

County of Humboldt
Office of the District Attorney
INVESTIGATIVE REPORT

DEFENDANT / SUSPECT NAME	DATE	CASE NUMBER
[REDACTED]	08-17-16	DA16-0266

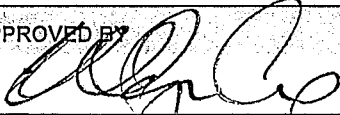
CRIME	CROSS REFERENCE AGENCY	AGENCY CASE NUMBER	SUPPLEMENTAL NUMBER
Attempted Murder	HCSO	201604167	1

CHARGES	CODE SECTION	DESCRIPTION
TYPE		
Attempted Murder	PC664/187	Attempted Murder
Assault / Battery	PC243(b)	Assault/Battery Against Peace Officer

VICTIM	DATE OF BIRTH	ADDRESS	PHONE
NAME			
[REDACTED]			
Deputy James Mowrey	N/A	Humboldt County Sheriff's Office	N/A
[REDACTED]			

WITNESS	DATE OF BIRTH	ADDRESS	PHONE
NAME			
[REDACTED]			

SUSPECT NAME	DATE OF BIRTH	ADDRESS	PHONE
[REDACTED]			

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Steve Dunn	7K3	10/5/2016		10/6/16		

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CRIME

Attempted Murder

NARRATIVE

SUMMARY:

On 8-17-16, I assisted the Humboldt County Sheriff's Office with a Critical Incident Response Team (CIRT) call out involving a subject shooting a rifle from an upstairs apartment building. The incident occurred at an apartment complex located at [REDACTED] the HCSO jurisdiction. Several members from the CIRT Team responded including members from the Sheriff's Office, District Attorney's Office, Eureka Police Department, Arcata Police Department and the Fortuna Police Department. Other agencies also responded to assist, this included Officers from the Department of Interior (National Park Service Rangers) and the Bureau of Land Management (BLM).

Suspect [REDACTED] was involved with several volleys of gun fire, some involved return fire from law enforcement officers. (S) [REDACTED] was later shot and killed by law enforcement officers. [REDACTED] long time girl friend, [REDACTED] was in the apartment with [REDACTED] most of the day, but left shortly before the last volley of gunfire. [REDACTED] was not injured and [REDACTED] The Department of Justice assisted the HCSO with processing the crime scene. Members of the CIRT Team assisted with the investigation and interviews.

I assisted HCSO Detective Todd Fulton with this incident. As part of my role with CIRT, I interviewed several neighbors of suspect [REDACTED] one of two apartment managers, (S) [REDACTED] girlfriend, [REDACTED] and Deputy James Mowrey. Mowrey was the only HCSO Deputy to discharge his weapon. I also assisted Detective Todd Fulton with interviewing several Mendocino County SWAT Team members, each who fired their department issued weapons.

All interviews were recorded and copies of those interviews have been attached to this report. All reports will be forwarded to HCSO Detective Todd Fulton, to be later submitted to Humboldt County District Attorney Maggie Fleming for an Officer Involved Shooting (OIS) review.

REPORT:

On 8-17-16 at about 0930 hrs, I received a call from DA Chief Investigator Wayne Cox advising me of a shooting that occurred in McKinleyville California, the HCSO jurisdiction. Chief Cox advised that a HCSO Deputy had returned fire on a subject shooting a rifle from an upstairs apartment building. The subject was shooting at the Manager's Office. Chief Cox advised that the CIRT Team would be notified soon and he was waiting for the official request. Cox stated he wanted me to respond with the HCSO. HCDA Investigator

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Kirkpatrick would also respond and assist as needed. The SWAT team had also been notified and was enroute. The CIRT team was requested shortly later and I responded, arriving on scene about 1045 hrs.

A command post was being set up at the Sutter Avenue Ace Hardware Store in McKinleyville, which was about 2 blocks from the shooting scene. Upon arrival, I met with Detectives Todd Fulton and Greg Musson. I was advised that Fulton would be the lead Investigator for the critical incident. I was assigned to assist Detective Musson. Musson and I later conducted several interviews which included one of the apartment managers, several tenants and suspect [REDACTED] girlfriend, [REDACTED]

On 8-20-16 I assisted HCSO Detective Todd Fulton with several interviews of the Mendocino County SWAT Team members. The Mendocino County SWAT Team had responded on the 17th to assist the HCSO with this critical incident. Several members of the Mendocino SWAT fired there department issued weapons at the suspect, Dave Fulton.

Detective Todd Fulton and I drove to the Ukiah Police Department and the Mendocino County Sheriff's Office and completed five interviews. These interviews included SWAT Leader Lt. Caudillo of the Mendocino County Sheriff's Office (MCSO), Sgt. Comer of the MCSO, Deputy McGuire of the MCSO, Reserve Deputy Bender (Medic) of the MCSO and Officer Chapman of the Ukiah Police Department. All of these subjects were part of the Mendocino County SWAT team and identified as members who fired their weapons. Refer to Detective Todd Fulton's complete report for details regarding their statements.

[REDACTED]

On 8-18-16 at about 0133 hrs, Detective Musson and I interviewed [REDACTED] [REDACTED] was brought to the command post, handcuffed by SWAT team members. [REDACTED] was inside the residence with suspect [REDACTED] from the time he first fired a rifle at the apartment manager's office, to the time of this interview.

[REDACTED] seemed alert, however, it should be noted that SWAT Team members had just used a distraction device to breach the front windows out of [REDACTED] apartment. This is a loud and shocking event for anyone to endure and intended to disorient non-compliant suspects. [REDACTED] was in the apartment when this occurred and walked out of the apartment within a couple minutes of the device being deployed. Additionally, as [REDACTED] walked out of the apartment and down the stairs from the second story, [REDACTED] appeared at the broken window with a rifle and fired his weapon. It was unclear if [REDACTED] was firing his weapon at officers or [REDACTED]. Once at the bottom of the stairs [REDACTED] was detained in handcuffs and brought to Detective Musson and I at the command post.

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I did not know what, if any charges would be sought against [REDACTED] when she was brought to Detective Musson and I. Detective Musson and I had [REDACTED] un-handcuffed and placed in my vehicle. [REDACTED] spontaneously stated, "they did something to the window, they blew up the window".

I read [REDACTED] her Miranda rights. I asked [REDACTED] if she understood those rights and she said, "yea". [REDACTED] then asked if she was under arrest and stated, "that's usually what they give it for, they read that?" I advised [REDACTED] she was not under arrest as far as I knew; however, since she was in the apartment, I was not sure if she would be charged. [REDACTED] stated she didn't do anything, she just stayed there. I again asked if she understood her rights and [REDACTED] stated, "I pretty much do". I asked if having those rights in mind if she wished to talk with me. [REDACTED] stated, "I don't care, if I'm supposed to say something". I again clarified with [REDACTED] that as far as I was aware she was not under arrest, but since she was detained in handcuffs when she was brought to me, she was not free to leave.

I asked [REDACTED] if she could tell me what happened. [REDACTED] stated that one day ago, "he" went and "got his gun". [REDACTED] stated "he" was [REDACTED] who was in the apartment. [REDACTED] stated that he took the car and got a rifle from someone's grandpa. [REDACTED] stated [REDACTED] was not supposed to have a gun. [REDACTED] stated that [REDACTED] got the gun in Crescent City or Klamath Or, she was not sure. [REDACTED] described the gun as a "long rifle". She said [REDACTED] also has a pellet gun. [REDACTED] stated that she and [REDACTED] are "Boyfriend / Girlfriend" and have been so for about 19-20 years. [REDACTED] stated, "I don't know him when he acts like this."

[REDACTED] stated this morning, she went on front porch and tried to get the gun out of his hands, but he pushed her out of the way. [REDACTED] stated, "I don't want to talk about that anymore, I didn't do that". I noticed as I talked with [REDACTED] she had "cotton mouth" and her speech was rapid and her hands and fingers were fidgeting. [REDACTED] also had a hard time answering direct questions and focusing on a specific question.

[REDACTED] stated that [REDACTED] wouldn't let her have the gun. [REDACTED] stated she told [REDACTED] she didn't want him to hurt someone. [REDACTED] said she saw [REDACTED] shoot the gun. [REDACTED] said, "I was so shocked when he did that". [REDACTED] said she was upstairs at the apartment when he shot the gun. I asked if she knew who he was shooting at. [REDACTED] stated he said something about the manager and them getting rid of his car. [REDACTED] said [REDACTED] was shooting at their office. Afterwards, [REDACTED] said she went outside, down the stairs and told the manager to call the police. [REDACTED] said she thought [REDACTED] was going to shoot her and the Manager, but he didn't. [REDACTED] said after she told the manager to call the police, she went back upstairs. [REDACTED] stated, "I needed a place to stay".

[REDACTED] stated that after [REDACTED] shot the gun the first time, he kept talking about the police and saying he was mad about his car. [REDACTED] stated she thought she was going to get shot in the back. [REDACTED] stated that

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one time "the police shot back at him" and [REDACTED] said the bullet, "rubbed his coat and went onto the door in there". [REDACTED] said, "he wanted you guys to shoot him". [REDACTED] then clarified and stated, "not today, a couple days ago".

[REDACTED] continued to ramble on during the interview, talking about events from different times of the day, not in any kind of order. [REDACTED] would talk about different events two days ago and then talk about current issues, then back to an earlier event. [REDACTED] had a difficult time staying focused and answering direct questions.

I continued the interview and asked [REDACTED] what she and [REDACTED] did from the time of the first shots early in the day, until the time she left the apartment. [REDACTED] stated, "he just sat there, with a gun". I asked what she did and she stated, "I just sat on the couch quietly". [REDACTED] said she had the TV on, trying to keep him calm and minding her own business. I asked if she was afraid and she stated, "I'm afraid now". [REDACTED] said she did things that she knew "wouldn't get to him". [REDACTED] said she was hoping the apartment would be "OK", so she could still live there. [REDACTED] stated, "I had cartoons on, I had to do something".

I asked [REDACTED] if she talked to the police on the phone and she said yes. [REDACTED] said she couldn't talk to them more because it was making [REDACTED] mad. [REDACTED] said that other people called the house too. She said [REDACTED] called. [REDACTED] asked if [REDACTED] was "OK" and he told her yes. [REDACTED] said that [REDACTED] also called. [REDACTED] said she was not sure what they talked about. [REDACTED] said that [REDACTED] called too. [REDACTED] said he was a person they knew and he told [REDACTED] he should "put the stuff down and turn himself in". [REDACTED] said she couldn't talk on the phone and had to watch what she said.

[REDACTED] said that the Police kept calling on the phone. [REDACTED] said she heard some things and didn't hear some things. She said the Police told [REDACTED] there were people that could help him. [REDACTED] also said she heard people from the front of the apartment asking for him to come out, they were there to help him. [REDACTED] said she couldn't get [REDACTED] to do anything. [REDACTED] said the power did go "on and off", but [REDACTED] didn't really care. [REDACTED] said she figured it was the police doing that.

I asked if there were times [REDACTED] shot his gun after the first few shots. [REDACTED] stated yes, there was a time he shot back at the bathroom window, just before "they got me". She said [REDACTED] "almost hit her" and she almost got in his way. [REDACTED] stated, "I got sparkles in my face" describing the gunshot being close to her face. [REDACTED] stated she was only about 2 feet away when he fired the gun in front of her.

At about 20 minutes and 45 seconds into the interview, there are distinct gunshots heard on the recording. This was the last volley of gunfire with [REDACTED], who was killed by police. The interview continued.

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[REDACTED] heard these shots and stated, "Sounds like him, I'm just his wife, that's just weird, I've never been around him like this, he does get mad".

[REDACTED] stated that after [REDACTED] shot at the bathroom window, the front window got "blown up". She said afterwards, she asked if she could go and [REDACTED] said yes. [REDACTED] said she walked down the stairs and the police put her in a truck. [REDACTED] was not sure if there were more gunshots after she left.

[REDACTED] talked about the gun more and stated she believed it was a "22". She added that [REDACTED] always had ammunition for the rifle. [REDACTED] said that [REDACTED] was not taking his medication, which has not "done him any good". [REDACTED] said [REDACTED] was going to be mad at her for talking to us.

[REDACTED] asked Detective Musson and I who we were again, then added she saw what was going on because they were watching TV. She was referring to the standoff with police. [REDACTED] said she would only do things that wouldn't make [REDACTED] mad. [REDACTED] added that [REDACTED] had been watching the elections on TV and this was making him mad for the last two weeks.

[REDACTED] stated she did not have any family or friends. [REDACTED] said that [REDACTED] did not want her to talk to anybody. [REDACTED] said she once talked with a girl and [REDACTED] did not like that.

Detective Musson asked [REDACTED] where she was when [REDACTED] first shot his gun in the morning. [REDACTED] stated inside of the doorway. [REDACTED] stated afterwards, she walked down to the bottom of the stairs and talked with the manager. She told them to call the police because [REDACTED] has a gun". Detective Musson asked why she went back into the apartment. [REDACTED] stated she was afraid and that "he would of got me too". Musson clarified that [REDACTED] had never threatened to kill her and there had not been physical violence in their entire 20 year relationship.

Detective Musson asked if [REDACTED] at anytime pointed a gun at her. [REDACTED] stated he held it in a way that if she said the wrong thing, he would shoot her, she just didn't want to irritate him. Detective Musson asked if she ever asked if she could go and [REDACTED] stated, "not until you guys blew up the window."

Detective Musson asked if [REDACTED] was a drinker. [REDACTED] said no, but he did have one beer today. [REDACTED] stated that [REDACTED] used Marijuana and smoked cigarettes. Detective Musson asked if there were drugs in the apartment, like Methamphetamine. [REDACTED] stated she did not know what that was. She added that she did not know what that means and never heard of the word. [REDACTED] then described "white stuff" that [REDACTED] may use, so it must be "crank". [REDACTED] would talk about [REDACTED] being mad, the apartment, the window, and then something else. [REDACTED] continued to not focus on direct questions and or timelines.

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Detective Musson and I explained that [REDACTED] was not under arrest and she would be free to leave after the interview. Additionally, Detective Musson and I stated we would try and help her get some temporary housing for the night. The interview ended at about 0219 hrs. The interview was recorded. This is only a summary, refer to recording for further details.

Interview with James Mowrey

On Monday 8-22-16 at about 1343 hrs, Detective Todd Fulton and I met with Humboldt County Deputy James "Jim" Mowrey and his attorney Julia Fox of Rain, Lucia and Sterns at the Sheriff's Office for an interview. Mowrey had been identified as one of the first Deputies on scene at the Sutter Rd incident in McKinleyville. Mowrey was also identified as the only HCSO Deputy who fired his weapon at the suspect, [REDACTED]

Mowrey stated he was a "Deputy II" Sheriff with the Humboldt County Sheriff's Office and currently assigned to the Humboldt County Drug Task Force. Mowrey stated he has been with the Sheriff's Office almost 10 years and graduated from the police academy in 2005. Mowrey stated he holds an advanced POST certificate. Mowrey has been a 9 year member of the SWAT team and has worked in the Marijuana unit, patrol, court services and been a firearms instructor for about 9 years. Mowrey stated that his firearms training is current and he qualifies with his handgun every other month and qualified with his patrol rifle within the last 2 months.

On the morning of 8-17-16, Deputy Mowrey left his office at the Drug Task Force and while driving, heard Deputies getting dispatched via police radio to a "shots fired" call in McKinleyville at an apartment complex on Sutter Rd. Mowrey called his direct supervisor, Lt. Quenell and advised he would be enroute to the location until responding Deputies were "Code 4", or not in danger. Mowrey also advised HCSO dispatch that he was enroute. Mowrey stated he arrived on scene and parked his vehicle on the west side of the manager's office, near Lt Miller's vehicle, which was also on scene. Mowrey was driving an "unmarked" vehicle. Mowrey stated he opened his trunk and put his SWAT entry vest and gun belt on. Mowrey also grabbed his duty long rifle, approved by the Sheriff's Office.

Mowrey stated Lt. Miller had given him some information regarding the incident. Miller advised him that there was a dispute between the suspect and the managers. The suspect had apparently fired some rounds at their office. Lt. Miller assigned Mowrey to get "eyes on" the suspect's apartment. Mowrey stated he positioned himself north of the manager's apartment. Mowrey described a building that ran east/west, that was part of the main apartment complex. Mowrey stated that there was a hedge there, so he posted at that location, by the hedge.

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Mowrey added that when he arrived on scene, Lt Miller, Captain Thompson, Deputy Helm (with a recruit, (unknown name), Deputy Aponte and Deputy Wilcox were already on scene. Mowrey said he didn't remember seeing Deputy Wilcox, he just knew she was there as well.

Mowrey stated that the hedge was north of the manager's office. Mowrey stated that he knew Captain Thompson and Lt. Miller were standing at the west side of the manager's office, on his right. He could not tell where the other deputies were, however, he thought they were on the south side of the manager's office.

Mowrey said he believes someone pointed out the exact apartment that the suspect was in to him, but he could not remember who. Mowrey stated that the apartments were clearly marked, with the number posted in the center and each apartment posted in the appropriate corner of the sign.

While at the hedge, Mowrey said he got the attention of Lt. Miller and asked what radio frequency everyone was using. LT. Miller advised he was on the main channel, so Mowrey changed his radio to the main channel so he could communicate with everyone. Mowrey stated that a short time after that, he saw the suspect walk out of the apartment, on to the concrete landing/walkway in front of two upstairs apartment doors. Mowrey stated the suspect raised his arms, in a fashion showing he was holding a long gun, or shoulder fired weapon. Mowrey said he heard two or three shots, which he described as sounding like a .22 caliber round. Mowrey stated based on his position, he believed that the suspect was targeting something on the south side of the manager's office. Mowrey stated he wasn't sure where the other deputies were. Mowrey stated, "I feared that he was targeting the deputies on that side of the building". Mowrey said he returned fire.

Mowrey said he could see the suspect well and estimated the distance between him and the suspect at 50-60 yards. Mowrey believed he shot two times with his long gun. Mowrey described the optics on his rifle as a "red dot" true glow, with a 2X power magnification. Mowrey stated after he shot his rifle, he saw the suspect "flinch", then go back into the apartment.

After the shots, Mowrey changed his position. Mowrey said he moved to the south side of the manager's office, then a tree, then took cover behind a vehicle, using the engine block as cover. Mowrey stated this move only took about 10 seconds. Mowrey stated he heard Lt. Miller and Captain Thompson broadcast "shots fired" over the radio. Mowrey stated he heard the SWAT team get dispatched to the scene, along with several other agencies for assistance, including mental health workers.

Mowrey stated that after he fired his weapon, he saw Captain Thompson spin and look at him. Mowrey said she heard his rounds, but he didn't say anything to her. Mowrey stated that when he changed positions, Lt. Miller asked about the suspect's gun and he also asked him how many rounds he fired.

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Mowrey stated that he stayed at his new post for about ten minutes. Lt. Miller later asked him if he wanted his helmet (ballistic entry helmet) which was still in his vehicle. Mowrey stated he did. Deputy Helm's recruit then approached him and asked for the keys to his vehicle. Mowrey also asked for his extra portable radio as he didn't think his was working properly. The recruit came back and provided Mowrey with his helmet and radio.

Mowrey stated he stayed there at the location by the parked car observing the apartment until SWAT Commander Lt. Quenell asked for him to respond to the command post. Lt. Quenell asked him for a brief about what had occurred. Mowrey stated he used a Google earth image of the location and provided the layout and information to Sgt Braud and Lt. Quenell.

Mowrey stated that he was going to return to his vehicle and retrieve his safety goggles when Lt. Quenell instructed him to bring his vehicle back to the Command Post. Mowrey stated that he retrieved his vehicle and drove back to the Command Post. Mowrey did not return to the apartments. Mowrey added that he did not leave the command post until he went home.

Deputy Fulton then asked Mowrey a few questions including if he deployed his handgun. Mowrey replied no. Mowrey stated that the rifle he deployed was a Smith and Wesson .223. Mowrey stated his position on the SWAT team was an "operator. Mowrey clarified that the Google earth image he obtained was from his work phone, then later he used a lap top.

Mowrey's Attorney Julia Fox then confirmed that prior to Mowrey firing his long gun, he had been advised shots were fired earlier at the manager's office. Mowrey also stated it was his understanding that the manager's office was occupied at the time those shots were fired. Mowrey also stated that when he arrived on scene, the managers were standing on the west side of the office with Lt. Miller and Captain Thompson.

Detective Todd Fulton asked if any administrators had questioned him about what transpired. Mowrey stated that he remembered talking with Captain Thompson, however, other than a public safety statement, nothing was said. This interview was recorded. This is only a summary, refer to recording for further

[REDACTED]

On 08-17-16 at about 1113 hrs, Detective Musson and I talked with [REDACTED] and her husband are the managers of the "Redwood Creek Apartments" located on Sutter road in McKinleyville. [REDACTED] stated that she has been the manager at the apartments for 10 years and her husband [REDACTED] is the maintenance manager. [REDACTED] stated she and her husband do not live on site, however, [REDACTED] does. He is the onsite (after hours) maintenance manager.

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CRIME

Attempted Murder

[REDACTED] stated that the incident that occurred today at the apartments involved a long time tenant named [REDACTED]. [REDACTED] has lived at the apartments since 1997. The address is [REDACTED] Sutter Rd. [REDACTED] stated today, about 0900 hrs, [REDACTED] called her at the manager's office and stated, "you owe me, you owe me a car, where are my keys, give it to me". [REDACTED] stated she has been dealing with [REDACTED] for over ten years and is aware of his "mental issues". [REDACTED] stated that he has a lot of mental issues.

[REDACTED] stated that at the time, she was in the office dealing with some other tenants. [REDACTED] called back about 3 minutes later. [REDACTED] said the same thing to her. [REDACTED] stated she could hear his "lady friend" [REDACTED] in the background. [REDACTED] stated [REDACTED] and [REDACTED] have been in a long term relationship. [REDACTED] stated she could hear [REDACTED] tell him to "go down and talk with her". [REDACTED] was apparently upset because about a week ago, the county towed his car which was parked on the street. It couldn't be parked in the apartment lot because it was leaking oil. [REDACTED] stated that the car had been parked on Sutter for a long time before it was finally towed. [REDACTED] stated that she told [REDACTED] on the second phone call to give her five minutes and she would help him.

[REDACTED] stated about one minute later she heard a "ping". [REDACTED] stated that she walked to the door and noticed a "bullet hole" about 6-7 feet up on her door frame of the manager's office. [REDACTED] stated she told her husband she thought [REDACTED] did it. Her husband [REDACTED] walked over towards [REDACTED] apartment and as he did so, [REDACTED] came downstairs. [REDACTED] told [REDACTED] that [REDACTED] did in fact do it. [REDACTED] stated at this point, her husband called "911" and she finished up with her tenants in the office and continued with her day.

[REDACTED] stated that [REDACTED] has long term mental issues. [REDACTED] stated she has never known him to have any weapons and has never seen guns. [REDACTED] stated, [REDACTED] is [REDACTED]. [REDACTED] stated that there was one past incident that she remembered that occurred about three years ago. [REDACTED] stated she has a sister that has [REDACTED] and has the [REDACTED]. [REDACTED] stated that [REDACTED] walked into her office one day and asked if he could have sex with her. [REDACTED] told him "No". [REDACTED] stated that comment really upset her.

[REDACTED] stated that things seemed to be escalating with [REDACTED]. She said his actions were becoming different. [REDACTED] would stand outside and "holler and yell" at her. [REDACTED] stated she did not know if [REDACTED] was taking his medication or not. She added that [REDACTED] was normally a non-threatening person.

[REDACTED] stated that [REDACTED] was currently in the apartment with [REDACTED]. [REDACTED] said that she did not believe [REDACTED] would hurt [REDACTED]. [REDACTED] stated that [REDACTED] seems to have a calming effect him. The interview ended at about 1125 hrs. This interview was recorded. This is only a summary, refer to recording for further.

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Steve Dunn	7K3	10/5/2016				

County of Humboldt
Office of the District Attorney
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DEFENDANT / SUSPECT NAME		DATE	CASE NUMBER
[REDACTED]		08-17-16	DA16-0266
CRIME	CROSS REFERENCE AGENCY	AGENCY CASE NUMBER	SUPPLEMENTAL NUMBER
Attempted Murder	HCSO	201604167	1

[REDACTED]

On 08-17-2016 at about 1400 hrs, Detective Musson and I talked with [REDACTED]. [REDACTED] was at the command post located at the McKinleyville Ace Hardware Store on Sutter Rd. [REDACTED] stated that she lives at [REDACTED] in McKinleyville. [REDACTED] stated she has lived at this location for about 21 years. [REDACTED] stated that on today's date, she heard some "gun shots" and saw some police cars. [REDACTED] stated that she also saw a police truck (Armored truck called a Bearcat). [REDACTED] said she thought to herself, "What's that"? [REDACTED] stated that she really didn't know something bad had happened until officers with guns came to her door and she asked them what happened. [REDACTED] stated that the officers helped her leave the apartment and took her over to our current location so she would be safe.

[REDACTED] stated that she may have heard a "couple" shots around 11 am. Since [REDACTED] had lived at the apartment complex for so many years, I advised her that [REDACTED] may have been the person who fired a weapon and asked her if she knew him. [REDACTED] stated she did not know a [REDACTED]. [REDACTED] did not have any other information. The interview was recorded and ended at about 1407 hrs. This is only a summary, refer to recording for further.

[REDACTED]

On 8-17-16 at about 1415 hrs, I talked with [REDACTED]. [REDACTED] had been brought to the command post by officers. [REDACTED] stated he lives at [REDACTED] in McKinleyville. [REDACTED] stated that he has lived at this address for six and a half years. [REDACTED] stated on this date, about 0900, he heard a "crack, crack", then another two about ten seconds later. [REDACTED] said he couldn't really tell where it was coming from. [REDACTED] stated he was looking outside when this occurred. [REDACTED] said he saw "Mr. Manager" talking to a lady with grey hair down from him in one of the apartment buildings. [REDACTED] said it looked like the lady said something to him, then the manager got on the phone. [REDACTED] said after that, he saw Sheriffs vehicles showing up. [REDACTED] said he heard more "cracking" and he thought maybe someone was shot at the back of the Manager's office. [REDACTED] said it looked like they (Officers) were aiming at the back of the office when he heard the shots. [REDACTED] said later, he got an automatic phone call telling him "to shelter in". [REDACTED] said, "that's what I do best".

I asked [REDACTED] if he knew who was shooting and he said no. [REDACTED] said he guessed it was two other guys from the apartments, but he was wrong. [REDACTED] said he guessed it was a guy he knows as a single Dad at the apartments and he sometimes looked "delirious". The other person he thought of was a guy with three kids and a wife. [REDACTED] stated every time he saw him, he was looking down at the ground. [REDACTED] thought he hoped the guy didn't feel like he looked. [REDACTED] added that this person doesn't really talk to anyone.

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[REDACTED]	08-17-16	DA16-0266	
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Detective Musson clarified with [REDACTED] that he heard two "cracks", then another two "cracks" about ten seconds later. This was before police were around. [REDACTED] felt they were gun shots. [REDACTED] stated he was by his window and front door during the shots. [REDACTED] said from his apartment, he had a wide view of the grass area and one of the driveways leading into the apartments. [REDACTED] stated it wasn't long after he saw the manager on the phone. [REDACTED] then saw police arrive soon thereafter. [REDACTED] said he saw three officers show up. [REDACTED] stated that it sounded as if the shots were coming from Sutter Rd, looking west. [REDACTED] said he thought he saw a plain clothes officer, wearing a Hawaiian type shirt carrying a rifle. The other Officers were wearing uniforms. [REDACTED] did not hear police say anything. [REDACTED] added that when officers were on scene, he heard another ten shots, maybe behind the office building. The shots sounded like they were all together. [REDACTED] said then the officers went to the back of the office building. Detective Musson asked if he knew what guns sounded like. [REDACTED] stated yes, but he could not tell the difference between them. This is only a summary of [REDACTED] statement, refer to recording for further.

[REDACTED]

On 8-17-16 at 1743 hrs, Detective Musson and I talked with [REDACTED] at the command Post. A California Highway Patrol Officer had approached us stating that there was a person who may have information about the suspect, [REDACTED]. [REDACTED] was then escorted to our location.

[REDACTED] stated he and his dad went to town (McKinleyville) to get gasoline and air in his bike tires when he was told there was a "Stand Off" at the "Central Avenue" apartments. [REDACTED] said, "that's where [REDACTED] lives". [REDACTED] later explained that [REDACTED] was a friend and he has known [REDACTED] for about 20 years. [REDACTED] said that, [REDACTED] is crazy when he's off his meds", so he called him to see if he was ok. [REDACTED] said he called [REDACTED] at "840-0319". [REDACTED] said he got through and talked with him. [REDACTED] stated as [REDACTED] spoke, he thought was describing the scene and what was going on, but then realized he was the one police were dealing with. [REDACTED] said he told [REDACTED] to go outside and put his hands up or he would get killed. [REDACTED] stated he didn't know if [REDACTED] was joking or not, but [REDACTED] told him he was loading multiple BBs in a pellet gun.

[REDACTED] said he used to live with a relative of [REDACTED]. [REDACTED] stated, [REDACTED] is known as [REDACTED] off his meds he is [REDACTED]. [REDACTED] said, "He has been in [REDACTED] and stuff in his younger days along with his wife". [REDACTED] said when he was talking with [REDACTED] he heard [REDACTED] in back ground tell him to hang up the phone. [REDACTED] eventually did. [REDACTED] said [REDACTED] was calm on the phone when they spoke.

Alexander said he called a second time, but the phone was scrambled and another man answered the phone, and then hung up. Detective Musson and I believe Alexander called the wrong number the second time.

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CRIME

Attempted Murder

[REDACTED] clarified the first call and said he told him to stop what he was doing and come out of the house. [REDACTED] said to him, "they are gonna kill me anyway". [REDACTED] stated that [REDACTED] is kind of a conspiracy theorist with wild ideas about government. He said [REDACTED] has been that way for years. [REDACTED] stated that when [REDACTED] is "on his meds", he is "level headed".

[REDACTED] stated when he called the second time, he said [REDACTED] hung up on. [REDACTED] said that didn't alarm him because he has done that before. [REDACTED] stated [REDACTED] doesn't like him because he calls and asks [REDACTED] for rides and other things. [REDACTED] stated [REDACTED] has lots of BB and pellet guns. He further described the apartment as having one room full of computer stuff and that the rest of apartment was very clean.

[REDACTED] stated he had a warrant for his arrest, but he decided to come forward anyway because a "warrant wasn't worth a life". [REDACTED] said the last time he talked with [REDACTED] was before today was 2-3 months ago. [REDACTED] talked about going to Ft Bragg. [REDACTED] stated he stopped by and visited after the trip. When he did, [REDACTED] left his phone at his house. [REDACTED] said he thought he still had the phone at his house. [REDACTED] stated that the day he visited [REDACTED] seemed "whippy". This is only a summary of [REDACTED] statement, refer to recording for further.

On 08-17-2016 at about 1319 hrs, Detective Musson and I talked with [REDACTED] at the McKinleyville Ace Hardware on Sutter, which had been designated as a command post for the OIS critical incident. Hadley stated that she lived at [REDACTED] in McKinleyville and her phone number was [REDACTED]. [REDACTED] stated that she has lived in the apartment for about 2-3 years.

[REDACTED] stated that she was brought to command post in the armored vehicle police were using at the scene. [REDACTED] said that she and her helper [REDACTED] were in her apartment and heard gunshots. [REDACTED] stated that her apartment is directly below the one who was shooting. [REDACTED] said his name is [REDACTED] or [REDACTED]. [REDACTED] said that she met him once and he gave her his phone number in case she ever needed anything. [REDACTED] said she never did call him. [REDACTED] stated she heard shots and it, "seemed like dozens of them". [REDACTED] said her helper also heard the shots. Afterwards, she went into the kitchen and her helper made her coffee. [REDACTED] stated she never went outside and later, she got a call from the police department telling her to not go outside. The police then told her to get ready to leave and they would come get her.

[REDACTED] said she did not know much about [REDACTED] except he was "funny". [REDACTED] clarified that he was "scary in a way" because he asked if he could "get together" with her [REDACTED] who lived with her. [REDACTED] stated that her [REDACTED] and [REDACTED] is at least 50 or 60. [REDACTED] also thought this was strange. [REDACTED] stated that she was scared [REDACTED] may come to the door when she wasn't there. [REDACTED] said she tried to always be there or take her [REDACTED] with her if she would leave. [REDACTED] said that [REDACTED] is "noisy". [REDACTED] stated that

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sometimes it sounded like "they would throw things". [REDACTED] was referring to [REDACTED] and the female that lived with him. I asked if she ever heard them yell or scream and [REDACTED] stated, "Oh yea". [REDACTED] stated she mostly heard her, [REDACTED] wife. [REDACTED] said she had heard lots of arguments, but never gunshots.

[REDACTED] said she had tried talking to [REDACTED] before but, "he didn't make sense". [REDACTED] clarified that she was told by others that [REDACTED] had a little bit of a [REDACTED] problem. [REDACTED] said she didn't know much about him. [REDACTED] said [REDACTED] drove a station wagon and used to have a brown car, but it disappeared.

Detective Musson clarified that the gunshots she heard sounded different and seemed as if they were coming from the playground or out by the "Office", referring to the Managers office. [REDACTED] added that she did see officers too, one was sitting on a car. This interview was recorded. This is only a summary of [REDACTED] interview, refer to recording for further

[REDACTED]

On 08-17-2016 at about 1340 hrs, Detective Musson and I talked with [REDACTED] [REDACTED] stated that he lives with his girlfriend [REDACTED] in McKinleyville.

[REDACTED] stated on this date he woke up about 0830 hrs and was going to take a shower when he heard two shots. He described the sound as a "bing, bing". [REDACTED] stated that it sounded like fire crackers, but he knows what a .22 sounds like and believed it was a .22. [REDACTED] said it was obviously gun shots. [REDACTED] stated he didn't think too much about it and went ahead and took his shower.

[REDACTED] stated he sat down after his shower and his girlfriend told him she believed the shots were fired at the Manager's office. At that point they were deciding what to do and believed that the manager had called the "cops". [REDACTED] thought it would be best to stay inside the apartment and wait to see what was going on before they left. [REDACTED] stated that the "cops" later called his house and told them they would come and get them out of the apartment.

[REDACTED] clarified that he heard more than two shots, but didn't know if it was one gun or two. [REDACTED] stated that he was communicating with another tenant he identified as [REDACTED] who stated that his apartment had been hit by a bullet. [REDACTED] stated that [REDACTED] lives in the far side apartment, same building, and on the top floor.

[REDACTED] said he heard that the shooter was [REDACTED]. [REDACTED] said that [REDACTED] is known to have a [REDACTED] [REDACTED] and [REDACTED]. [REDACTED] stated he is a crab fisherman and sometimes leaves the apartment at 3 am. [REDACTED] stated that in the past, he has walked outside to [REDACTED] talking to himself, working on his car and just not making sense for a person who would be up at that hour of the day. [REDACTED] said that [REDACTED]

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never seemed normal to him. [REDACTED] added that he thought the managers would have dealt with him, as he makes a lot of people "uneasy". [REDACTED] added that the police later assisted him and his girlfriend in leaving the apartment and they walked to the command post. This interview was recorded. This is only a summary, refer to recording for further

[REDACTED]

On 08-17-16 at 1210 hrs, Detective Musson and I talked with [REDACTED]. [REDACTED] stated that she lived at [REDACTED]. [REDACTED] stated that she has lived at this location just under one year. [REDACTED] stated she lives downstairs and across from where [REDACTED] lives. She had previously lived at the same apartment building, but another unit.

[REDACTED] stated that today, she heard "three shots". [REDACTED] said she knew it was a gunshot. [REDACTED] stated based on the proximity, [REDACTED] also knew it was [REDACTED]. After the shots, [REDACTED] stepped outside and saw [REDACTED] (managers) come out of the office to see what was going on. [REDACTED] said, "I guess he shot at the office". [REDACTED] said that [REDACTED] was mad because they towed his car away. [REDACTED] said she went outside and while she stood there, [REDACTED] came over towards her. [REDACTED] then saw [REDACTED] come down the stairs from [REDACTED] apartment. [REDACTED] said [REDACTED] is [REDACTED] ex-wife and they have lived together for 40 years. [REDACTED] said that [REDACTED] came down and motioned for [REDACTED] to come over to her. [REDACTED] said they stood outside the apartment, down on the grass area in front of their apartment. [REDACTED] told [REDACTED] that [REDACTED] has got a gun" and she wanted him to call the Sheriff's Office. [REDACTED] asked if [REDACTED] was ok and [REDACTED] thinks she said, "yes", then [REDACTED] walked back upstairs to the apartment. [REDACTED] said, "I couldn't understand why she did that".

[REDACTED] said [REDACTED] was still in his apartment. [REDACTED] said the police came and she thinks she heard three more shots and a "return fire". [REDACTED] described it as "two different sounds". [REDACTED] said, "the first shots were like a ping from a rifle". [REDACTED] then heard a louder shot, "like from a pistol". [REDACTED] said when she heard these shots, she was in her apartment, in her bedroom.

[REDACTED] said she didn't hear anymore sounds. [REDACTED] said it had been quiet ever since the last groups of shots heard. [REDACTED] thought maybe the police shot him. [REDACTED] said she saw officers getting her neighbors out of their apartment using a ladder. Shortly later, the officers called her and said they were going to get her out too. [REDACTED] said she left the apartment through her window, and then walked over to the command post.

[REDACTED] said during the last year she has lived in her apartment, she has heard [REDACTED] and [REDACTED] fight "off and on". [REDACTED] has told [REDACTED] that he "wanted more feeling from her [REDACTED] but she won't give it". [REDACTED] added that [REDACTED] liked his car (the one towed). [REDACTED] said she tried to help [REDACTED] several times and get his

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car started with no luck. [REDACTED] stated that other people tried to help too. [REDACTED] stated that all cars that leak oil are not allowed in the apartment parking lot and must be parked on the street. [REDACTED] said that [REDACTED] car was towed last week.

[REDACTED] said that she never heard [REDACTED] make statements about hurting people. [REDACTED] stated that both [REDACTED] and [REDACTED] were "mild mannered". [REDACTED] said, "he's such a nice guy, he'd help anybody". [REDACTED] stated that a lot of people have told her that [REDACTED] was [REDACTED]. I asked [REDACTED] if she thought that was true. [REDACTED] stated, "yea, to a point". [REDACTED] said she could talk to him, but it was hard to understand him because he has a [REDACTED]. [REDACTED] said, "he's nice". [REDACTED] said that [REDACTED] and [REDACTED] were still in the apartment as we spoke at the command post. The interview ended at 1220 hrs. This interview was recorded. This is only a summary, refer to recording for further

On 8-17-16 at about 1137 hrs, Detective Musson and I talked with [REDACTED]. [REDACTED] stated that she lived at the apartment complex where the shooting occurred. [REDACTED] stated she lives in apartment [REDACTED]. [REDACTED] stated that while she was sleeping, she heard a "shot" but didn't think very much about it so she went back to sleep. [REDACTED] stated she heard shots again and they seemed really loud. [REDACTED] stated it sounded as if the shots were on the "other side" of the house this time. [REDACTED] stated she heard multiple shots, then one "really loud shot". She thought there were people shooting at each other. [REDACTED] stated she was with her boyfriend [REDACTED] at the time she heard the shots. [REDACTED] stated she didn't want to look out the window.

[REDACTED] stated that her boyfriend got up and said there were "cops" outside. [REDACTED] said she got up and noticed there was a hole in her wall from a bullet. [REDACTED] stated you could see where the bullet entered. [REDACTED] said the bullet went through the wall, hit a laundry basket, and then ricocheted again off an interior door.

[REDACTED] said the bullet appears to have come from where "the police guy was by [REDACTED] truck". [REDACTED] was referring to the manager's truck. [REDACTED] stated that she had called a friend who also lives in the apartment complex and they guessed the person shooting was [REDACTED]. [REDACTED] said she didn't know much about him, other than a friend of hers calls him a [REDACTED]. [REDACTED] said that he says "hi" to her in passing.

[REDACTED] said she has lived at the apartments for about one year. [REDACTED] said her front door and [REDACTED] front door face each other. [REDACTED] said she thinks [REDACTED] is married but does not know her name. [REDACTED] added that [REDACTED] and his wife argue some and she has heard his wife "be mean to him".

[REDACTED] said the first gunshot she heard sounded like it was by her bedroom window. [REDACTED] stated her bedroom window is on the other side of the apartment, opposite her front door. [REDACTED] stated after the first shot, she thinks about 20 minutes passed, but wasn't sure as she went back to sleep.

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heard a second group of shots. said she heard about 3-6 shots, then she heard a big shot. thinks the big shot is the one that came through her house. stated that the first few shots were little, and then the last one was big.

stated that one of her downstairs friends (different apartment building) told her that had a gun and fired "one off" then "she" told call the police and that she couldn't stay there because "he" would think that something's up. said, "why would you go back if you called the police".

said that he heard yell, but wasn't sure what was said. She added that neither she or her boyfriend saw outside. clarified that her friend lived in the next apartment over, on the bottom right. added that a couple days ago, she saw talking with a couple of kids holding computers. stated that her boyfriend said that works on lap tops and phones and that's maybe how he got a gun. The interview ended at 1152 hrs. This interview was recorded. This is only a summary, refer to recording for further

ADDITIONAL FOLLOW UP

Any additional follow completed on this investigation will be forwarded as a supplemental report when completed.

DISPOSITION

Forward to Detective Fulton for inclusion with CIRT report.

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