

Item 148116_01: One tube of blood from the [REDACTED]

DISPOSITION:

The evidence will be returned to your agency in the normal course of business.

I, the undersigned, declare under penalty of perjury: (1) I am employed by the State of California, Department of Justice, Bureau of Forensic Services (BFS); (2) I am qualified to engage in forensic alcohol analysis as a Forensic Alcohol Supervisor, Analyst, or as a Trainee under supervision pursuant to Title 17 of the CA Code of Regulations; (3) I performed an analysis of the material described above during the regular course of my duties according to approved laboratory procedures; (4) The recording of the analytical results was done at the time the analysis was performed and included creation of contemporaneous documentation; (5) Any opinions, interpretations, or conclusions in this report are based upon data in the associated laboratory case record; (6) This laboratory report has been prepared and retained by BFS in the normal course of business according to BFS' regular practices and procedures. This Laboratory is accredited by American Society of Crime Laboratory Directors/Laboratory Accreditation Board.

DATE ANALYSIS COMPLETE: 7/27/2017

DATE OF REPORT: 7/27/2017

Technical Reviewer: [REDACTED]

Administrative Reviewer: [REDACTED]

[REDACTED]
Criminalist

cc: DOJ Alcohol Report Recipient DAHUMB 707-445-7416

201703390

RELATED BES CASE #

BES CASE #

State of California
Department of Justice
Bureau of Forensic Services

Physical Evidence Submission Form
(Instructions for use of form located on reverse side.)

INFORMATION AND REPORT SECURITY ROI LINE AGENCY ONLY AGENT ONLY

SUBMITTING AGENCY: Humboldt County Sheriffs Office AGENCY CASE NO: 201703390

COUNTY OF PROSECUTION: Humboldt RELATED AGENCIES/CASE NUMBER(S):

OFFENSE(S): OIS DATE OF INCIDENT: 7/14/17 DATE NEEDED: when poss REASON: investigation

INVESTIGATING OFFICER: M. Peterson PHONE: 707-445-7251 FAX: 707-445-7298

INVESTIGATING OFFICER - EMAIL ADDRESS:

| SUBJECTS | | | DATE OF BIRTH | CH # (LATENTS AND DNA) |
|------------|------------|------------|---------------|---------------------------|
| Last name | First Name | MI | | |
| [REDACTED] | [REDACTED] | [REDACTED] | [REDACTED] | |
| SOETH | MAXWELL | E | [REDACTED] | |
| CUMBOW | NATHAN | W | [REDACTED] | |
| MATILTON | TIS-MAL | V | [REDACTED] | |

EVIDENCE SUBMITTED

| LINE | ITEM NUMBER | DESCRIPTION OF EVIDENCE (ONE ITEM PER LINE WHEN POSSIBLE) | COMMENTS OR REQUESTS FOR SERVICE |
|------|-------------|--|-------------------------------------|
| 1 | 148116 | (S) LEGAL BLOOD DRAW | TOX |
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Chain of custody for items listed above

| Line/Item NUMBER | Received From (SIGN NAME LEGIBLY) | Delivered to | DATE |
|------------------|--------------------------------------|--------------|---------|
| 1 | [REDACTED] | [REDACTED] | 7/25/17 |
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PLEASE SUBMIT A POLICE REPORT OR ATTACH A SEPARATE SHEET WITH A SUMMARY OF THE CASE FOR CRIMINALISTICS CASES
BEST LABORATORIES SHALL DECIDE THE SPECIFIC METHOD OF ANALYSIS

REQUESTING AGENCY CASE NO
201703390

CALIFORNIA DEPARTMENT OF JUSTICE
BUREAU OF FORENSIC SERVICES
EUREKA REGIONAL CRIMINALISTICS LABORATORY
1011 West Wabash Ave. Eureka, CA 95501-2121
Phone No. (707) 445-6682 FAX No. (707) 445-6688

BFS CASE NUMBER
EU-17-000797-0006

ATTN: Mark Paterson
Humboldt County Sheriff's Office
826 Fourth Street
Eureka, CA 95501

COPIES: DA Investigator Gary Cooper

PHYSICAL EVIDENCE EXAMINATION REPORT

[REDACTED]

OFFENSE: OFFICER INVOLVED SHOOTING

DEPUTIES: NATHAN CUMBOW, TISMIL MATILTON, MAX SOETH

OFFENSE DATE: JULY 14, 2017

I, the undersigned, declare under penalty of perjury: (1) I am employed by the State of California, Department of Justice (DOJ), Bureau of Forensic Services; (2) I conducted an examination of the material described below in the ordinary course of my work as a qualified examiner, according to approved laboratory procedures that include creation of contemporaneous documentation and the technical review of my work. (3) The observable data is set forth in the associated laboratory case record; (4) Any opinions, interpretations, or conclusions in this report are based upon data in the associated laboratory case record and findings listed below.
Note: This laboratory report has been prepared and retained by DOJ in the normal course of business according to DOJ's regular practices and procedures. The Department of Justice Laboratory is accredited by the American Society of Crime Laboratory Directors / Laboratory Accreditation Board (ASCLD/LAB).

SUMMARY/RESULTS

Item 148186 is a Colt model M-16A1 rifle. The rifle is chambered for the 5.56 NATO cartridge and is marked with serial number [REDACTED]. No burned or unburned gunpowder was observed in either the rifle's barrel or action. Item 148186 is limited to semi-automatic function only and had a measured trigger pull of six and one-half to seven and one-half pounds. The rifle was found to be functional and was test fired four times using a laboratory supplied magazine and ammunition. Test-fired cartridge cases were retained as item 148186t; the test-fired bullets were not recovered. No other items were examined for this report.

EVIDENCE

The following evidence was received on August 15, 2017:

Item 148186: Colt model M-16A1 rifle

I generated the following evidence during examination of the items listed above on August 15, 2017:

Item 148186t: Four cartridge cases test fired in the item 148186 rifle

See request EU-17-000797-0001 for a listing of other evidence items related to this case.

DISPOSITION

Items 148186 and 148186t will transferred to the Humboldt County Sheriff's Office in the normal course of business.

EXAMINED BY [REDACTED]

Date of Report: August 16, 2017

Senior Criminalist

Technical review by: [REDACTED]

Date: 8/16/17

Administrative review by: [REDACTED]

Date: 8/16/17

DC : dc
BFS 6

201703390

RELATED BFS CASE #

BFS CASE #

State of California
Department of Justice
Bureau of Forensic Services

Physical Evidence Submission Form
(Instructions for use of form located on reverse side.)

| | | | |
|---------------------------------|---|--------------------------------------|-------------------------------------|
| INFORMATION AND REPORT SECURITY | ROUTINE <input checked="" type="checkbox"/> | AGENCY ONLY <input type="checkbox"/> | AGENT ONLY <input type="checkbox"/> |
|---------------------------------|---|--------------------------------------|-------------------------------------|

SUBMITTING AGENCY: Humboldt County Sheriffs Office AGENCY CASE NO : 201703390

COUNTY OF PROSECUTION: Humboldt RELATED AGENCIES/CASE NUMBER(S) :

OFFENSE(S): OIS DATE OF INCIDENT: 07/14/2017 DATE NEEDED: REASON: OIS

INVESTIGATING OFFICER: M. Peterson PHONE: 707-268-3663 FAX: 707-445-7298

INVESTIGATING OFFICER - EMAIL ADDRESS: mpeterson@co.humboldt.ca.us

| Last name | SUBJECTS | | DATE OF BIRTH | CII # (LATENTS AND DNA) |
|------------|------------|------------|---------------|-------------------------|
| | First Name | MI | | |
| [REDACTED] | [REDACTED] | [REDACTED] | [REDACTED] | |
| Cumbow | Nathan | | | |
| Soeth | Maxwell | | | |
| Mailton | Tismil | | | |

EVIDENCE SUBMITTED

| LINE | ITEM NUMBER | DESCRIPTION OF EVIDENCE (ONE ITEM PER LINE WHEN POSSIBLE) | COMMENTS OR REQUESTS FOR SERVICE |
|------|-------------|---|----------------------------------|
| 1 | 148186 | Coil M-16A1 - ser # [REDACTED] | Function check & test fire |
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Chain of custody for items listed above

| Line/Item NUMBER | Received From (SIGN NAME LEGIBLY) | DATE |
|------------------|-----------------------------------|---------|
| 1 | [REDACTED] | 8/15/17 |
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PLEASE SUBMIT A POLICE REPORT OR ATTACH A SEPARATE SHEET WITH A SUMMARY OF THE CASE FOR CRIMINALISTICS CASES
BFS LABORATORIES SHALL DECIDE THE SPECIFIC METHOD OF ANALYSIS

EVIDENCE TRANSFER RECEIPT

EUKB85000LSW9F

EVIDENCE TRANSFER TRANSACTION

| | |
|---|-------------------------------------|
| Evidence Relinquished By: [REDACTED] | Agency: EU PIN Entered [X] |
| Evidence Received By: [REDACTED] | Agency: SOHUEU PIN Entered [X] |
| VIA: Note: | |
| Date & Time: 8/29/17 10:03:46 Hours Operator: [REDACTED] | |

LABORATORY CASE INFORMATION

| <u>Lab Case #</u> | <u>Lab Evid #</u> | <u>Evid Description</u> |
|-------------------|-------------------|--|
| EU-17-000797 | 148186 | Firearm box containing "Colt M-16A1 - serial # [REDACTED]" |
| EU-17-000797 | 148186t | Four cartridge cases test fired in Item 148186 |

SIGNATURES

| | |
|------------------------------------|--------------------------------|
| Evidence Relinquished By: _____ | Evidence Received By: _____ |
|------------------------------------|--------------------------------|

REQUESTING AGENCY CASE NO.
201703390

CALIFORNIA DEPARTMENT OF JUSTICE
BUREAU OF FORENSIC SERVICES
EUREKA REGIONAL CRIMINALISTICS LABORATORY
1011 West Wabash Ave. Eureka, CA 95501-2121
Phone No. (707) 445-6682 FAX No. (707) 445-6688

BFS CASE NUMBER
EU-17-000797-0007

ATTN: Mark Paterson
Humboldt County Sheriff's Office
826 Fourth Street
Eureka, CA 95501

COPIES: DA Investigator Gary Cooper

PHYSICAL EVIDENCE EXAMINATION REPORT

[REDACTED]

[REDACTED]

OFFENSE: OFFICER INVOLVED SHOOTING

DEPUTIES: NATHAN CUMBOW, TISMIL MATILTON, MAX SOETH

OFFENSE DATE: JULY 14, 2017

I, the undersigned, declare under penalty of perjury: (1) I am employed by the State of California, Department of Justice (DOJ), Bureau of Forensic Services; (2) I conducted an examination of the material described below in the ordinary course of my work as a qualified examiner, according to approved laboratory procedures that include creation of contemporaneous documentation and the technical review of my work; (3) The observable data is set forth in the associated laboratory case record; (4) Any opinions, interpretations, or conclusions in this report are based upon data in the associated laboratory case record and findings listed below.
Note: This laboratory report has been prepared and retained by DOJ in the normal course of business according to DOJ's regular practices and procedures. The Department of Justice Laboratory is accredited by the American Society of Crime Laboratory Directors / Laboratory Accreditation Board (ASCLD/LAB).

SUMMARY/RESULTS

Item 10 is a Ruger model Redhawk revolver, chambered for the 44 Remington Magnum cartridge, marked with serial number [REDACTED]. The revolver was recovered with two expended cartridge cases in two of its six chambers, and four intact cartridges in the remaining four. The four intact cartridges were positioned in such a way that they were immediately available for firing on the next trigger pull. The revolver had a measured single-action trigger pull of 6 pounds, and a measured double-action trigger pull of 10½ to 11 pounds. The revolver was found to be functional and was successfully test fired three times using laboratory ammunition; test-fired bullets and cartridge cases were not retained. Possible blood on the barrel of the revolver was collected on swabs for preservation; control swabs were also prepared. The swabs were retained in the original box with the item 10 revolver, cartridge cases, and cartridges for transfer to the Humboldt County Sheriff's Office. No other items were examined for this report.

EVIDENCE

I collected the following evidence item during scene processing on July 15, 2017:

Item 10: Ruger model Redhawk revolver, serial number [REDACTED] two cartridge cases, and four intact cartridges

DISPOSITION

Item 10 will be transferred to the Humboldt County Sheriff's Office.

EXAMINED BY: [REDACTED]

Date of Report: November 30, 2017

Senior Criminalist

Technical review by: [REDACTED] Date: 12/5/17

Administrative review by: [REDACTED] Date: 12/5/17

REQUESTING AGENCY CASE NO.
201703390

CALIFORNIA DEPARTMENT OF JUSTICE
BUREAU OF FORENSIC SERVICES
EUREKA REGIONAL CRIMINALISTICS LABORATORY
1011 West Wabash Ave. Eureka, CA 95501-2121
Phone No. (707) 445-6682 FAX No. (707) 445-6688

BFS CASE NUMBER
EU-17-000797-0008

ATTN: Mark Peterson
Humboldt County Sheriff's Office
826 Fourth Street
Eureka, CA 95501

COPIES: Gary Cooper,
Humboldt County District Attorney's Office

FIELD INVESTIGATION REPORT
CORRECTED REPORT

██████████ ██████████ OFFENSE: OFFICER INVOLVED SHOOTING

DEPUTIES: NATHAN CUMBOW, TISMIL MATILTON, MAX SOETH

OFFENSE DATE: JULY 14, 2017

I, the undersigned, declare under penalty of perjury: (1) I am employed by the State of California, Department of Justice (DOJ), Bureau of Forensic Services; (2) I conducted an examination of the material described below in the ordinary course of my work as a qualified examiner, according to approved laboratory procedures that include creation of contemporaneous documentation and the technical review of my work; (3) The observable data is set forth in the associated laboratory case record; (4) Any opinions, interpretations, or conclusions in this report are based upon data in the associated laboratory case record and findings listed below.

Note: This laboratory report has been prepared and retained by DOJ in the normal course of business according to DOJ's regular practices and procedures.

This report corrects the description of item 33, described in part in report EU-17-000797-0001 as 'One box of "BARNES VORTEX" "338 WIN MAG" ammunition containing fourteen intact cartridges and two cartridge cases' to the correct 'One box of "BARNES VORTEX" "338 WIN MAG" ammunition containing fourteen intact cartridges and four cartridge cases.'

BACKGROUND

On July 14, 2017, at 2157 hours, Deputies with the Humboldt County Sheriff's Office (HCSO) were on patrol in the area of Highway 169 north of Weitchpec. The deputies observed a suspicious vehicle in the roadway on Martins Ferry Bridge. The Deputies contacted the sole occupant driver of the vehicle and during the course of that contact an officer involved shooting occurred, wounding the driver. The driver was removed from the vehicle and transported to hospital for medical evaluation.

FIELD ACTIVITIES

I was advised of the scene response request by Assistant Laboratory Director ██████████ at approximately 2235 hours on July 14, 2017. I responded with Criminalist ██████████ to the Humboldt County Sheriff's office and attended a briefing at approximately 2345 hours. We departed from the Sheriff's office just after midnight and arrived at the Martins Ferry Bridge at approximately 0140 hours on July 15, 2017.

The scene was located on the Martins Ferry Bridge, approximately one-third of the way across the bridge from the west end. Access was restricted by marked HCSO patrol vehicles stopped at either end of the bridge. A marked HCSO Ford Explorer and the ██████████ GM Corvette were facing each other from approximately 15 feet apart. A marked HCSO Ford Expedition was stopped approximately 60 feet behind the Explorer and facing both vehicles.

The Ford Expedition was marked with HCSO vehicle number 08344 and had California exempt license plates [REDACTED]. All four doors, all windows, and the hatchback were closed. The vehicle's headlights, spotlights, and emergency lights were off. This was reportedly the second HCSO vehicle on scene and was driven by Deputy Matilton.

The Ford Explorer was marked with HCSO vehicle number 07179 and had California exempt license plates [REDACTED]. Both front doors were opened and their windows were in the closed position; however, the passenger side window was broken. The rear doors, the hatchback, and the remaining windows were in the closed position. The vehicle's headlights and spotlights were on and directed towards the Corvette; the emergency lights were off. This was reportedly the first HCSO vehicle on scene and was driven by Deputy Cumbow, with Deputy Soeth in the front passenger seat.

The Corvette was a [REDACTED] model with California license plate [REDACTED]. [REDACTED] was reportedly seated in the driver's seat of the Corvette at the time of the shooting. The hatchback, passenger door, and passenger door window were closed. The driver's side door and driver's-door window were open. The vehicle was not running. The passenger-side headlight was in the off or closed position and the driver-side headlight was retracted and missing its cover. The driver's side front tire was flat.

The scene was documented and select evidence items were collected. A limited examination of the Ford Expedition, consisting of taking photographs and conducting an inventory of firearms and ammunition, was conducted at the scene. Examination of the [REDACTED] vehicle at the scene was limited to securing a revolver from the front seat of the vehicle and loose bullets/bullet fragments from the driver's seat area. The scene was also documented with a Leica scanning station operated by the HCSO. The Corvette and the Ford Explorer were towed from the scene on the morning of July 15, 2017, for further examination at a later date.

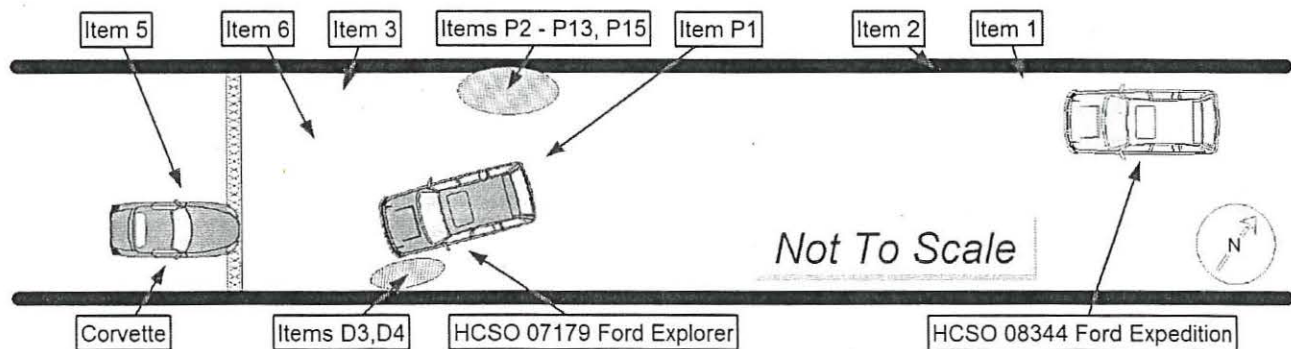


Figure 1- Diagram showing relative positions of vehicles and select evidence items

On July 19, 2017, I processed the Ford Explorer and the Corvette at a prearranged time at Humboldt Towing in Eureka, California. I was assisted by Criminalist [REDACTED]. Investigator Mark Peterson was present throughout.

Evidence collected from the roadway on the Martins Ferry Bridge

Items 1 and 2 are each expended cartridge cases with "WINCHESTER" "223 REM" head stamps. The cartridge cases were collected based on their proximity to the Ford Expedition and knowledge that rifles chambered for the 5.56 NATO cartridge are used by HCSO deputies. Firearms chambered for the 5.56 NATO cartridge can safely fire 223 Remington cartridges. Both items appeared to be weathered and damaged from exposure on the bridge; neither item had a head stamp marking that matched any observed from either of the HCSO vehicles on the bridge. Item 12 is an expended cartridge case with a "WINCHESTER" "223 REM" head stamp and several other cartridge cases of varying calibers collected from the same immediate area. The item 12 cartridge cases were collected from the edge of the bridge behind the Ford Expedition as an example of the variety of expended cartridge cases observed at various locations along the bridge. Based on the weathered appearance of the cartridge cases and differences in their head stamps, the cartridge cases in items 1, 2, and 12 appear to be unrelated to the shooting under investigation because they predate the event and are inconsistent with the 223 Remington ammunition carried by the HCSO deputies.

The Corvette was stopped facing east with its front bumper directly above a steel expansion joint in the bridge. Item 3 is a blue t-shirt recovered from the roadway between the Explorer and the Corvette, near the bridge's north side barrier wall. Item 4 is a digital watch with no band, a disposable lighter, and three laser pointer lenses recovered from the roadway between the Explorer and the Corvette. Items 6 and 7 are swabs of representative apparent bloodstains from an apparent blood trail that began at the driver's door of the Corvette and ended approximately midway between the Explorer and the Corvette. Item 5 is an expended bullet recovered from the roadway below the Corvette's open driver's door.

Broken safety glass was found on the roadway below the open front passenger door of the Ford Explorer. The location and type of glass indicate that the front passenger door was in the open position when the window was broken. Samples of glass were collected from the broken window (item 9) and from the ground below the passenger door (item 8).

Evidence items found on the driver's side and on top of the Ford Explorer were given a "D" prefix. Evidence items found on the passenger side and underneath were given a "P" prefix.

Items D1 through D5 were each identified as expended cartridge cases with "R-P" "40 S&W" head stamps. Items D1 and D2 are cartridge cases recovered from the roof of the Ford Explorer and item D5 is a cartridge case recovered from the windshield of the Ford Explorer. Items D3 and D4 are expended cartridge cases recovered from the roadway near the driver's side front-end of the Ford Explorer.

Item P1 is an empty Glock pistol magazine recovered from the ground adjacent to the passenger side rear end of the Ford Explorer. Items P2 through P15 are each expended cartridge cases with "R-P" "40 S&W" head stamps. Items P2 through P13 were recovered from the roadway along the barrier wall opposite the rear passenger side of the Ford Explorer. Item P14 was recovered from the roadway below the passenger side of the Ford Explorer. Item P15 was recovered from the top outside edge of the barrier wall above the clustered P2 through P13 cartridge cases.

Based on the locations of the cartridge cases recovered at the scene, it is possible that additional expended cartridge cases were lost over the side of the bridge.

Evidence and observations related to the Ford Expedition

The interior of the vehicle was clean and organized. A locked gun rack between the front seats contained a Remington model 870 Wingmaster shotgun next to the driver's seat and a Colt model M16A1 rifle next to the passenger seat. The firearms are further described below:

- Remington model 870 Wingmaster shotgun, serial number [REDACTED] chambered for 12 gauge shells
 - Chamber empty
 - Four shells in magazine
- Colt model M16A1 rifle, serial number [REDACTED] chambered for the 5.56 NATO cartridge
 - Chamber empty
 - Twenty-round capacity magazine containing twenty cartridges, each with Federal Premium Ammunition "FC" "223 Remington" head stamps

The following items were found in the driver's door pocket of the Ford Expedition:

- Twenty-round capacity AR15 platform rifle magazine containing twenty-one cartridges, each with Federal Premium Ammunition "FC" "223 Remington" head stamps
- Thirty-round capacity AR15 platform rifle magazine containing twenty-nine cartridges, each with Federal Premium Ammunition "FC" "223 Remington" head stamps
- Thirty-round capacity AR15 platform rifle magazine containing thirty-one cartridges, each with Federal Premium Ammunition "FC" "223 Remington" head stamps

A barrier was installed between the back seat and rear compartment of the Ford Expedition; the only access to the rear of the vehicle was through the hatchback door. The rear of the vehicle contained a plastic tote and a black duffel bag. Ammunition found in the rear of Ford Expedition consisted of the following:

- The tote contained
 - Three sealed boxes of American Eagle (Federal Premium Ammunition) AR 223 ammunition
 - A jacket that contained ten JHP cartridges, each with a "WIN" "40 S&W" head stamp
- The duffel bag contained
 - One full box of Remington Golden Saber ammunition containing fifty cartridges, each with Remington "RP" "40 S&W" head stamps

No other ammunition, magazines, or firearms were observed in the Ford Expedition. The vehicle and its contents, including firearms and ammunition, were released to the HCSO at the scene. The Colt M16A1 rifle was subsequently submitted to the laboratory for examination on August 15, 2017; see report EU-17-000797-0006.

Evidence and observations related to the Ford Explorer

A barrier was installed between the back seat and rear compartment of the Ford Explorer; the only access to the rear of the vehicle was through the hatchback door. A cell phone from the front passenger door pocket and a lunch bag and two jackets from the rear compartment were released to the HCSO at the scene after confirming that no firearms or ammunition were present in any of the items. Item 11, a Smith and Wesson model M&P-15 rifle, rifle case, and sealed box of cartridges was collected from the rear compartment of the Ford Explorer at the scene. The item 11 rifle was marked with serial number [REDACTED]. Item 11a consisted of seven loaded rifle magazines that were removed from the item 11 rifle case prior to transport from the scene. See report EU-17-000797-0002 for examination of items 11 and 11a. No other firearms were observed in the vehicle; a locking gun rack between the front seats was empty. The Ford Explorer was transported from the scene for further examination at a later date.

On July 19, 2017, I processed the Ford Explorer at a prearranged time at Humboldt Towing in Eureka, California. I was assisted by Criminalist [REDACTED]. Investigator Mark Peterson was present throughout. Intact tape seals were present on all four doors and the hatchback.

Bullet damage was limited to the front passenger door of the Ford Explorer. One bullet entered the door from the inside, approximately ten inches to the right of the interior door handle. The bullet did not exit the door but left a raised dent on the door's exterior surface; the door was not disassembled to collect the bullet. A second bullet strike, approximately seven inches above the first, was observed at the top edge of the door panel and base of the window. The second bullet strike showed directionality from inside to out, or from the rear of the vehicle towards the front if the door was open. Glass fragments in the passenger door window frame and glass on the roadway observed during processing at the scene on the Martin's Ferry Bridge indicate that the door was open and the window was closed when it was broken. Therefore, the position of the shooter at the time the passenger door was damaged is behind the open door along the passenger side of the vehicle. No other apparent bullet damage was observed to the interior or exterior of the Ford Explorer.

No expended cartridge cases, intact ammunition, or firearms were observed in the front seat area of the Ford Explorer. A training log for Deputy Cumbow was collected as item 20 from between the front seats.

The remaining items in the rear of the Ford Explorer were removed and examined. A single expended cartridge case was collected as item 21 from Deputy Soeth's patrol bag. A tan backpack from the rear of the vehicle contained the following ammunition:

- Two 12 gauge shotgun slug shells
- Thirty-round capacity AR15 platform rifle magazine containing twenty-nine cartridges, each with Winchester Cartridge Company "WCC" "08" head stamps
- Thirty-round capacity AR15 platform rifle magazine containing twenty-seven cartridges, and one loose cartridge, each with Turkish "MKE" "14" head stamps
- One full box of five and partial box of three Federal 12 gauge 00 buckshot shells
- One partial box of Remington 38 Special semi-jacketed hollow point ammunition containing seven cartridges
- One partial box of Winchester 40 Smith and Wesson ammunition containing forty-one cartridges, each with "WIN" "40 S&W" head stamps
- Two Glock pistol magazines, each containing fifteen cartridges with Federal "FEDERAL" "40 S&W" head stamps

No other ammunition, magazines, or firearms were observed in the Ford Explorer.

Evidence and observations related to the Corvette

Item 10 is a Ruger model Redhawk revolver that was recovered from the gap between the driver's seat and center console of the Corvette. The revolver was marked with serial number [REDACTED] and was chambered for the 44 Remington Magnum cartridge. Item 10 was readily visible from the open car door at the scene and was collected prior to transport of the Corvette from the scene on July 15, 2017. The revolver had expended cartridge cases in the first two chambers and intact cartridges in the remaining four chambers of the cylinder. The revolver's hammer was down on the expended cartridge case in the second chamber.

Items 13 through 16 each consist of expended bullets or bullet fragments recovered from the windshield and driver's seat area of the Corvette prior to transport of the Corvette from the scene on July 15, 2017. These items were collected to prevent possible loss during transport from the scene.

On July 19, 2017, I processed the Corvette at a prearranged time at Humboldt Towing in Eureka, California. I was assisted by Criminalist [REDACTED]. Investigator Mark Peterson was present throughout. Intact tape seals were present on both doors and the hatchback.

Items 22 through 28, 31, 32, and 34 each consist of expended bullets or bullet fragments recovered from various locations inside the Corvette.

Item 29 is a yellow wildland firefighting style backpack that was found among miscellaneous items in the rear of the Corvette. The following intact ammunition and components were recovered from the bag as item 29a:

- Seventeen intact 44 Remington Magnum cartridges
- One box "REMINGTON" "338 WIN MAG" ammunition containing five intact cartridges and nine cartridge cases
- One box "FEDERAL AMMUNITION" "30-30 WIN." ammunition containing twenty intact cartridges
- One box "Hornady" 204 Ruger ammunition containing seven intact cartridges and ten expended cartridge cases
- One box of "BLAZER AMMUNITION" containing thirteen intact 44 Remington Magnum cartridges
- Thirteen 44 Remington Magnum cartridge cases
- Five intact 44 Remington Magnum shot-shells
- Fifteen intact 12 gauge shotgun shells

Item 30 is a Winchester model 94 lever-action rifle that was found under miscellaneous items in the rear of the Corvette during vehicle processing on July 19, 2017. The rifle was marked with serial number [REDACTED], was chambered for the 30-30 cartridge, had an empty chamber, and two intact cartridges were removed from its magazine and retained as item 30a.

The following loose intact ammunition and components were recovered from the rear trunk area of the Corvette as item 33:

- One intact 22 Magnum cartridge
- One intact 204 Ruger cartridge
- One box of "BARNES VORTEX" "338 WIN MAG" ammunition containing fourteen intact cartridges and **four** cartridge cases
- Two 338 Winchester Magnum cartridge cases
- Two 240 Weatherby Magnum cartridge cases
- One 44 Remington Magnum cartridge case

The following intact ammunition and components were recovered from the front passenger seat area of the Corvette as item 35:

- One intact 40 Smith and Wesson cartridge
- One 44 Remington Magnum cartridge case

Item 36 consists of two swabs of apparent blood stains collected from the center console of the Corvette. Item 39 is a corresponding water blank swab.

The following loose intact ammunition and components were recovered from the center console of the Corvette as item 37:

- One intact 410 gauge shell
- Sixteen intact 22 Magnum cartridges
- Eleven intact 5.56 NATO cartridge
- 2 intact 30-30 Winchester cartridges
- 1 expended 30-30 Winchester cartridge case
- Five expended 44 Remington Magnum cartridge cases

Item 38 is a green-laser pointer collected from the space between the driver's seat and door. The three lenses in item 4 appear to be made for item 38.

Bullet damage to Corvette exterior

Seventeen identifiable bullet strikes were visible to the Corvette's exterior; grazing damage from a possible eighteenth bullet was observed on the driver's door. The identified bullet strikes were observed in the following locations:

- Two to the front left (driver's side) tire, facing the Ford Explorer
- Three to the front left quarter panel
- One to the left-hand side of the hood
- Eleven penetrated the windshield (a twelfth windshield strike was identified as a non-penetrating ricochet from the hood)

One of the three bullet strikes to the left front quarter panel penetrated the panel and struck the interior leading edge of the driver's door. Based on the locations of the bullet damage in the quarter panel and driver's door, the driver's door was in the closed position when the bullet damage occurred.

The driver's seat was struck seven times by bullets or bullet fragments and the seat belt near the driver's left shoulder seat back showed fraying damage that may have been caused by bullets or bullet fragments. The seven observed strikes to the seat may be the result of fewer than seven shots, since bullet fragmentation was observed in most of the bullets recovered from the vehicle

EVIDENCE

I collected the following evidence at the scene on July 15, 2017:

- Item 1: Expended 223 Remington cartridge case
- Item 2: Expended 223 Remington cartridge case
- Item 3: Shirt
- Item 4: Digital watch, disposable lighter, three laser lenses
- Item 5: Bullet
- Item 6: Two swabs of apparent blood from roadway
- Item 7: Two swabs of apparent blood from roadway
- Item 8: Glass from roadway below passenger door of HCSO Ford Explorer
- Item 9: Reference glass from passenger door of HCSO Ford Explorer
- Item 10: Ruger model Redhawk revolver, serial number [REDACTED]
- Item 11: Smith and Wesson model M&P-15 rifle, soft rifle case, and sealed box of cartridges
- Item 11a: Seven loaded rifle magazines
- Item 12: Miscellaneous expended cartridge cases
- Item 13: Bullet jacket
- Item 14: Bullet core
- Item 15: Bullet jacket
- Item 16: Bullet
- Item 17: Bullet jacket fragments
- Item D1: Expended cartridge case
- Item D2: Expended cartridge case
- Item D3: Expended cartridge case
- Item D4: Expended cartridge case
- Item D5: Expended cartridge case
- Item P1: Empty Glock pistol magazine
- Item P2: Expended cartridge case
- Item P3: Expended cartridge case
- Item P4: Expended cartridge case
- Item P5: Expended cartridge case
- Item P6: Expended cartridge case
- Item P7: Expended cartridge case
- Item P8: Expended cartridge case
- Item P9: Expended cartridge case
- Item P10: Expended cartridge case
- Item P11: Expended cartridge case
- Item P12: Expended cartridge case
- Item P13: Expended cartridge case
- Item P14: Expended cartridge case
- Item P15: Expended cartridge case

EVIDENCE (continued)

I collected the following evidence during vehicle processing on July 19, 2017:

- Item 20: Training log, Cumbow
- Item 21: Expended cartridge case from Soeth's bag
- Item 22: Bullet fragments from dashboard of Corvette
- Item 23: Bullet core from dashboard of Corvette
- Item 24: Bullet core that fell out of blanket from Corvette
- Item 25: Expended bullets and bullet fragments from driver's seat area of Corvette
- Item 26: Bullet jacket from passenger seat of Corvette
- Item 27: Bullet from behind driver's seat of Corvette
- Item 28: Bullet from behind driver's seat of Corvette
- Item 29: Yellow backpack from rear of Corvette
- Item 29a: Ammunition removed from the item 29 backpack
- Item 30: Winchester model 94 rifle, serial number [REDACTED]
- Item 30a: Two intact cartridges removed from the item 30 rifle
- Item 31: Bullet fragments from behind driver's seat of Corvette
- Item 32: Bullet core from behind passenger seat of Corvette
- Item 33: Miscellaneous ammunition and cartridge cases from rear of Corvette
- Item 34: Bullet jacket from rear of Corvette
- Item 35: Cartridge case in front of and intact cartridge behind Corvette passenger seat
- Item 36: Two swabs of apparent blood from Corvette center console
- Item 37: Cartridge cases and intact cartridges from Corvette center console
- Item 38: Green laser pointer from Corvette
- Item 39: One water blank swab

I generated the following evidence at the Eureka Laboratory on July 18, 2017:

- Item DOJ1: One CD with 303 photographs of scene and evidence items

I generated the following evidence at the Eureka Laboratory on August 22, 2017:

- Item DOJ2: One DVD with photographs of scene and vehicle processing

DISPOSITION

Items 11 and 11a were examined and the evidence transferred to the HCSO; see report EU-17-000797-0002. Item 20 was released to DA Investigator G. Cooper on July 25, 2017. Items DOJ1 and DOJ2 were transferred to representatives of the HCSO on July 18 and August 22 of 2017, respectively. The remaining items will be retained pending analysis or return to the HCSO.

EXAMINED BY: _____

Date of Report: December 19, 2017

[REDACTED]
Senior Criminalist

Technical review by: _____ Date: 12/20/17

Administrative review by: _____ Date: 12/20/17



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CFS Number: 71417-153 Call Taker: MAUBREY Inc Code: SHOTSF
 Date Rcvd: 7/14/2017 9:57:51 PM Day: FRIDAY In Progress: _____
 Sent: 7/14/2017 9:57:51 PM Completed: 7/15/2017 9:52:10 AM
 Inc Address: MARTINS FERRY BRIDGE Apt: _____ City: WEITCHPEC
 Complainant: Q85 Phone: _____
 Comp Addr: _____ Res Phone: _____
 Officer Contact: _____ How Rcvd: O Priority: 1 Phone Line: _____ Weapon: _____ Alarm: _____

DR Number:

DR Number: 201703390 Agency: HUMBOLDT CO SHERIFF

Comments:

7/14/2017 9:59:27 PM [REDACTED] SHOTS FIRED, UNITS HAVE ONE AT GUN POINT
 7/14/2017 9:59:36 PM [REDACTED] CHP FROM 299 AT MM 35
 7/14/2017 9:59:53 PM [REDACTED] ONE MALE INJURED
 7/14/2017 10:00:13 PM [REDACTED] YUROK TRIBAL 24S4 EN ROUTE
 7/14/2017 10:00:13 PM [REDACTED] UNITS ARE WERE OUT ON A VEHINV, WITH A VEH UNK 28 PLATE
 7/14/2017 10:00:29 PM [REDACTED] PER L70 ONE 10-15
 7/14/2017 10:00:41 PM [REDACTED] THE MALE HAS A GRAZE WOULD TO HIS LEFT SHOULDER
 7/14/2017 10:00:58 PM [REDACTED] LACERATIONS TO HIS FACE FROM BROKEN GLASS
 7/14/2017 10:03:31 PM [REDACTED] L70 IS REQ'ING MEDICAL RESPOND CODE 3
 7/14/2017 10:04:16 PM [REDACTED] C X5,Q18,ENROUTE CODE 3
 7/14/2017 10:04:58 PM [REDACTED] Q45 AND Q41 NOW ENROUTE, SEND Q18 TO COVER THE 12 BEAT
 7/14/2017 10:06:18 PM [REDACTED] PER L70 UNITS CAN REDUCE AND CONTINUE
 7/14/2017 10:07:26 PM [REDACTED] 30 BEAT UNITS ARE COMING TO MAIN STATION
 7/14/2017 10:12:28 PM [REDACTED] THE DUTY HAS BEEN NOTIFED AND IS REQ'ING A SERT CALL OUT
 7/14/2017 10:23:01 PM [REDACTED] X7 NOTIFIED AND ADVISES TO CALL DOJ AND GET THEM STARTED
 7/14/2017 10:24:07 PM [REDACTED] MEET IN HCSO CID IN 1 HOUR
 7/14/2017 10:29:26 PM [REDACTED] EPD, APD, AND FPOD HAVE BEEN NOTIFED TO HAVE THEIR SERT OFFICER TO RESPOND TO CID
 7/14/2017 10:29:33 PM [REDACTED] INCCODE CHANGED FROM VEHINV TO SHOTSF AT 22:29
 7/14/2017 10:29:51 PM [REDACTED] PER L70 CHP IS CURRENTLY ON SCENE
 7/14/2017 10:30:36 PM [REDACTED] PER L70 AMBULANCE ON SCENE
 7/14/2017 10:32:05 PM [REDACTED] DOJ NOTIFIED TO REPSOND TO HCSO CID CONFERENCE ROOM IN 1 HOUR
 7/14/2017 10:34:25 PM [REDACTED] PER X5 HAVE Q45 FOLLOW THE AMBULANCE, PHOTOGRAPH THE [REDACTED] AND BAG HIS CLOTHING AS EVIDENCE
 7/14/2017 10:37:39 PM [REDACTED] PER L70 MEDICAL ADVISES THEY WILL NOT BE XPORTING THE [REDACTED]



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7/14/2017 10:42:11 PM [REDACTED] FORTUNA PD DOES NOT HAVE A CIRT OFFICER AVAILABEL

7/14/2017 10:49:09 PM [REDACTED] CHP ADVISES THAT IN ORDER TO RESPOND TO THE SERT THEIR X UNIT NEEDS MORE INFORMATION ABOUT THE SHOOTING

7/14/2017 10:57:09 PM [REDACTED] PER X5 HAVE R47 RESPOND TO INC ADDRESS

7/14/2017 11:01:19 PM [REDACTED] DA INVESTIGATOR COX NOTIFIED FOR CIRT CALL OUT

7/14/2017 11:03:37 PM [REDACTED] R47 WILL ENTER FROM DOWD RD SIDE OF MARTINS FERRY BRIDGE

7/14/2017 11:10:34 PM [REDACTED] DA INVESTIGATOR COOPER EN ROUTE FOR CIRT

7/14/2017 11:39:04 PM [REDACTED] DR NUMBER 201703390 ASSIGNED FOR AGENCY HUMBOLDT CO SHERIFF

7/14/2017 11:44:31 PM [REDACTED] Y PER L70 - HAND CUFF ADJUSTMENT FOR COMFORT - THE [REDACTED] WAS DOUBLE CUFFED

7/15/2017 12:16:32 AM [REDACTED] Q45 EN ROUTE ST JOES W/ THE [REDACTED]

7/15/2017 2:15:16 AM [REDACTED] PER X7 THE SEARCH WARRANT HAS BEEN SIGNED

7/15/2017 4:41:52 AM [REDACTED] PER LT YOUNG REQ HUMBOLDT TOW RESPOND BETWEEN 7 AND 8AM FOR A SECURE EVIDENCE TOW

7/15/2017 4:55:44 AM [REDACTED] CONTACTED HUMBOLDT TOW AND THEY ADVISED ME TO RECONTACT BETWEEN 6:30 AND 7AM

7/15/2017 4:58:46 AM [REDACTED] INFO TO LT YOUNG WHO REQ'S DISPATCH ATTEMPT TO CALL BACK AT 6AM

7/15/2017 6:05:54 AM [REDACTED] CONTACTED HUMBOLDT TOW, HUMBOLDT TOW IS UNSURE IF THEY WILL BE ABLE TO TOW 2 VEHS

7/15/2017 6:06:14 AM [REDACTED] THE PATROL VEH AND THE [REDACTED] VEH

7/15/2017 6:06:42 AM [REDACTED] HUMBOLDT TOW WILL RECONTACT

7/15/2017 6:16:18 AM [REDACTED] HUMBOLDT TOW IS ENROUTE, ETA AT LEAST 2 HRS

7/15/2017 9:00:46 AM [REDACTED] HUMB TOW, A5 AND K66 REMAINING ON SCENE PER R47

Persons:

Person Name: [REDACTED] Phone: _____

Address: _____ DOB: [REDACTED] Age: _____

Race: _____ Hgt: [REDACTED] Eyes: [REDACTED] DL #: [REDACTED]

Sex: M Wgt: [REDACTED] Hair: [REDACTED] SSN #: _____

LSW: _____

Miscellaneous: [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]



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Type: CP Year: [REDACTED] Make: CHEV Model: _____

License: [REDACTED] State: CA Color: _____

Miscellaneous: [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Units:

| | | |
|-------------------|--------------------------|--------------------------|
| Unit: <u>2506</u> | Status: <u>DISP</u> | Time: <u>12:54:15 AM</u> |
| | Status: <u>EN ROUTE</u> | Time: <u>12:54:20 AM</u> |
| | Status: <u>OUT SCENE</u> | Time: <u>1:19:19 AM</u> |
| | Status: <u>AVAIL</u> | Time: <u>2:18:42 AM</u> |
| Unit: <u>A1</u> | Status: <u>DISP</u> | Time: <u>11:08:40 PM</u> |
| | Status: <u>DISP</u> | Time: <u>11:20:02 PM</u> |
| | Status: <u>AVAIL</u> | Time: <u>3:16:47 AM</u> |
| Unit: <u>A5</u> | Status: <u>DISP</u> | Time: <u>11:07:42 PM</u> |
| | Status: <u>DISP</u> | Time: <u>11:07:47 PM</u> |
| | Status: <u>EN ROUTE</u> | Time: <u>11:31:43 PM</u> |
| | Status: <u>OUT SCENE</u> | Time: <u>1:04:20 AM</u> |
| | Status: <u>AVAIL</u> | Time: <u>9:26:22 AM</u> |
| Unit: <u>A6</u> | Status: <u>DISP</u> | Time: <u>10:47:53 PM</u> |
| | Status: <u>EN ROUTE</u> | Time: <u>10:47:55 PM</u> |
| | Status: <u>OUT SCENE</u> | Time: <u>12:27:36 AM</u> |
| | Status: <u>DISP</u> | Time: <u>12:57:17 AM</u> |
| | Status: <u>EN ROUTE</u> | Time: <u>2:24:44 AM</u> |
| | Status: <u>DISP</u> | Time: <u>2:25:22 AM</u> |
| | Status: <u>AVAIL</u> | Time: <u>3:38:24 AM</u> |
| Unit: <u>K63</u> | Status: <u>DISP</u> | Time: <u>10:53:16 PM</u> |
| | Status: <u>DISP</u> | Time: <u>11:08:04 PM</u> |
| | Status: <u>EN ROUTE</u> | Time: <u>12:33:42 AM</u> |
| | Status: <u>OUT SCENE</u> | Time: <u>2:06:15 AM</u> |
| | Status: <u>AVAIL</u> | Time: <u>8:29:43 AM</u> |
| Unit: <u>K66</u> | Status: <u>DISP</u> | Time: <u>10:57:17 PM</u> |
| | Status: <u>EN ROUTE</u> | Time: <u>10:57:26 PM</u> |
| | Status: <u>OUT SCENE</u> | Time: <u>11:42:15 PM</u> |



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| | | |
|------------------|--------------------------|--------------------------|
| Unit: <u>L70</u> | Status: <u>AVAIL</u> | Time: <u>9:52:10 AM</u> |
| | Status: <u>DISP</u> | Time: <u>9:58:20 PM</u> |
| | Status: <u>EN ROUTE</u> | Time: <u>9:58:23 PM</u> |
| | Status: <u>OUT SCENE</u> | Time: <u>9:58:24 PM</u> |
| | Status: <u>AVAIL</u> | Time: <u>5:56:48 AM</u> |
| Unit: <u>Q18</u> | Status: <u>DISP</u> | Time: <u>9:59:02 PM</u> |
| | Status: <u>EN ROUTE</u> | Time: <u>9:59:13 PM</u> |
| | Status: <u>AVAIL</u> | Time: <u>10:05:59 PM</u> |
| Unit: <u>Q41</u> | Status: <u>DISP</u> | Time: <u>9:59:10 PM</u> |
| | Status: <u>EN ROUTE</u> | Time: <u>9:59:14 PM</u> |
| | Status: <u>AVAIL</u> | Time: <u>10:01:21 PM</u> |
| | Status: <u>DISP</u> | Time: <u>10:01:49 PM</u> |
| | Status: <u>EN ROUTE</u> | Time: <u>10:18:14 PM</u> |
| | Status: <u>OUT SCENE</u> | Time: <u>11:37:42 PM</u> |
| | Status: <u>AVAIL</u> | Time: <u>1:00:40 AM</u> |
| Unit: <u>Q45</u> | Status: <u>DISP</u> | Time: <u>10:01:54 PM</u> |
| | Status: <u>EN ROUTE</u> | Time: <u>10:18:16 PM</u> |
| | Status: <u>OUT SCENE</u> | Time: <u>11:11:47 PM</u> |
| | Status: <u>ENRT HOSP</u> | Time: <u>12:16:16 AM</u> |
| | Status: <u>OUT HOSP</u> | Time: <u>1:50:28 AM</u> |
| | Status: <u>ENRT JAIL</u> | Time: <u>5:28:56 AM</u> |
| | Status: <u>OUT JAIL</u> | Time: <u>5:33:19 AM</u> |
| | Status: <u>AVAIL</u> | Time: <u>5:57:23 AM</u> |
| Unit: <u>Q79</u> | Status: <u>DISP</u> | Time: <u>10:01:57 PM</u> |
| | Status: <u>AVAIL</u> | Time: <u>10:06:03 PM</u> |
| Unit: <u>Q85</u> | Status: <u>OUT SCENE</u> | Time: <u>9:57:51 PM</u> |
| | Status: <u>AVAIL</u> | Time: <u>5:56:56 AM</u> |
| Unit: <u>Q93</u> | Status: <u>DISP</u> | Time: <u>9:58:20 PM</u> |
| | Status: <u>EN ROUTE</u> | Time: <u>9:58:23 PM</u> |
| | Status: <u>OUT SCENE</u> | Time: <u>9:58:24 PM</u> |
| | Status: <u>AVAIL</u> | Time: <u>5:56:48 AM</u> |
| Unit: <u>R47</u> | Status: <u>DISP</u> | Time: <u>10:57:48 PM</u> |
| | Status: <u>EN ROUTE</u> | Time: <u>10:57:53 PM</u> |
| | Status: <u>OUT SCENE</u> | Time: <u>12:34:19 AM</u> |
| | Status: <u>AVAIL</u> | Time: <u>9:00:15 AM</u> |



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Unit: X5

Status: DISP

Time: 10:18:20 PM

Status: EN ROUTE

Time: 10:18:22 PM

Status: OUT SCENE

Time: 11:42:01 PM

Status: AVAIL

Time: 8:29:37 AM

Unit: X7

Status: DISP

Time: 10:49:20 PM


Status: AVAIL

Time: 9:52:10 AM

CASE NUMBER: 201703390

HUMBOLDT COUNTY SHERIFF'S OFFICE
PROPERTY/EVIDENCE BOOKING REPORT

PROPERTY/EVIDENCE LISTING

| BarCode | Item # | Recovering Officer / Date / Address | Item Type / Description |
|---|--------|---|--|
|  148058 | FM1 | Melendy, Foy - 2067 07/15/2017 Recovery Address: ST JOSEPH HOSPITAL 2700 DOLBEER Recovery Location: ER ROOM 18 | Biological Evidence Each GUAZE CONTAINING SALIVA |
|  148072 | HH1 | Havens, Hilary - 1917 07/15/2017 Recovery Address: 826 4TH ST. EUREKA Recovery Location: HCSO CID | Miscellaneous Each CONTENTS OF RIGHT FRONT SHIRT POCKET |
|  148073 | HH2 | Havens, Hilary - 1917 07/15/2017 Recovery Address: 826 4TH ST. EUREKA Recovery Location: HCSO CID | Miscellaneous Each LEFT FRONT SHIRT POCKET CONTENTS |
|  148075 | HH3 | Havens, Hilary - 1917 07/15/2017 Recovery Address: 826 4TH ST. EUREKA Recovery Location: HCSO CID | Miscellaneous Each RIGHT CARGO PANTS POCKET CONTENTS |
|  148076 | SH-1 | Hicks, Scott - 1149 07/15/2017 Recovery Address: MARTIN'S FERRY BRIDGE Recovery Location: | Miscellaneous RAW DATA FROM LEICA SCANSTATION |
|  148077 | HH4 | Havens, Hilary - 1917 07/15/2017 Recovery Address: 826 4TH ST. EUREKA Recovery Location: HCSO CID | Firearms SMITH & WESSON AIR WEIGHT 38 SPECIAL Caliber: .38 Ser #:  Each LEFT CARGO POCKET CONTENTS REVOLVER |
|  148078 | HH5 | Havens, Hilary - 1917 07/15/2017 Recovery Address: 826 4TH ST. EUREKA Recovery Location: HCSO CID | Ammunition R-P, 38 SPL + P Caliber: .38 5 Each 5 ROUNDS IN CHAMBER OF REVOLVER (HH4) |
|  148079 | HH6 | Havens, Hilary - 1917 07/15/2017 Recovery Address: 826 4TH ST. EUREKA Recovery Location: HCSO CID | Miscellaneous DE SANTIS Each LEFT CARGO PANT POCKET : FABRIC HOLSTER (FOR REVOLVER HH4) AND  HCSO ID CARD |
|  148080 | HH7 | Havens, Hilary - 1917 07/15/2017 Recovery Address: 826 4TH ST. EUREKA Recovery Location: HCSO CID | Miscellaneous Each LEFT SAP PANT POCKET CONTENTS |
|  148081 | HH8 | Havens, Hilary - 1917 07/15/2017 Recovery Address: 826 4TH ST. EUREKA Recovery Location: HCSO CID | Miscellaneous Each RIGHT REAR PANT POCKET CONTENTS |

CASE NUMBER: 201703390

HUMBOLDT COUNTY SHERIFF'S OFFICE
PROPERTY/EVIDENCE BOOKING REPORT

MAXWELL SOETH

PROPERTY/EVIDENCE LISTING

| BarCode | Item # | Recovering Officer / Date / Address | Item Type / Description |
|---|--------|---|---|
|  148082 | HH9 | Havens, Hilary - 1917 07/15/2017 Recovery Address: 826 4TH ST. EUREKA Recovery Location: HCSO CID | Miscellaneous Each LEFT FRONT PANT POCKET CONTENTS |
|  148083 | HH10 | Havens, Hilary - 1917 07/15/2017 Recovery Address: 826 4TH ST. EUREKA Recovery Location: HCSO CID | Miscellaneous DUTY BELT: FIREARM HOLSTER, 1 HANDCUFF, MISC. KEYS, RADIO, TASER, OC SPRAY, BATON, TOURNIQUET, KNIFE |
|  148084 | HH11 | Havens, Hilary - 1917 07/15/2017 Recovery Address: 826 4TH ST. EUREKA Recovery Location: | Firearms GLOCK 22 Caliber: .40 Ser #: [REDACTED] Each DUTY FIREARM LOCATED IN HOLSTER ON DUTY BELT (HH10) |
|  148086 | HH12 | Havens, Hilary - 1917 07/15/2017 Recovery Address: 826 4TH ST. EUREKA Recovery Location: HCSO CID | Ammunition SW RP (ISSUED) Caliber: .40 15 Each 1 ROUND CHAMBERED IN FIREARM AND MAGAZINE WITH 14 ROUNDS (PREVIOUSLY IN HH11) |
|  148087 | HH13 | Havens, Hilary - 1917 07/15/2017 Recovery Address: 826 4TH ST. EUREKA Recovery Location: HCSO CID | Ammunition S&W RP, ISSUED AMMO Caliber: .40 30 Each TWO 15 ROUND MAGAZINES FROM DUTY BELT POUCH MARKED Q70(MAGAZINE NEXT TO OC SPRAY & MIDDLE MAGAZINE) |
|  148088 | HH14 | Havens, Hilary - 1917 07/15/2017 Recovery Address: 826 4TH ST. EUREKA Recovery Location: HCSO CID | Ammunition FEDERAL Caliber: .40 15 Each THIRD 15 ROUND MAGAZINE IN DUTY BELT POUCH MARKED L70 (NEXT TO CUFF CASE) |
|  148089 | HH15 | Havens, Hilary - 1917 07/15/2017 Recovery Address: 826 4TH ST. EUREKA Recovery Location: | |
|  148090 | HH15 | Havens, Hilary - 1917 07/15/2017 Recovery Address: 826 4TH ST. EUREKA Recovery Location: HCSO CID | Miscellaneous Each UPPER RIGHT SHIRT POCKET CONTENTS |
|  148091 | HH16 | Havens, Hilary - 1917 07/15/2017 Recovery Address: 826 4TH ST. EUREKA Recovery Location: HCSO CID | Miscellaneous Each UPPER LEFT SHIRT POCKET CONTENTS: INCLUDES GLOVES USED AT INCIDENT, AND PRIOR UNRELATED INCIDENT |
|  148092 | HH17 | Havens, Hilary - 1917 07/15/2017 Recovery Address: 826 4TH ST. EUREKA Recovery Location: HCSO CID | Miscellaneous Each RIGHT FRONT PANT CARGO POCKET CONTENTS |

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|---|--------|---|--|
|  148093 | HH18 | Havens, Hilary - 1917 07/15/2017 Recovery Address: 826 4TH ST. EUREKA Recovery Location: HCSO CID | Miscellaneous Each LEFT FRONT PANT POCKET CONTENTS (KEPT PERSONAL KEYS FROM POCKET) |
|  148094 | HH19 | Havens, Hilary - 1917 07/15/2017 Recovery Address: 826 4TH ST. EUREKA Recovery Location: HCSO CID | Miscellaneous Each LEFT SAP POCKET CONTENTS |
|  148095 | HH20 | Havens, Hilary - 1917 07/15/2017 Recovery Address: 826 4TH ST. EUREKA Recovery Location: HCSO CID | Miscellaneous Each LEFT CARGO PANT POCKET CONTENTS (KEPT PERSONAL CELLULAR PHONE AND CHEWING GUM) |
|  148096 | HH21 | Havens, Hilary - 1917 07/15/2017 Recovery Address: 826 4TH ST. EUREKA Recovery Location: HCSO CID | Ammunition S&W RP, ISSUED AMMO Caliber: .40 9 Each LEFT CARGO PANT POCKET: 9 ROUNDS IN MAGAZINE |
|  148097 | HH22 | Havens, Hilary - 1917 07/15/2017 Recovery Address: 826 4TH ST. EUREKA Recovery Location: HCSO CID | Miscellaneous Each LEFT REAR PANT POCKET CONTENTS |
|  148098 | HH23 | Havens, Hilary - 1917 07/15/2017 Recovery Address: 826 4TH ST. EUREKA Recovery Location: HCSO CID | Firearms GLOCK 22 Caliber: .40 Ser #: [REDACTED] Each DUTY FIREARM LOCATED ON DUTY BELT (HH24) |
|  148099 | HH24 | Havens, Hilary - 1917 07/15/2017 Recovery Address: 826 4TH ST. EUREKA Recovery Location: HCSO CID | Miscellaneous Each DUTY BELT:MAGAZINE POUCH, FLASHLIGHT, RADIO, OC SPRAY, BATON, HOLSTER, KEY CASE, CUFF CASE |
|  148100 | HH25 | Havens, Hilary - 1917 07/15/2017 Recovery Address: 826 4TH ST. EUREKA Recovery Location: HCSO CID | Ammunition S&W RP, ISSUED AMMO Caliber: .40 15 Each 1 ROUND IN CHAMBER OF FIREARM (HH23), AND 14 ROUND MAGAZINE |
|  148101 | HH26 | Havens, Hilary - 1917 07/15/2017 Recovery Address: 826 4TH ST. EUREKA Recovery Location: HCSO CID | Ammunition FEDERAL Caliber: .40 15 Each 15 ROUND MAGAZINE ON DUTY BELT (HH24) LOCATED NEXT TO BUCKLE AND MARKED L70 |
|  148102 | HH27 | Havens, Hilary - 1917 07/15/2017 Recovery Address: 826 4TH ST. EUREKA Recovery Location: HCSO CID | Ammunition S&W RP, ISSUED AMMO Caliber: .40 14 Each 14 ROUND MAGAZINE ON DUTY BELT IN MAGAZINE POUCH NEXT TO FLASHLIGHT |

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|  148103 | HH28 | Havens, Hilary - 1917 07/15/2017 Recovery Address: 826 4TH ST. EUREKA Recovery Location: HCSO CID | Clothing 1 Each HCSO LONG SLEEVE SHIRT W/SMALL REDDISH STAIN ON RIGHT CUFF OF SLEEVE |
|  148104 | HH29 | Havens, Hilary - 1917 07/15/2017 Recovery Address: 826 4TH ST. EUREKA Recovery Location: HCSO CID | Miscellaneous Each UPPER RIGHT SHIRT POCKET CONTENTS |
|  148106 | HH30 | Havens, Hilary - 1917 07/15/2017 Recovery Address: 826 4TH ST. EUREKA Recovery Location: HCSO CID | Miscellaneous Each UPPER LEFT SHIRT POCKET CONTENTS: ■ KEPT FUEL CARD |
|  148107 | HH31 | Havens, Hilary - 1917 07/15/2017 Recovery Address: 826 4TH ST. EUREKA Recovery Location: HCSO CID | Knife Each LEFT FRONT PANT POCKET CONTENTS: FOLDING POCKET KNIFE |
|  148108 | HH32 | Havens, Hilary - 1917 07/15/2017 Recovery Address: 826 4TH ST. EUREKA Recovery Location: LEFT CARGO PANT POCKET | Ammunition PMC Caliber: 9 mm 9 Each 6 ROUND MAGAZINE, WALLET WITH FLAT BADGE ■ KEPT WALLET), GLOVES USED DURING INCIDENT |
|  148109 | HH33 | Havens, Hilary - 1917 07/15/2017 Recovery Address: 826 4TH ST. EUREKA Recovery Location: HCSO CID | Miscellaneous Each RIGHT REAR PANT POCKET |
|  148110 | HH34 | Havens, Hilary - 1917 07/15/2017 Recovery Address: 826 4TH ST. EUREKA Recovery Location: HCSO CID | Firearms GLOCK 22 Caliber: .40 Ser # ■ Each DUTY FIREARM LOCATED ON DUTY BELT (HH35) |
|  148111 | HH35 | Havens, Hilary - 1917 07/15/2017 Recovery Address: 826 4TH ST. EUREKA Recovery Location: HCSO CID | Miscellaneous Each DUTY BELT: MAGAZINE POUCH, KEY, OC SPRAY, RADIO, FLASHLIGHT, 2 CUFF CASES, TOURNIQUET, FIREARM HOLSTER |
|  148112 | HH36 | Havens, Hilary - 1917 07/15/2017 Recovery Address: 826 4TH ST. EUREKA Recovery Location: HCSO CID | Ammunition S&W RP Caliber: .40 45 Each THREE 15 ROUND MAGAZINES LOCATED ON DUTY BELT IN MAGAZINE POUCH |
|  148113 | HH37 | Havens, Hilary - 1917 07/15/2017 Recovery Address: 826 4TH ST. EUREKA Recovery Location: HCSO CID | Ammunition S&W RP, ISSUED AMMO Caliber: .40 16 Each 1 CHAMBERED ROUND WITH 15 ROUNDS IN MAGAZINE LOCATED PREVIOUSLY IN HH34 |

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|  148114 | HH38 | Havens, Hilary - 1917 07/15/2017 Recovery Address: 826 4TH ST. EUREKA Recovery Location: HCSO CID | Firearms GLOCK 43 Caliber: 9 mm Ser #:  Each FIREARM LOCATED IN BULLET PROOF VEST |
|  148115 | HH39 | Havens, Hilary - 1917 07/15/2017 Recovery Address: 826 4TH ST. EUREKA Recovery Location: HCSO CID | Ammunition PMC Caliber: 9 mm 7 Each 1 ROUND CHAMBERED IN FIREARM AND 6 ROUND MAGAZINE IN FIREARM  |
|  148116 | HH40 | Havens, Hilary - 1917 07/15/2017 Recovery Address: 826 4TH ST. EUREKA Recovery Location: HCSO CID | Biological Evidence Each LEGAL BLOOD DRAW/DNA   AT SAINT JOSEPHS HOSPITAL |
|  148117 | HH41 | Havens, Hilary - 1917 07/17/2017 Recovery Address: 826 4TH ST. EUREKA Recovery Location: HCSO CID | Photo CD - Agency Created 1 Each PHOTOGRAPHS TAKEN BY EPD OFFICER LINFOOT AND LATER TRANSFERRED TO THUMB DRIVE |
|  148141 | DOJ-11 | Outside Agency 07/18/2017 Recovery Address: DOJ Recovery Location: EU-17-000797 | Firearms SMITH AND WESSON M&P15 Caliber: .223 Ser #:  LONG GUN ITEM #11 FROM DOJ |
|  148142 | DOJ-11A | Outside Agency 07/18/2017 Recovery Address: DOJ Recovery Location: EU-17-000797 | Ammunition ITEM 11A FROM DOJ, AMMUNITION |
|  148143 | DOJ-11T | Outside Agency 07/18/2017 Recovery Address: DOJ Recovery Location: EU-17-000797 | Ammunition ITEM 11T FROM DOJ, 5 CARTRIDGE CASES TEST FIRES IN ITEM 11 |
|  148179 | MP1 | Peterson, Mark - 1186 07/15/2017 Recovery Address: MARTINS FERRY BRIDGE Recovery Location: HCSO UNIT # 08-344 | Miscellaneous Each PLASTIC 20 ROUND AR VARIANT MAGAZINE |
|  148180 | MP2 | Peterson, Mark - 1186 07/15/2017 Recovery Address: MARTINS FERRY BRIDGE Recovery Location: HCSO VEHICLE 08-344 | Ammunition REMINGTON Caliber: .223 21 Each FROM ITEM # MP1 |

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|---|--------|---|--|
|  148181 | MP3 | Peterson, Mark - 1186 07/15/2017 Recovery Address: MARTINS FERRY BRIDGE Recovery Location: HCSO VEHICLE 08-344 | Miscellaneous METAL 30 ROUND AR VARIANT MAGAZINE |
|  148182 | MP4 | Peterson, Mark - 1186 07/15/2017 Recovery Address: MARTINS FERRY BRIDGE Recovery Location: HCSO VEHICLE 08-344 | Ammunition REMINGTON Caliber: .223 29 Each FROM ITEM # MP3 |
|  148183 | MP5 | Peterson, Mark - 1186 07/15/2017 Recovery Address: MARTINS FERRY BRIDGE Recovery Location: HCSO VEHICLE 08-344 | Miscellaneous METAL 30 ROUND AR VARIANT MAGAZINE |
|  148184 | MP6 | Peterson, Mark - 1186 07/15/2017 Recovery Address: MARTINS FERRY BRIDGE Recovery Location: HCSO VEHICLE 08-344 | Ammunition REMINGTON Caliber: .223 31 Each FROM ITEM # MP5 |
|  148185 | MP7 | Peterson, Mark - 1186 07/15/2017 Recovery Address: MARTINS FERRY BRIDGE Recovery Location: HCSO VEHICLE 08-344 | Miscellaneous CAMO POUCH - CONTAINED MP3 AND MP5 |
|  148186 | MP8 | Peterson, Mark - 1186 07/15/2017 Recovery Address: MARTINS FERRY BRIDGE Recovery Location: HCSO VEHICLE 08-344 | Firearms COLT M-16A1 Caliber: .223 Ser #:  |
|  148187 | MP9 | Peterson, Mark - 1186 07/15/2017 Recovery Address: MARTINS FERRY BRIDGE Recovery Location: HCSO VEHICLE 08-344 | Miscellaneous PLASTIC 20 ROUND AR VARIANT MAGAZINE |
|  148188 | MP10 | Peterson, Mark - 1186 07/15/2017 Recovery Address: MARTINS FERRY BRIDGE Recovery Location: HCSO VEHICLE 08-344 | Ammunition REMINGTON Caliber: .223 20 Each FROM ITEM # MP9 |

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|---|---------|---|--|
|  148189 | MP11 | Peterson, Mark - 1186 07/15/2017 Recovery Address: MARTINS FERRY BRIDGE Recovery Location: HCSO VEHICLE 08-344 | Firearms REMINGTON WINGMASTER 870 Caliber: 12 GA Ser #:  |
|  148190 | MP12 | Peterson, Mark - 1186 07/15/2017 Recovery Address: MARTINS FERRY BRIDGE Recovery Location: HCSO VEHICLE 08-344 | Ammunition Caliber: 12 GA 4 Each FROM MP11 - 2 WINCHESTER SLUGS, 2 FEDERAL 00 BUCK |
|  148191 | MP13 | Peterson, Mark - 1186 07/15/2017 Recovery Address: MARTINS FERRY BRIDGE Recovery Location: HCSO VEHICLE 08-344 | Ammunition REMINGTON Caliber: .40 50 Each FULL FACTORY 50 ROUND BOX |
|  148192 | MP14 | Peterson, Mark - 1186 07/15/2017 Recovery Address: MARTINS FERRY BRIDGE Recovery Location: HCSO VEHICLE 08-344 | Ammunition WINCHESTER Caliber: .40 10 Each 10 LOOSE CARTRIDGES |
|  148193 | MP15 | Peterson, Mark - 1186 07/15/2017 Recovery Address: MARTINS FERRY BRIDGE Recovery Location: HCSO VEHICLE 08-344 | Ammunition AMERICAN EAGLE Caliber: .223 60 Each 3 FULL FACTORY 20 ROUND BOXES |
|  148250 | HH42 | Havens, Hilary - 1917 07/25/2017 Recovery Address: 826 4TH ST. EUREKA Recovery Location: HCSO CID | Miscellaneous Each CUMBOW'S FTO MANUAL |
|  148780 | HH16A | Peterson, Mark - 1186 08/22/2017 Recovery Address: HCSO - PROPERTY Recovery Location: BC 148091 | Miscellaneous OLYMPUS RECORDER, USB DRIVE, PEN, HANDCUFF KEY |
|  148813 | HH3A | Peterson, Mark - 1186 08/22/2017 Recovery Address: HCSO - PROPERTY Recovery Location: BC 148075 | Miscellaneous NOTEBOOK FROM BC 148075 |
|  148938 | 148186T | California Dept. of Justice Eureka Lab 07/15/2017 Recovery Address: MARTINS FERRY BRIDGE Recovery Location: | DOJ Lab Generated Evidence COLT M-16A1 Caliber: .223 Ser #:  FOUR CARTRIDGE CASES TEST FIRED IN ITEM 148186 |

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|  150784 | MP16 | Peterson, Mark - 1186 07/25/2017 Recovery Address: HCSO Recovery Location: | Audio/Video Statements - Agency Created INTERVIEW ██████████ 2017-07-14 |
|  150786 | MP17 | Peterson, Mark - 1186 07/14/2017 Recovery Address: MARTIN FERRY BRIDGE, WEITCHPEC Recovery Location: | Indicia CRIME SCENE LOG |
|  150787 | MP18 | Peterson, Mark - 1186 07/14/2017 Recovery Address: MARTIN FERRY BRIDGE, WEITCHPEC Recovery Location: | Audio/Video Statements - Agency Created DISPATCH RECORDINGS |
|  150795 | MP19 | Peterson, Mark - 1186 07/18/2017 Recovery Address: EUREKA DOJ Recovery Location: | Photo CD - Agency Created PHOTOS - DOJ ITEM "DOJ 1" |
|  150796 | MP20 | Peterson, Mark - 1186 08/22/2017 Recovery Address: EUREKA DOJ Recovery Location: | Photo CD - Agency Created PHOTOS - DOJ ITEM "DOJ 2" |
|  150798 | MP21 | Peterson, Mark - 1186 07/17/2017 Recovery Address: HCSO Recovery Location: | Audio/Video Statements - Agency Created INTERVIEW CUMBOW - AUDIO - 1:00:27 |
|  150799 | MP22 | Peterson, Mark - 1186 07/17/2017 Recovery Address: HCSO Recovery Location: | Miscellaneous INTERVIEW CUMBOW - PHOTO / DIAGRAM |
|  150800 | MP23 | Peterson, Mark - 1186 07/17/2017 Recovery Address: HCSO Recovery Location: | Audio/Video Statements - Agency Created INTERVIEW MATILTON - AUDIO - 55:42 |
|  150801 | MP24 | Peterson, Mark - 1186 07/17/2017 Recovery Address: HCSO Recovery Location: | Miscellaneous INTERVIEW MATILTON - PHOTO / DIAGRAM |
|  150802 | MP25 | Peterson, Mark - 1186 07/17/2017 Recovery Address: HCSO Recovery Location: | Audio/Video Statements - Agency Created INTERVIEW SOETH - AUDIO - 1:08:10 |

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|  150803 | MP26 | Peterson, Mark - 1186 07/17/2017 Recovery Address: HCSO Recovery Location: | Miscellaneous INTERVIEW SOETH - PHOTO / DIAGRAM |
|  150804 | MP27 | Peterson, Mark - 1186 07/15/2017 Recovery Address: MARTIN FERRY BRIDGE, HWY 169 Recovery Location: | Photo CD - Agency Created PHOTOS SCENE 2017-07-15 |
|  150805 | MP28 | Peterson, Mark - 1186 07/19/2017 Recovery Address: HUMBOLDT TOWING Recovery Location: | Photo CD - Agency Created PHOTOS SW 2017-07-19 |
|  150806 | MP29 | Peterson, Mark - 1186 08/22/2017 Recovery Address: HCSO Recovery Location: | Photo CD - Agency Created PHOTOS PROPERTY 2017-08-22 |
|  150807 | MP30 | Peterson, Mark - 1186 08/24/2017 Recovery Address: HCSO Recovery Location: | Photo CD - Agency Created PHOTOS PROPERTY 2017-08-24 |
|  150808 | MP31 | Peterson, Mark - 1186 07/15/2017 Recovery Address: MARTIN FERRY BRIDGE / HWY 169 Recovery Location: | Audio/Video Statements - Agency Created TRANSPORT AUDIO 2017-07-15 (3 FILES) |
|  151492 | 30 | California Dept. of Justice Eureka Lab 07/15/2017 Recovery Address: MARTINS FERRY BRIDGE Recovery Location: | DOJ Lab Generated Evidence Ser # [REDACTED] RIFLE WINCHESTER 94 Caliber: 12 GA |
|  151493 | 10 | California Dept. of Justice Eureka Lab 07/15/2017 Recovery Address: MARTINS FERRY BRIDGE Recovery Location: | DOJ Lab Generated Evidence Ser #: [REDACTED] RUGER HANDGUN RUGER REDHAWK Caliber: 12 GA |

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|  151494 | 29 | California Dept. of Justice Eureka Lab 07/15/2017 Recovery Address: MARTINS FERRY BRIDGE Recovery Location: | DOJ Lab Generated Evidence Caliber: 12 GA YELLOW BACKPACK FROM REAR OF CORVETTE |
|  151495 | 29A | California Dept. of Justice Eureka Lab 07/15/2017 Recovery Address: MARTINS FERRY BRIDGE Recovery Location: | DOJ Lab Generated Evidence Caliber: 12 GA AMMUNITION REMOVED FROM ITEM #29 PACK |
|  151496 | 3 | California Dept. of Justice Eureka Lab 07/15/2017 Recovery Address: MARTINS FERRY BRIDGE Recovery Location: | DOJ Lab Generated Evidence Caliber: 12 GA SHIRT |
|  151497 | 33 | California Dept. of Justice Eureka Lab 07/15/2017 Recovery Address: MARTINS FERRY BRIDGE Recovery Location: | DOJ Lab Generated Evidence Caliber: 12 GA MISC AMMO & CARTRIDGE CASES FROM REAR OF CORVETTE |
|  151535 | 1 | California Dept. of Justice Eureka Lab 07/15/2017 Recovery Address: MARTINS FERRY BRIDGE Recovery Location: RECEIVED FROM CDOJ EU-17-000797 | Ammunition EXPENDED .223 CARTRIDGE CASE |
|  151536 | 2 | California Dept. of Justice Eureka Lab 07/15/2017 Recovery Address: MARTINS FERRY BRIDGE Recovery Location: RECEIVED FROM CDOJ EU-17-000797 | Ammunition EXPENDED .223 CARTRIDGE CASE |

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|  151537 | 4 | California Dept. of Justice Eureka Lab 07/15/2017 Recovery Address: MARTINS FERRY BRIDGE Recovery Location: RECEIVED FROM CDOJ EU-17-000797 | Jewelry DIGITAL WATCH, DISPOSABLE LIGHTER, AND THREE LASER POINTER LENSES |
|  151538 | 5 | California Dept. of Justice Eureka Lab 07/15/2017 Recovery Address: MARTINS FERRY BRIDGE Recovery Location: RECEIVED FROM CDOJ EU-17-000797 | Ammunition EXPENDED BULLET |
|  151539 | 6 | California Dept. of Justice Eureka Lab 07/15/2017 Recovery Address: MARTINS FERRY BRIDGE Recovery Location: RECEIVED FROM CDOJ EU-17-000797 | Biological Evidence TWO SWABS OF APPARENT BLOOD FROM ROADWAY |
|  151540 | 7 | California Dept. of Justice Eureka Lab 07/15/2017 Recovery Address: MARTINS FERRY BRIDGE Recovery Location: RECEIVED FROM CDOJ EU-17-000797 | Biological Evidence TWO SWABS OF APPARENT BLOOD FROM ROADWAY |
|  151541 | 8 | California Dept. of Justice Eureka Lab 07/15/2017 Recovery Address: MARTINS FERRY BRIDGE Recovery Location: RECEIVED FROM CDOJ EU-17-000797 | Trace Evidence GLASS FROM ROADWAY BELOW FRONT DOOR HCSO #07179 FORD EXPLORER |
|  151542 | 9 | California Dept. of Justice Eureka Lab 07/15/2017 Recovery Address: MARTINS FERRY BRIDGE Recovery Location: RECEIVED FROM CDOJ EU-17-000797 | Trace Evidence REFERENCE GLASS FROM FORNT PASSENGER DOOR HCSO #07179 FORD EXPLORER |

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|  151543 | 12 | California Dept. of Justice Eureka Lab 07/15/2017 Recovery Address: MARTINS FERRY BRIDGE Recovery Location: RECEIVED FROM CDOJ EU-17-000797 | Ammunition MISCELLANEOUS EXPENDED CARTRIDGE CASES |
|  151544 | 13 | California Dept. of Justice Eureka Lab 07/15/2017 Recovery Address: MARTINS FERRY BRIDGE Recovery Location: RECEIVED FROM CDOJ EU-17-000797 | Ammunition BULLET JACKET |
|  151545 | 14 | California Dept. of Justice Eureka Lab 07/15/2017 Recovery Address: MARTINS FERRY BRIDGE Recovery Location: RECEIVED FROM CDOJ EU-17-000797 | Ammunition BULLET CORE |
|  151546 | 15 | California Dept. of Justice Eureka Lab 07/15/2017 Recovery Address: MARTINS FERRY BRIDGE Recovery Location: RECEIVED FROM CDOJ EU-17-000797 | Ammunition BULLET JACKET |
|  151547 | 16 | California Dept. of Justice Eureka Lab 07/15/2017 Recovery Address: MARTINS FERRY BRIDGE Recovery Location: RECEIVED FROM CDOJ EU-17-000797 | Ammunition EXPENDED BULLET |

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|  151548 | 17 | California Dept. of Justice Eureka Lab 07/15/2017 Recovery Address: MARTINS FERRY BRIDGE Recovery Location: RECEIVED FROM CDOJ EU-17-000797 | Ammunition BULLET JACKET FRAGMENTS |
|  151549 | 21 | California Dept. of Justice Eureka Lab 07/15/2017 Recovery Address: MARTINS FERRY BRIDGE Recovery Location: RECEIVED FROM CDOJ EU-17-000797 | Ammunition EXPENDED CARTRIDGE CASE FROM SOETH'S BAG |
|  151550 | 22 | California Dept. of Justice Eureka Lab 07/15/2017 Recovery Address: MARTINS FERRY BRIDGE Recovery Location: RECEIVED FROM CDOJ EU-17-000797 | Ammunition BULLET FRAGMENT FROM DASHBOARD OF CORVETTE |
|  151551 | 23 | California Dept. of Justice Eureka Lab 07/15/2017 Recovery Address: MARTINS FERRY BRIDGE Recovery Location: RECEIVED FROM CDOJ EU-17-000797 | Ammunition EXPENDED BULLET FROM DASHBOARD OF CORVETTE |
|  151552 | 24 | California Dept. of Justice Eureka Lab 07/15/2017 Recovery Address: MARTINS FERRY BRIDGE Recovery Location: RECEIVED FROM CDOJ EU-17-000797 | Ammunition BULLET CORE THAT FELL OUT OF BLANKET FROM CORVETTE |
|  151553 | 25 | California Dept. of Justice Eureka Lab 07/15/2017 Recovery Address: MARTINS FERRY BRIDGE Recovery Location: RECEIVED FROM CDOJ EU-17-000797 | Ammunition EXPENDED BULLETS AND BULLET FRAGMENTS FROM DRIVER'S SEAT AREA OF CORVETTE |

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|  151554 | 26 | California Dept. of Justice Eureka Lab 07/15/2017 Recovery Address: MARTINS FERRY BRIDGE Recovery Location: RECEIVED FROM CDOJ EU-17-000797 | Ammunition BULLET JACKET FROM PASSENGER SEAT OF CORVETTE |
|  151555 | 27 | California Dept. of Justice Eureka Lab 07/15/2017 Recovery Address: MARTINS FERRY BRIDGE Recovery Location: RECEIVED FROM CDOJ EU-17-000797 | Ammunition EXPENDED BULLET FROM BEHIND DRIVER'S SEAT OF CORVETTE |
|  151556 | 28 | California Dept. of Justice Eureka Lab 07/15/2017 Recovery Address: MARTINS FERRY BRIDGE Recovery Location: RECEIVED FROM CDOJ EU-17-000797 | Ammunition EXPENDED BULLET FROM BEHIND DRIVER'S SEAT OF CORVETTE |
|  151557 | 30A | California Dept. of Justice Eureka Lab 07/15/2017 Recovery Address: MARTINS FERRY BRIDGE Recovery Location: RECEIVED FROM CDOJ EU-17-000797 | Ammunition 2 CARTRIDGES REMOVED FROM WINCHESTER MODEL 94 RIFLE |
|  151558 | 31 | California Dept. of Justice Eureka Lab 07/15/2017 Recovery Address: MARTINS FERRY BRIDGE Recovery Location: RECEIVED FROM CDOJ EU-17-000797 | Ammunition BULLET FRAGMENTS FROM BEHIND DRIVER'S SEAT OF CORVETTE |

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|  151559 | 32 | California Dept. of Justice Eureka Lab 07/15/2017 Recovery Address: MARTINS FERRY BRIDGE Recovery Location: RECEIVED FROM CDOJ EU-17-000797 | Ammunition EXPENDED BULLET FROM BEHIND PASSENGER SEAT OF CORVETTE |
|  151560 | 34 | California Dept. of Justice Eureka Lab 07/15/2017 Recovery Address: MARTINS FERRY BRIDGE Recovery Location: RECEIVED FROM CDOJ EU-17-000797 | Ammunition BULLET JACKET FROM REAR OF CORVETTE |
|  151561 | 35 | California Dept. of Justice Eureka Lab 07/15/2017 Recovery Address: MARTINS FERRY BRIDGE Recovery Location: RECEIVED FROM CDOJ EU-17-000797 | Ammunition CARTRIDGE CASE IN FRONT OF AND NTACT CARTIDGE CASE BEHIND CORVETTE PASSENGER SEAT |
|  151562 | 36 | California Dept. of Justice Eureka Lab 07/15/2017 Recovery Address: MARTINS FERRY BRIDGE Recovery Location: RECEIVED FROM CDOJ EU-17-000797 | Biological Evidence 2 SWABS OF RED BROWN STAINS FROM CORVETTE CENTER CONSOLE |
|  151563 | 37 | California Dept. of Justice Eureka Lab 07/15/2017 Recovery Address: MARTINS FERRY BRIDGE Recovery Location: RECEIVED FROM CDOJ EU-17-000797 | Ammunition CARTRIDGE CASES AND INTACT CARTRIDGES FROM CORVETTE CENTER CONSOLE |
|  151564 | 38 | California Dept. of Justice Eureka Lab 07/15/2017 Recovery Address: MARTINS FERRY BRIDGE Recovery Location: RECEIVED FROM CDOJ EU-17-000797 | Miscellaneous GREEN LASER FROM CORVETTE |

CASE NUMBER: 201703390

HUMBOLDT COUNTY SHERIFF'S OFFICE
PROPERTY/EVIDENCE BOOKING REPORT

MAXWELL E SOETH
: NATHAN W CUMBOW

PROPERTY/EVIDENCE LISTING







| BarCode | Item # | Recovering Officer / Date / Address | Item Type / Description |
|---|--------|--|---|
|  151565 | 39 | California Dept. of Justice Eureka Lab 07/15/2017 Recovery Address: MARTINS FERRY BRIDGE Recovery Location: RECEIVED FROM CDOJ EU-17-000797 | Biological Evidence 1 WATER BLANK SWAB |
|  151566 | D1 | California Dept. of Justice Eureka Lab 07/15/2017 Recovery Address: MARTINS FERRY BRIDGE Recovery Location: RECEIVED FROM CDOJ EU-17-000797 | Ammunition EXPENDED CARTRIDGE CASE |
|  151567 | D2 | California Dept. of Justice Eureka Lab 07/15/2017 Recovery Address: MARTINS FERRY BRIDGE Recovery Location: RECEIVED FROM CDOJ EU-17-000797 | Ammunition EXPENDED CARTRIDGE CASE |
|  151568 | D3 | California Dept. of Justice Eureka Lab 07/15/2017 Recovery Address: MARTINS FERRY BRIDGE Recovery Location: RECEIVED FROM CDOJ EU-17-000797 | Ammunition EXPENDED CARTRIDGE CASE |
|  151569 | D4 | California Dept. of Justice Eureka Lab 07/15/2017 Recovery Address: MARTINS FERRY BRIDGE Recovery Location: RECEIVED FROM CDOJ EU-17-000797 | Ammunition EXPENDED CARTRIDGE CASE |

CASE NUMBER: 201703390

HUMBOLDT COUNTY SHERIFF'S OFFICE
PROPERTY/EVIDENCE BOOKING REPORT

MAXWELL E SOETH
NATHAN W CUMBOW

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| BarCode | Item # | Recovering Officer / Date / Address | Item Type / Description |
|---|--------|--|---|
|  151570 | D5 | California Dept. of Justice Eureka Lab 07/15/2017 Recovery Address: MARTINS FERRY BRIDGE Recovery Location: RECEIVED FROM CDOJ EU-17-000797 | Ammunition EXPENDED CARTRIDGE CASE |
|  151572 | P1 | California Dept. of Justice Eureka Lab 07/15/2017 Recovery Address: MARTINS FERRY BRIDGE Recovery Location: RECEIVED FROM CDOJ EU-17-000797 | Firearms EMPTY GLOCK PISTOL MAGAZINE |
|  151573 | P2 | California Dept. of Justice Eureka Lab 07/15/2017 Recovery Address: MARTINS FERRY BRIDGE Recovery Location: RECEIVED FROM CDOJ EU-17-000797 | Ammunition EXPENDED CARTRIDGE CASE |
|  151574 | P3 | California Dept. of Justice Eureka Lab 07/15/2017 Recovery Address: MARTINS FERRY BRIDGE Recovery Location: RECEIVED FROM CDOJ EU-17-000797 | Ammunition EXPENDED CARTRIDGE CASE |
|  151575 | P4 | California Dept. of Justice Eureka Lab 07/15/2017 Recovery Address: MARTINS FERRY BRIDGE Recovery Location: RECEIVED FROM CDOJ EU-17-000797 | Ammunition EXPENDED CARTRIDGE CASE |
|  151576 | P5 | California Dept. of Justice Eureka Lab 07/15/2017 Recovery Address: MARTINS FERRY BRIDGE Recovery Location: RECEIVED FROM CDOJ EU-17-000797 | Ammunition EXPENDED CARTRIDGE CASE |

CASE NUMBER: 201703390

HUMBOLDT COUNTY SHERIFF'S OFFICE
PROPERTY/EVIDENCE BOOKING REPORT

MAXWELL E SOETH
NATHAN W CUMBOW

PROPERTY/EVIDENCE LISTING







| BarCode | Item # | Recovering Officer / Date / Address | Item Type / Description |
|---|--------|--|---------------------------------------|
|  151577 | P6 | California Dept. of Justice Eureka Lab 07/15/2017 Recovery Address: MARTINS FERRY BRIDGE Recovery Location: RECEIVED FROM CDOJ EU-17-000797 | Ammunition EXPENDED CARTRIDGE CASE |
|  151578 | P7 | California Dept. of Justice Eureka Lab 07/15/2017 Recovery Address: MARTINS FERRY BRIDGE Recovery Location: RECEIVED FROM CDOJ EU-17-000797 | Ammunition EXPENDED CARTRIDGE CASE |
|  151579 | P8 | California Dept. of Justice Eureka Lab 07/15/2017 Recovery Address: MARTINS FERRY BRIDGE Recovery Location: RECEIVED FROM CDOJ EU-17-000797 | Ammunition EXPENDED CARTRIDGE CASE |
|  151580 | P9 | California Dept. of Justice Eureka Lab 07/15/2017 Recovery Address: MARTINS FERRY BRIDGE Recovery Location: RECEIVED FROM CDOJ EU-17-000797 | Ammunition EXPENDED CARTRIDGE CASE |
|  151581 | P10 | California Dept. of Justice Eureka Lab 07/15/2017 Recovery Address: MARTINS FERRY BRIDGE Recovery Location: RECEIVED FROM CDOJ EU-17-000797 | Ammunition EXPENDED CARTRIDGE CASE |

CASE NUMBER: 201703390

HUMBOLDT COUNTY SHERIFF'S OFFICE
PROPERTY/EVIDENCE BOOKING REPORT

██████: MAXWELL E SOETH
██████ NATHAN W CUMBOW
██████ ██████████

PROPERTY/EVIDENCE LISTING


| BarCode | Item # | Recovering Officer / Date / Address | Item Type / Description |
|---|---------|--|---|
|  151582 | P11 | California Dept. of Justice Eureka Lab 07/15/2017 Recovery Address: MARTINS FERRY BRIDGE Recovery Location: RECEIVED FROM CDOJ EU-17-000797 | Ammunition EXPENDED CARTRIDGE CASE |
|  151583 | P12 | California Dept. of Justice Eureka Lab 07/15/2017 Recovery Address: MARTINS FERRY BRIDGE Recovery Location: RECEIVED FROM CDOJ EU-17-000797 | Ammunition EXPENDED CARTRIDGE CASE |
|  151584 | P13 | California Dept. of Justice Eureka Lab 07/15/2017 Recovery Address: MARTINS FERRY BRIDGE Recovery Location: RECEIVED FROM CDOJ EU-17-000797 | Ammunition EXPENDED CARTRIDGE CASE |
|  151585 | P14 | California Dept. of Justice Eureka Lab 07/15/2017 Recovery Address: MARTINS FERRY BRIDGE Recovery Location: RECEIVED FROM CDOJ EU-17-000797 | Ammunition EXPENDED CARTRIDGE CASE |
|  151586 | P15 | California Dept. of Justice Eureka Lab 07/15/2017 Recovery Address: MARTINS FERRY BRIDGE Recovery Location: RECEIVED FROM CDOJ EU-17-000797 | Ammunition EXPENDED CARTRIDGE CASE |
|  151587 | 148084T | California Dept. of Justice Eureka Lab 07/15/2017 Recovery Address: MARTINS FERRY BRIDGE Recovery Location: RECEIVED FROM CDOJ EU-17-000797 | DOJ Lab Generated Evidence THREE BULLETS AND FIVE CARTTRIDGES TEST FIRED IN ITEM 148084 |

CASE NUMBER: 201703390

HUMBOLDT COUNTY SHERIFF'S OFFICE
PROPERTY/EVIDENCE BOOKING REPORT

MAXWELL E SOETH
NATHAN W CUMBOW

PROPERTY/EVIDENCE LISTING

| BarCode | Item # | Recovering Officer / Date / Address | Item Type / Description |
|---|---------|--|---|
|  151588 | 148098T | California Dept. of Justice Eureka Lab 07/15/2017 Recovery Address: MARTINS FERRY BRIDGE Recovery Location: RECEIVED FROM CDOJ EU-17-000797 | DOJ Lab Generated Evidence 3 BULLETS AND FIVE CARRIDGE CASES TEST FIRED IN ITEM 148098 |
|  151589 | 148110T | California Dept. of Justice Eureka Lab 07/15/2017 Recovery Address: MARTINS FERRY BRIDGE Recovery Location: RECEIVED FROM CDOJ EU-17-000797 | DOJ Lab Generated Evidence THREE BULLETS AND FIVE CARTRIDGE CASES TEST FIRED IN ITEM 148110 |
|  151775 | AC-1 | Campbell, Andrew - 2015 01/11/2018 Recovery Address: HUMBOLDT TOWING Recovery Location: BACK SEAT OF CORVETTE | Miscellaneous BLACK AND SILVER CASE WITH SCOPE |
|  151776 | AC-2 | Campbell, Andrew - 2015 01/11/2018 Recovery Address: HUMBOLDT TOWING Recovery Location: BACKSEAT AND CENTER CONSOLE OF CORVETTE | Miscellaneous MANILLA ENVELOPE, AND WHITE ENVELOPE WITH PAPERWORK, KEYS, SAMSUNG TABLET |
|  151777 | AC-3 | Campbell, Andrew - 2015 01/11/2018 Recovery Address: HUMBOLDT TOWING Recovery Location: | Photo CD - Agency Created PHOTOS OF ITEMS REMOVED FROM CORVETTE ON 01/11/2018 |
|  152796 | AC-4 | Campbell, Andrew - 2015 03/19/2018 Recovery Address: HCSO Recovery Location: | Miscellaneous LEICA SCANNER TRU VIEW |
|  152913 | MP32 | Peterson, Mark - 1186 03/27/2017 Recovery Address: HCSO Recovery Location: | Miscellaneous CD CONTAINING 39 E-MAILS |



SUPERIOR COURT OF CALIFORNIA

County of Humboldt

FILED

BRENDA N.

JUL 20 2017

SEARCH WARRANT

SUPERIOR COURT OF CALIFORNIA
COUNTY OF HUMBOLDT

**The People of the State of California
To Any Peace Officer in Humboldt County**

Warrant No. 3W1700355

The affidavit below, sworn to and subscribed before me, has established probable cause for this search warrant which you are ordered to execute as follows:

Place(s) to be searched: Described in Exhibit 1A, *attached* hereto and incorporated by reference.

Property to be seized: Described in Exhibit 1B, *attached* hereto and incorporated by reference.

Night service: [If initialed by judge] For good cause, as set forth in the Statement of Probable Cause, night service is authorized: _____

Disposition of property: All property seized pursuant to this search warrant shall be retained in the affiant's custody pending further court order pursuant to Penal Code § 1524(a), 1536.

7/15/17 1205 hrs _____
Date and time warrant issued Judge of the Superior Court



AFFIDAVIT

Affiant's name and agency: Detective Sergeant Diana Freese, Humboldt County Sheriff's Office

Incorporation: The facts in support of this warrant are contained in the Statement of Probable Cause which is incorporated by reference. Incorporated by reference and *attached* hereto are Exhibit 1A, describing the place(s) to be searched; and Exhibit 1B, describing the evidence to be seized.

Evidence type: (Penal Code § 1524)

- Stolen or embezzled property.
- Property or things used as a means of committing a felony.
- Property or things in the possession of any person with the intent to use it as a means of committing a public offense, or in the possession of another to whom he or she may have delivered it for the purpose of concealing it or preventing its being discovered.
- Property or things that are evidence that tends to show a felony has been committed, or tends to show that a particular person has committed a felony.
- Property or things consisting of evidence that tends to show that sexual exploitation of a child, in violation of Penal Code § 311.3, or possession of matter depicting sexual conduct of a person under the age of 18 years, in violation of Penal Code § 311.11 has occurred or is occurring.
- There is an outstanding arrest warrant for the person

Night Service: [If checked] Authorization for night service is requested based on information contained in the Statement of Probable Cause, filed herewith.

Declaration: I declare under penalty of perjury that the information within my personal knowledge contained in this affidavit, including all incorporated documents, is true.

7/15/2017
Date

Diana Freese 0896
Affiant

EXHIBIT 1A

The person of: [REDACTED] [REDACTED] California Driver's license: DL/[REDACTED]

A blood and saliva sample drawn by a medical professional in a medically approved manner and/or mouths swabs for samples of skin/human cells, to be used for DNA and blood toxicology testing.

The vehicle: [REDACTED] Chevy Corvette: LIC#[REDACTED] YRMD[REDACTED] MAKE:CHEV BTM :CP VIN

[REDACTED]
Registered owner [REDACTED]

[REDACTED] CITY:HOOPA C.C.:12 ZIP#:95546

EXHIBIT 1B

FOR THE FOLLOWING PROPERTY:

- 1) **Possessory rights**---Within the authorized search boundaries, any documents, writings, mailings, pictures, drawings, identification, official and legal documents, medical documents, pharmaceutical prescriptions, keys, address books, clothing with identifying names, cellular phones, **COMPUTERS AND ASSOCIATED SOFTWARE AND ACCESSORIES**; written documentation, whether typed or handwritten, including, but not limited to, computer manuals and instructions for the use of any computers and their accessories as well as documentation containing passwords. All electronic data processing and storage devices, computers and computer systems, such as central processing units, internal and peripheral storage devices such as fixed disks, internal and external hard drives, floppy disk drives and diskettes, tape drives and tapes, optical storage devices, dongles, encryption keys, personal data assistants (PDA's) or other memory storage devices; and any/all peripheral input/output devices such as keyboards, printers, video display monitors, optical readers and related communication devices such as modems, associated telephone sets, speed dialers, and/or other controlling devices, plotters, software to run programs, connecting cables and plugs, peripherals such as joysticks, mouse's, or other input devices, scanners, writing pads, manuals, connecting switches, telephones and telephone cables, and interface devices; system documentation, operating logs and documentation, software and instructional manuals. Computing or data processing software, stored on any type of medium such as: hard disks, floppy disks, CD-R's, CD-RW's, DVD's, cassette tapes, or other permanent or transient storage medium that tends to show possessory rights or privacy expectations within the authorized search boundaries. With respect to the items listed above, the searching Law Enforcement Officers are authorized to seize and book said items. If items capable of storing digital media are located, they will be seized and additional search warrants will be sought for each specific device in compliance with PC1546.
- 2) **TELEPHONES/Cellular phones**: Police officers may answer, record, monitor, note, and converse with callers who appear to be calling in regards to the case being investigated on any telephone or cellular phone within the location(s), vehicle(s), and/or person(s) to be searched without revealing the officers identity. If telephones capable of storing digital media are located, they will be seized and additional search warrants will be sought for each specific device in compliance with PC1546.
- 3) **Scene preservation**---Within the authorized search boundaries, law enforcement investigators may photograph, video record, audio record or measure as needed to memorialize the authorized search location pre search and to document the search process.
- 4) **Evidence linkage**---within the authorized search boundaries, any evidence that may link the search area to the [REDACTED] suspect and any associated evidence that may prove or disprove [REDACTED] death scenarios including human biological substances such as blood, human tissue, semen, urine, feces and saliva, searches for evidence of latent human blood using Luminal or Fluorescein, trace evidence such as hairs, latent or patent prints, of fingers, palms, feet, latent or patent prints of footwear tread patterns, latent or patent prints of tire patterns, material samples of any cloth material such as clothing, bedding, curtains, carpets, mattress covers, towels, furniture coverings, any vegetation, soil samples, wood, glass, metal or paint samples.
- 5) **Weapons**---within the authorized search boundary, any item that could have been used to cause a specific wound which may include items of blunt force trauma such as baseball bats, clubs, crowbars, hammers or other tools, materials such as bricks, rocks, sticks or lumber products, construction products, metal products; items which may cause cutting or punctures such as knives, scissors, cutting and chopping instruments, glass or other hard sharp edged items or shard, pointed items such as spearing devices and arrows; items that cause gunshot wounds including firearms, ammunition, holsters, carry cases or bags, firearm manuals, purchase receipts or literature, firearm or ammunition packaging, evidence of fired ammunition such as shell casings, trace powder evidence, bullets, bullet fragments; and items that show strangulation such as ropes, ties, cordage, clothing, wire products or line made of either natural material such as hemp or manufactured material such as nylon.
- 6) **Surveillance video**---Any records, video files, or data located on game cameras or video surveillance systems that show the crime or parts of the crime or any other evidence associated with the crime

whether stored in the allocated or unallocated space of the device hard drives. With respect to surveillance systems, the searching Law Enforcement Officers are authorized to seize and book said surveillance systems and any items listed above. If systems capable of storing digital media are located, they will be seized and additional search warrants will be sought for each specific device in compliance with PC1546.

- 7) In exigent circumstances per 1546.1(C) your affiant requests he/she be able to access cellular phones and surveillance systems on scene at the premises to be searched as I know that information contained within these systems can lead to locating a suspect(s), coconspirator(s) and/or witnesses
- 8) **Vehicles**---- within the authorized search boundaries. Any vehicles located within any structure and/or any vehicle located on the property or nearby that can be connected to the Victim, Suspect, or involved party through investigative process such as DMV checks, Registration paper work, keys located at the scene, and/or verbal statements of ownership.
- 9) **A blood sample:** drawn by a medical professional in a medically approved manner and/or mouths swabs for samples of skin/human cells, to be used for DNA and toxicology testing.

It is further ordered that the peace officers executing this warrant be authorized to conduct or order whatever experiments, tests, or scientific evaluations are necessary and proper on said seized items of evidence. All such items shall thereafter be maintained and preserved in an appropriate manner according to commonly accepted policies, standards and appropriate law.

It is further ordered that the peace officers executing this warrant be authorized, pursuant to Penal Code Section 1530, to bring onto the premises whatever professional or expert assistants or consultants that he/she considers necessary in order to, among other things; properly preserve the premises and physical evidence, conduct tests, experiments and re-enactments.

It is further ordered that the peace officers executing this warrant be authorized, pursuant to penal Code 1530, to bring onto the premises person knowledgeable about the premises and or its occupants, furnishing, and other items of personal property normally found within the premises, in order among other things, to determine if any items of personal property are missing or otherwise out of place.

It is further ordered that officers executing this warrant be authorized to conduct or order whatever expert analysis and evaluations are necessary and proper on items received. All such items shall thereafter be maintained and preserved in an appropriate manner according to commonly accepted policies, standards, and appropriate law.

I believe the DNA sample taken from [REDACTED] will be instrumental in either eliminating [REDACTED] as a suspect, or confirm his involvement in this crime by comparing the DNA from the found at the crime scene, to the DNA sample taken.

I know DNA is short for deoxyribonucleic acid. DNA molecules are contained within human cells and hold the genetic 'coding' that makes each of us individually distinctive (accept identical twins). DNA technology is capable of distinguishing between human beings to an extent that typically the probability of random person having the same profile as the questioned profile is many times greater than the population of the planet. Such evidence is commonly introduced in evidence within the courts of California and other states and has successfully withstood attack on foundational and Kelly-Frye grounds. The DNA evidence I am seeking can be used to exclude suspects from the crime as well as help identify the perpetrator.

I submit that the requested blood and/or saliva samples are clearly necessary for analysis for probable cause purposes as well as evidentiary purposes. Such samples may also be used for analysis using more traditional scientific techniques. Samples taken from the suspect as described more fully above will be compared against that found in the boots. In removing the blood and other samples from the suspect, I will use medically accepted practices, utilize the services of a trained person in drawing the blood, and use the least amount of force necessary to collect the described evidence.

The person known as [REDACTED] is currently in custody your affiant requests to seize the person and take blood and saliva samples in a medically approved manner sufficient for comparison purposes using the least amount of force necessary to take said samples.

STATEMENT OF PROBABLE CAUSE

Your Affiant Diana Freese, has been employed by The Humboldt County Sheriff's Office for twenty four (24) years. Your Affiant has worked uniformed patrol with ancillary assignments. I have held several internal departmental positions including but not limited to Main Station Patrol Deputy Sheriff, Child Abuse Investigator, Homicide Investigator, General Investigator assigned to CID, I was assigned to the Drug Enforcement Unit 1996-1998, and Detective Bureau. I have held the position as Arson Investigator for 24 years. I promoted to Sergeant In December 2004, and worked mainly patrol. March 13, 2012, I was assigned to the Criminal Investigation Division (CID) as a Detective Sergeant.

On 07/15/2017, at 2157 hours, Humboldt County Sheriff's Office received a radio call from Deputy Matilton who was working in the Martins Ferry Bride area of Humboldt County Ca, in the County of Humboldt. Deputy Matilton notified Dispatch of shots being fired and one being detained. Medical aid was called.

I have spoken to Investigator Peterson who arrived on scene at 0022 hours. He told me there were three deputies involved in the incident. He told me there was a [REDACTED] Corvette parked along the right side of the road on Martin Ferry's Bridge that is facing HWY 169. There are multiple bullet holes in the windshield of the vehicle and a side window was broken out. There is one Sheriff's Department marked units parked in front of the Corvette. The driver's side door of the Corvette is open and a silver firearm is located/observed on the seat of the Corvette near the center console. There is poor communications (both radio and cellular phone) in this area.

The person who was in the Corvette has been detained. He was checked by medical that had arrived on scene. Medical determined the injuries he sustained did not require emergency medical aid. I was told by Investigator Peterson that the suspect who was in the Corvette has been identified as [REDACTED] [REDACTED] I was told he sustained glass break cuts and possibly a grazing bullet wound to his shoulder.

No deputies were injured during the incident.

The Humboldt County Critical Response team has been activated to investigate this incident. They are standing by securing the scene. Department of Justice is also enroute to process the scene once a search warrant is obtained.

Based on my training and experience, I believe the above described property, or a portion thereof, is currently at the described premises and is necessary in proving: the circumstances surround the incident; the circumstance leading to the shots being fired; to establish or negate evidence of any possible defense that may be raised by the suspect; and, to circumstantially identify the perpetrator of the crime.

Based upon my training, experience and conversations that I have had with other Law Enforcement Officers and/or reports that I have read, I know that Peace Officer(s) or assigned representative(s) should videotape, photograph, and/or take digital images of the scene and surrounding areas during the service of this search warrant. The Peace Officer(s) or representative needs to take measurements and make sketches of the scene and adjacent areas; and seize weapons, bludgeons, and/or guns. They need to take suspected blood and other physiological fluids; hair and fibers; fingerprints, footprints, and other impressions left at the crime scene. Gunshot residue; any and all instruments used to aid and abet in the commission of a crime need to be located and seized. Clothing of the suspects(s) and/or victims(s); photos and film, developed and undeveloped; samples

of paint, glass, and other fluids and solids that may have stained or adhered to the clothing and person of the victim(s) and/or suspect(s) need to be located and seized from the scene.

Based upon my training, experience and conversations that I have had with other Law Enforcement Officers and/or reports that I have read, I know that during the service of this search warrant there are many articles of personal and/or business property tending to establish the identity of persons who have dominion and control over the premises, business, vehicles, and/or items to be seized. I believe that these items will tend to connect the premises, locations, persons, and vehicles to be searched with the items to be seized and the case being investigated. It is my opinion that these types of items are usually present at the location sought to be searched by this search warrant and that they will therefore likely still be found in the location, and/or the person to be searched.

Based upon my training, experience and conversations that I have had with other Law Enforcement Officers and/or reports that I have read, I request to search for and seize any weapons, spent casings, any miscellaneous gun/firearm pieces, ammunition, gun-cleaning items or kits, holsters, ammunition belts, original box packaging materials, clips and/or magazines, targets, expended pieces of lead/bullets, any photographs of firearms, or any paperwork showing the purchase, storage, disposition, and/or dominion and control over any guns, any ammunition, or any of the above items. I believe that whether or not the firearm(s) sought are recovered, the above items would tend to show that a firearm(s) existed and may have once been located in a place to which the suspect had access, and that these items would tend to connect the suspect with the weapon(s) sought. The above items are not normally disposed of after the commission of a crime, and they are therefore still likely to be found in any location or vehicles to be searched, and/or on the person of any suspect to be searched pursuant to this search warrant. Your affiant knows that when a weapon is used during a homicide ballistic evidence can be obtained from the firearm itself. Unique gun barrel characteristics and firing pin characteristics can be obtained by experts. These findings can then be compared to a bullet itself or used for DNA typing, or finger print identification. Your affiant knows that finger prints and DNA both from the suspect and the victim can be found on a weapon.

Your affiant knows that when a shooting occurs DNA evidence can be transferred from the victim to the suspect or vice versa via blood, other bodily fluids or trace evidence.

Based upon my training, experience and conversations that I have had with other Law Enforcement Officers and/or reports that I have read, I know that cellular phones, computer and computer systems commonly consist of electronic data processing and storage devices, with central processing units, internal and peripheral storage devices such as fixed disks, external hard disks, floppy disk drives and diskettes, tape drives and tapes, optical storage devices, dongles or encryption keys, personal data assistants (PDA's) or other memory storage devices. They also consist of peripheral input/output devices such as keyboards, printers, video display monitors, optical readers and related communication devices such as modems, associated telephone sets, speed dialers, or other controlling devices, plotters, software to run programs, connecting cables and plugs, peripherals such as joysticks, mouses, or other input devices, scanners, writing pads, manuals, connecting switches, telephones and telephone cables, and interface devices. There is system documentation, operating logs and documentation, software and instructional manuals for the computers and computer systems. Computing or data processing software, stored on any type of medium such as: hard disks, floppy disks, CD-Rs, CD-RWs, DVDs, cassette tapes, or other permanent or transient storage medium and other forms of magnetic media containing computer information. I request any records, whether stored on paper, on magnetic media such as tape, cassette, disk, diskette or on memory storage devices such as optical disks, programmable instruments such as cell phones, telephones, "electronic calendar/address books" calculators, or any other storage media, together with indicia of use, ownership, possession, or control of such records. I know that accessing a cellular phone on scene at the premises to be searched can lead to locating a suspect(s), coconspirator(s) and/or

witnesses. I request any written or computer communication in printed or stored medium such as E-Mail and Chat Logs whether in active files, deleted files or unallocated space on the hard drive, floppy drive or any data storage media. If systems capable of storing digital media are located, they will be seized and additional search warrants will be sought for each specific device in compliance with PC1546.

Your affiant is aware that many people now use surveillance systems, personal computers, personal digital assistants (PDA's), digital cameras, cellular telephones and other electronic storage devices to store names, addresses, telephone numbers, bank records, letters and other documentation which may tend to show, circumstances surrounding the assault or assist in identifying the suspect(s). If systems capable of storing digital media are located, they will be seized and additional search warrants will be sought for each specific device in compliance with PC1546.

In exigent circumstances per 1546.1(C) your affiant requests he/she be able to access cellular phones and surveillance systems on scene at the premises to be searched as I know that information contained within these systems can lead to locating a suspect(s), coconspirator(s) and/or witnesses.

It is further ordered that the peace officers executing this warrant be authorized, pursuant to Penal Code Section 1530, to bring onto the premises whatever professional or expert assistants or consultants that he/she considers necessary in order to, among other things; properly preserve the premises and physical evidence, conduct tests, experiments and re-enactments.

It is further ordered that the peace officers executing this warrant be authorized, pursuant to penal Code 1530, to bring onto the premises person knowledgeable about the premises and or its occupants, furnishing, and other items of personal property normally found within the premises, in order among other things, to determine if any items of personal property are missing or otherwise out of place.

It is further ordered that officers executing this warrant be authorized to conduct or order whatever expert analysis and evaluations are necessary and proper on items received. All such items shall thereafter be maintained and preserved in an appropriate manner according to commonly accepted policies, standards, and appropriate law.

Your affiant seeks permission to remove all items described above for examination at the Humboldt County Sheriff's Office or other facility, because the contents of these items or containers are not readily apparent by visual inspection. The items may require the use of special equipment to see if it contains material described in Exhibit 1A. In the event that one or more of the items described above are located, it would take hours or even days to go through on the premises. This would lead to undue interference with the place to be searched and would represent an undue interference with your affiant's other assigned duties.

Therefore, based on my training, experience, and the above facts, I believe I have substantial cause to believe the above-described property or a portion thereof will be at the described premises when the warrant is served.

I, Diana Freese, hereby pray a search warrant be issued for the seizure of said property, or any part thereof, from said premises at any time of the day, good cause being shown therefore, and the same be brought before this magistrate or retained subject to the order of this court.

TRAINING AND EXPERIENCE

Your Affiant Diana Freese, has been employed by The Humboldt County Sheriff's Office for twenty four (24) years. Your Affiant has worked uniformed patrol with ancillary assignments. I have held several internal departmental positions including but not limited to Main Station Patrol Deputy Sheriff, Child Abuse Investigator, Homicide Investigator, General Investigator assigned to CID, I was assigned to the Drug Enforcement Unit 1996-1998, and Detective Bureau. I have held the position as Arson Investigator for 23 years. I promoted to Sergeant In December 2004, and worked mainly patrol. March 13, 2012, I was assigned to the Criminal Investigation Division (CID) as a Detective Sergeant.

Your Affiant has conducted numerous investigations of a variety of crimes: such as homicide, robbery, officer involved shootings, burglary (including commercial, residential and vehicular), grand thefts, assault, battery, sexual assaults, child abuse, elder abuse, domestic violence, and stalking. The investigations your Affiant conducted included suspect, victim and witness interviews and interrogations. Your Affiant has made arrests and filed criminal complaints based on those interviews and investigations. Your Affiant has also had interviews with jail inmates and other persons with criminal backgrounds regarding their individual methods of operation as well as general techniques used to commit crimes and deceive people. Your Affiant has processed crime scenes and written and executed search warrants for various crimes.

I BASE MY OPINIONS ON THE FOLLOWING SPECIALIZED TRAINING AND EXPERTISE.

1. I HAVE RECEIVED MY POST BASIC, INTERMEDIATE AND ADVANCED CERTIFICATES.
2. IN 1992, I COMPLETED AN AS DEGREE IN CRIMINAL JUSTICE
3. IN 1996, I RECEIVED TRAINING REGARDING FIRE INVESTIGATION BOTH FIRE INVESTIGATION 1A AND 1B A TOTAL OF 80 HOURS.
4. IN 1999, I RECEIVED 40 HOURS OF SPECIALIZED TRAINING IN CHILD ABUSE INVESTIGATION
5. IN 2000, I RECEIVED 32 HOURS OF SPECIALIZED TRAINING REGARDING CHILD MALTREATMENT.
6. IN 2002, I RECEIVED 84 HOURS OF TRAINING FROM THE INSTITUTE OF CRIMINAL INVESTIGATION



SUPERIOR COURT OF CALIFORNIA
County of Humboldt

FILED

BRENDAN

JUL 20 2017

SUPERIOR COURT OF CALIFORNIA
COUNTY OF HUMBOLDT

SEARCH WARRANT RETURN
and
INVENTORY

Search Warrant No. SW1700355

Address of place searched:

THE PERSON OF: [REDACTED] - California Driver's License: DL/NO:
[REDACTED]

THE VEHICLE: [REDACTED] Chevy Corvette; LIC#: [REDACTED] YRMD [REDACTED] MAKE:CHEV BTM :CP
VIN: [REDACTED] Registered owner: [REDACTED]
[REDACTED] City: Hoopa C.C:12 ZIP#:95546

Issuing Magistrate: Judge Wilson

Name of affiant: Sergeant Diana Freese

Date warrant issued: 07/15/2017

Date warrant executed: 07/15/2017

Person served and title: [REDACTED] and copy left on scene

Manner of warrant service: Personal service Mail Fax

I, the affiant for this search warrant, state the following:

- (1) The information listed above is correct.
- (2) During the execution of the search warrant, the following property was seized:
 - Legal blood draw from [REDACTED] as per search warrant
 - See attached inventory for further

I declare under penalty of perjury that the foregoing is true.

Date: 7/20/17

[Signature]
Affiant

GIVEN under my hand and dated this 20 day of July, 20 17

[Signature]
Deputy Clerk of the Superior Court of California,
County of Humboldt.



SEARCH WARRANT INVENTORY

DATE ITEMS REMOVED 7/15/17

CASE NUMBER 201703390

DEPUTY SHERIFF SEIZING ITEMS Peterson

SEARCH WARRANT NUMBER _____

ITEMS REMOVED FROM ADDRESS/LOCATION ████ Chevy Corvette - ██████████

Located at Martin's Ferry Bridge, Weitchpec, CA

* Items seized by CA Dept of Justice *

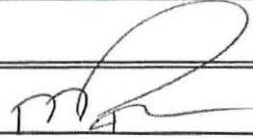
1. Ruger Redhawk .44 mag
stainless steel revolver
with wood grips - ser#
██████████

Right side of drivers
seat

2. Bullet fragments

Interior + exterior of
vehicle

7/15/17
DATE TIME


SIGNATURE OF DEPUTY SHERIFF PIN# 1186

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



SUPERIOR COURT OF CALIFORNIA

County of Humboldt

FILED BRENDA N.

JUL 20 2017

SEARCH WARRANT

SUPERIOR COURT OF CALIFORNIA
COUNTY OF HUMBOLDT

**The People of the State of California
To Any Peace Officer in Humboldt County**

Warrant No. SW 1700356

The affidavit below, sworn to and subscribed before me, has established probable cause for this search warrant which you are ordered to execute as follows:

Place(s) to be searched: Described in Exhibit 1A, *attached* hereto and incorporated by reference.

Property to be seized: Described in Exhibit 1B, *attached* hereto and incorporated by reference.

Night service: [If initialed by judge] For good cause, as set forth in the Statement of Probable Cause, night service is authorized: _____

Disposition of property: All property seized pursuant to this search warrant shall be retained in the affiant's custody pending further court order pursuant to Penal Code § 1536.

7-19-17 10:24 AM  *[Signature]*
Date and time warrant issued Judge of the Superior Court

◆ AFFIDAVIT ◆

Affiant's name and agency: Detective Sergeant Diana Freese, Humboldt County Sheriff's Office

Incorporation: The facts in support of this warrant are contained in the Statement of Probable Cause which is incorporated by reference. Incorporated by reference and *attached* hereto are Exhibit 1A, describing the place(s) to be searched; and Exhibit 1B, describing the evidence to be seized.

Evidence type: (Penal Code § 1524)

- Stolen or embezzled property.
- Property or things used as a means of committing a felony.
- Property or things in the possession of any person with the intent to use it as a means of committing a public offense, or in the possession of another to whom he or she may have delivered it for the purpose of concealing it or preventing its being discovered.
- Property or things that are evidence that tends to show a felony has been committed, or tends to show that a particular person has committed a felony.
- Property or things consisting of evidence that tends to show that sexual exploitation of a child, in violation of Penal Code § 311.3, or possession of matter depicting sexual conduct of a person under the age of 18 years, in violation of Penal Code § 311.11 has occurred or is occurring.
- There is an outstanding arrest warrant for the person

Night Service: [If checked] Authorization for night service is requested based on information contained in the Statement of Probable Cause, filed herewith.

Declaration: I declare under penalty of perjury that the information within my personal knowledge contained in this affidavit, including all incorporated documents, is true.

7/19/2017
Date

[Signature] 389
7/19/2017
Affiant

EXHIBIT 1A

The vehicle: [REDACTED] Chevy Corvette: LIC#: [REDACTED] YRMD: [REDACTED] MAKE:CHEV BTM :CP VIN

Registered owner : [REDACTED]

[REDACTED] CITY:HOOPA C.C.:12 ZIP#:95546

EXHIBIT 1B

FOR THE FOLLOWING PROPERTY:

- 1) **Possessory rights**---Within the authorized search boundaries, any documents, writings, mailings, pictures, drawings, identification, official and legal documents, medical documents, pharmaceutical prescriptions, keys, address books, clothing with identifying names, cellular phones, storage devices, dongles, encryption keys, personal data assistants (PDA's) or other memory storage devices; and any/all peripheral input/output, associated telephone sets, speed dialers, and/or other controlling devices, plotters, connecting cables and plugs, scanners, writing pads, manuals, connecting switches, telephones and telephone cables, and interface devices; system documentation, operating logs and documentation, software and instructional manuals, or other permanent or transient storage medium that tends to show possessory rights or privacy expectations within the authorized search boundaries. With respect to the items listed above, the searching Law Enforcement Officers are authorized to seize and book said items. If items capable of storing digital media are located, they will be seized and additional search warrants will be sought for each specific device in compliance with PC1546.
- 2) **TELEPHONES/Cellular phones:** Police officers may answer, record, monitor, note, and converse with callers who appear to be calling in regards to the case being investigated on any telephone or cellular phone within the location(s), vehicle(s), and/or person(s) to be searched without revealing the officers identity. If telephones capable of storing digital media are located, they will be seized and additional search warrants will be sought for each specific device in compliance with PC1546.
- 3) **Scene preservation**---Within the authorized search boundaries, law enforcement investigators may photograph, video record, audio record or measure as needed to memorialize the authorized search location pre search and to document the search process.
- 4) **Evidence linkage**---within the authorized search boundaries, any evidence that may link the search area to the victim, suspect and any associated evidence that may prove or disprove victim death scenarios including human biological substances such as blood, human tissue, semen, urine, feces and saliva, searches for evidence of latent human blood using Luminal or Fluorescein, trace evidence such as hairs, latent or patent prints, of fingers, palms, feet, latent or patent prints of footwear tread patterns, latent or patent prints of tire patterns, material samples of any cloth material such as clothing, bedding, curtains, carpets, mattress covers, towels, furniture coverings, any vegetation, soil samples, wood, glass, metal or paint samples.
- 5) **Weapons**---within the authorized search boundary, any item that could have been used to cause a specific wound which may include items of blunt force trauma such as baseball bats, clubs, crowbars, hammers or other tools, materials such as bricks, rocks, sticks or lumber products, construction products, metal products; items which may cause cutting or punctures such as knives, scissors, cutting and chopping instruments, glass or other hard sharp edged items or shard, pointed items such as spearing devices and arrows; items that cause gunshot wounds including firearms, ammunition, holsters, carry cases or bags, firearm manuals, purchase receipts or literature, firearm or ammunition packaging, evidence of fired ammunition such as shell casings, trace powder evidence, bullets, bullet fragments; and items that show strangulation such as ropes, ties, cordage, clothing, wire products or line made of either natural material such as hemp or manufactured material such as nylon.
- 6) **Surveillance video**---Any records, video files, or data located on game cameras or video surveillance systems that show the crime or parts of the crime or any other evidence associated with the crime whether stored in the allocated or unallocated space of the device hard drives. With respect to surveillance systems, the searching Law Enforcement Officers are authorized to seize and book said surveillance systems and any items listed above. If systems capable of storing digital media are located, they will be seized and additional search warrants will be sought for each specific device in compliance with PC1546.

It is further ordered that the peace officers executing this warrant be authorized, pursuant to Penal Code Section 1530, to bring onto the premises whatever professional or expert assistants or consultants that he/she considers necessary in order to, among other things; properly preserve the premises and physical evidence, conduct tests, experiments and re-enactments.

It is further ordered that the peace officers executing this warrant be authorized, pursuant to penal Code 1530, to bring onto the premises person knowledgeable about the premises and or its occupants, furnishing, and other items of personal property normally found within the premises, in order among other things, to determine if any items of personal property are missing or otherwise out of place.

It is further ordered that officers executing this warrant be authorized to conduct or order whatever expert analysis and evaluations are necessary and proper on items received. All such items shall thereafter be maintained and preserved in an appropriate manner according to commonly accepted policies, standards, and appropriate law.

STATEMENT OF PROBABLE CAUSE

Your Affiant Diana Freese, has been employed by The Humboldt County Sheriff's Office for twenty four (24) years. Your Affiant has worked uniformed patrol with ancillary assignments. I have held several internal departmental positions including but not limited to Main Station Patrol Deputy Sheriff, Child Abuse Investigator, Homicide Investigator, General Investigator assigned to CID, I was assigned to the Drug Enforcement Unit 1996-1998, and Detective Bureau. I have held the position as Arson Investigator for 24 years. I promoted to Sergeant In December 2004, and worked mainly patrol. March 13, 2012, I was assigned to the Criminal Investigation Division (CID) as a Detective Sergeant.

On 07/15/2017, at 2157 hours, Humboldt County Sheriff's Office (HCSO) received a radio call from Deputy Matilton who was working in the Martins Ferry Bride area of Humboldt County Ca, in the County of Humboldt. Deputy Matilton notified Dispatch of shots being fired and one being detained. medical aid was called for a [REDACTED] who had sustained injury from the shooting. It was learned there had been an officer involved shooting. This had occurred after a vehicle investigation, of a [REDACTED] Corvette that was parked in the middle of the bridge conducted by Deputy Seoth and Deputy Cumbow. Deputy Matilton was in the second responding vehicle at the scene. No officers were injured, but the [REDACTED] who had occupied a [REDACTED] Corvette had sustained injuries as a result of the gunfire.

Humboldt County Critical Response Team (CIRT) was activated to investigate the incident. Your affiant is a member of CIRT.

On 07/15/2017, At about 0022 hours, I received a phone call from Investigator Peterson. Who responded to the scene to assist in the investigation. It should be noted this area has spotty radio communication and no cellular phone service. I think Investigator Peterson had a "Satellite Phone" that had spotty service as well. It took multiple poor reception phone calls to obtain the following information. Investigator Peterson told me Sgt. Musson had not gotten a public safety statement from the involved deputies, as he determined the back drop was such that it did not warrant it. Sgt. Musson determined it would be a violation of POBAR. [REDACTED] was the [REDACTED] who was in the [REDACTED] Corvette. [REDACTED] was checked by medical who arrived on scene and determined [REDACTED] injures did not require an ambulance for transport. Investigator Peterson described the scene to me. He told me there was a [REDACTED] Corvette Facing HWY 169 in the proper lane of travel. There was a patrol car in front of the Corvette. The door to the Corvette was open and there was a firearm visible in the car. The firearm was near the center console on the driver's side seat. The Corvette had multiple bullet holes in the front windshield and one of the side windows was broken out. Investigator Peterson told me the Corvette had a state of California Vehicle Plate of [REDACTED]. Investigator Peterson told me there were no witnesses to the incident. Investigator Peterson advised me the detained [REDACTED] was [REDACTED]

The Humboldt County Critical Incident response team consists of Investigators from most all Law Enforcement agencies in Humboldt County Including Department of Justice. I authored an initial Search Warrant for the [REDACTED] Corvette and for the person of [REDACTED]. The initial search warrant was reviewed by Humboldt County Superior Court Judge Wilson and granted.

Department of Justice [REDACTED] and [REDACTED] were assigned to process the scene on Martins Ferry Bridge. Overall photographs were taken and the scene was diagramed. The interior of the [REDACTED] Corvette was not thoroughly searched due to conditions and lack of time. A .44 magnum was collected out of the vehicle. The gun was loaded with live rounds however two expended casings were located in the cylinder. Removed from the car was the .44 caliber revolver and a small dog was removed from the interior of the vehicle. The Corvette was towed to Humboldt Towing where is has been secured as an evidence tow.

It was later learned that the true identity of [REDACTED] was [REDACTED]

[REDACTED] was interviewed by CIRT members on 07/15/2017. He stated he is a security guard watching some equipment nearby. He was in his [REDACTED] Corvette parked on the bridge when a vehicle pulled up in front of him. He was illuminated with head lights and spot lights. Thinking it was his cousin messing with him he pointed his gun, .44 caliber revolver, through the front windshield of his car. He stated he was then fired upon. He stated he heard no commands. He stated he did not know the persons who pulled up in front of him were Law Enforcement. [REDACTED] said he did not fire his gun. He did say there was one expended casing in the gun. He said the gun was given to him by a family member.

On 07/14/2017, at 1300 hours, the involved deputies were interviewed in accordance with the Peace Officer Bill of Rights.

The following is a summary of the events surrounding the shooting. Deputies Soeth and Cumbow were conducting beat orientation in the Weitchpec area of Humboldt County California. Deputies Soeth and Cumbow were doubled in the same car and Deputy Matilton was following close by in a second vehicle. When they drove onto Martins Ferry Bridge, the Deputies observed a [REDACTED] corvette parked on the bridge. The vehicle had its running or fog lights on. They approached the [REDACTED] Corvette pulling in front of the vehicle at a slight angle. They illuminated the vehicle interior with head lights and spot lights. As they pulled up, the marked patrol vehicle was not yet in park, [REDACTED], not yet identified, who was seated in the Corvette pointed a "large" silver hand gun at them, visible through the front windshield. Deputy Soeth realizing he was in a bad position yelled "gun, gun, gun" and fled from the patrol car and went for cover at the back of the patrol car. Deputy Cumbow saw the firearm and ducked in his seat protecting his head, placed the vehicle in park, and fled the interior of the vehicle. Deputy Soeth stated he was yelling commands to [REDACTED]. Deputy Soeth stated he moved back up the side of the patrol car fearing for the safety of Deputy Cumbow. Deputy Soeth saw [REDACTED] present the gun again fearing for his life and the life of Deputy Cumbow he fired multiple rounds in the direction of the firearm. Deputy Cumbow also began to fire multiple rounds in the direction of the firearm after seeing furtive movement and hearing gun shots. Deputy Cumbow stated he feared if he did not fire his gun he would have been shot. Deputy Matilton due to the fact he was in the second arriving vehicle never saw [REDACTED] or the gun during the shooting he only witnessed the event from the secondary vehicle.

The [REDACTED] Corvette has bullet damage to the front windshield and hood. There is damage to the front and interior of the vehicle presumably from gun fire possibly showing bullet travel and trajectory. Your Affiant knows when a gun is fired at a structure or vehicle determining the location or trajectory of the bullet can assist in determining validity of statements given by officers, suspects, and/ or witnesses of a shooting.

Based on my training and experience, I believe the above described property, or a portion thereof, is currently at the described vehicle and is necessary in proving: the circumstances surround the incident; the circumstance leading to the shots being fired; to establish or negate evidence of any possible defense that may be raised by the suspect; and, to circumstantially identify the perpetrator of the crime.

Based upon my training, experience and conversations that I have had with other Law Enforcement Officers and/or reports that I have read, I know that Peace Officer(s) or assigned representative(s) should videotape, photograph, and/or take digital images of the scene and surrounding areas during the service of this search warrant. The Peace Officer(s) or representative needs to take

measurements and make sketches of the scene and adjacent areas; and seize weapons, bludgeons, and/or guns. They need to take suspected blood and other physiological fluids; hair and fibers; fingerprints, footprints, and other impressions left at the crime scene. Gunshot residue; any and all instruments used to aid and abet in the commission of a crime need to be located and seized. Clothing of the suspects(s) and/or victims(s); photos and film, developed and undeveloped; samples of paint, glass, and other fluids and solids that may have stained or adhered to the clothing and person of the victim(s) and/or suspect(s) need to be located and seized from the scene.

Based upon my training, experience and conversations that I have had with other Law Enforcement Officers and/or reports that I have read, I know that during the service of this search warrant there are many articles of personal and/or business property tending to establish the identity of persons who have dominion and control over the premises, business, vehicles, and/or items to be seized. I believe that these items will tend to connect the premises, locations, persons, and vehicles to be searched with the items to be seized and the case being investigated. It is my opinion that these types of items are usually present at the location sought to be searched by this search warrant and that they will therefore likely still be found in the location, and/or the person to be searched.

Based upon my training, experience and conversations that I have had with other Law Enforcement Officers and/or reports that I have read, I request to search for and seize any weapons, spent casings, any miscellaneous gun/firearm pieces, ammunition, gun-cleaning items or kits, holsters, ammunition belts, original box packaging materials, clips and/or magazines, targets, expended pieces of lead/bullets, any photographs of firearms, or any paperwork showing the purchase, storage, disposition, and/or dominion and control over any guns, any ammunition, or any of the above items. I believe that whether or not the firearm(s) sought are recovered, the above items would tend to show that a firearm(s) existed and may have once been located in a place to which the suspect had access, and that these items would tend to connect the suspect with the weapon(s) sought. The above items are not normally disposed of after the commission of a crime, and they are therefore still likely to be found in any location or vehicles to be searched, and/or on the person of any suspect to be searched pursuant to this search warrant. Your affiant knows that when a weapon is used during a homicide ballistic evidence can be obtained from the firearm itself. Unique gun barrel characteristics and firing pin characteristics can be obtained by experts. These findings can then be compared to a bullet itself or used for DNA typing, or finger print identification. Your affiant knows that finger prints and DNA both from the suspect and the victim can be found on a weapon.

Your affiant knows that when a shooting occurs DNA evidence can be transferred from the victim to the suspect or vice versa via blood, other bodily fluids or trace evidence.

Based upon my training, experience and conversations that I have had with other Law Enforcement Officers and/or reports that I have read, I know that cellular phones, commonly consist of electronic data processing and storage devices, personal data assistants (PDA's) or other memory storage devices, store information that may be pertinent to this investigation. I request any records, whether stored on paper, on magnetic media such as tape, cassette, disk, diskette or on memory storage devices such as optical disks, programmable instruments such as cell phones, telephones, "electronic calendar/address books" calculators, or any other storage media, together with indicia of use, ownership, possession, or control of such records. I know that accessing a cellular phone on scene at the premises to be searched can lead to locating a suspect(s), coconspirator(s) and/or witnesses. I request any written or computer communication in printed or stored medium such as E-Mail and Chat Logs whether in active files, deleted files or unallocated space on the hard drive, floppy drive or any data storage media. If systems capable of storing digital media are located, they will be seized and additional search warrants will be sought for each specific device in compliance with PC1546.

Your affiant is aware that many people now use surveillance systems, personal computers, personal digital assistants (PDA's), digital cameras, cellular telephones and other electronic storage devices to store names, addresses, telephone numbers, bank records, letters and other documentation which may tend to show, circumstances surrounding the assault or assist in identifying the suspect(s). If systems capable of storing digital media are located, they will be seized and additional search warrants will be sought for each specific device in compliance with PC1546.

In exigent circumstances per 1546.1(C) your affiant requests he/she be able to access cellular phones and surveillance systems on scene at the premises to be searched as I know that information contained within these systems can lead to locating a suspect(s), coconspirator(s) and/or witnesses.

It is further ordered that the peace officers executing this warrant be authorized, pursuant to Penal Code Section 1530, to bring onto the premises whatever professional or expert assistants or consultants that he/she considers necessary in order to, among other things; properly preserve the premises and physical evidence, conduct tests, experiments and re-enactments.

It is further ordered that the peace officers executing this warrant be authorized, pursuant to penal Code 1530, to bring onto the premises person knowledgeable about the premises and or its occupants, furnishing, and other items of personal property normally found within the premises, in order among other things, to determine if any items of personal property are missing or otherwise out of place.

It is further ordered that officers executing this warrant be authorized to conduct or order whatever expert analysis and evaluations are necessary and proper on items received. All such items shall thereafter be maintained and preserved in an appropriate manner according to commonly accepted policies, standards, and appropriate law.

Your affiant seeks permission to remove all items described above for examination at the Humboldt County Sheriff's Office or other facility, because the contents of these items or containers are not readily apparent by visual inspection. The items may require the use of special equipment to see if it contains material described in Exhibit 1A. In the event that one or more of the items described above are located, it would take hours or even days to go through on the premises. This would lead to undue interference with the place to be searched and would represent an undue interference with your affiant's other assigned duties.

Therefore, based on my training, experience, and the above facts, I believe I have substantial cause to believe the above-described property or a portion thereof will be at the described premises when the warrant is served.

I, Diana Freese, hereby pray a search warrant be issued for the seizure of said property, or any part thereof, from said premises at any time of the day, good cause being shown therefore, and the same be brought before this magistrate or retained subject to the order of this court.

H. Dennis Young #1037
07.19.2017

REVIEWED APPROVE AS IS FORM DDA WESKORT

TRAINING AND EXPERIENCE

Your Affiant Diana Freese, has been employed by The Humboldt County Sheriff's Office for twenty four (24) years. Your Affiant has worked uniformed patrol with ancillary assignments. I have held several internal departmental positions including but not limited to Main Station Patrol Deputy Sheriff, Child Abuse Investigator, Homicide Investigator, General Investigator assigned to CID, I was assigned to the Drug Enforcement Unit 1996-1998, and Detective Bureau. I have held the position as Arson Investigator for 23 years. I promoted to Sergeant In December 2004, and worked mainly patrol. March 13, 2012, I was assigned to the Criminal Investigation Division (CID) as a Detective Sergeant.

Your Affiant has conducted numerous investigations of a variety of crimes: such as homicide, robbery, officer involved shootings, burglary (including commercial, residential and vehicular), grand thefts, assault, battery, sexual assaults, child abuse, elder abuse, domestic violence, and stalking. The investigations your Affiant conducted included suspect, victim and witness interviews and interrogations. Your Affiant has made arrests and filed criminal complaints based on those interviews and investigations. Your Affiant has also had interviews with jail inmates and other persons with criminal backgrounds regarding their individual methods of operation as well as general techniques used to commit crimes and deceive people. Your Affiant has processed crime scenes and written and executed search warrants for various crimes.

I BASE MY OPINIONS ON THE FOLLOWING SPECIALIZED TRAINING AND EXPERTISE.

1. I HAVE RECEIVED MY POST BASIC, INTERMEDIATE AND ADVANCED CERTIFICATES.
2. IN 1992, I COMPLETED AN AS DEGREE IN CRIMINAL JUSTICE
3. IN 1996, I RECEIVED TRAINING REGARDING FIRE INVESTIGATION BOTH FIRE INVESTIGATION 1A AND 1B A TOTAL OF 80 HOURS.
4. IN 1999, I RECEIVED 40 HOURS OF SPECIALIZED TRAINING IN CHILD ABUSE INVESTIGATION
5. IN 2000, I RECEIVED 32 HOURS OF SPECIALIZED TRAINING REGARDING CHILD MALTREATMENT.
6. IN 2002, I RECEIVED 84 HOURS OF TRAINING FROM THE INSTITUTE OF CRIMINAL INVESTIGATION



SUPERIOR COURT OF CALIFORNIA
County of Humboldt

SEARCH WARRANT RETURN
and
INVENTORY

FILED
JUL 20 2017
BRENDA N.
SUPERIOR COURT OF CALIFORNIA
COUNTY OF HUMBOLDT

Search Warrant No. SW1700356

Address of place searched:

THE VEHICLE: [REDACTED] Chevy Corvette: LIC#: [REDACTED] YRMD: [REDACTED] MAKE: CHEV
BTM :CP VIN: [REDACTED] Registered owner: [REDACTED]
[REDACTED] City: Hoopa C.C:12 ZIP#:95546

Issuing Magistrate: Judge Reinholtsen

Name of affiant: Sergeant Diana Freese

Date warrant issued: 07/19/2017

Date warrant executed: 07/19/2017

Person served and title: No persons on scene. Copy left on scene

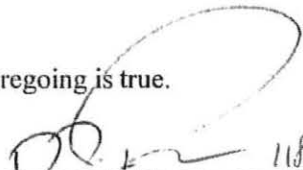
Manner of warrant service: Personal service Mail Fax

I, the affiant for this search warrant, state the following:

- (1) The information listed above is correct.
- (2) During the execution of the search warrant, the following property was seized:
 - See attached inventory

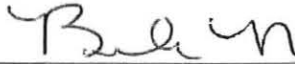
I declare under penalty of perjury that the foregoing is true.

Date: 7/20/17


Affiant 1186



GIVEN under my hand and dated this 20 day of July, 2017


Deputy Clerk of the Superior Court of California,
County of Humboldt.

SEARCH WARRANT INVENTORY

DATE ITEMS REMOVED 7/19/17

CASE NUMBER 201703390

DEPUTY SHERIFF SEIZING ITEMS Peterson

SEARCH WARRANT NUMBER _____

ITEMS REMOVED FROM ADDRESS/LOCATION ████ Chevy Corvette - CA █████

Located at Humboldt Tow - 101 H St, Eureka, CA

* Items seized by CA Dept of Justice *

1. Bullet fragments

Vehicle interior

2. Yellow backpack w/ misc
ammunition

Rear cargo area

3. Winchester model 94 30-30
lever action rifle - sent

"

████ w/ 2 live rounds

"

4. Misc expended + unexpended
ammunition

Vehicle interior

5. Blood swabs

"

6. Laser 303

Driver's side floorboard

7/19/17
DATE

1540 ~~1640~~
TIME

M. Peterson
SIGNATURE OF DEPUTY SHERIFF

1186
PIN#

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



Property Room List - Selected Items

Case #: 201703390 Selected Items

Charges

Date of Case: 07/15/2017

417(C) PC - Exhibit Firearm Presence of Police Officer, 25850 (A) PC -

[Redacted]

Name

Date of Birth Conn

[Redacted]

[Redacted]

| # | Item ID | Brand Description | Model | Article | Serial # Seizure Location | Location |
|----|---------|----------------------------|-------|---------|------------------------------------|----------|
| 37 | 30 | WINCHESTER 151492 RIFLE | 94 | DOJ LAB | [Redacted] MARTINS FERRY BRIDGE | 291 |

DOJ Paperwork given out at HCSO
 front counter 7/30/19
 no contact over 1 year
 OK to dispose per PC 12028.5
 Additional authorization/documentation
 already scanned to case file / RIMS
 WJE Tag # 596



HUMBOLDT COUNTY SHERIFF'S OFFICE

IDENTIFICATION AND PROPERTY SECTION

826 Fourth St., Eureka, Ca. 95501

707-268-3651



HOOPA CA 95546

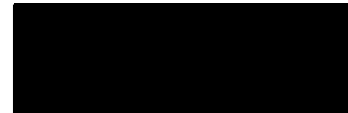
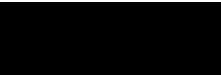
CASE NUMBER: 201703390

07/19/2019

You have been identified as a possible owner of the below listed property. Please contact the Sheriff's Department Property Section within 30 days in order to retrieve your property. If you fail to do so the property will be disposed of in a manner prescribed by law

The property is described as:

WINCHESTER MODEL 94 RIFLE



If a firearm is listed and you are not legally able to possess a firearm please call to make arrangements as to the disposition of the weapon.

*Please call the Sheriff's Office Property Section immediately to retrieve your property.
(707) 268-3651*

If you do not contact the property section within 30 days of the date of this letter, the property will be disposed of in a matter prescribed by law.

You must **bring this letter** with a form of **photo identification** in order to retrieve any property.

Thank you.

Humboldt County Sheriff's Office
Property Section

[REDACTED]

From: [REDACTED]
Sent: Friday, July 19, 2019 3:32 PM
To: [REDACTED]
Subject: 201703390 Owner Notification
Attachments: 201703390_LETTER.pdf

[REDACTED]

Attached is a copy of owner notification letter mailed to [REDACTED] today.

Please have your client contact us as soon as possible for additional instructions on how to retrieve his firearm.

Thank you,

[REDACTED]
(707) 268-3651
Humboldt County Sheriff's Office
Property Technician

PC 12021.3.

(g) Notwithstanding any other provision of law, no law enforcement agency or court shall be required to retain a firearm for more than 180 days after the owner of the firearm has been notified by the court or law enforcement agency that the firearm has been made available for return. An unclaimed firearm may be disposed of after the 180-day period has expired.

HCSO Counter
7/30/19

CASE #201703390

PROCESS TO PICK UP PERSONAL FIREARMS HELD AT HUMBOLDT COUNTY SHERIFF'S OFFICE

Both forms must be completed and mailed to DOJ Sacramento. (Firearm Ownership Report & Law Enforcement Gun Release Application)

Write a separate check for each transaction.

Mail all forms and checks together in same envelope to DOJ Sacramento. Address and instructions to complete forms are on page two of each form. DOJ Firearms Division public phone number: 916-227-7527.

Once processed and if approved by DOJ, you should receive a letter from them with a "Gold-Seal." As soon as you receive this letter, please call HCSO Property Department at (707) 268-3651 to schedule an appointment to pick up your firearm(s).

IMPORTANT REMINDER: Your authorization letter from DOJ is only valid for 30 days. If you cannot pick up your firearm(s) before this authorization expires, you will be required to resubmit application and pay additional fees.

To pick up your firearm(s):

Bring the original DOJ authorization letter with "Gold-Seal" and a valid government issued photo ID to the HCSO front counter on the Ground Floor of the Humboldt County Court House in Eureka, 826 Fourth Street.

All property not retrieved by legal owners will be disposed of in a manner prescribed by law.

PC 12021.3.

(g) Notwithstanding any other provision of law, no law enforcement agency or court shall be required to retain a firearm for more than 180 days after the owner of the firearm has been notified by the court or law enforcement agency that the firearm has been made available for return. An unclaimed firearm may be disposed of after the 180-day period has expired.

*



**CALIFORNIA DEPARTMENT OF JUSTICE
BUREAU OF FIREARMS
Firearm Ownership Record**
California Penal Code section 28000



A processing fee of \$19.00 must accompany this application.
(Instructions on page 2)

| A. Owner Information | | | | | | | |
|---|---|--|-------------------|--|--------------------|---------------------------------------|--|
| Last Name: | | | First Name: | | Middle Name: | | |
| Alias Last Name (if any): | | | Alias First Name: | | Alias Middle Name: | | |
| Residence Street Address: | | | | City: | State: | Zip Code: | |
| Mailing Address (if different): | | | | City: | State: | Zip Code: | |
| Date of Birth (mm/dd/yyyy): | | Place of Birth (state or country): | | | Sex: | Phone No. (include area code) | |
| U.S. Citizen? | <input type="radio"/> Yes <input type="radio"/> No | If no, enter Alien Registration No. or I-94 No.: | | Country of Citizenship: | | | |
| Enter your California driver license (CDL), California ID (CID), or Military ID (MIL) number in the ID number box to the right. If using military identification you <u>must</u> send a copy of your permanent duty station orders stating you are stationed in California. | | | | ID Type (check one): CDL <input type="checkbox"/> CID <input type="checkbox"/> MIL <input type="checkbox"/> | ID Number: | Handgun Safety Certificate (HSC) No.: | |

| B. Firearm(s) Information (To report additional firearm(s) copy and attach additional applications) | | | | | | | |
|---|--|---|---|-------------|--|---|---------------------------|
| Firearm Type: | <input checked="" type="radio"/> Long Gun <input type="radio"/> Handgun | If Long Gun: | <input checked="" type="radio"/> Rifle <input type="radio"/> Shotgun | If Handgun: | <input type="radio"/> Semiauto <input type="radio"/> Revolver | <input type="radio"/> Single-Shot <input type="radio"/> Other: | Serial Number: 3549236 |
| Make: | WINCHESTER | Model: | 94 | Caliber: | 30-30 | Firearm Origin: | USA |
| Color: | BROWN | Date Acquired (mm/dd/yyyy): | Acquired From: <input type="radio"/> Firearms Dealer <input type="radio"/> Family Member (Specify Relationship): <input type="radio"/> Private Party <input type="radio"/> Gun Show <input type="radio"/> Other: | | | | |
| Barrel Length: | 21 | <input checked="" type="radio"/> IN. <input type="radio"/> CM. | | | | | |
| Firearm Type: | <input type="radio"/> Long Gun <input type="radio"/> Handgun | If Long Gun: | <input type="radio"/> Rifle <input type="radio"/> Shotgun | If Handgun: | <input type="radio"/> Semiauto <input type="radio"/> Revolver | <input type="radio"/> Single-Shot <input type="radio"/> Other: | Serial Number: |
| Make: | | Model: | | Caliber: | | Firearm Origin: | |
| Color: | | Date Acquired (mm/dd/yyyy): | Acquired From: <input type="radio"/> Firearms Dealer <input type="radio"/> Family Member (Specify Relationship): <input type="radio"/> Private Party <input type="radio"/> Gun Show <input type="radio"/> Other: | | | | |
| Barrel Length: | | <input type="radio"/> IN. <input type="radio"/> CM. | | | | | |
| Firearm Type: | <input type="radio"/> Long Gun <input type="radio"/> Handgun | If Long Gun: | <input type="radio"/> Rifle <input type="radio"/> Shotgun | If Handgun: | <input type="radio"/> Semiauto <input type="radio"/> Revolver | <input type="radio"/> Single-Shot <input type="radio"/> Other: | Serial Number: |
| Make: | | Model: | | Caliber: | | Firearm Origin: | |
| Color: | | Date Acquired (mm/dd/yyyy): | Acquired From: <input type="radio"/> Firearms Dealer <input type="radio"/> Family Member (Specify Relationship): <input type="radio"/> Private Party <input type="radio"/> Gun Show <input type="radio"/> Other: | | | | |
| Barrel Length: | | <input type="radio"/> IN. <input type="radio"/> CM. | | | | | |

| C. Declaration | |
|---|------------|
| I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. I expressly authorize the Department of Justice to perform firearms eligibility checks of all relevant state and federal databases, including the Federal Bureau of Investigation's National Instant Criminal Background Check System. I also understand that if I currently possess or own firearms and the results of this check reveal that I am ineligible either to lawfully possess or purchase firearms, I must relinquish any and all firearms in my possession. | |
| Signature _____ | Date _____ |



CALIFORNIA DEPARTMENT OF JUSTICE BUREAU OF FIREARMS

Law Enforcement Gun Release Application

Penal Code Section 33850



This form is to be used only by the owner of a firearm which is in the custody or control of a law enforcement agency or court to redeem the firearm. It only establishes the applicant's eligibility to lawfully possess firearms at the time the application is processed. It cannot be used to transfer a firearm, or to prove ownership of a firearm.

(Instructions and processing fee information on reverse.)

| A. Owner Information | | | | | | | |
|---|--|--|------------------------|--|--------------------------------|---|--|
| Last Name: | | First Name: | | Middle Name: | | | |
| Alias Last Name (if any): | | Alias First Name: | | Alias Middle Name: | | | |
| Residence Street Address: | | | City: | | State: | Zip Code: | |
| Mailing Address (if different): | | | City: | | State: | Zip Code: | |
| Date of Birth (mm/dd/yyyy): | | Place of Birth (state or country): | | Sex: | Phone No. (include area code): | | |
| U.S. Citizen? <input type="radio"/> Yes <input type="radio"/> No | If no, enter Alien Registration No. or I-94 No.: | | | Country of Citizenship: | | | |
| Enter your California driver license (CDL), California ID (CID), Military ID (MIL), or Out-of-State ID (OSID) number in the ID number box to the right. If using military identification you <u>must</u> send a copy of your permanent duty station orders stating you are stationed in California. If using an out-of-state driver's license or identification number you must send a notarized copy of your driver's license or identification card. | | | | ID Type (check one): | | ID Number: | |
| | | | | CDL <input type="checkbox"/> MIL <input type="checkbox"/> | | | |
| | | | | CID <input type="checkbox"/> OSID <input type="checkbox"/> | | | |
| B. Firearm(s) Information (To report additional firearm(s) copy and attach additional applications) | | | | | | | |
| Firearm Type: <input type="radio"/> Handgun <input checked="" type="radio"/> Rifle <input type="radio"/> Shotgun | | Category: (select from list on page 2) LEVER-ACTION | | | Serial Number: 3549236 | | |
| Make: WINCHESTER | Model: 94 | Caliber: 30-30 | Firearm Origin: USA | | Color: BROWN | Barrel Length: <input checked="" type="radio"/> IN. <input type="radio"/> CM. | |
| Firearm Type: <input type="radio"/> Handgun <input type="radio"/> Rifle <input type="radio"/> Shotgun | | Category: (select from list on page 2) | | | Serial Number: | | |
| Make: | Model: | Caliber: | Firearm Origin: | | Color: | Barrel Length: <input type="radio"/> IN. <input type="radio"/> CM. | |
| Firearm Type: <input type="radio"/> Handgun <input type="radio"/> Rifle <input type="radio"/> Shotgun | | Category: (select from list on page 2) | | | Serial Number: | | |
| Make: | Model: | Caliber: | Firearm Origin: | | Color: | Barrel Length: <input type="radio"/> IN. <input type="radio"/> CM. | |
| C. Agency Information | | | | | | | |
| Name of Law Enforcement Agency or Court in Possession of the Firearm(s): HUMBOLDT COUNTY SHERIFF'S OFFICE | | | | | | | |
| Address: 826 FOURTH STREET | | | City: EUREKA | | Zip Code: 95501 | Case Number: 201703390 | |
| D. Declaration | | | | | | | |
| I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct and that I am the lawful owner of all firearms that I seek to have returned. I expressly authorize the Department of Justice to perform firearms eligibility checks of all relevant state and federal databases, including the Federal Bureau of Investigation's National Instant Criminal Background Check System. I also understand that if I currently possess or own firearms and the results of this check reveal that I am ineligible either to lawfully possess or purchase firearms, I must relinquish any and all firearms in my possession. | | | | | | | |
| Signature _____ | | | | Date _____ | | | |
| DOJ USE ONLY | | | | | | | |
| <input type="checkbox"/> AFS REFLECTS APPLICANT AS OWNER. <input type="checkbox"/> UNABLE TO VERIFY OWNERSHIP OF FIREARMS VIA AFS. COURT OR LEA MUST CONFIRM. | | | | | | | |
| Date Received: | | Date Paid: | | Date Processed: | | Processed By: NTN#: | |