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SUPERIOR COURT
YAKIMA CO WA

**Superior Court of Washington
For Yakima County**

State of Washington, Plaintiff
vs.
SAUL LLAMAS RIOS, Defendant
DOB: 03-09-1989

No. 16-1-01983-39

**Statement of Defendant on Plea of
Guilty
(Non-Sex Offense Felony)
(STTDFG)**

1. My name is: SAUL LLAMAS RIOS.
2. My age is: 28. The last level of education I completed was 10th Grade.
3. I have the right to representation by a lawyer and if I cannot afford to pay for a lawyer, one will be provided at no expense to me.
4. **I HAVE BEEN INFORMED AND FULLY UNDERSTAND THAT:**

Count 2: I am charged with: First Degree Murder, RCW 9A.32.030.

The elements are:

(1) A person is guilty of murder in the first degree when:

(a) With a premeditated intent to cause the death of another person, he or she causes the death of such person or of a third person; or

(b) Under circumstances manifesting an extreme indifference to human life, he or she engages in conduct which creates a grave risk of death to any person, and thereby causes the death of a person;

(2) Murder in the first degree is a class A felony.

Count 10 : I am charged with: **Harassment (Felony), RCW 9A.46.020.**

The elements are:

A person is guilty of harassment if:

(a) Without lawful authority, the person knowingly threatens:

(i) To cause bodily injury immediately or in the future to the person threatened or to any other person; or

(ii) To cause physical damage to the property of a person other than the actor; or

(iii) To subject the person threatened or any other person to physical confinement or restraint; or

(iv) Maliciously to do any other act which is intended to substantially harm the person threatened or another with respect to his or her physical or mental health or safety; and

(b) The person by words or conduct places the person threatened in reasonable fear that the threat will be carried out. "Words or conduct" includes, in addition to any other form of communication or conduct, the sending of an electronic communication.

(2)(a) Except as provided in (b) of this subsection, a person who harasses another is guilty of a gross misdemeanor.

(b) A person who harasses another is guilty of a class C felony if either of the following applies: (i) The person has previously been convicted in this or any other state of any crime of harassment, as defined in RCW 9A.46.060, of the same victim or members of the victim's family or household or any person specifically named in a no-contact or no-harassment order; or (ii) the person harasses another person under subsection (1)(a)(i) of this section by threatening to kill the person threatened or any other person.

5. RIGHTS: I UNDERSTAND I HAVE THE FOLLOWING IMPORTANT RIGHTS, AND I GIVE THEM UP BY PLEADING GUILTY:

- (a) The right to a speedy and public trial by an impartial jury in the county where the crime was allegedly committed;
- (b) The right to remain silent before and during trial, and the right to refuse to testify against myself;
- (c) The right at trial to hear and question the witnesses who testify against me;
- (d) The right at trial to testify myself and the right to have witnesses testify for me. These witnesses can be made to appear at no expense to me;

- (e) The right to be presumed innocent unless the State proves the charge beyond a reasonable doubt or I enter a plea of guilty;
- (f) The right to appeal a finding of guilt after a trial.

6. IN CONSIDERING THE CONSEQUENCES OF MY GUILTY PLEA, I UNDERSTAND THAT:

- (a) Each crime with which I am charged carries a maximum sentence, a fine, and a **Standard Sentence Range** as follows:

COUNT NO.	OFFENDER SCORE	STANDARD RANGE ACTUAL CONFINEMENT (not including enhancements)	PLUS Enhancements*	COMMUNITY CUSTODY	MAXIMUM TERM AND FINE
2	1	250 – 333 Months	N/A	36 months	Life/\$50,000
10	1	3 – 8 Months	N/A	12 months	5 years/\$10,000

* Each sentencing enhancement will run consecutively to all other parts of my entire sentence, including other enhancements and other counts. The enhancement codes are: (F) Firearm, (D) Other deadly weapon, (V) VUCSA in protected zone, (VH) Veh. Hom. see RCW 46.61.520, (JP) Juvenile present, (CSG) Criminal street gang involving minor, (AE) Endangerment while attempting to elude.

- (b) **The terms of confinement for Counts 2 & 10 are presumed to be served concurrently,**
 - EXCEPT FOR THE ENHANCEMENTS ON COUNTS ONE**, which must be served **consecutively** to any other portions of my sentence.
 - The terms of confinement for Counts _____ are presumed to be served **consecutively**.

(c) THE TOTAL STANDARD RANGE OF CONFINEMENT IS:

250 – 333 MONTHS

- (d) **STANDARD SENTENCE RANGE:** The standard sentence range is based on the crime charged and my criminal history. Criminal history includes prior convictions and juvenile adjudications or convictions, whether in this state, in federal court, or elsewhere.

(e) **MY CRIMINAL HISTORY:** The prosecuting attorney's statement of my criminal history is stated as follows:

No criminal history that can be used as part of the offender score (RCW 9.94A.525).

I agree that the prosecuting attorney's statement is correct and complete.
 I disagree and have attached my own statement. I assert that it is correct and complete.

If I am convicted of any additional crimes between now and the time I am sentenced, I am obligated to tell the sentencing judge about those convictions.

(f) **ADDITIONAL CRIMINAL HISTORY:** If I am convicted of any new crimes before sentencing, or if any additional criminal history is discovered, both the standard sentence range and the prosecuting attorney's recommendation may increase. Even so, my plea of guilty to this charge is binding on me unless the court sets its aside. I cannot simply change my mind if additional criminal history is discovered even though the standard sentencing range and the prosecuting attorney's recommendation increase or a mandatory sentence of life imprisonment without the possibility of parole is required by law.

7. **PLEA AGREEMENT:** I understand the prosecuting attorney will take the following action and make the following recommendation to the judge:

The plaintiff will recommend 324 months in prison on Count 2 and standard range on Count 10, sentence to run concurrent. 36 months community custody. Legal financial obligations (if able). Restitution, if applicable. Dismiss other counts.

8. **THE JUDGE MAY NOT FOLLOW THE RECOMMENDATION:** The judge does not have to follow anyone's recommendation as to sentence. The judge must impose a sentence within the standard range unless the judge finds substantial and compelling reasons not to do so. I understand the following regarding exceptional sentences:

- a. The judge may impose an exceptional sentence below the standard range if the judge finds mitigating circumstances supporting an exceptional sentence.
- b. The judge may impose an exceptional sentence above the standard range if I am being sentenced for more than one crime and I have an offender score of more than nine.
- c. The judge may also impose an exceptional sentence above or below the standard range if the State and I stipulate that justice is best served by imposition of an exceptional sentence and the judge agrees that an exceptional sentence is consistent with and in

furtherance of the interests of justice and the purposes of the Sentencing Reform Act.

d. The judge may also impose an exceptional sentence above the standard range if the State has given notice that it will seek an exceptional sentence, the notice states aggravating circumstances upon which the requested sentence will be based, and facts supporting an exceptional sentence are proven beyond a reasonable doubt to a unanimous jury, to a judge if I waive a jury, or by stipulated facts.

If the court imposes a standard range sentence, then no one may appeal the sentence. If the court imposes an exceptional sentence after a hearing, either the State or I can appeal the sentence.

9. I UNDERSTAND THAT MY GUILTY PLEA HAS FURTHER CONSEQUENCES:

a. **FINANCIAL:** In addition to sentencing me to confinement, the judge will order me to pay \$500.00 as a victim's compensation fund assessment. If this crime resulted in injury to any person or damage to or loss of property, the judge will order me to make restitution, unless extraordinary circumstances exist which make restitution inappropriate. The amount of restitution may be up to double my gain or double the victim's loss. The judge may also order that I pay a fine, court costs, attorney fees and the costs of incarceration. RCW 7.68.035,

b. **CRIME RELATED RESTRICTIONS:** The judge may impose crime related restrictions on my activities, including a restriction that I have no contact with the victim(s) of the crime. Any violation of a condition of my sentence is punishable by additional confinement or other sanctions.

c. **COMMUNITY CUSTODY – CRIMES COMMITTED PRIOR TO JULY 1, 2000:** ~~In addition to sentencing me to confinement, the judge may order me to serve up to one year of community custody if the total period of confinement ordered is not more than 12 months. If the total period of confinement is more than 12 months, and if this crime is a drug offense, assault in the second degree, assault of a child in the second degree, or any crime against a person in which a specific finding was made that I or an accomplice was armed with a deadly weapon, the judge will order me to serve at least one year of community custody. If this crime is a vehicular homicide, vehicular assault, or a serious violent offense, the judge will order me to serve at least two years of community custody. The actual period of community custody may be longer than my earned early release period. During the period of community custody, I will be under the supervision of the Department of Corrections, and I will have restrictions and requirements placed upon me.~~

d. **COMMUNITY CUSTODY – CRIMES COMMITTED AFTER JULY 1, 2000 :**
 SENTENCES OF NOT MORE THAN 12 MONTHS (LOCAL JAIL): ~~In addition to sentencing me to confinement under certain circumstances the judge may order me to serve up to one year of community custody if the total period of confinement ordered is not more than 12 months, but only if the crime I have been convicted of falls into one of the offense types listed in the following chart.~~

COMMUNITY CUSTODY FOR SENTENCES UNDER CERTAIN SENTENCE

~~ALTERNATIVES: Certain sentencing alternatives may also include community custody, including First Time Offender Waiver, Drug Offender Sentencing Alternative (DOSA), and Work Ethic Camp. RCW 9.94A.701.~~

SENTENCES FOR FAILURE TO REGISTER: ~~For the offense of failure to register as a sex or kidnapping offender, regardless of the length of confinement, the judge will sentence me to 36 months of community custody.~~

SENTENCES OF MORE THAN 12 MONTHS (PRISON): If the total period of confinement ordered is more than 12 months, and if the crime I have been convicted of falls into one of the offense types listed in the following chart, the court will sentence me to community custody for the term established for that offense type unless the judge finds substantial and compelling reasons not to do so. If the period of earned release awarded per RCW 9.94A.728 is longer, that will be the term of my community custody. If the crime I have been convicted of falls into more than one category of offense types listed in the following chart, then the community custody term will be based on the offense type that dictates the longest term of community custody.

OFFENSE TYPE	COMMUNITY CUSTODY TERM
Serious Violent Offenses	36 months
Violent Offenses	18 months
Crimes Against Persons as defined by RCW 9.94A.411(2)	12 months
Offenses under Chapter 69.50 or 69.52 RCW (not sentenced under RCW 9.94A.660)	12 months
Offenses involving the unlawful possession of a firearm where the offender is a criminal street gang member or associate	12 months

e. **CONDITIONS FOR ANY TERM OF COMMUNITY CUSTODY:** During the period of any term of Community Custody ordered by the court, I will be under the supervision of the Department of Corrections, and I will have restrictions and requirements placed upon me, including additional conditions of community custody that may be imposed by the Department of Corrections. My failure to comply with these conditions will render me ineligible for general assistance, RCW 74.04.005(6) (h), and may result in the Department of Corrections transferring me to a more restrictive confinement status or other sanctions.

If I violate the conditions of my community custody, the Department of Corrections may sanction me up to 60 days confinement per violation and/or revoke my earned early release, or the Department of Corrections may impose additional conditions or other stipulated penalties. The court also has the authority to impose sanctions for any violation.

- f. **RIGHT TO POSSESS OR OWN FIREARM:** I may not possess, own, or have under my control any firearm unless my right to do so is restored by a superior court in Washington State, and by a federal court if required. I must immediately surrender any concealed pistol license. RCW 9.41.040.
- g. **IMMIGRATION CONSEQUENCES:** If I am not a citizen of the United States, a plea of guilty to an offense punishable as a crime under state law is grounds for deportation, exclusion from admission to the United States, or denial of naturalization pursuant to the laws of the United States.
- (j) **RIGHT TO VOTE:** I will be ineligible to vote until that right is restored in a manner provided by law. If I am registered to vote, my voter registration will be cancelled. Wash. Const. art. VI, § 3, RCW 29A.04.079, 29A.08.520.
- (k) **SUSPENSION OF PUBLIC ASSISTANCE:** Government assistance may be suspended during any period of confinement and during any time I am a fugitive or not in compliance with the terms of supervision. RCW 74.04.290 and U.S.C. § 608(a)(9)
- (l) **DNA TESTING:** I will be required to have a biological sample collected for purposes of DNA identification analysis. I will be required to pay a \$100.00 DNA collection fee for offenses committed after July 1, 2002. RCW 43.43.754 and 43.43.7541

10. FURTHER CONSEQUENCES FOR SPECIFIC CRIMES OR CIRCUMSTANCE

If any of the following paragraphs DO NOT APPLY, counsel and the defendant shall strike them out. The defendant shall initial all paragraphs that DO APPLY.

G.R.

- a. **THREE STRIKES:** The crime in Count Two is a “most serious offense” or “strike” as defined by RCW 9.94A.030. If I have at least two prior convictions for most serious offenses, whether in this state, in federal court, or elsewhere, the crime for which I am charged carries a mandatory sentence of life imprisonment without the possibility of parole.
- b. **MANDATORY MINIMUM:** The crime in Count requires a mandatory minimum sentence of at least years of total confinement. This law does not apply to crimes committed on or after July 24, 2005, by a juvenile who was tried as an adult after decline of juvenile court jurisdiction. The law does not allow any reduction of this sentence. This mandatory minimum sentence is not the same as the mandatory sentence of life imprisonment without the possibility of parole described above.
- c. **CONSECUTIVE SENTENCES FOR MULTIPLE SERIOUS VIOLENT OFFENSES:** Counts constitute two or more serious violent offenses arising from separate and distinct criminal conduct and the sentences imposed on those counts will run consecutively unless the judge finds substantial and compelling reasons to do otherwise.
- d. **DEADLY WEAPON, FIREARM, OR SEXUAL MOTIVATION ENHANCEMENT:** Count(s) One include(s) a deadly weapon, firearm, or sexual motivation enhancement. Deadly weapon, firearm, or sexual motivation enhancements are

~~mandatory, they must be served in total confinement, and they must run consecutively to any other sentence and to any other deadly weapon, firearm, or sexual motivation enhancements. No good time applies to the enhancement(s).~~

- ~~c. FIREARM CRIMES REQUIRING CONSECUTIVE SENTENCES: I am pleading guilty to (1) unlawful possession of a firearm(s) in the first or second degree and (2) felony theft of a firearm or possession of a stolen firearm. I am required to serve the sentences for these crimes consecutively to one another. A consecutive sentence will also be imposed for each firearm possessed. RCW 9.41.040~~
- ~~f. KIDNAPPING A MINOR: If this crime involves kidnapping involving a minor, including unlawful imprisonment involving a minor who is not my child, I will be required to register where I reside, study or work. The specific registration requirements are set forth in the "Offender Registration" Attachment.~~
- ~~g. DOMESTIC VIOLENCE OFFENSE: The crime in Count _____ is a crime of domestic violence as defined by RCW 10.99.020. I may be ordered to pay a domestic violence assessment of up to \$100.00. If I, or the victim of the offense, have a minor child, the court may order me to participate in a domestic violence perpetrator program approved under RCW 26.50.150.~~
- ~~h. VEHICULAR HOMICIDE ENHANCEMENT FOR PRIOR OFFENSES: I am pleading guilty to vehicular homicide while under the influence of intoxicating liquor or any drug, as defined by RCW 46.61.502, committed on or after January 1, 1999. An additional two years shall be added to the presumptive sentence for vehicular homicide for each prior offense as defined in RCW 46.61.5055(14) and each prior offense does not count in the offender score calculation.~~
- ~~i. FELONY DUI: I am pleading guilty to felony driving under the influence of intoxicating liquor or any drugs, or felony actual physical control of a motor vehicle while under the influence of intoxicating liquor or any drug. I understand that I will be required to undergo alcohol or chemical dependency treatment services during incarceration. I will be required to pay the costs of treatment unless the court finds that I am indigent. My driving privileges will be suspended, revoked or denied. Following the period of suspension, revocation or denial, I must comply with ignition interlock device requirements and I will be required to apply for an ignition interlock driver's license.~~
- ~~j. LOSS OF PRIVILEGE TO DRIVE: The crime in Count _____ involves a motor vehicle. My driver's license or privilege to drive will be suspended or revoked. The length of suspension or revocation depends on my conviction, my criminal history, my driving record, and any Department of Licensing administrative actions. RCW 46.20.285(4)~~
- ~~k. FIRST TIME OFFENDER WAIVER: The judge may sentence me as a first time offender instead of giving a sentence within the standard range if I qualify under RCW 9.94A.030. This sentence could include as much as 90 days' confinement and up to two years community custody plus all of the conditions described in paragraph 9 (e). Additionally, the judge could require me to undergo treatment, to devote time to a specific occupation, and to pursue a prescribed course of study or occupational~~

training.

1. PARENTING SENTENCING ALTERNATIVE: The judge may sentence me under the Parenting Sentencing Alternative if I qualify under Laws of 2010, ch. 224, §2. If I am eligible, the judge may order DOC to complete either a risk assessment report or a chemical dependency screening report, or both. If the judge decides to impose the Parenting Sentencing Alternative, the sentence will consist of 12 months of community custody and I will be required to comply with the conditions imposed by the court and by DOC. At any time during community custody, the court may schedule a hearing to evaluate my progress in treatment or to determine if I have violated the conditions of the sentence. The court may modify the conditions of community custody or impose sanctions. If the court finds I violated the conditions or requirements of the sentence or I failed to make satisfactory progress in treatment, the court may order me to serve a term of total confinement within the standard range for my offense.
- m. DOSA: The judge may sentence me under the drug offender sentencing alternative (DOSA) if I qualify under RCW 9.94A.660. The judge may order that I be examined by DOC before deciding to impose a DOSA sentence. If the judge decides to impose a DOSA sentence, it could be either a prison-based alternative or a residential chemical dependency treatment-based alternative.

 - i. If the judge imposes the prison-based alternative, the sentence will consist of a period of total confinement in a state facility for one half of the midpoint of the standard range, or 12 months, whichever is greater. During confinement, I will be required to undergo a comprehensive substance abuse assessment and to participate in treatment. The judge will also impose a term of community custody of one half of the midpoint of the standard range.
 - ii. If the judge imposes the residential treatment-based alternative, the sentence will consist of a term of community custody equal to one half of the midpoint of the standard sentence range or two years, whichever is greater. I will have to enter and remain in a certified residential chemical dependency treatment program for a period of three to six months, as set by the court.

As part of this sentencing alternative, the court is required to schedule a progress hearing during the period of residential chemical dependency treatment and a treatment termination hearing scheduled three months before the expiration of the term of community custody. At either hearing, based upon reports by my treatment provider and the department of corrections on my compliance with treatment and monitoring requirements and recommendations regarding termination from treatment, the judge may modify the conditions of my community custody or order me to serve a term of total confinement equal to one half of the midpoint of the standard sentence range, followed by a term of community custody under RCW 9.94A.701.
 - iii. During the term of community custody for either DOSA sentencing alternative, the judge could prohibit me from using alcohol or controlled substances, require me to submit to urinalysis or other testing to monitor that status, require me to devote time to a specific employment or training, stay out of certain areas, pay

~~\$30.00 per month to offset the cost of monitoring and require other conditions, such as affirmative conditions, and the conditions described in paragraph 9(e). The judge, on his or her own initiative, may order me to appear in court at any time during the period of community custody to evaluate my progress in treatment or to determine if I have violated the conditions of the sentence. If the court finds that I have violated the conditions of the sentence or that I have failed to make satisfactory progress in treatment, the court may modify the terms of my community custody or order me to serve a term of total confinement within the standard range.~~

- n. DRUG CRIME ENHANCEMENT: Count(s) are a violation of the Uniform Controlled Substances Act in a protected zone enhancement or manufacture of methamphetamine when a juvenile was present in or upon the premises of manufacture enhancement. I understand these enhancements are mandatory and that they must run consecutively to all other sentencing provisions
- o. CHEMICAL DEPENDENCY OFFENSE: If I am subject to community custody and the judge finds that I have a chemical dependency that has contributed to the offense, the judge may order me to participate in rehabilitative programs or otherwise to perform affirmative conduct reasonably related to the circumstances of the crime for which I am pleading guilty.
- p. METHAMPHETAMINE CLEAN UP FINE: The crime in Count involves the manufacture, delivery, or possession with the intent to deliver methamphetamine, including its salts, isomers, and salts of isomers, or amphetamine, including its salts, isomers, and salts of isomers. A mandatory methamphetamine clean up fine of \$3,000 will be assessed. RCW 69.50.401(2)(b).
- q. HIV TESTING: The crime in Count involves prostitution or a drug offense associated with hypodermic needles. I will be required to undergo testing for the human immunodeficiency (HIV/AIDS) virus.
- r. DRUG CRIME - SUSPENSION OF PUBLIC ASSISTANCE: The crime in Count involves a violation of the state drug laws, my eligibility for state and federal food stamps, welfare, and education benefits may be affected. 20 U.S.C. § 1091(r) and 21 U.S.C. § 862a.
- s. WELFARE CRIME - SUSPENSION OF ASSISTANCE: The crime in Count(s) is an unlawful practice in obtaining assistance as defined in RCW 74.08.331. On conviction no assistance payment shall be made for at least six months if this is my first conviction and for at least 12 months if this is my second or subsequent conviction. This suspension of benefits will apply even if I am not incarcerated. RCW 74.08.290.
- t. WORK ETHIC CAMP: The judge may authorize work ethic camp. To qualify for work ethic authorization my term of total confinement must be more than twelve months and less than thirty six months, I cannot currently be either pending prosecution or serving a sentence for violation of the uniform controlled substance act and I cannot have a current or prior conviction for a sex or violent offense.

11. **PLEA OF GUILTY:** I plead guilty to Counts Two & Ten as charged in the Information Amended Information. I have received a copy of it:

- a. I make this plea freely and voluntarily.
- b. No one has threatened harm of any kind to me or to any other person to cause me to make this plea.
- c. No person has made promises of any kind to cause me to enter this plea except as set forth in this statement.

12. **MY STATEMENT:** The judge has asked me to state, in my own words, what I did that makes me guilty of this crime. This is my statement: ***In Yakima County, Washington...***

Alford/Newton Plea: Because of the circumstances of the evening of October 26, 2016, I do not specifically recall the events that led to the charges in Count Two and Count 10, but I change my plea to those counts to take advantage of a plea agreement for dismissal of the rest of the counts and the sentencing recommendation stated in Paragraph 7 of this plea statement. I do this with the understanding that if the case proceeded to trial there is a substantial chance that a jury would find me guilty of the charges. I make this plea freely and voluntarily, and after much contemplation and research into the facts that would likely be presented as state's evidence. Therefore, I do not want to proceed to trial and change my plea to guilty.

I wish to plead guilty to take advantage of the plea agreement. Instead of making a statement, I agree that the court may review the police reports and/or a statement of probable cause supplied by the prosecution to establish a factual basis for the plea.

13. My lawyer has explained to me, and we have fully discussed, all of the above paragraphs and the "Offender Registration" Attachment, if applicable. I understand them all. I have been given a copy of this "Statement of Defendant on Plea of Guilty." I have no further questions to ask the judge.

Sam Rios
Defendant

3-8-8918
Date

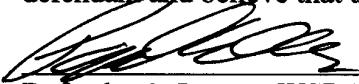
INTERPRETER'S DECLARATION: I am a certified interpreter or have been found otherwise qualified by the court to interpret in the Spanish language, which the defendant understands, and I have translated this entire Statement of Defendant on Plea of Guilty for the defendant from English into that language. The defendant has acknowledged his/her understanding of both the translation and the subject matter of this document. I certify under penalty of perjury under the laws of the state of Washington that the foregoing is true and correct.

Interpreter

Print Name

Date and Place

DEFENDANT'S LAWYER'S STATEMENT: I have read and discussed this statement with the defendant and believe that the defendant is competent and fully understands the statement.


Defendant's Lawyer WSBA# 23068

Paul Kelley

Print Name

3/8/18
Date

PROSECUTOR'S STATEMENT: I have reviewed the elements, the defendant's criminal history, the plea agreement, the calculation of the standard range, and the consequences of this guilty plea and believe them to be accurate.


Prosecuting Attorney WSBA# 46265

Andrew White

3/8/18
Date

COURT'S FINDINGS: The foregoing statement was signed by the defendant in open court in the presence of the defendant's lawyer and the undersigned judge. The defendant asserted that:

(a) The defendant had previously read the entire statement above and that the defendant understood it in full.
 (b) The defendant's lawyer had previously read to him/her the entire statement above and that the defendant understood it in full.
 (c) An interpreter had previously read to the defendant the entire statement above and that the defendant understood it in full.

I find the defendant's plea of guilty to be knowingly, intelligently and voluntarily made. Defendant understands the charges and the consequences of the plea. There is a factual basis for the plea. The defendant is guilty as charged.

Dated: 3/8/2018
KEVIN S. NAUGHT
JUDGE

16 06 23 P2:48

SUPERIOR COURT OF WASHINGTON FOR YAKIMA COUNTY

STATE OF WASHINGTON,

Plaintiff,

vs.

SAUL LLAMAS RIOS

DOB: 3/9/1989

Defendant.

NO. 16-1-01983-39

DECLARATION OF
PROBABLE CAUSE

See attached declaration of probable cause.

16-1-01983-39
State Of Washington VS Rios
State Ident. _____ Defts. Ident. 1
State Exhibit _____ Defts. Exhibit 1

YSO CASE #: 16C18695**NARRATIVE**

On 10-26-2016 at about 2031 hours Saul Rios was seen leaving the residence of 9890 US Hwy 12 in Yakima County Washington where witnesses said Rios had threatened his girlfriend and a friend of the girlfriend with a firearm. Witnesses stated Saul was seen leaving the location in a green Mini van belonging to a Harry Hager.

On 10-26-2016 at about 2136 hours victim's vehicle, a white 2012 Toyota Corolla passenger car with California License 6SYN037, was going westbound in the 700 block of Rozenkranz Road in Yakima County Washington. Chase Brenda the driver stated he noticed an unknown vehicle, that was also going west bound, pull up about a car length behind the vehicle he was driving. He said the vehicle then pulled into the east bound lane of travel and started to pass the vehicle he was operating. Chase Brenda said as the other vehicle was pulling up next to the driver's side of the vehicle he was operating, he heard approximately three shots coming from the area of the other vehicle. One of the bullets struck Trae Oyler in the neck. Trae died shortly after. Trae had been sitting in the front passenger seat of the Toyota Corolla. There were two other passengers in the Toyota Corolla when the shots were fired at it. The other two occupants were Wee Ong and Sisi Duan. Occupants in the Toyota Corolla described the suspect vehicle as being blue or green in color. Chase, Wee Ong, and Sisi Duan, were not injured.

I noticed there appeared to be three bullet strikes on the left side of the Toyota Corolla. The size of the holes in the left side of the Toyota Corolla could have been made by a 40 caliber size bullet striking the body of the vehicle. I also noticed what appeared to be damage to the front driver's side seat near the head rest, which could have been cause by a bullet striking the seat.

On 10-27-2016 at about 0015 hours a citizen reported a suspicious green or blue or black mini van approximately one mile to the west of the where the shooting occurred. Deputies responded to the location to find a green Chrysler Station Wagon (Mini Van) with Washington License #BAP6368 (registered to Harry Hager). The vehicle was located stuck in some mud on the north side of Rozenkranz road. Investigators located what appeared to be a spent 40

caliber casing between the hood of the vehicle and the windshield of the vehicle.

Investigators also saw what appeared to be a spent bullet casing inside the vehicle in between the two front bucket seats. According to the vehicle's tracks in the mud on the north side of Rozenkranz Road it appeared that the Chrysler station wagon appeared to be going west bound on Rozenkranz Road when it pulled off into the mud on the north side of the roadway. Investigators saw what appeared to be gun powder residue above inside of the passenger side door. The vehicle was impounded for evidence to the Yakima County Sheriff's Office Impound facility.

YSO CASE #: 16C18695**SUSPECT INFORMATION REQUEST** Page 3 of 4
by Deputy **BRAD MARTIN #104**

On 10-27-2016 investigators read Saul Rios his Miranda Warnings during an interview while at the Yakima County Sheriff's Office. Saul waived his Miranda warnings. During the interview Saul admitted that while he was operating his vehicle and he was passing another vehicle, he shot at the vehicle he was passing. Saul stated he did not know why he shot at the vehicle.

I certify (or declare) under penalty of perjury under the laws of The State of Washington that the foregoing report is true and correct.

Signed in Yakima, WA on 10-27-16

Deputy's Signature & Badge # Brad Martin #104
BRAD MARTIN #104

YSO CASE #: 16C18704**NARRATIVE**

On 10-26-2016 at about 2031 hours while at residence located at 9890 US Hwy 12 in Yakima County Washington suspect Saul L. Rios DOB: 03-09-1989 pointed a gun at Angela Chavez, his girlfriend, threatened to shoot her, pushed her with his hand, and then pointed the gun at her again. Saul also pointed a gun at Linda Hager-Lewis and told her she was dead.

Victim Angela Chavez told Detective Sergio Reyna that while at 9890 US Hwy 12 she was helping Linda Hager-Lewis pack up some items in the residence because they were moving. While inside a bedroom inside the residence Saul Rios got upset because Angela wanted to stay at the residence to help Linda pack up the items in the residence and did not want to leave with Saul. Detective Reyna stated Angela told him that while Saul was upset Saul pointed a gun at her, then pushed her with his hand, pointed the gun at her again, and then he left. Detective Reyna said he asked Angela if Saul had told her anything while pointed the gun at her. He said Angela told him she did not hear Saul say anything.

Witness Linda Hager-Lewis stated that while at 9890 US Hwy 12 she was packing up some of her items that were in the residence because she was moving. She said Angela Chavez, who was staying with her at the residence, was also helping her move. Linda said that Saul Rios was inside the residence and wanted Angela to leave the residence with him. Linda said Angela told Saul she wanted to stay and help (her) Linda pack up her items. She said Saul got upset and pointed a dark color semi auto type pistol at Angela. Linda said Saul told Angela he was going shoot her (Angela) because she would not leave with him. Linda said she confronted Saul and Saul pointed the gun at her, telling her (Linda) that she was dead.

I certify (or declare) under penalty of perjury,
that the foregoing report is true and correct.

CT 10

the foregoing report is true and

Signed in Yakima, WA on 10-

Brad Martin #104
RAD MARTIN #104

YSO CASE #: 16C18704**SUSPECT INFORMATION REQUEST** Page 3 of 3
by Deputy **BRAD MARTIN #104**