

STATE OF WISCONSIN CIRCUIT COURT LA CROSSE COUNTY

STATE OF WISCONSIN
Plaintiff,

vs.

David A Pearson Jr
NPA
La Crosse, WI
DOB: 07/01/1986
Sex/Race: M/B
Eye Color: Brown
Hair Color: Brown
Height: 5 ft 7 in
Weight: 152 lbs
Alias:

Defendant.

DA Case No.: 2021LC002139
Assigned DA/ADA: Nick Passe
Agency Case No.: 10-21-26001
Court Case No.:
ATN: 32000000479735

CRIMINAL COMPLAINT

Sergeant Brandon Penzkover, La Crosse County Sheriff’s Department, being first duly sworn on oath says that on information and belief:

Count 1: SECOND DEGREE RECKLESS HOMICIDE, USE OF A DANGEROUS WEAPON

The above-named defendant on or about Monday, June 28, 2021, at 905 Joseph Houska Dr, in the City of La Crosse, La Crosse County, Wisconsin, did recklessly cause the death of another human being, Cameron X. Baker Sr., contrary to sec. 940.06(1), 939.50(3)(d), 939.63(1)(b) Wis. Stats., a Class D Felony, and upon conviction may be fined not more than One Hundred Thousand Dollars (\$100,000), or imprisoned not more than twenty five (25) years, or both.

And further, invoking the provisions of sec. 939.63(1)(b) Wis. Stats., because the defendant committed this offense while using a dangerous weapon, the maximum term of imprisonment for the felony may be increased by not more than 5 years.

Count 2: FELONY BAIL JUMPING - NEW CRIMES

The above-named defendant on or about Monday, June 28, 2021, at 905 Joseph Houska Dr, in the City of La Crosse, La Crosse County, Wisconsin, having been arrested for or charged with a felony and having been released from custody under Chapter 969 Wis. Stats., did intentionally fail to comply with the terms of his bond, to wit: to commit no new crimes, contrary to sec. 946.49(1)(b), 939.50(3)(h) Wis. Stats., a Class H Felony, and upon conviction may be fined not more than Ten Thousand Dollars (\$10,000), or imprisoned not more than six (6) years, or both.

and prays that the defendant be dealt with according to law; that the basis for complainant’s charge of such offense is:

FACTUAL BASIS:

The complainant has reviewed a felony criminal complaint for this defendant in La Crosse County Circuit Court case number 2021CF346 dated May 13, 2021. One of the conditions of this bond was that the defendant commit no crimes. On information and belief, this bond was in full force and effect on the date of the incident described below.

Your complainant relies on excerpts from the official reports of various City of La Crosse Police Department Officers and Investigators identified below.

At around 11:41 p.m. on the evening of June 28, 2021, La Crosse Police Department officers were dispatched to a fight at Houska Park, located at 905 Joseph Houska Drive in the City and County of La Crosse, Wisconsin.

Excerpt from the official report of Officer Clason:

“I was the first officer to arrive on scene and initially it did not appear anything was wrong. I observed multiple people under the shelter and sitting at tables. As I entered under the shelter, I observed a black male laying on his back on the south side of the shelter. As I approached the male, I did not observe him breathing. The male had a large amount of blood around his mouth and it appeared many of his teeth had been knocked out.

The complainant, A.B., helped me move the victim from underneath one of the tables where he was lying. We moved Cameron approximately one foot to the north. I felt Cameron's left wrist and did not feel a pulse. It appeared Cameron took one gurgled breath after moving him. I did not observe any breathing after this. I observed a large amount of blood pooled in Cameron's mouth and throat. I once again checked for a pulse and did not feel one. I relayed this information through Dispatch and started CPR. A few minutes later, First Responders and Tri-State Ambulance staff arrived and took over lifesaving measures. Officer C. Lange cut off Cameron's shirt and I observed a stab wound to the left part of his chest cavity along the rib line. The wound was approximately one inch in length. Other officers arrived and began interviewing people and securing the scene. See their reports for further information.”

Engine 1 from the La Crosse Fire Department was dispatched and so was an ambulance from Tri-State ambulance. Lifesaving measures were attempted by these crews along with Officer Lang, but these efforts were unsuccessful and Cameron X. Baker, Sr. (d.o.b. 9/28/1987) died at the Houska Park shelter.

Officer Clason stayed at the scene and secured it and waited for Investigative Services Bureau personnel to arrive on scene to begin their investigation.

At of the time of this writing, the investigation is ongoing including but not limited to efforts to find the knife used in the homicide and a pending autopsy.

Excerpt from Inv. Burg's report regarding his interview of L.M.:

L.M. INTERVIEW:

The interview began at 7:29 a.m. I told L.M. she was not in any trouble and was free to leave at any time. Unsolicited, L.M. stated “That's somebody's son, and he didn't deserve to f***** [ed] die”. L.M.

stated "I was there, unfortunately I did not see like the fight, except for when I came out of the porta potty".

How She Knows David Pearson Jr.:

L.M. advised she knows David from both Cameron Park and Houska Park. She has known him for approximately two months. She first met him at Fathead Steve's bar downtown La Crosse. She stated she does not have a close personal relationship with David, but interacts with him within the unsheltered community. L.M. described David to be a mellow guy and a loaner.

Knife History:

L.M. advised there was a domestic incident at the park approximately a week prior between J.K. and Kyle M.. As a result, a separation occurred and property in the former couples' tent was left unattended. L.M. agreed to watch over the property in the couples' absence. However, L.M. was arrested on 06/23/21, and the property was no longer being watched.

Amongst the property L.M. was watching, she remembered a distinct knife, which she described to be black in color, with a smoky pink skull print throughout the knife. She described it to be a "Rambo" type knife, with a curved blade, and the brand of the knife started with a "K". She estimated the knife blade to be six inches long.

Chronological Order:

I asked L.M. to tell me what happened, starting from the beginning of the night. L.M. advised she was released from jail in the evening of 06/28/21. She walked to Houska Park while it was dark out and discovered her tent to be wet due to rainfall. She walked to the pavilion in the park, where several people were located. Everyone welcomed her back, and a friend helped her put a tarp over her tent, which was positioned in the grass, several feet away from the pavilion. It should be noted, it rained sporadically throughout the evening of 06/28/2021.

After fixing her tent, she returned to the pavilion and noticed Cameron Baker being vulgar. L.M. stated Cameron was screaming in peoples faces for no reason and randomly walking up to people sleeping on the pavilion floor and kicking them.

L.M. was upset with Cameron's behavior and asked him "is that even necessary?". Cameron responded to her by saying stuff like "oh, and to think I was gonna let you suck on me". At one point, L.M. walked away from the pavilion, Cameron approached her from behind, grabbed her hips, pulled her into him and said "hey girl, let me talk to you". L.M. advised Desirae Hanson, another female in the park, told her Cameron did the same thing to her. L.M. said Desirae left park prior to the incident, because she didn't feel comfortable.

L.M. stated Cameron was trying to "make passes" at her throughout the night. She told him to leave her alone. As a result of Cameron's behavior, L.M. wanted to leave the pavilion. Her tent was wet, but someone let her stay with them in their dry tent. She went in their tent, but left after two minutes because it was too hot in the tent.

As a result, she returned to the pavilion where it was dry. Back at the pavilion, Cameron was continuing his behaviors and trying to start arguments with people. L.M. was making small talk with J.F. in the pavilion, when she heard someone tell David, "hey that's Kyle's knife".

David responded by saying "I don't care who's it is, because it's mine now" and "I'm not with that fake fuck nigga shit".

At that point, she saw David with the black and pink skull knife described above. He paced back and forth a couple times before sitting down at a picnic table near the south-central area of the pavilion. That was the first time, during the night, she noticed David with the knife. David never held the knife up. L.M. stated "he had it down, he just had it in his hand, I don't know, my interpretation of it like I wish someone would try to take it from me". Nobody responded to David, so he sat down.

L.M. stated Cameron continued to "bark at people" do "really childish stuff" and was making really loud noises. M.W. Elliot asked Cameron "man do you really gotta be all loud like that, people trying to sleep".

Cameron continued on with the behavior. L.M. was getting sick of the behavior, so she got up to go to the bathroom with plans to go find another dry tent to stay in.

It should be noted, there are porta potties in the northwest corner of the pavilion.

Altercation Recalled:

While in the porta potty, L.M. heard Cameron make noises. L.M. described the noise be like "blah", a random noise, to get someone else going. Immediately after Cameron's noise, approximately one second later, she heard David say "You don't want none of me boy, I'm the wrong one". L.M. then heard "tussling". She knew there was a tussle due to the sound of feet on the ground.

The entire interaction occurred in the brief time L.M. was in the porta potty. She estimated she was only in the porta potty for 30 seconds. She urinated, wiped, and exited.

I asked L.M. how much time passed, between David pacing with the knife and her going to the bathroom, when the altercation occurred. L.M. said "somewhere between five and ten minutes, it didn't seem like it was that long, I guess everything happened so fricken quick, like it escalated for what, I just, I don't get it."

L.M. exited the porta potty and walked in the grass on the north side of the building. She looked back into the pavilion and saw a tall guy standing over Cameron saying "bro, bro, trying to get his attention". L.M. thought Cameron had been knocked out. L.M. heard someone say "you got knocked the fuck out". The male over Cameron said, "someone call 911". L.M. heard people in the pavilion say "I don't have a phone".

911 Call Initiated:

L.M. ran to nearby tents yelling for someone to call 911. On the fourth tent she approached, she made contact with A.B., who advised she had a phone and would call 911.

David Leaves on Bike:

As L.M. was seeking out people in tents to call 911, she heard David yell "ya'all didn't see nothing" before she saw a male she believed to be David leaving northbound on a bicycle.

L.M. went for a walk a couple hours after the incident saw an unlocked bike leaning up against the side of a building near city brewery, off Market Street. She suspected the bike may have been David's. She walked by the same location approximately two hours later, and the bike was gone. She described the bike to be purple, with blue spray paint.

Post Incident Activity:

After A.B. called 911, L.M. left the pavilion and sat in an empty tent because she was "afraid". She sat in the tent for about an hour and a half. She left her tent, went for a walk to look for cigarette butts, and returned to the park. She found out Cameron died and was potentially stabbed. She realized the knife David had may have been involved. She told "Kat", a community member, what she saw. Kat encouraged her to talk to police. A short time later, Officer Lewis made contact with L.M. at her tent and she agreed to make a statement.

Other People Present:

L.M. advised F.V. was sleeping on the pavilion floor during the altercation, but was "KO'd" sleeping throughout the night. J.F., S.B., and the unknown male who ordered someone to call 911, were all awake in the pavillion at the time of the incident. She recalls S.W. being at the pavilion, but wasn't sure if he left prior to the incident. She remembers P.T. being at the pavilion before the altercation, but not during.

David's Clothing:

L.M. was certain David was wearing a black sweatshirt with yellow writing. She believed the pants were dark blue, but was not certain because if they were wet, they may have appeared to be a darker color to her.

Jail Release:

Contact was made with Monroe County Jail, in Sparta, WI, who advised L.M. was released from their custody at 7:15 p.m. on 06/28/2021, 4 hours and 26 minutes before the incident.

Excerpt from Official report of Officer Cotto regarding interview of J.F.:

"While sitting on the north side of the park, I observed an individual walking towards Houska Park from the walkway bridge. I got out with the individual and they were identified as J.F.. J.F. indicated he was at the park at approximately 10:30 p.m. to 11:00 p.m. and was under the pavilion with Cameron Baker, drinking alcohol. He said Cameron began to get belligerent and was acting aggressive towards him, which is when he left the park and went on a walk north on Joseph Houska Drive. He said the last person he had seen the deceased party with was S.B.

Shortly after J.F. walked away, he returned with more information. J.F. advised as he was walking north on Joseph Houska Drive, away from Houska Park, a Black male, approximately 5'08" to 5'10" biked past him going north shortly after 11:00 p.m. He described the individual as skinny and having long black dread locks. He said the male uttered, "That's what you get for robbing me" as he passed J.F.. J.F. was able to identify the individual after a short time as "David" and recognized him from his stay at the park. It is believed the Black male traveled north over the walking bridge towards market street.

While I was on scene at the park, I surveyed the area to the east of the pavilion and located a tent which was believed to, at the time of me being there, be where the deceased subject resided. This was due to several individuals on scene identifying this tent as belonging to the deceased party. After checking the tent, a citation with David Pearson's name was located. This coupled with the description given by J.F., creates a high probability that this was who J.F. was referring to on the bike.

J.F. said David biked away, traveling northbound. J.F. said he had sold David Pearson a "18 inch fixed blade" knife several days prior."

Excerpt from official report of Officer Walker re: interactions with J.F.:

"On 06/29/2021, I was made aware that Officer Adey had located J.F. near the entrance of Houska Park. I made contact with J.F. at approximately 5:20 a.m. J.F. told me he "sold the kid the knife who probably stabbed him". J.F. said he doesn't know that for a fact, but he did sell him a knife quite recently. J.F. said he did not want the knife on his person so he got rid of it because he is currently staying with is someone who he does not trust with having a knife around. I asked J.F. who he sold the knife to. J.F. replied David. J.F. said, "The knife was decorative and had skulls on it." J.F. said he found it at an abandoned campsite. J.F. said he got a reasonably good price for something he found on the ground and he thought David was a reasonably good guy. I asked J.F. when he was last at Houska Park prior to our contact. J.F. said based on the timetable he was given by another officer at the north end of the park by the walk bridge, he left the park approximately 45 minutes prior to the incident. J.F. said prior to him leaving the park, the guy who got stabbed was acting really aggressive to people and was chest bumping J.F. and was also stepping on his feet. J.F. said separated himself from the aggressive person, emptied some trash cans around the park and left.

I asked J.F. why he thinks David is the one who stabbed the victim. J.F. replied because he rode off yelling about things being stolen and that's what you get from taking things from me. J.F. said David was yelling threats about not calling the police as he was riding off. J.F. said he saw him riding on the street that goes around the park to the dog park. J.F. said at the time, he did not realize Cameron had been stabbed. He said he thought Cameron got knocked out that is why he did not attempt to provide any care to Cameron prior to police arriving.

I asked J.F. if he would be willing to go to the La Crosse Police Department to speak with Investigator Burg about the incident and J.F. agreed to be transported to the La Crosse Police Department by me. J.F. was then transported to the La Crosse Police Department where he was turned over to Investigator Burg for further interview.

DISPOSITION:

At the time of this report, I have spoken to J.F. and transported him to the La Crosse Police Department where I turned him over to Investigator Burg."

Excerpt from official report of Inv. Tolvstad regarding interview with J.F.:

"On 06/29/21 at approximately 5:41 a.m. J.F. was brought back to the police department where Investigator Burg and I interviewed him. Investigator Burg was familiar with J.F. and knew his contact information and stated he had been staying at Joseph Houska Park. During my contact with J.F., it was very hard to keep him on track. He stated that while he was underneath the shelter, there were several people under there, including himself, S.B., Desirae, S.W., P.T., Dave, JR, "happy fun guy", Yolanda, and S.W..

J.F. stated that "happy fun guy", who he knew as the victim, was saying weird things and talking to other individuals. J.F. indicated that he liked "happy fun guy" and that he has seen him around several times. J.F. stated that he heard David tell "happy fun guy" to stop or shut up. David was described as a black male. J.F. stated, however, that this was not intended for the "happy fun guy" but that it was for him because he was practicing pacifism. J.F. also indicated that "happy fun guy" seemed to be instigating arguments. J.F. stated that once they continued to argue, he then walked away to pick up garbage because he has been picking up garbage in the park for quite some time and that was what he considered his job.

J.F. later stated that he sold a knife or traded it to David for clothes and shoes. He stated he did this on what he thought was Monday morning, and he described the knife as a 16-inch knife with a curved blade and labeled it more as a dagger than a knife. He stated that the blade was matte black in color with pink skulls on it and that while they were under the shelter he did not see David with the knife. J.F. also stated that after he heard those two arguing, and then he saw "happy fun guy", who was Cameron, on the ground. He said he observed David get on a bike, who started pedaling northbound towards the footbridge and said something to the effect of "That's what you get when you rob me and that what you get for calling the cops." P.T. then told him to, "get out of here, and you don't want to be around here." J.F. indicated that P.T. was a Hispanic male with a tattoo on his head."

Excerpt from Inv. Burg's report regarding Interview with S.W.:

The interview began at 3:59 a.m. S.W. advised he has been camping at Houska park for the past nine days. On 06/28/21, S.W. spent most of the day volunteering at the Houska Park Pavilion. He washes dishes when people make community meals, picks up garbage, and sweeps.

Relationships:

S.W. did not know the name of Cameron, the deceased party. The day of the incident was the first day he had ever seen him. S.W. saw Cameron interact with James Farrell in the afternoon at Houska Park, on the day of the incident. Cameron left and then returned after it was dark out. Since S.W. had never seen Cameron before, he suspected he may have recently been released from jail, or came to La Crosse for the homeless camping area.

S.W. advised he does know Davy (David Pearson Jr). S.W. doesn't consider Davy a great friend, but doesn't consider him an enemy. Over the last couple weeks, he has gotten to know him "a little". He first met Davy earlier this year, on the streets.

Cameron Returns to Houska Park:

Cameron returned to Houska Park in the early hours of darkness. Cameron paced back and forth on the south side of the Houska Park Pavilion upon his return. While pacing, Cameron was shouting out random names. S.W. remembers one of the names being "Cali Mike", also known as M.W.. Cameron lurked in the shadows outside the shelter, but eventually came into the shelter because of the rain.

Cameron Baker's Behaviors:

S.W. sat at a table in the northeast corner of the pavilion throughout the night. S.W. was going through bags of his possessions, as Cameron paced. S.W. said Cameron was "getting pretty physical with pretty much everybody". Cameron was giving people "titty twisters" and was "grabbing onto females". Cameron approached S.W. from behind, picked up a stick, threw it, and gave S.W. a backwards bear hug, which caused pain in his injured shoulder. Initially people were laughing at Cameron's childish behaviors, but as it continued, people became upset.

The shelter was initially full of people because of the rain, but with Cameron's behavior, many people left. At the time of the altercation, S.W. suspected there were about six people left. S.W. estimated Cameron was in the Pavilion for 30-60 minutes before the altercation occurred.

People Present:

S.W. advised F.V. was sleeping on the ground and M.E. was sleeping in his tent on the south side of the pavilion. J.F., S.B., "Davy", and an unknown tall, skinny, young (18-20-year-old), black male were also present. S.W. described Davy to be a short, 25-year-old, black male, with dreadlocks.

Altercation:

S.W. advised there was commotion and shouting inside the pavilion. S.W. was trying to ignore the altercation as he sat a table in the northeast corner of the shelter.

Due to the rowdiness, S.W. decided to leave, and go ask someone in a tent for a blanket for his friend A.F.. S.W. walked out of the pavilion northbound, turning his back to the shelter, when he heard, who he thought was Davy, say something similar to "don't be kicking me". That is the last thing S.W. heard that was audible. S.W. then heard gurgling and wheezing. S.W. immediately returned to the pavilion.

S.W. stated he was only out of the pavilion for "10 seconds" before he heard gurgling and returned. I asked S.W. who Cameron was "engaged with", causing rowdiness, prompting him to want to leave the pavilion. S.W.'s response included "I know that ah, Davy, and Davy and the guy, whatever his name is, you know, I know at least they were engaged, you know, they had to have been, it's the only thing that makes sense But I don't know who else got up. I don't know if James got up to break up."

I asked S.W. why he said S.W. and Davy had to have been engaged. S.W. stated "well just because he was verbal, you know what I mean, um, um, just because I heard him say, like ya know, don't be fake kicking me, or whatever"

S.W. advised the altercation lasted "less than 10 seconds", because he was only out of the pavilion for 10 seconds. Upon returning, Cameron "was already almost all the way down" and landed near Frank Vang, who was sleeping.

S.W. thought Cameron was on his stomach, but was not sure. Cameron was moving a little bit, "but not a lot" S.W. did not recall where Davy, James, S.B., and the unknown black male were positioned, upon returning to see Cameron on the ground. S.W. thought Cameron got punched in the throat. Cameron was wheezing really loud. He was not speaking. He thought Cameron's injury was serious but didn't think he would die. S.W. thought it was unusual that there wasn't back and forth punching or verbal banter, prior to Cameron ending up on the ground.

The last thing S.W. heard Cameron say was "I'm fittin to leave dog, I gotta get out of here". S.W. believed Cameron was making the statement to J.F., Davy, or the unknown skinny black male.

S.W. advised he never saw a punch thrown. S.W. never saw anyone display a knife or weapon.

S.W. explained the sequence of event to go as follows:

S.W. leaves pavilion

Cameron says "I'm fittin to leave dog".

Davy says "don't be kicking me", immediately after Cameron's statement.

S.W. hears gurgling and wheezing.

Within 10 seconds of leaving, S.W. returns to the pavilion and sees Cameron on the ground.

S.W. Immediately leaves the pavilion, thinking Cameron was punched in the throat.

S.W. returns from his tent 15 minutes later, and speaks with police.

I asked S.W. who he thought was responsible for Cameron's death. S.W. said half the people at the pavilion, don't necessarily "have it in them", but are capable of making a mistake. S.W. also suspected someone acted in self defense due to Cameron's behaviors throughout the night. S.W. acknowledged the people awake at the time of the incident are his "friends".

Seating Chart:

S.W. explained he was sitting at the northeast corner table of the shelter. S.W. explained there were two rows of four picnic tables, in the pavilion, with each row going east to west. S.W. advised Frank Vang was sleeping on the floor in the south-central area. M.E. was sleeping in a tent on the south side of the shelter. The unknown, tall, skinny, black male, was sitting at the northwest corner table.

L.M. was at a north central table. S.W. advised L.M. was at the pavilion, but he was unsure she saw the altercation. A.F. was in the Southwest corner. A.F. was quiet, sleeping, and not involved in any arguments. J.F. and S.B. were sitting at a table in the Southwest corner of the shelter. Davy was sitting near the center of the room at a south table. Cameron was at a south-central table. M.W. (Cali Mike) was sleeping on the floor in the southwest area of the pavilion.

A seating/sleeping chart sketch will be created based off S.W.'s statements and submitted as evidence."

Excerpt from Inv. Burg's report regarding interview of Kyle M.:

"I made phone contact with Kyle on 06/28/21. Kyle advised he previously lived in Houska Park for a period of approximately two weeks. Kyle said he moved to Houska Park because he wanted to help people. He has since moved to a residence in Rockland, WI.

While living in Houska Park, Kyle stated his knife was stolen on Wednesday 06/23/2021, five days before this incident. Kyle went fishing and left his tent unattended. When he returned later in the day, he noticed his knife was missing. Kyle did not report the incident to police.

Knife Description:

Kyle advised he has owned the knife for several years. He described the knife to be black and pink. He advised the blade is black, with pink skulls. He estimated the blade to be approximately 8 inches long and 2 ½ inches wide. The letters "KKC" are inscribed at the base of the blade, just above the handle. The handle is camouflage, pink and black. "Kyle M" is written with blue ink, on the handle. The knife was kept in a black cloth sheath. Kyle advised he had no photos of the knife.

Knife Info from J.F.:

It should be noted, when J.F. was interviewed on 06/29/21, he advised he gave Robert [sic] Pearson Jr a knife matching the description of Kyle's missing knife, as part of a trade for clothing. The exchange occurred in the morning of 06/28/21. James said he previously found the knife at an abandoned campsite.

Knife Photo Obtained:

Approximately one hour after initially speaking with me, Kyle called me back and advised Altoona Police Department had a photo of his knife, due to the knife being part of an investigation. Lt Martin advised me Altoona Police Department called him, verified Kyle's story, and emailed a photo of the knife Kyle advised was stolen from his tent. I received the photo via email from Lt Martin. The photo showed the knife stuck into what appeared to be a mattress. Only the handle/grip of the knife was visible in the photo. The handle was black with pink skulls throughout, generally matching Kyle's

description. Altoona Police Department did not have any other full photographs of the knife. The photo was uploaded to evidence.com under this case number.

Photos of Similar Knife Located:

I located a knife for sale on ebay, which matched Kyle's description of his knife, excepted the color was black/green instead of black/pink. The knife was black with green skulls throughout, had the "KKC" inscribed above the handle. I sent Kyle photos of the knife. Kyle said his knife is the same as the one for sale on ebay, except the skulls are pink on his and the back side of his knife is flat, no ridges. The knife handle from Altoona Police Department's photo, and the knife handle from the ebay photo appear the same, besides the pink/green interchanging skull colors. Ten photos of the knife on ebay were uploaded to evidence.com. Advised to Recontact: Kyle indicated the knife was very important to him and was upset the knife was potentially used in a homicide. Kyle told me he thinks the suspect threw the knife in the water underneath the wooden footbridge at the north end of Houska Park. He advised he would be going to Houska Park to look for his knife. I told Kyle to contact police immediately if he locates the knife."

Excerpt of Inv. Mancuso's report regarding interview with M.W. (a/k/a "Cali Mike"):

"I made contact with M.W. who verbally identified himself. M.W. was inside the shelter location where the incident took place the previous evening. I asked M.W. what he witnessed last night and he informed me of the following information. M.W. said he was sleeping on the ground on a blanket when the person who was deceased came over to the park and started causing problems with everybody. M.W. said he didn't know who the deceased person was and had never met him. M.W. indicated the deceased person started getting in people's faces and acting like an animal and was very "abstract". M.W. said this lasted for 30 to 60 minutes.

M.W. said at one point, the deceased person had nudged his leg while he was on the ground, and he told me he then rolled over and tried to avoid any confrontation. M.W. indicated at one point he heard a thud and turned around to three black males next to each other. M.W. advised it was dark and he did not see anybody get stabbed. M.W. said he then rolled over and went back to bed.

As noted, M.W. indicated he had never seen the person that was deceased before. M.W. advised this person was being very "obstruct". I asked what he meant by that, and he advised he was doing crazy shit. M.W. advised the deceased person was screaming and acting like an animal on the ground.

I asked M.W. if the deceased person got in his face, and he advised he didn't but that he had nudged his foot. M.W. advised he turned around and ignored the deceased person.

M.W. advised after he turned around, he heard some noises and said to himself, "What the heck." M.W. advised he didn't know if deceased person was still acting abstract. M.W. made a statement about how somebody was laying on somebody and he advised this person he couldn't lay on him like that. M.W. advised he then checked on the person that was injured and told somebody to call the police. M.W. advised that after that he just rolled around and went back to sleep.

M.W. indicated the deceased person was acting crazy for 30 to 60 minutes and he never observed the deceased person with any weapons. M.W. advised the deceased person was arguing with everybody here.

I asked M.W. if he actually witnessed when the person was injured and he advised he heard skedaddle, skedaddle and he advised that it was really dark, and he saw a bunch of black guys. I asked M.W. how many black gentlemen he saw, and he said he saw three including the deceased person. I asked M.W.

if he knew the black guys that left, and he advised he didn't. M.W. advised he didn't see anybody get stabbed but he heard the thump and when he heard the thump, there were two black people standing next to the deceased person.

M.W. indicated that deceased person was "fucking with everybody" and "I guess somebody got tired of it." I asked M.W. if he knew who the person was that got tired of it, and he said no. M.W. indicated he thought everybody was fist fighting when he heard the thump.

M.W. indicated he was sure that there were three black people that were having issues and that's all he could tell me."

Excerpt of Inv. Burg's interview with S.R.:

"S.R. told me he did not want to come to the police department, because he has been in this situation before and would have to be guarded by thousands of people. I told S.R. he is not in any trouble. He told me he would rather be locked up than have to worry about the outside world.

Initial Statements:

In excited utterance S.R. said "it was an initiation, that's it" and "he took the blade for me, that's all I'm gonna say". S.R. said it was an initiation for him to become "king". He said his "cousin" is the one who took the blade for him. His cousin changes his name, "switches families" all the time, and sometime uses the last name Sorrel and Smith. S.R. didn't know his cousin's legal name, he just calls him "cuz". They are cousins by blood". He advised his cousin took care of him when he was younger because his mom is a "drug addict and a runaway". S.R. indicated his cousin is in conflict with other people because he is running certain things. S.R. was worried about a "hit" being put on him if he has to go to a jury.

I asked S.R. what happened at Houska Park. S.R. said his cousin was confronting people who stole from him (S.R.). His cousin pissed off someone who was sent there to kill him. I asked S.R. who that person was. Without hesitation, he said "David, supposedly he's a two flagger", which his cousin called him out for. S.R. said David took the knife from someone and "shanked my cousin". S.R. said his cousin "was dying in my arms and told me to run". His cousin told him to chase after David who left on a bike. S.R. didn't attempt to chase David because "it was too late".

Events Leading Up to Stabbing:

S.R. got into an altercation with Robert Gardner an hour before his cousin arrived at Houska Park on 06/28/21. Robert tried stealing S.R.'s property, S.R. stopped him, and Robert punched S.R. in the face. As a result, S.R. "restrained" Robert. Upon arrival at Houska, S.R.'s cousin called him "Lightning", which he had called him since he was a kid. S.R. said the night of the incident was the first time he had seen his cousin in 13 years.

I asked S.R. what his cousin was arguing with Dave about. S.R. explained his cousin was "trying to line people up" to search them and attempt to locate S.R.'s stolen property. His cousin would "press a little bit" if people didn't do what he said. He would "stomp on their shoes", push them a little, and be "disrespectful". S.R. advised his cousin located "vapes" and "clothing" stolen from his house "years ago" amongst the people he searched.

His cousin also tried making him "rape", S.B., a woman at the shelter. S.R. believes his cousin is a "king" and told him to rape a woman to see if he would listen. S.R. said it was part of initiation and his cousin "wanted to see if I would do something he told me to do". S.R. told his cousin he would not rape

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anyone. His cousin upset David by calling him a "two flagger". S.R. said "two flagger" means you have "two sides".

His cousin was calling David out on a bunch of stuff for a while, but S.R. couldn't remember everything because he was under the influence. S.R. said "we were all like blacked out then we were like high as hell". I asked S.R. who was high. S.R. said "everybody there, the Houska is known for people putting needles in the box over there, nobody puts them there, man then I'm just smoking THC like everyone else there, its like, I don't remember". I asked S.R. if his cousin was using anything. He said "that's a given, that's a given".

Upon his cousin calling out David, David got "pissed", and a fight ensued. David grabbed a knife by yanking it out of someone else's hands. David didn't have his own knife because someone stole his knife earlier in the week. David started yelling at people while holding the knife. His cousin called David a "motherfucker", David told his cousin to get back, his cousin went after David, David put the knife down, but then quickly pulled the knife back up, stabbed his cousin, and biked off. After being stabbed, S.R. said his cousin "was like jumping around and shit, then he hopped back, and yeah, he died, and then I dipped"

I asked S.R. how much time passed between David taking the knife from someone and using it to stab his cousin. S.R. said "not even like 3 seconds". S.R. said his cousin was trying "to protect" him from the knife when David displayed the knife. S.R.'s cousin pushed him to the side, told him to "run", jumped up and started doing "acrobatic stuff he always does when he's knife hunting", then got stabbed. When I asked S.R. what he meant by "acrobatic" stuff. S.R. indicated his cousin has been in other knife fights, but has never been stabbed.

His cousin was standing when he got stabbed. After being stabbed, S.R.'s cousin limped, fell back, and died in his arms. Once his cousin fell, and David biked off, S.R. checked to make sure his cousin was still breathing. S.R. said his cousin went out in the snap of a finger. His eyes went back. S.R. checked the knife wound, told people his cousin was stabbed, but people around didn't believe him. Blood started spilling out so someone called an ambulance, and S.R. ran.

Position:

S.R. stated he was sitting next to his cousin at a table in the middle of the shelter. The altercation occurred in the southeast corner. S.R. described the sequence of the event to go as follows: S.R. is sitting by his cousin at a table in the middle of the shelter. David takes knife from a tall male standing near him in the southeast corner of the shelter. S.R.'s cousin stood up, told S.R. to run, and told David to put the knife down. David did not put the knife down, so S.R.'s cousin "jumped back". S.R.'s cousin went at David, doing the "acrobatic" stuff. David stabbed S.R.'s cousin. David rides off on a bike.

S.R.'s cousin dies in his arms. S.R. tells people his cousin was stabbed. Someone calls an ambulance. S.R. runs before police arrival. I asked S.R. what he meant by saying his cousin "went at" David. S.R. said his cousin was going at David to keep the knife from stabbing anybody. S.R. believes his cousin is a "king", had knowledge David was sent to kill S.R., and was trying to protect him. S.R. did not know if his cousin knew David prior to the night of the incident. S.R. advised David is twice his age, is currently 34 years old, and is turning 35 years old on "the first". It should be noted David Pearson Jr's birthday is 07/01/1984.

Post Incident:

S.R. threw his "Piru" hat away after the incident because his cousin had been mad at him for wearing it. If he continued to wear it, S.R. feared he would be "hunted". After leaving Houska Park, S.R. walked around for approximately 12 hours. While doing so, he saw David twice. The first time David yelled

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“fuck you” at him from across the street, somewhere near 6thSt. David then “bolted”. At that time, S.R. saw David wearing a black hooded sweatshirt. S.R. saw David a second time later in the morning. S.R. told David he has calmed down. David told S.R. he didn’t know what was going on, besides being “paid to stab somebody that night”. They separated and David was arrested “right after” they talked. During this encounter, S.R. stated David was no longer wearing a sweatshirt. It should be noted, David was carrying, not wearing, his sweatshirt when Officer Roden made contact with him at 8:25 a.m. on 06/29/21.

S.R. advised David was at Houska Park all day. S.R. was at the park half the day. S.R. has been staying at Houska Park for 3-4 weeks. S.R. said David has been staying at Houska Park since the beginning, before him. S.R. said David is usually calm but has a lot of trauma in his past which he cousin knew about. S.R. located graffiti spelling “DGK” in Cameron Park the morning after the stabbing and believed it was attributed it to his cousins death.

Knife:

S.R. advised the knife used to stab his cousin was a “big hunting knife”. The color of the knife was green and brown camouflage throughout. The knife’s blade was about 6 inches long and the handle was an addition 3-4 inches. S.R. held up his fingers approximately 12 inches apart to describe the length of the knife. The only time S.R. saw the knife was when David was waving it around, before stabbing his cousin. David took the knife from a white male who he described to be a “big autistic dude”. S.R. heard David threw the knife somewhere after the stabbing. S.R. was not sure where he threw it. S.R. also advised he heard David threw the knife on top of a building after leaving Houska Park.

Other People Present:

S.R. said his friend “Cody” tried to intervene when David was waving the knife. S.R. stated R.G. was circling around the shelter at the time of the incident, and may have seen the altercation. S.R. advised S.B., a black girl “Michaela”, and the male David got the knife from, were also present.

Drawing:

I asked S.R. to sketch the layout of the shelter to specify his location. David drew two rows of three tables in the sheltered area. S.R. drew the location of his cousin and him to be at the central north table. S.R. drew David’s location to be at the southeast corner table, where the stabbing occurred. S.R. drew the location of the male who David got the knife from, to be at the south end of the northeast corner table. S.R. indicated he left northbound on foot and David left southbound on a bike. S.R.’s drawing was scanned, uploaded to this case, and placed into evidence.

Cousin’s Identity:

It should be noted, the deceased individual S.R. referred to as his “cousin” throughout the interview, was identified as Cameron X. Baker.”

Subscribed and sworn to before me on 07/07/21

Electronically Signed By:

Nick Passe

Assistant District Attorney

State Bar #: 1061509

Electronically Signed By:

Deputy Megan Hartman

Complainant

