



Yakima Police Department

Report for Incident 14Y000448

Nature: SUSPICIOUS CIRC

Address: 907 E NOB HILL BLVD; CLASSIC
AUTO WASH
YAKIMA WA 98901

Location: Y3

Offense Codes: SPC

Received By: Towle Amanda

How Received: O

Agency: YKPD

Responding Officers: Gillette Casey, Thorn C, Althausen B, Salinas J, Davis R, Walters R, Yates J, Saldana C, Way T, Santucci C, McNearney M, Rojas J, Martin B, James M, Walk G, Wisner R, Gronewald S, Yakima PD, Agledal Ein, Jones G, Soptich D, Yates R, Fowler R, Hampton K, Bardwell T, Shaw D, Jensen S, Belton C, Moore J, Cays K

Responsible Officer: Gillette Casey

Disposition: ACT 01/04/14

When Reported: 02:56:22 01/04/14

Occurred Between: 02:56:22 01/04/14 and 02:56:22 01/04/14

Assigned To:

Detail:

Date Assigned: **/**/**

Status:

Status Date: **/**/**

Due Date: **/**/**

Complainant:

Last:

First:

Mid:

DOB: **/**/**

Dr Lic:

Address:

Race:

Sex:

Phone:

City: ,

Offense Codes

Reported: SPC Suspicious Person/Circumstance

Observed:

Additional Offense: SPC Suspicious Person/Circumstance

Circumstances

Responding Officers:

Unit :

Gillette Casey

YD3

Thorn C

YD6

Althausen B

YD1

Salinas J

YC6S

Davis R

YD2

Walters R

YK91

Yates J

YK93

Saldana C

YC4

Way T

U441

Santucci C

U444

McNearney M	U434
Rojas J	C86
Martin B	C104
James M	C38
Walk G	YC5
Wisner R	YD16S
Gronewald S	YC9
Yakima PD	YPCOM
Agledal Ein	YC7
Jones G	Y5L
Soptich D	YD9
Yates R	YD9
Fowler R	YC17S
Hampton K	YI22
Bardwell T	YI3S
Shaw D	YI14
Jensen S	M723
Belton C	YT15S
Moore J	YT20
Cays K	YI21

Responsible Officer: Gillette Casey
Received By: Towle Amanda
How Received: O Officer Report
When Reported: 02:56:22 01/04/14
Judicial Status:
Misc Entry: BEAST PROP

Agency: YKPD
Last Radio Log: 07:25:19 01/04/14 CMPLT
Clearance: RTF Report to Follow
Disposition: ACT Date: 01/04/14
Occurred between: 02:56:22 01/04/14
and: 02:56:22 01/04/14

Modus Operandi: Description : Method :

Involvements

Date	Type	Description	
01/06/14	Name	WITHROW, ALAN CLAY	OTHER
01/06/14	Name	HERNANDEZ, EDGAR MIGUEL	OTHER
01/04/14	Name	GILLETTE, CASEY L	INVOLVED
01/04/14	Name	ARIAS, ROCENDO	SUSPECT
01/04/14	Name	BAHADAR, NEILA MARIE	WITNESS
01/04/14	Vehicle	SIL 1999 VOLK PASS WA	VEHICLE
01/04/14	Vehicle	SIL 1999 VOLK PASS WA	EVIDENCE
01/04/14	Misc	YPD PROPERTY IN THE BEAST	EVIDENCE
01/04/14	Cad Call	02:56:22 01/04/14 SUSPICIOUS CIRC	Initiating Call
01/04/14	Property	BLK Pistol SW M&P BEAST #7 1	EVIDENCE

Name Involvements:

1

OTHER : 153275**Last:** HERNANDEZ
DOB: 07/16/88**First:** EDGAR
Dr Lic: [REDACTED]**Mid:** MIGUEL
Address: 5404 N CANYON RD**Race:** L **Sex:** M
Height: 5'05"
Hair: BLK**Phone:** (509)833-7350
Weight: 160**City:** YAKIMA, WA 98901
Eyes: BRO**OTHER :** 61661**Last:** WITHROW
DOB: 12/12/55**First:** ALAN
Dr Lic: [REDACTED]**Mid:** CLAY
Address: 811 GAME RIDGE RD**Race:** W **Sex:** M
Height: 5'11"
Hair:**Phone:** (509)697-4285
Weight: 212**City:** SELAH, WA 98942
Eyes: GRN**WITNESS :** 184269**Last:** BAHADAR
DOB: 07/23/84**First:** NEILA
Dr Lic: [REDACTED]**Mid:** MARIE
Address: 118 N 31ST AVE**Race:** W **Sex:** F
Height: 5'05"
Hair: BRO**Phone:** (509)969-3653
Weight: 140**City:** YAKIMA, WA 98902
Eyes: BRO**SUSPECT :** 89655**Last:** ARIAS
DOB: 10/03/90**First:** ROCENDO
Dr Lic: [REDACTED]**Mid:**
Address: 409 N NACHES AVE**Race:** L **Sex:** M
Height: 5'05"
Hair: BLK**Phone:** (509)594-8432
Weight: 140**City:** YAKIMA, WA 98901
Eyes: BRO**INVOLVED :** 2**Last:** GILLETTE
DOB: 08/09/84**First:** CASEY
Dr Lic:**Mid:** L
Address: 200 S 3RD ST**Race:** W **Sex:** M
Height: 5'07"
Hair: BRO**Phone:** (509)575-6200
Weight: 150**City:** YAKIMA, WA 98901
Eyes: BLU

Yakima Police Department

News Release

Date Occurred: December 4th, 2014 **Time Occurred:** 0300 hours

Incident Type: Officer Involved Shooting

Location: 907 E. Nob Hill

Investigating Agency: Yakima Police Department

Suspect/Deceased: 23 year old Hispanic Male

Summary:

On 1/4/14 at about 0300 hours, a Yakima police officer was checking on a suspicious vehicle parked at the car wash, 907 E. Nob Hill. During the contact, the officer shot the sole occupant of the vehicle. The occupant, a 23 year old H/M, was pronounced deceased at the scene.

The involved officer has been with the Yakima police department for 14 months. The officer was not injured during the incident.

Yakima police detectives responded and are conducting the investigation.

Sgt. Tim Bardwell

YPD case # 14Y000448

Yakima Police Department Department Case Report

Department Case Number: 14Y000448

Related Case # 's:

Case Information

Case Officer: Y7467 - GILLETTE, CASEY
 Offense Date/Time: 01/04/2014 - 02:56Hrs
 Offense Location: 907 E NOB HILL BLVD; CLASSIC AUTO WASH
 Offense Type: 0110 - HOMICIDE
 Expiration Date:
 Jurisdiction: Yakima City
 Court Date:
 Disposition:
 Disposition Date:
 Case Comments: Case Officer: Gillette Casey[7467]
 Offense Code: [SUSPICIOUS CIRC]

1

Case Names

Name Type: Other				
Name: BAHADAR, NEILA, MARIE	Sex: F	Race: W	DOB: 07/23/1984	Home Phone#: (509)969-3653
Address: 118 N 31ST AVE YAKIMA, WA 98902				ID#:
Additional Name Information: Name Type: WITNESS				SSN#: [REDACTED]
Name: GILLETTE, CASEY, L	Sex: M	Race: W	DOB: 08/09/1984	Home Phone#: (509)575-6200
Address: 200 S 3RD ST YAKIMA, WA 98901				ID#:
Additional Name Information: Name Type: INVOLVED				SSN#:
Name Type: Suspect				
Name: ARIAS, ROCENDO	Sex: M	Race: L	DOB: 10/03/1990	Home Phone#: (509)594-8432
Address: 409 N NACHES AVE YAKIMA, WA 98901				ID#:
Additional Name Information: Name Type: SUSPECT				SSN#: [REDACTED]

Case Items

Item Number: 001
 Container #: Process: Hold for investigative purposes
 Status/Location: Item Submitted Into Property - ANNEX
 Collection Date/Time: 01/04/2014 - 07:09Hrs Collection Purpose: Evidence
 Collected By: Y6170 - HAMPTON, KASEY Hazmat: Bloody/Fluids
 Collection Location: 900 E. NOB HILL BLVD
 Packaging/Quantity/Item Type: PACKAGING - 1 - Vehicle
 Detail Description: 1999 VOLKS PAS4D - SILVER 071ZIJ
 Owner: There is no owner associated with this item
 Item Notes:

Item Number: 002
 Container #: Process: Hold for investigative purposes
 Status/Location: To Lab - OUT TO WSP LAB
 Collection Date/Time: 01/04/2014 - 05:19Hrs Collection Purpose: Evidence
 Collected By: Y6170 - HAMPTON, KASEY
 Collection Location: 900 E. NOB HILL BLVD
 Packaging/Quantity/Item Type: One sealed envelope with: - 1 - Bullet slugs
 Detail Description: BULLET FRAGMENT TAKEN AT THE SCENE
 Owner: There is no owner associated with this item
 Item Notes:

**Yakima Police Department
Department Case Report
Department Case Number: 14Y000448
Case Items**

Item Number: 003

Container #: **Process:** Hold for investigative purposes
Status/Location: To Lab - OUT TO WSP LAB
Collection Date/Time: 01/04/2014 - 05:20Hrs **Collection Purpose:** Evidence
Collected By: Y6170 - HAMPTON, KASEY
Collection Location: 900 E. NOB HILL BLVD
Packaging/Quantity/Item Type: One sealed paper or plastic bag with: - 1 - Casings, Shell
Detail Description: .40 CAL. SHELL CASING ITEM #3 AT SCENE
Owner: There is no owner associated with this item
Make : 40
Item Notes:

Item Number: 004

Container #: **Process:** Hold for investigative purposes
Status/Location: To Lab - OUT TO WSP LAB
Collection Date/Time: 01/04/2014 - 05:20Hrs **Collection Purpose:** Evidence
Collected By: Y6170 - HAMPTON, KASEY
Collection Location: 900 E. NOB HILL BLVD
Packaging/Quantity/Item Type: One sealed paper or plastic bag with: - 1 - Casings, Shell
Detail Description: .40 CAL. SHELL CASING ITEM #4 AT SCENE
Owner: There is no owner associated with this item
Make : 40
Item Notes:

Item Number: 005

Container #: **Process:** Hold for investigative purposes
Status/Location: To Lab - OUT TO WSP LAB
Collection Date/Time: 01/04/2014 - 05:21Hrs **Collection Purpose:** Evidence
Collected By: Y6170 - HAMPTON, KASEY
Collection Location: 900 E. NOB HILL BLVD
Packaging/Quantity/Item Type: One sealed paper or plastic bag with: - 1 - Casings, Shell
Detail Description: .40 CAL. SHELL CASING ITEM #5 AT SCENE
Owner: There is no owner associated with this item
Make : 40
Item Notes:

Item Number: 006

Container #: **Process:** Hold for investigative purposes
Status/Location: To Lab - OUT TO WSP LAB
Collection Date/Time: 01/04/2014 - 05:22Hrs **Collection Purpose:** Evidence
Collected By: Y6170 - HAMPTON, KASEY
Collection Location: 900 E. NOB HILL BLVD
Packaging/Quantity/Item Type: One sealed paper or plastic bag with: - 1 - Casings, Shell
Detail Description: .40 CAL. SHELL CASING ITEM #6 AT SCENE
Owner: There is no owner associated with this item
Make : 40
Item Notes:

Yakima Police Department
Department Case Report
 Department Case Number: 14Y000448
 Case Items

Item Number: 007

Container #:	Process:	Hold for investigative purposes
Status/Location: To Lab - OUT TO WSP LAB		
Collection Date/Time: 01/04/2014 - 04:00Hrs	Collection Purpose: Evidence	
Collected By: Y6170 - HAMPTON, KASEY		
Collection Location: 900 E. NOB HILL BLVD		
Packaging/Quantity/Item Type: One sealed box with: - 1 - Guns, Handguns		
Detail Description: OFFICER GILLETTE'S PISTOL S/N DXN9228		
Owner: CASEY GILLETTE		
Serial #: DXN9228		
Make : SMITH & WESSON	Model : M&P	Caliber : 40
Weapon Type : P - PISTOL	Color : BLK - BLACK	Weapon Category : I - SEMI-AUTO(autoloading)

Item Notes:

Item Number: 008

Container #:	Process:	Hold for investigative purposes
Status/Location: To Lab - OUT TO WSP LAB		
Collection Date/Time: 01/04/2014 - 04:00Hrs	Collection Purpose: Evidence	
Collected By: Y6170 - HAMPTON, KASEY		
Collection Location: YAKIMA PD		
Packaging/Quantity/Item Type: One sealed paper or plastic bag with: - 1 - Magazines, Clips		
Detail Description: MAGAZINE TAKEN FROM OFFICER GILLETTES PISTOL		
Owner: CASEY GILLETTE		
Make : SMITH & WESSON	Model : M&P	Weapon Type : P - PISTOL
r : BLK - BLACK		

Item Notes:

Item Number: 009

Container #: 600 - 14Y000448 OFCR INVLD BOX1	Process: Hold for investigative purposes
Status/Location: Stored in Location - HOMICIDE BOX	
Collection Date/Time: 01/04/2014 - 04:00Hrs	Collection Purpose: Evidence
Collected By: Y6170 - HAMPTON, KASEY	
Collection Location: YAKIMA PD	
Packaging/Quantity/Item Type: One sealed paper or plastic bag with: - 1 - Magazines, Clips	
Detail Description: SPARE MAGAZINE TAKEN FROM OFFICER GILLETTE'S DUTY BELT	
Owner: CASEY GILLETTE	

Item Notes:

Item Number: 010

Container #: 600 - 14Y000448 OFCR INVLD BOX1	Process: Hold for investigative purposes
Status/Location: Stored in Location - HOMICIDE BOX	
Collection Date/Time: 01/04/2014 - 04:00Hrs	Collection Purpose: Evidence
Collected By: Y6170 - HAMPTON, KASEY	
Collection Location: YAKIMA PD	
Packaging/Quantity/Item Type: One sealed paper or plastic bag with: - 1 - Magazines, Clips	
Detail Description: SPARE MAGAZINE TAKEN FROM OFFICER GILLETTE'S DUTY BELT	
Owner: CASEY GILLETTE	

Item Notes:

Yakima Police Department Department Case Report

Department Case Number: 14Y000448

Case Items

Item Number: 011

Container #: 600 - 14Y000448 OFCR INVLD BOX1 **Process:** Hold for investigative purposes
Status/Location: Stored in Location - HOMICIDE BOX
Collection Date/Time: 01/04/2014 - 04:00Hrs **Collection Purpose:** Evidence
Collected By: Y6666 - YATES, JAMES
Collection Location: YAKIMA PD
Packaging/Quantity/Item Type: One sealed box with: - 1 - Guns, Toys
Detail Description: BLACK W/ BROWN GRIPS (ORANGE TIP)
Owner: ROCENDO ARIAS
Item Notes:

Item Number: 012

Container #: 600 - 14Y000448 OFCR INVLD BOX1 **Process:** Hold for investigative purposes
Status/Location: Stored in Location - HOMICIDE BOX
Collection Date/Time: 01/06/2014 - 10:28Hrs **Collection Purpose:** Evidence
Collected By: Y6170 - HAMPTON, KASEY
Collection Location: YAKIMA COUNTY CORONER'S OFFICE
Packaging/Quantity/Item Type: One sealed paper or plastic bag with: - 1 - ID & Wallet contents
Detail Description: WHITE WALLET W/ CONTENT (ARIAS)
Owner: ROCENDO ARIAS
Item Notes:

Item Number: 013

Container #: 600 - 14Y000448 OFCR INVLD BOX1 **Process:** Hold for investigative purposes
Status/Location: Stored in Location - HOMICIDE BOX
Collection Date/Time: 01/06/2014 - 10:10Hrs **Collection Purpose:** Evidence
Collected By: Y6170 - HAMPTON, KASEY
Collection Location: YAKIMA COUNTY CORONER'S OFFICE
Packaging/Quantity/Item Type: One sealed envelope with: - 1 - misc evidence
Detail Description: CONTENTS FROM LEFT JEAN POCKET
Owner: ROCENDO ARIAS
Item Notes:

Item Number: 014

Container #: 600 - 14Y000448 OFCR INVLD BOX1 **Process:** Hold for investigative purposes
Status/Location: Stored in Location - HOMICIDE BOX
Collection Date/Time: 01/06/2014 - 10:11Hrs **Collection Purpose:** Evidence
Collected By: Y6170 - HAMPTON, KASEY
Collection Location: YAKIMA COUNTY CORONER'S OFFICE
Packaging/Quantity/Item Type: One sealed envelope with: - 1 - Misc guns/equipment
Detail Description: AIRSOFT PELLET & GUN ACC. RING
Owner: ROCENDO ARIAS
Item Notes:

Item Number: 015

Container #: 600 - 14Y000448 OFCR INVLD BOX1 **Process:** Hold for investigative purposes
Status/Location: Stored in Location - HOMICIDE BOX
Collection Date/Time: 01/06/2014 - 10:15Hrs **Collection Purpose:** Evidence
Collected By: Y6170 - HAMPTON, KASEY
Collection Location: YAKIMA COUNTY CORONER'S OFFICE
Packaging/Quantity/Item Type: One sealed envelope with: - 1 - Misc Jewelry
Detail Description: WATCH AND WRIST BAND (LEFT WRIST)
Owner: ROCENDO ARIAS
Item Notes:

**Yakima Police Department
Department Case Report
Department Case Number: 14Y000448
Case Items**

Item Number: 016

Container #: 600 - 14Y000448 OFCR INVLD BOX1 **Process:** Hold for investigative purposes
Status/Location: Stored in Location - HOMICIDE BOX
Collection Date/Time: 01/06/2014 - 10:17Hrs **Collection Purpose:** Evidence
Collected By: Y6170 - HAMPTON, KASEY
Collection Location: YAKIMA COUNTY CORONER'S OFFICE
Packaging/Quantity/Item Type: One sealed envelope with: - 1 - Drug Paraphernalia
Detail Description: MULIT COLORED GLASS PIPE LEFT FRONT JACKET POCKET
Owner: ROCENDO ARIAS
Weight : 0.00
Item Notes:

Item Number: 017

Container #: 600 - 14Y000448 OFCR INVLD BOX1 **Process:** Hold for investigative purposes
Status/Location: Stored in Location - HOMICIDE BOX
Collection Date/Time: 01/06/2014 - 10:23Hrs **Collection Purpose:** Evidence
Collected By: Y6170 - HAMPTON, KASEY
Collection Location: YAKIMA COUNTY CORONER'S OFFICE
Packaging/Quantity/Item Type: One sealed envelope with: - 1 - Misc Jewelry
Detail Description: BLAKC ROSERY & MEDIC ALERT NECKLACE
Owner: ROCENDO ARIAS
Item Notes:

Item Number: 018

Container #: 600 - 14Y000448 OFCR INVLD BOX1 **Process:** Hold for investigative purposes
Status/Location: Stored in Location - HOMICIDE BOX
Collection Date/Time: 01/06/2014 - 10:24Hrs **Collection Purpose:** Evidence
Collected By: Y6170 - HAMPTON, KASEY
Collection Location: YAKIMA COUNTY CORONER'S OFFICE
Packaging/Quantity/Item Type: One sealed envelope with: - 1 - Misc Jewelry
Detail Description: 1 METAL CHAIN BRACELET, 1- "I LOVE BOOBIES" RUNNBER BRACELET RIGHT WRIST
Owner: ROCENDO ARIAS
Item Notes:

Item Number: 019

Container #: 600 - 14Y000448 OFCR INVLD BOX1 **Process:** Hold for investigative purposes
Status/Location: Stored in Location - HOMICIDE BOX
Collection Date/Time: 01/06/2014 - 10:24Hrs **Collection Purpose:** Evidence
Collected By: Y6170 - HAMPTON, KASEY
Collection Location: YAKIMA COUNTY CORONER'S OFFICE
Packaging/Quantity/Item Type: One sealed envelope with: - 1 - Misc Jewelry
Detail Description: METAL RING; RIGHT #4 FINGER
Owner: ROCENDO ARIAS
Item Notes:

Item Number: 020

Container #: **Process:** Hold for investigative purposes
Status/Location: To Lab - OUT TO WSP LAB
Collection Date/Time: 01/06/2014 - 11:18Hrs **Collection Purpose:** Evidence
Collected By: Y6170 - HAMPTON, KASEY **Hazmat:** Bloody/Fluids
Collection Location: YAKIMA COUNTY CORONER'S OFFICE
Packaging/Quantity/Item Type: One sealed envelope with: - 1 - Bullet slugs
Detail Description: BULLET FRAGMENTS RECOVERED FROM BRAIN OF ARIAS
Owner: There is no owner associated with this item
Item Notes:

Yakima Police Department Department Case Report

Department Case Number: 14Y000448

Case Items

Item Number: 021

Container #: 600 - 14Y000448 OFCR INVLD BOX1

Hold for investigative purposes Process:

Status/Location: Stored in Location - HOMICIDE BOX

Collection Date/Time: 01/06/2014 - 11:18Hrs

Collection Purpose: Evidence

Collected By: Y6170 - HAMPTON, KASEY

Hazmat: Bloody/Fluids

Collection Location: YAKIMA COUNTY CORONER'S OFFICE

Packaging/Quantity/Item Type: One sealed envelope with: - 1 - DNA, Skin samples, Swabs

Detail Description: DNA CARD OF ARIAS

Owner: ROCENDO ARIAS

Item Notes:

Item Number: 022

Container #: 600 - 14Y000448 OFCR INVLD BOX1

Hold for investigative purposes Process:

Status/Location: Stored in Location - HOMICIDE BOX

Collection Date/Time: 01/06/2014 - 10:09Hrs

Collection Purpose: Evidence

Collected By: Y6170 - HAMPTON, KASEY

Hazmat: Bloody/Fluids

Collection Location: YAKIMA COUNTY CORONER'S OFFICE

Packaging/Quantity/Item Type: One sealed paper or plastic bag with: - 1 - Shoes

Detail Description: BLK SHOES & SOCKS TAKEN FROM ARIAS

Owner: ROCENDO ARIAS

Brand : GEN X

Item Notes:

Item Number: 023

Container #: 600 - 14Y000448 OFCR INVLD BOX1

Hold for investigative purposes Process:

Status/Location: Stored in Location - HOMICIDE BOX

Collection Date/Time: 01/06/2014 - 10:11Hrs

Collection Purpose: Evidence

Collected By: Y6170 - HAMPTON, KASEY

Hazmat: Bloody/Fluids

Collection Location: YAKIMA COUNTY CORONER'S OFFICE

Packaging/Quantity/Item Type: One sealed paper or plastic bag with: - 1 - Clothes, men

Detail Description: BLK SHORTS AND LIGHT BLUE UNDERWEAR

Owner: ROCENDO ARIAS

Item Notes:

Item Number: 024

Container #:

Process: Hold for investigative purposes

Status/Location: To Lab - OUT TO WSP LAB

Collection Date/Time: 01/06/2014 - 10:14Hrs

Collection Purpose: Evidence

Collected By: Y6170 - HAMPTON, KASEY

Hazmat: Bloody/Fluids

Collection Location: YAKIMA COUNTY CORONER'S OFFICE

Packaging/Quantity/Item Type: One sealed paper or plastic bag with: - 1 - Clothes, men

Detail Description: BLUE JEANS (ARIAS)

Owner: ROCENDO ARIAS

Item Notes:

Item Number: 025

Container #:

Process: Hold for investigative purposes

Status/Location: To Lab - OUT TO WSP LAB

Collection Date/Time: 01/06/2014 - 10:18Hrs

Collection Purpose: Evidence

Collected By: Y6170 - HAMPTON, KASEY

Hazmat: Bloody/Fluids

Collection Location: YAKIMA COUNTY CORONER'S OFFICE

Packaging/Quantity/Item Type: One sealed paper or plastic bag with: - 1 - Clothes, men

Detail Description: BLK COAT (ARIAS)

Owner: ROCENDO ARIAS

Item Notes:

**Yakima Police Department
Department Case Report
Department Case Number: 14Y000448
Case Items**

Item Number: 026

Container #: _____ **Process:** Hold for investigative purposes
Status/Location: To Lab - OUT TO WSP LAB
Collection Date/Time: 01/06/2014 - 10:21Hrs **Collection Purpose:** Evidence
Collected By: Y6170 - HAMPTON, KASEY **Hazmat:** Bloody/Fluids
Collection Location: YAKIMA COUNTY CORONER'S OFFICE
Packaging/Quantity/Item Type: One sealed paper or plastic bag with: - 1 - Clothes, men
Detail Description: (4) SHIRTS; 1 BLK SWEATSHIRT, 1 RED SHIRT, 1 WHITE SHIRT, 1 WHITE TANK TOP
Owner: ROCENDO ARIAS
Item Notes:

Item Number: 027

Container #: _____ **Process:** Hold for investigative purposes
Status/Location: Received into Property Room
Collection Date/Time: 01/09/2014 - 14:00Hrs **Collection Purpose:** Evidence
Collected By: Y6170 - HAMPTON, KASEY
Collection Location: Yakima Police Department
Packaging/Quantity/Item Type: One sealed envelope with: - 1 - Paperwork/Documents/Envelopes
Detail Description: Officer Gillette's Statement delivered by Adam Moore
Owner: There is no owner associated with this item
Item Notes:

Item Number: 028

Container #: 600 - 14Y000448 OFCR INVLD BOX1 **Process:** Hold for investigative purposes
Status/Location: Stored in Location - HOMICIDE BOX
Collection Date/Time: 01/09/2014 - 14:00Hrs **Collection Purpose:** Evidence
Collected By: Y6170 - HAMPTON, KASEY
Collection Location: Yakima Police Department
Packaging/Quantity/Item Type: One sealed paper or plastic bag with: - 1 - misc evidence
Detail Description: trace paper from blood dryer
Owner: There is no owner associated with this item
Item Notes:

Item Number: 029

Container #: _____ **Process:** Hold for investigative purposes
Status/Location: To Lab - OUT TO WSP LAB
Collection Date/Time: 01/14/2014 - 11:35Hrs **Collection Purpose:** Evidence
Collected By: Y6170 - HAMPTON, KASEY
Collection Location: _____
Packaging/Quantity/Item Type: One sealed envelope with: - 1 - Bullet slugs
Detail Description: FIRED BULLET SLUG FROM GRAVEL BED WEST OF VACUUM STALL
Owner: There is no owner associated with this item
Item Notes:

Item Number: 030

Container #: 600 - 14Y000448 OFCR INVLD BOX1 **Process:** Hold for investigative purposes
Status/Location: Stored in Location - HOMICIDE BOX
Collection Date/Time: 01/14/2014 - 12:00Hrs **Collection Purpose:** Evidence
Collected By: Y6170 - HAMPTON, KASEY **Hazmat:** Bloody/Fluids
Collection Location: YPD ANNEX; 1999 VOLKSWAGEN PASSAT WA LIC. 071ZIJ
Packaging/Quantity/Item Type: One sealed paper or plastic bag with: - 1 - Electronic Device
Detail Description: BLACK TABLET CRUZ MODEL T410 ID# ZVJVM T410V1 (FRONT PASS. SEAT)
Owner: ROCENDO ARIAS
Item Notes:

Yakima Police Department Department Case Report

Department Case Number: 14Y000448

Case Items

Item Number: 031

Container #: 600 - 14Y000448 OFCR INVLD BOX1 **Process:** Hold for investigative purposes
Status/Location: Stored in Location - HOMICIDE BOX
Collection Date/Time: 01/14/2014 - 12:00Hrs **Collection Purpose:** Evidence
Collected By: Y6170 - HAMPTON, KASEY **Hazmat:** Bloody/Fluids
Collection Location: YPD ANNEX; 1999 VOLKSWAGEN PASSAT WA LIC. 071ZIJ
Packaging/Quantity/Item Type: One sealed paper or plastic bag with: - 1 - Misc guns/equipment
Detail Description: SWISS ARMS BRAND LASER & MOUNT PACKAGE
Owner: ROCENDO ARIAS

Item Notes:
Item Number: 032

Container #: 600 - 14Y000448 OFCR INVLD BOX1 **Process:** Hold for investigative purposes
Status/Location: Stored in Location - HOMICIDE BOX
Collection Date/Time: 01/14/2014 - 12:00Hrs **Collection Purpose:** Evidence
Collected By: Y6170 - HAMPTON, KASEY **Hazmat:** Bloody/Fluids
Collection Location: YPD ANNEX; 1999 VOLKSWAGEN PASSAT WA LIC. 071ZIJ BETWEEN DOOR PASS, SEAT
Packaging/Quantity/Item Type: One sealed paper or plastic bag with: - 1 - Misc guns/equipment
Detail Description: BROWN PLASTIC TOY GUN MAGAZINE
Owner: ROCENDO ARIAS

Item Notes:
Item Number: 033

Container #: 600 - 14Y000448 OFCR INVLD BOX1 **Process:** Hold for investigative purposes
Status/Location: Stored in Location - HOMICIDE BOX
Collection Date/Time: 01/14/2014 - 12:00Hrs **Collection Purpose:** Evidence
Collected By: Y6170 - HAMPTON, KASEY **Hazmat:** Bloody/Fluids
Collection Location: YPD ANNEX; 1999 VOLKSWAGEN PASSAT WA LIC. 071ZIJ
Packaging/Quantity/Item Type: One sealed paper or plastic bag with: - 1 - Misc guns/equipment
Detail Description: GREEN AIRSOFT PELLETS ON PASS. SEAT
Owner: ROCENDO ARIAS

Item Notes:
Item Number: 034

Container #: 600 - 14Y000448 OFCR INVLD BOX1 **Process:** Hold for investigative purposes
Status/Location: Stored in Location - HOMICIDE BOX
Collection Date/Time: 01/14/2014 - 12:00Hrs **Collection Purpose:** Evidence
Collected By: Y6170 - HAMPTON, KASEY **Hazmat:** Bloody/Fluids
Collection Location: YPD ANNEX; 1999 VOLKSWAGEN PASSAT WA LIC. 071ZIJ
Packaging/Quantity/Item Type: One sealed paper or plastic bag with: - 1 - Misc guns/equipment
Detail Description: GREEN AIRSOFT PELLETS ON PASS. FLOORBOARD
Owner: ROCENDO ARIAS

Item Notes:
Item Number: 035

Container #: 600 - 14Y000448 OFCR INVLD BOX1 **Process:** Hold for investigative purposes
Status/Location: Stored in Location - HOMICIDE BOX
Collection Date/Time: 01/14/2014 - 12:00Hrs **Collection Purpose:** Evidence
Collected By: Y6170 - HAMPTON, KASEY **Hazmat:** Bloody/Fluids
Collection Location: YPD ANNEX; 1999 VOLKSWAGEN PASSAT WA LIC. 071ZIJ
Packaging/Quantity/Item Type: One sealed paper or plastic bag with: - 1 - Batteries & Cables
Detail Description: BATTERY PACKAGE FROM FRONT PASS. SEAT
Owner: ROCENDO ARIAS

Item Notes:

Yakima Police Department Department Case Report

Department Case Number: 14Y000448

Case Items

Item Number: 036
Container #: 600 - 14Y000448 OFCR INVLD BOX1

Process: Hold for investigative purposes

Status/Location: Stored in Location - HOMICIDE BOX

Collection Date/Time: 01/14/2014 - 12:00Hrs

Collection Purpose: Evidence

Collected By: Y6170 - HAMPTON, KASEY

Hazmat: Bloody/Fluids

Collection Location: YPD ANNEX; 1999 VOLKSWAGEN PASSAT WA LIC. 071ZIJ

Packaging/Quantity/Item Type: One sealed paper or plastic bag with: - 1 - Guns, Toys

Detail Description: PLASTIC RIFLE MAGAZINE CENTER COMSOLE

Owner: ROCENDO ARIAS

Item Notes:
Item Number: 037
Container #: 600 - 14Y000448 OFCR INVLD BOX1

Process: Hold for investigative purposes

Status/Location: Stored in Location - HOMICIDE BOX

Collection Date/Time: 01/14/2014 - 12:00Hrs

Collection Purpose: Evidence

Collected By: Y6170 - HAMPTON, KASEY

Hazmat: Bloody/Fluids

Collection Location: YPD ANNEX; 1999 VOLKSWAGEN PASSAT WA LIC. 071ZIJ

Packaging/Quantity/Item Type: One sealed paper or plastic bag with: - 1 - Drug Paraphernalia

Detail Description: PLASTIC BAGGIES CENTER COMSOLE

Owner: ROCENDO ARIAS

Weight : 0.00

Item Notes:
Item Number: 038
Container #: 600 - 14Y000448 OFCR INVLD BOX1

Process: Hold for investigative purposes

Status/Location: Stored in Location - HOMICIDE BOX

Collection Date/Time: 01/14/2014 - 12:00Hrs

Collection Purpose: Evidence

Collected By: Y6170 - HAMPTON, KASEY

Hazmat: Bloody/Fluids

Collection Location: YPD ANNEX; 1999 VOLKSWAGEN PASSAT WA LIC. 071ZIJ

Packaging/Quantity/Item Type: One sealed paper or plastic bag with: - 1 - Misc guns/equipment

Detail Description: TACTICAL LASER SIGHT PACKAGE CENTER CONSOLE

Owner: ROCENDO ARIAS

Item Notes:
Item Number: 039
Container #:
Process:
Hold for investigative purposes
Status/Location: To Lab - OUT TO WSP LAB

Collection Date/Time: 01/14/2014 - 12:00Hrs

Collection Purpose: Evidence

Collected By: Y6170 - HAMPTON, KASEY

Hazmat: Bloody/Fluids

Collection Location: YPD ANNEX; 1999 VOLKSWAGEN PASSAT WA LIC. 071ZIJ

Packaging/Quantity/Item Type: One sealed paper or plastic bag with: - 1 - Clothes, men

Detail Description: BLACK AND RED "REDS" HAT CENTER CONSOLE AREA

Owner: ROCENDO ARIAS

Item Notes:
Item Number: 040
Container #: 600 - 14Y000448 OFCR INVLD BOX1

Process: Hold for investigative purposes

Status/Location: Stored in Location - HOMICIDE BOX

Collection Date/Time: 01/14/2014 - 12:00Hrs

Collection Purpose: Evidence

Collected By: Y6170 - HAMPTON, KASEY

Hazmat: Bloody/Fluids

Collection Location: YPD ANNEX; 1999 VOLKSWAGEN PASSAT WA LIC. 071ZIJ DRIVERS SEAT W/ BLOOD

Packaging/Quantity/Item Type: One sealed paper or plastic bag with: - 1 - Misc guns/equipment

Detail Description: SWISS ARMS BRAND LASER & MOUNT PACKAGE

Owner: ROCENDO ARIAS

Item Notes:

Yakima Police Department Department Case Report

Department Case Number: 14Y000448

Case Items

Item Number: 041

Container #: _____ **Process:** Hold for investigative purposes
Status/Location: To Lab - OUT TO WSP LAB
Collection Date/Time: 01/14/2014 - 12:00Hrs **Collection Purpose:** Evidence
Collected By: Y6170 - HAMPTON, KASEY **Hazmat:** Bloody/Fluids
Collection Location: YPD ANNEX; 1999 VOLKSWAGEN PASSAT WA LIC. 071ZIJ
Packaging/Quantity/Item Type: One sealed paper or plastic bag with: - 1 - Bullet slugs
Detail Description: COPPER JACKET FROM PASS. SIDE "B" PILLAR- DOOR SEAL
Owner: There is no owner associated with this item

Item Notes:

Item Number: 042

Container #: 600 - 14Y000448 OFCR INVLD BOX1 **Process:** Hold for investigative purposes
Status/Location: Stored in Location - HOMICIDE BOX
Collection Date/Time: 01/14/2014 - 12:00Hrs **Collection Purpose:** Evidence
Collected By: Y6170 - HAMPTON, KASEY **Hazmat:** Bloody/Fluids
Collection Location: YPD ANNEX; 1999 VOLKSWAGEN PASSAT WA LIC. 071ZIJ
Packaging/Quantity/Item Type: One sealed paper or plastic bag with: - 1 - Guns, BB/Pellet/Air Rifle
Detail Description: COLT REPLICA PELLET GUN UNDER DRIVERS SEAT
Owner: ROCENDO ARIAS

Item Notes:

Item Number: 043

Container #: 600 - 14Y000448 OFCR INVLD BOX1 **Process:** Hold for investigative purposes
Status/Location: Stored in Location - HOMICIDE BOX
Collection Date/Time: 01/14/2014 - 12:00Hrs **Collection Purpose:** Evidence
Collected By: Y6170 - HAMPTON, KASEY **Hazmat:** Bloody/Fluids
Collection Location: YPD ANNEX; 1999 VOLKSWAGEN PASSAT WA LIC. 071ZIJ
Packaging/Quantity/Item Type: One sealed paper or plastic bag with: - 1 - Cell Phones
Detail Description: BLACK HTC CELLULAR PHONE UNDER DRIVERS SEAT
Owner: ROCENDO ARIAS

Item Notes:

Item Number: 044

Container #: 600 - 14Y000448 OFCR INVLD BOX1 **Process:** Hold for investigative purposes
Status/Location: Stored in Location - HOMICIDE BOX
Collection Date/Time: 01/14/2014 - 12:00Hrs **Collection Purpose:** Evidence
Collected By: Y6170 - HAMPTON, KASEY **Hazmat:** Bloody/Fluids
Collection Location: YPD ANNEX; 1999 VOLKSWAGEN PASSAT WA LIC. 071ZIJ
Packaging/Quantity/Item Type: One sealed paper or plastic bag with: - 1 - Guns, BB/Pellet/Air Rifle
Detail Description: AIRSOFT PELLETS IN PLASTIC CASE DRIVERS SEAT
Owner: ROCENDO ARIAS

Item Notes:

Item Number: 045

Container #: 600 - 14Y000448 OFCR INVLD BOX1 **Process:** Hold for investigative purposes
Status/Location: Stored in Location - HOMICIDE BOX
Collection Date/Time: 01/14/2014 - 12:00Hrs **Collection Purpose:** Evidence
Collected By: Y6170 - HAMPTON, KASEY **Hazmat:** Bloody/Fluids
Collection Location: YPD ANNEX; 1999 VOLKSWAGEN PASSAT WA LIC. 071ZIJ
Packaging/Quantity/Item Type: One sealed paper or plastic bag with: - 1 - Misc guns/equipment
Detail Description: PRESSURE GRIP FOR LASER SIGHT DRIVERS SEAT
Owner: ROCENDO ARIAS

Item Notes:

Yakima Police Department Department Case Report

Department Case Number: 14Y000448

Case Items

Item Number: 046

Container #: 600 - 14Y000448 OFCR INVLD BOX1

Process: Hold for investigative purposes

Status/Location: Stored in Location - HOMICIDE BOX

Collection Date/Time: 01/15/2014 - 14:25Hrs

Collection Purpose: Evidence

Collected By: Y7467 - GILLETTE, CASEY

Collection Location: YPD ANNEX

Packaging/Quantity/Item Type: One sealed envelope with: - 1 - CD/DVD/CASSETTE

Detail Description: 2 DVD WITH PHOTOS FROM THE SEARCH WARRANT THAT WSP TOOK

Owner: There is no owner associated with this item

Item Notes:

Lab Submissions

Case Officer Signature

Date

Supervisor Signature

Property

Property Number: 90361
Item: Pistol
Brand: SW M&P
Year: 0
Meas:
Total Value: \$1.00
Owner:
Agency: YKPD Yakima Police Department
Accum Amt Recov: \$1.00
UCR: FIR Firearms
Local Status: EIS
Crime Lab Number:
Date Released: **/**/**
Released By:
Released To:
Reason:
Comments: BEAST #7 PISTOL-SMITH & WESSON, M&P, 40CALIBER, SN/DXN9228, BLACK, SEMI AUTO WACIC/NCIC FIREARM ENTRY DONE BY KELSEY DONALDSON 6778 01/04/2014:
Unit Number:YKPD WWCICYKPDYP112.WA0390500 ENTERED EGR TYP/PI SER/DXN9228
WAC/14G0000081 OCA/14Y000448 01/04/2014 AT 14/32 Unit Number:YKPD NCIC
YKPDYP112.WA0390500 NIC/G763074161 SER/DXN9228 OCA/14Y000448
ATF/T20140002440

Owner Applied Nbr:
Model: BEAST #7
Quantity: 1
Serial Nbr: DXN9228
Color: BLK
Tag Number: BEAST #7
Officer: Garcia I
UCR Status:
Storage Location:
Status Date: 01/04/14
Date Recov/Rcvd: 01/04/14
Amt Recovered: \$1.00
Custody: **:**:** **/**/**

Name Involvements:

1

OTHER : 153275

Last: HERNANDEZ

First: EDGAR

Mid: MIGUEL

DOB: 07/16/88

Dr Lic: [REDACTED]

Address: 5404 N CANYON RD

Race: L Sex: M

Phone: (509)833-7350

City: YAKIMA, WA 98901

Height: 5'05"

Weight: 160

Eyes: BRO

Hair: BLK

OTHER : 61661

Last: WITHROW

First: ALAN

Mid: CLAY

DOB: 12/12/55

Dr Lic: [REDACTED]

Address: 811 GAME RIDGE RD

Race: W Sex: M

Phone: (509)697-4285

City: SELAH, WA 98942

Height: 5'11"

Weight: 212

Eyes: GRN

Hair:

WITNESS : 184269

Last: BAHADAR

First: NEILA

Mid: MARIE

DOB: 07/23/84

Dr Lic: [REDACTED]

Address: 118 N 31ST AVE

Race: W Sex: F

Phone: (509)969-3653

City: YAKIMA, WA 98902

Height: 5'05"

Weight: 140

Eyes: BRO

Hair: BRO

SUSPECT : 89655

Last: ARIAS

First: ROCENDO

Mid:

DOB: 10/03/90

Dr Lic: [REDACTED]

Address: 409 N NACHES AVE

Race: L Sex: M

Phone: (509)594-8432

City: YAKIMA, WA 98901

Height: 5'05"

Weight: 140

Eyes: BRO

Hair: BLK

INVOLVED : 2

Last: GILLETTE

First: CASEY

Mid: L

DOB: 08/09/84

Dr Lic:

Address: 200 S 3RD ST

Race: W Sex: M

Phone: (509)575-6200

City: YAKIMA, WA 98901

Height: 5'07"

Weight: 150

Eyes: BLU

Hair: BRO

CHECK ALL THAT APPLY:

- NON-IMPOUND / TOW
- AAA or OTHER ROADSIDE ASSISTANCE
- EVIDENCE
- SEIZED UNDER RCW 69.50.505
- IMPOUND ONLY
 - UI/PC IMPOUND WITH 12 HOUR HOLD
 - DWLS IMPOUND WITH _____ DAY HOLD
- INFORMATIONAL COPY GIVEN TO SUSPENDED DRIVER.
- REGISTERED OWNER MAY REDEEM _____.
- CHECK INDICATES DRIVER IS DWLS/R AND IS NOT THE REGISTERED OWNER. REGISTERED OWNER / LEGAL OWNER OR AGENT OF THE OWNER MAY REDEEM AT THE END OF THE IMPOUND HOLD.
- CHECK INDICATES THE DRIVER IS DWLS AND IS THE REGISTERED OWNER. DRIVER WILL NEED A SEPARATE RELEASE FORM FROM THE COURT OR THE AGENCY ORDERING THE IMPOUND.

UNIFORM WASHINGTON STATE

CASE / EVIDENCE NUMBER

14Y000448

TOW / IMPOUND AND INVENTORY RECORD

VEHICLE INFORMATION

VIN: W1VW1M1D1G131B1X1X1E131G1O1S1713

LICENSE 0712IJ	STATE WA	YEAR 1999	MAKE VOLVO	MODEL S40
<input type="checkbox"/> Report of Sale	MILEAGE	<input type="checkbox"/> Digital	STYLE LTD	COLOR SILVER

DRIVER		REGISTERED OWNER		LEGAL OWNER	
NAME (LAST, FIRST, MI)		NAME (LAST, FIRST, MI)		NAME (LAST, FIRST, MI)	
STREET ADDRESS		STREET ADDRESS		STREET ADDRESS	
CITY, STATE, ZIP CODE		CITY, STATE, ZIP CODE		CITY, STATE, ZIP CODE	
PHONE	DOB	PHONE		PHONE	

AUTHORIZATION AND RECEIPT

ON THIS DATE OF 1-4-14 AT 0605 (24 HOUR) PURSUANT TO RCW 46.55.085 / .113 AND HAVING PERSONALLY INVENTORIED THE ITEMS IN THE DESCRIBED VEHICLE, I HEREBY AUTHORIZE ELITE TOWING (TOWING FIRM) TO REMOVE THIS VEHICLE FROM 907 E ASB HILL ISLVD

I CERTIFY THAT I HAVE RECEIVED THE ABOVE VEHICLE AND ITS CONTENTS LISTED BELOW.

TOW DRIVER'S SIGNATURE [Signature] DOL TOW TRUCK NO. 5904-01 DATE 1-4-14

EQUIPMENT	DAMAGE	EVIDENCE (DRIVER'S SIDE)	EVIDENCE (PASSENGER'S SIDE)
<input type="checkbox"/> GLOVE BOX LOCKED	<input type="checkbox"/> FRONT SHADE DAMAGED AREA		
<input type="checkbox"/> KEYS []	<input type="checkbox"/> R FRONT		
<input type="checkbox"/> AUTO STEREO	<input type="checkbox"/> R SIDE		
<input type="checkbox"/> AUDIO TAPES / CD'S []	<input type="checkbox"/> R REAR		
<input type="checkbox"/> CB RADIO	<input type="checkbox"/> L FRONT		
<input type="checkbox"/> RADAR DETECTOR	<input type="checkbox"/> L SIDE		
<input type="checkbox"/> TRUNK LOCKED	<input type="checkbox"/> L REAR		
<input type="checkbox"/> SPARE TIRE	<input type="checkbox"/> REAR		
<input type="checkbox"/> JACK	<input type="checkbox"/> TOP		
<input type="checkbox"/> CHAINS	<input type="checkbox"/> UNDERCARRIAGE		
<input type="checkbox"/> OTHER _____	<input type="checkbox"/> OTHER _____		

INVENTORY/EVIDENCE	NARRATIVE OR DIAGRAM (List reason(s) for impound.)
<u>PENDING SEARCH WARRANT</u>	<u>EVIDENCE IN OFFICER INVOLVED SHOOTING</u>

IFY (DECLARE) UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF WASHINGTON THAT THE FOREMENTIONED IS TRUE AND CORRECT. (RCW 9A.72.085)

OFFICER'S SIGNATURE X [Signature] COUNTY, WA BADGE NO. 6862

DRIVER'S SIGNATURE CERTIFIES RECEIPT OF TOW/IMPOUND REPORT AND INFORMATION FOR DRIVERS TO REDEEM IMPOUNDED VEHICLE.

DRIVER'S SIGNATURE X



Unit Number:YI22 DOLDB: Vehicle Registration - 1/4/2014 06:55:55

Unit Number:YI22

DOLDBYI22YP104.L..WA03905A4.LIC/ 071ZIJ

VIN/ WWWMD63BXXE360573

.VYR/ 1999 .VMA/ VOLKS .VMO/ PAS4D

EXP DATE/ 09-29-2014

BUSTETTER, BECKY A

1010 S 9TH ST

APT 210

YAKIMA, WA, 98901

LEGAL OWNER SAME AS ABOVE

TITLE/ 10-14-2011 1334701707

TAB# IS G963765 14

PREV TAB W962871 13

PLATE ISSUE DATE/ 07-2009

FIRST COLOR IS SILVER

SECOND COLOR IS NO COLOR

[Search More](#)

Vehicles

1

Vehicle Number:

14050

License Plate: 071ZIJ

State: WA

Vehicle Year: 1999

Make: VOLK Volkswagen

Color: SIL /

Vehicle Type: PCAR Passenger Car

License Type: PC Regular Passenger Automobile

Expires: 09/29/14

VIN: WVWMD63BXXE3605
73

Model: PASS

Doors: 4

Value: \$0.00

Owner:

Last: BUSTETTER

First: BECKY

Mid: ANN

DOB: 01/24/59

Dr Lic: [REDACTED]

Address: 1203 S 16TH AVE; 1

Race: W

Sex: F

Phone: (509)453-5855

City: YAKIMA, WA 98902

Height: 5'04"

Weight: 150

Eyes: BRO

Hair: BLK

Agency: YKPD Yakima Police Department

Date Recov/Rcvd: **/**/**

Officer: Thorn C

Area:

UCR Status:

Wrecker Service:

Local Status: EIS EVIDENCE IN STORAGE

Storage Location:

Status Date: 01/04/13

Release Date: **/**/**

Comments:

Vehicle Number:

14050

License Plate: 071ZIJ

State: WA

Vehicle Year: 1999

Make: VOLK Volkswagen

Color: SIL /

Vehicle Type: PCAR Passenger Car

License Type: PC Regular Passenger Automobile

Expires: 09/29/14

VIN: WVWMD63BXXE3605
73

Model: PASS

Doors: 4

Value: \$0.00

Owner:

Last: BUSTETTER

First: BECKY

Mid: ANN

DOB: 01/24/59

Dr Lic: [REDACTED]

Address: 1203 S 16TH AVE; 1

Race: W

Sex: F

Phone: (509)453-5855

City: YAKIMA, WA 98902

Height: 5'04"

Weight: 150

Eyes: BRO

Hair: BLK

Agency: YKPD Yakima Police Department
Officer: Thorn C
UCR Status:
Local Status: EIS EVIDENCE IN STORAGE
Status Date: 01/04/13
Comments:

Date Recov/Revd: **/**/**
Area:
Wrecker Service:
Storage Location:
Release Date: **/**/**

Yakima Police Department - CRIME SCENE ENTRY LOG SHEET

ALL PERSONS ENTERING THE CRIME SCENE MUST SIGN THIS SHEET

Incident #: 144000 448

Scene Location: 907 E 266 Hill Blvd

Officer / PSN Completing Log: E WALK # 7456

NAME	INITS.	AGENCY	IN DATE / TIME	OUT DATE / TIME	REASON FOR ENTERING	RED ZONE ENTERED*
R. Fowler		YPD	1/4/14 1 0325	1 0450		<input checked="" type="checkbox"/>
C. Swanson		YPD	1/4/14 1 0325	1/4/14 1 0339		<input type="checkbox"/>
G. WALK		YPD	1/4/14 1 0325	1 0450		<input type="checkbox"/>
J. Schneider		YPD	1/4/14 1 0330	1/4/14 1 0333		<input checked="" type="checkbox"/>
Burdwell		YPD	1/4/14 1 0335	1/4/14 1 0339		<input checked="" type="checkbox"/>
R. Davis		YPD	1/4/14 1 0339	1		<input type="checkbox"/>
D. Lee		YPD	1/4/14 1 0339	1/4/14 1 0349		<input checked="" type="checkbox"/>
D. Stow		YPD	1/4/14 1 0339	1/4/14 1 0349		<input checked="" type="checkbox"/>
Burdwell		YPD	1/4/14 1 0339	1/4/14 1 0351		<input checked="" type="checkbox"/>
M. Wentz		YPD	1/4/14 1 0346	1/4/14 1 0402		<input checked="" type="checkbox"/>
R. Hampton		YPD	1/4/14 1 0347	1/4/14 1 0349		<input checked="" type="checkbox"/>
M. Wentz		YPD	1/4/14 1 0412	1		<input checked="" type="checkbox"/>
C. Belton		YPD	1/4/14 1 0428	1		<input checked="" type="checkbox"/>
J. Schneider		YPD	1/4/14 1 0432	1/4/14 1 0436		<input checked="" type="checkbox"/>
Concannon		YPD	1/4/14 1 0436	1		<input checked="" type="checkbox"/>
Baker		YPD	1/4/14 1 0438	1		<input checked="" type="checkbox"/>
Moore		YPD	1/4/14 1 0440	1		<input type="checkbox"/>
G. Jones		YPD	1/4/14 1 0445	1		<input type="checkbox"/>
Stow		YPD	1/4/14 1 0449	1		<input type="checkbox"/>
Hampton		YPD	1/4/14 1 0449	1		<input type="checkbox"/>
CATS		YPD	1/4/14 1 0449	1		<input type="checkbox"/>
			1	1		<input type="checkbox"/>
			1	1		<input type="checkbox"/>
			1	1		<input type="checkbox"/>

*ENTRY INTO RED ZONE REQUIRES REPORT



Yakima Police Department

Report for Incident 14M0019

Nature: AGENCY ASSIST

Address: 907 E NOB HILL BLVD; CLASSIC
AUTO WASH
YAKIMA WA 98901

Location: Y3

Offense Codes: SPC, ASST, DDFA, DBOD

Received By: Towle Amanda

How Received: O

Agency: MXPDP

Responding Officers: Gillette Casey, Thorn C, Althausen B, Salinas J, Davis R, Walters R, Yates J, Saldana C, Way T, Santucci C, McNearney M, Rojas J, Martin B, James M, Walk G, Wisner R, Gronewald S, Yakima PD, Agledal Ein, Jones G, Soptich D, Yates R, Fowler R, Hampton K, Bardwell T, Shaw D, Jensen S, Belton C, Moore J, Cays K

Responsible Officer: Jensen S

Disposition: CLO 01/04/14

When Reported: 02:56:22 01/04/14

Occurred Between: 02:56:22 01/04/14 and 02:56:22 01/04/14

Assigned To:

Detail:

Date Assigned: **/**/**

Status:

Status Date: **/**/**

Due Date: **/**/**

Complainant:

Last:

First:

Mid:

DOB: **/**/**

Dr Lic:

Address:

Race:

Sex:

Phone:

City: ,

Offense Codes

Reported: SPC Suspicious Person/Circumstance

Observed: ASST Agency Assist

Additional Offense: SPC Suspicious Person/Circumstance

Additional Offense: ASST Agency Assist

Additional Offense: DDFA Discharged Duty Firearm

Additional Offense: DBOD Dead Body

Circumstances

Responding Officers:

Unit :

Gillette Casey

YD3

Thorn C

YD6

Althausen B

YD1

Salinas J

YC6S

Davis R

YD2

Walters R

YK91

Yates J

YK93

Narrative

Incident Narrative Report

While on duty for the duty for the City of Moxee on the listed date and time, I (Officer Jensen) had just cleared an assist for the County at the Polly Lane apartments. As I was returning to Moxee, I overheard radio traffic from Yakima PD, that an officer had been involved in a shooting incident at the East Valley car wash. I responded to the area and parked my patrol unit at the East side of the incident on Nob Hill Blvd. I approached the nearest YPD unit, Officer Saldana, and offered assistance. I assisted this Officer with stringing yellow barricade tape from the far East end of the car wash to the Eastern entrance. Shortly after that I was advised by Sgt. James that he had spoken with YPD supervisors and no additional assistance was needed. End of my involvement.

I certify (or declare) under penalty of perjury under the laws of the State of Washington that the foregoing report, written in the County of Yakima is true and correct, and I am entering my authorized user ID and password to authenticate it.

Date, Time: Sat Jan 04 04:29:30 PST 2014

Reporting Officer: Officer Jensen

Supplement

CAD Call info/comments

=====

03:03:36 01/04/2014 - West J
all code 4/scene secure reopen ch 1
03:03:49 01/04/2014 - West J
INITIAL CALL ...D3 ADVISING SHOTS FIRED/ONE DOWN
03:04:56 01/04/2014 - Giles J
071ZIJ IS PLATE TO VEH INVOLVED
03:05:09 01/04/2014 - West J
***LT JONES HAS BEEN NOTIFIED IS ENR
03:21:44 01/04/2014 - West J
6S ENR YPD
05:53:10 01/04/2014 - Towle Amanda
ELITE ENRT



Yakima Police Department

Report for Incident 14U000072

Nature: SUSPICIOUS CIRC

Address: 907 E NOB HILL BLVD; CLASSIC
AUTO WASH
YAKIMA WA 98901

Location: Y3

Offense Codes: SPC, ASST

Received By: Towle Amanda

How Received: O

Agency: UGPD

Responding Officers: Gillette Casey, Thorn C, Althausen B, Salinas J, Davis R, Walters R, Yates J, Saldana C, Way T, Santucci C, McNearney M, Rojas J, Martin B, James M, Walk G, Wisner R, Gronewald S, Yakima PD, Agledal Ein, Jones G, Soptich D, Yates R, Fowler R, Hampton K, Bardwell T, Shaw D, Jensen S, Belton C, Moore J, Cays K

Responsible Officer: Way T

Disposition: INF 01/06/14

When Reported: 02:56:22 01/04/14

Occurred Between: 02:56:22 01/04/14 and 02:56:22 01/04/14

Assigned To:

Detail:

Date Assigned: **/**/**

Status:

Status Date: **/**/**

Due Date: **/**/**

Complainant:

Last:

First:

Mid:

DOB: **/**/**

Dr Lic:

Address:

Race:

Sex:

Phone:

City: ,

Offense Codes

Reported: SPC Suspicious Person/Circumstance

Observed: ASST Agency Assist

Additional Offense: SPC Suspicious Person/Circumstance

Additional Offense: ASST Agency Assist

Circumstances

LT18 Parking Lot or Garage

Responding Officers:

Unit :

Gillette Casey

YD3

Thorn C

YD6

Althausen B

YD1

Salinas J

YC6S

Davis R

YD2

Walters R

YK91

Yates J

YK93

Saldana C

YC4

Narrative

Union Gap Police Department Incident Report

CASE#: 14U000072

DATE: 01-04-14

INCIDENT: Officer Involved Shooting / Agency Assist

SYNOPSIS: On 01-04-14 Union Gap Officers assisted Yakima PD Officers in an Officer involved shooting at 909 E. Nob Hill Blvd.

NARRATIVE: On 01-04-14 at approx. 0253 hours I heard over the radio as Officer Gillette with YPD called out with an occupied vehicle at Classic Auto Wash at 909 E. Nob Hill Blvd. Several minutes later I heard Officer Gillette call out shots fired. Officer Santucci and I drove to the scene to back up Officer Gillette. On our way to the scene I heard Officer Gillette call out that the suspect was down.

We arrived and I saw Officer Gillette standing beside an open front passenger door of a vehicle on the west side of the car wash. The car was facing west. Officer Gillette was pointing his gun inside the vehicle. YPD Officers arrived as we approached the vehicle. I could see a subject slumped inside the vehicle behind the steering wheel. I could see blood in the vehicle.

An Officer in front of me informed us that the suspect had a gun in his hand and his finger was on the trigger. The Officer also said the gun had an orange tip on it. YPD Officers secured the weapon and they called medical in to attempt treatment on the suspect. This ended my involvement in the incident.

Coban: Yes _____ No X _____

I certify (or declare) under penalty of perjury under the laws of the State of Washington that the foregoing report, written in the County of Yakima, City of Union Gap is true and correct, and I am entering my authorized user ID and password to authenticate it.

Reporting Officer: T. Way 441

Sat Jan 04 17:47:29 PST 2014

Supplement

Union Gap Police Department Supplemental Report

CASE#: 14U000072

DATE: Sat Jan 04 04:08:12 PST 2014

INCIDENT: AGENCY ASSIST

NARRATIVE: 1/4/14 approx 0256 I heard a YPD officer advise of shots fired. A moment later SunComm was able to reach the officer, identified as D3. I looked at the map and saw that he was near Nob Hill and Fair Ave.

I heard Ofc Gillette advise that shots had been fired and the subject was down. YPD Sgt Salinas then advised for all units to head to Ofc Gillette's location. I advised SunComm on Channel 2 that Union Gap units would respond to assist.

I arrived and saw there were numerous YPD units on scene.

I was asked to stand with Ofc Gillette for a moment. I did so until he was taken to the YPD by one of their officers.

YPD had sufficient officers on scene. I advised YPD Sgt Wisner that Union Gap would assist with any calls that needed to be handled and then I cleared the scene.

Coban: Yes _____ No _____

I certify (or declare) under penalty of perjury under the laws of the State of Washington that the foregoing report, written in the County of Yakima, City of Union Gap is true and correct, and I am entering my authorized user ID and password to authenticate it.

Reporting Officer: Sgt Monty McNearney

Supplement

Union Gap Police Department Supplemental Report

CASE#:14U000073

DATE:01/04/2014

INCIDENT: OFFICER INVOLVED SHOOTING-AGENCY ASSIST

NARRATIVE:

On 01/04/2014 at around 0256 hours I had heard radio traffic from a Yakima Police Officer advising shots fired. I had heard him call out with a vehicle at the east side car wash, 909 E Nob Hill Blvd. I detailed that area to assist the Officer.

I arrived on scene and observed the Officer involved, Officer Casey Gillette on the passenger side of the vehicle, Washington license 071-ZIJ. The door was open. I approached to assist as several YPD officer were arriving. Officer Gillette stated that the suspect still was holding a gun in his hand. A YPD officer on the drivers side stated the firearm was pointed towards the driver's side and the suspect was still holding the handgun. Several verbal commands were given but there was no response. I went back over to the passenger side and gloved up to assist in possible medical aid.

On the passenger side, I looked in and observed the suspect in the vehicle whom appeared to be a Hispanic Male. His head was down. I immediately saw in his right hand a hand gun, what appeared to be of small caliber. The suspect was still holding the handgun. I could see obvious head trauma and an extensive amount of blood. There appeared to be no movement from the suspect.

At this point many Yakima Police Officers were on scene. I observed a YPD Officer remove the handgun from the suspects right hand. There was no movement from the suspect. It was then I saw the orange tip.

Per Sgt. McNearney I was no longer needed on scene. I cleared and had no further involvement.

Coban: Yes ___xxx___ No _____

I certify (or declare) under penalty of perjury under the laws of the State of Washington that the foregoing report, written in the County of Yakima, City of Union Gap is true and correct, and I am entering my authorized user ID and password to authenticate it.

Reporting Officer: Curtis Santucci

Supplement

CAD Call info/comments

=====

03:03:36 01/04/2014 - West J
all code 4/scene secure reopen ch 1
03:03:49 01/04/2014 - West J
INITIAL CALL ...D3 ADVISING SHOTS FIRED/ONE DOWN
03:04:56 01/04/2014 - Giles J
071ZIJ IS PLATE TO VEH INVOLVED
03:05:09 01/04/2014 - West J
***LT JONES HAS BEEN NOTIFIED IS ENR
03:21:44 01/04/2014 - West J
6S ENR YPD
05:53:10 01/04/2014 - Towle Amanda
ELITE ENRT



Yakima Police Department

Report for Incident 14C00190

Nature: AGENCY ASSIST

Address: 907 E NOB HILL BLVD; CLASSIC
AUTO WASH
YAKIMA WA 98901

Location: Y3

Offense Codes: ASST, SPC

Received By: Towle Amanda

How Received: O

Agency: YCSO

Responding Officers: Gillette Casey, Thorn C, Althausen B, Salinas J, Davis R, Walters R, Yates J, Saldana C, Way T, Santucci C, McNearney M, Rojas J, Martin B, James M, Walk G, Wisner R, Gronewald S, Yakima PD, Agledal Ein, Jones G, Soptich D, Yates R, Fowler R, Hampton K, Bardwell T, Shaw D, Jensen S, Belton C, Moore J, Cays K

Responsible Officer: Rojas J

Disposition: CLO 01/04/14

When Reported: 02:56:22 01/04/14

Occurred Between: 02:56:22 01/04/14 and 02:56:22 01/04/14

Assigned To:

Detail:

Date Assigned: **/**/**

Status:

Status Date: **/**/**

Due Date: **/**/**

Complainant:

Last:

First:

Mid:

DOB: **/**/**

Dr Lic:

Address:

Race:

Sex:

Phone:

City: ,

Offense Codes

Reported: SPC Suspicious Person/Circumstance

Observed: ASST Agency Assist

Additional Offense: ASST Agency Assist

Additional Offense: SPC Suspicious Person/Circumstance

Circumstances

Responding Officers:

Unit :

Gillette Casey

YD3

Thorn C

YD6

Althausen B

YD1

Salinas J

YC6S

Davis R

YD2

Walters R

YK91

Yates J

YK93

Saldana C

YC4

Way T

U441

Santucci C	U444
McNearney M	U434
Rojas J	C86
Martin B	C104
James M	C38
Walk G	YC5
Wisner R	YD16S
Gronewald S	YC9
Yakima PD	YPCOM
Agledal Ein	YC7
Jones G	Y5L
Soptich D	YD9
Yates R	YD9
Fowler R	YC17S
Hampton K	YI22
Bardwell T	YI3S
Shaw D	YI14
Jensen S	M723
Belton C	YT15S
Moore J	YT20
Cays K	YI21

Responsible Officer: Rojas J
Received By: Towle Amanda
How Received: O Officer Report

When Reported: 02:56:22 01/04/14
Judicial Status:
Misc Entry:

Agency: YCSO
Last Radio Log: 07:25:19 01/04/14 CMPLT
Clearance: CRO Cleared by Responding Officer
Disposition: CLO **Date:** 01/04/14
Occurred between: 02:56:22 01/04/14
and: 02:56:22 01/04/14

Modus Operandi: **Description :** **Method :**

Involvements

Date	Type	Description	
01/04/14	Cad Call	02:56:22 01/04/14 SUSPICIOUS CIRC	Initiating Call

Narrative

Yakima County Sheriff's Office - Incident Narrative Report

DO NOT DISCLOSE _XXX_ DISCLOSE ____

On 01/04/14 at about 0258 hrs, Yakima PD requested assistance with an officer involved shooting at 909 E Nob Hill Blvd. On arrival I stopped eastbound traffic on E Nob Hill Blvd and La Follette.

I stood by outside the crime scene until YPD advised to open the roadway. After opening the roadway I cleared with no further actions taken. I did not enter the crime scene at any time.

I certify (or declare) under penalty of perjury under the laws of the State of Washington that the foregoing report, written in the County of Yakima is true and correct, and I am entering my authorized user ID and password to authenticate it.

Date, Time:

Sat Jan 04 05:44:25 PST 2014

Reporting Officer:

J. Rojas #86

Supplement

Yakima County Sheriff's Office - Incident Narrative Report

DO NOT DISCLOSE XXX DISCLOSE ____

On 01-04-14 at about 0258 hours I was sent to 907 E Nob Hill Blvd to assist YPD with an officer involved shooting. I arrived at the scene at approximately the same time as Sergeant Max James. I stood by out on E Nob Hill Blvd near the south east corner of the parking. Sergeant James said he would check to see where they needed us. Sergeant James came back a few minutes later and said we could leave the scene. I then left the scene and had dispatch clear me from the call.

I certify (or declare) under penalty of perjury under the laws of the State of Washington that the foregoing report, written in the County of Yakima, is true and correct. My typed name below is my signature

Date, Time:

Sat Jan 04 03:56:40 PST 2014

Reporting Officer:

Bradly D Martin #104

Supplement

Yakima County Sheriff's Office - Incident Narrative Report

DO NOT DISCLOSE ____ DISCLOSE ____

On 01-04-14 at about 0258 hours I was sent to 909 E Nob Hill Blvd to assist YPD with an officer involved shooting. I arrived at the scene at approximately the same time as Deputy Brad Martin and Jesse Rojas. I parked my car on the east side of the location south of the parking area that was being cordoned off with Deputy Martin. I then contacted Sergeant Wisner and Lt Jones of YPD. It was determined that we could clear and we did so.

I certify (or declare) under penalty of perjury under the laws of the State of Washington that the foregoing report, written in the County of Yakima, is true and correct. My typed name below is my signature

Date, Time: Sat Jan 04 04:17:34 PST 2014

Reporting Officer: Sgt. Max James #38

Supplement

CAD Call info/comments

=====

03:03:36 01/04/2014 - West J
all code 4/scene secure reopen ch 1
03:03:49 01/04/2014 - West J
INITIAL CALL ...D3 ADVISING SHOTS FIRED/ONE DOWN
03:04:56 01/04/2014 - Giles J
071ZIJ IS PLATE TO VEH INVOLVED
03:05:09 01/04/2014 - West J
****LT JONES HAS BEEN NOTIFIED IS ENR
03:21:44 01/04/2014 - West J
6S ENR YPD
05:53:10 01/04/2014 - Towle Amanda
ELITE ENRT

Supplement

Yakima Police Department - Incident Narrative Report

Incident #: 14Y000448

Synopsis: Officer Involved Shooting

Narrative:

On 01-04-14 at approximately 0255 hrs, I was at the City Shops speaking with Sgt. Rich Fowler when I heard an officer advise "shots fired". I asked Sgt. Fowler if that meant the officer heard shots or something else. Shortly afterward, the officer advised "subject down". Officer Fowler and I got into our patrol vehicles and I drove code directly to the scene.

I arrived at the scene at approximately 0302 hrs. When I arrived, several officers were already on scene at 907 East Nob Hill, Classic Auto Wash. I walked into the parking lot via the southwest corner of the property. I could see several patrol cars in the lot. Parked among the vacuum cleaners along the west side of the property was a silver Volkswagen facing west, license 071-ZIJ.

A male was seated in the driver seat of the silver Volkswagen. He was bleeding from what appeared to be a head wound. He was slumped forward and his right arm was extended across the center console and resting against the front corner of the passenger seat. Paramedics arrived on scene and declared the patient deceased at 0313 hrs.

I learned that the officer involved in the shooting incident was Officer Casey Gillette. He was seated inside Officer James Yates' patrol vehicle. I directed Officer Dustin Soptich to surround the parking lot with yellow evidence tape. I directed Officer Garrett Walk to maintain a list of the officers present and to add anyone else who entered the yellow evidence tape barrier. Sgt. Ryan Wisner advised he was going to go to the station with Officer Gillette. Officer James Yates transported Officer Gillette to the station.

I took several photographs of the scene. I used yellow evidence markers A through E to mark shell casings and a spent bullet that I located outside the passenger side of the vehicle.

I spoke by phone with Lt. Gary Jones and advised him of the situation. He advised he was on his way to the scene. When Lt. Jones arrived at the scene, I advised him of what occurred. I obtained a Summary Statement sheet from Lt. Jones and drove to the station.

I drove to the station and contacted Officer Gillette in the YPD muster room. He was with Officer James Yates. Officer Tony Patlan, Sgt. Ryan Wisner, and Lt. Jones were also present. I read the Summary Statement card verbatim to Officer Gillette. He was formally ordered to provide answers to the questions on the card. I did not deviate in any way from the summary statement card. As he answered my questions, I wrote down exactly what he said.

Officer Gillette said he fired rounds south, southwest. He said that the suspect did not fire any rounds. He advised there was no one else inside the vehicle and that there were no other suspects outstanding. Officer Gillette said that his gun and flashlight were items of evidence that needed protecting. He said he left his flashlight at the scene. He identified a witness as his fiancée who

happened to be riding with him this night. She had been transported to the station and was waiting in the break room.

I thanked Officer Gilette for his time and left the muster room. I later provided the Summary Statement card to Detective Kasey Hampton and Detective Drew Shaw.

I contacted Officer James Yates in the muster room and advised him that I needed to photograph the firearm. Officer Yates advised me earlier that he secured the firearm in his patrol vehicle. I followed Officer Yates to his patrol vehicle in the YPD parking lot. Officer Yates removed a paper bag from the cargo area of his patrol vehicle. He opened the sack and I took three photographs of the firearm. I could see that the firearm had an orange tip on the end of the muzzle.

Officer Yates remarked to me that immediately after the incident, he observed the firearm in the driver's lap and the orange tip was not visible. Officer Yates said he thought the firearm was real and he was trying to figure out a way to remove the firearm from the subject's hand and secure it without setting it off.

I certify (or declare) under penalty of perjury under the laws of the State of Washington that the foregoing report, written in the County of Yakima, is true and correct. My typed name below is my signature.

Coban: Yes: No:

Date, Time: 01-04-14, 0434

Reporting Officer: Sgt. J. Salinas / 3686

Supplement

Yakima Police Department - Incident Narrative Report

Incident #: 14Y-000448

Synopsis: Officer Involved Shooting

Narrative:

On 01-04-14 at approximately 0300hrs I was assisting patrol units at 621 N. 16th Ave when I heard Officer Gillette advise over the Police radio, "David 3, shots fired."

I immediately ran to my patrol car to head to his location. Within seconds it was broadcast that Officer Gillette, David 3, was at 900 E. Nob Hill Blvd. but was updated while enroute to Classic Auto Wash, which is located at 907 E. Nob Hill Blvd. I contacted my Lieutenant, Lieutenant Jones of the situation as I was responding.

When I arrived I saw multiple Police Officers already on the scene so I went directly to Officer Gillette who was standing next to Officer J. Yates patrol car. I asked Officer Gillette if he was okay and he stated he was. I then went and asked his citizen rider if she as okay and she stated she was. I went to the vehicle that the deceased was in and saw Police Officers checking the deceased for a pulse.

Sgt. Salinas arrived and we conferred momentarily then ordered Officer Soptich to tape off the crime scene and then ordered Officer Walk to be the scribe at the scene.

I went and spoke to Officer Gillette briefly again, while he was now seated in Officer J. Yates patrol car in the front passenger seat. I did not have a Summary Statement card avail so I only asked Officer Gillette, which direction his rounds went and the back stop. He stated and motioned in a southwesterly direction.

Officer J. Yates transported Officer C. Gillette to the Yakima Police Department and I followed. While at the department I had Officer J. Yates and Officer Gillette go into the muster room to await further. While waiting I gave Officer Gillette a copy of the Employee Rights Card and guided him to the portion "If you are involved in a lethal force incident" He read it. Sgt. Salinas, Lieutenant Jones and Officer A. Patlan (YPPA President) arrived within moments of each other and entered the muster room. Sgt. Salinas had a YPD Summary Statement to Supervisor in his custody and read it verbatim to Officer Gillette. (See Sgt. Salinas' report for further)

Officer Gillette remained with Officer A. Patlan. (See further reports)

I certify (or declare) under penalty of perjury under the laws of the State of Washington that the foregoing report, written in the County of Yakima, is true and correct. My typed name below is my signature.

Coban: Yes: X No:

Date, Time: Sat Jan 04 04:48:25 PST 2014

Reporting Officer: R. Wisner #4649

Supplement

Yakima Police Department - Incident Narrative Report

Incident #: 14Y000448

Synopsis: OFFICER INVOLVED SHOOTING

Narrative:

On 01-04-14 at 0256 hrs, I was training Officer Soptich (D9) and we were pulling into the main station when we heard Officer Gillette state over the radio that he had shots fired. I immediately told Officer Soptich to head to his location at the east side car wash, 907 E Nob Hill Blvd.

Upon arrival, we were the first unit to arrive and I saw Officer Gillette standing on the passenger side of the suspect vehicle, WA License 071ZIJ, with his service weapon drawn. He was on the west side of the car and the suspect vehicle was parked in one of the vacuum stalls. I yelled at Officer Gillette where did he need me and he didn't respond. I went to the driver's side of the suspect vehicle and noticed that the door was closed and it looked to be a gun shot through the window.

When I looked in the window, I noticed that the suspect's chin was tucked to his chest and there was a black gun on his lap, pointing at the driver's side door. I also noticed that the gun had an orange tip at the end of the muzzle, but the officers on the passenger side said they could not see it. The suspect's right index finger was on the trigger, I updated the officers around me. I had Officer Soptich behind me at the driver's back passenger door covering.

I told Officer J. Yates, who was on the passenger side, that he would have to secure the weapon from that side since it would not be safe to open the driver's door with the weapon pointing at us. Officer J. Yates secured the weapon and I opened the driver's door and attempted to find a pulse on the suspect.

I then directed Officer Soptich to tape off the scene to secure the scene. Once the scene was secure, Sergeant Fowler advised that we could leave the scene. We detailed to the station to complete the reports.

I certify (or declare) under penalty of perjury under the laws of the State of Washington that the foregoing report, written in the County of Yakima, is true and correct. My typed name below is my signature.

Coban: Yes: X No:

Date, Time: 01-04-14 / 0256 HRS

Reporting Officer: R. YATES 7051

Supplement

Yakima Police Department - Incident Narrative Report

Incident #: 14Y000448

Synopsis: Officer initiated a traffic stop. Shots fired.

Narrative: On 01-04-14, around 0300 hours, I responded to 909 E Nob Hill Blvd in regards to an Officer calling out shots fired on a traffic stop.

I arrived and witnessed Officer Gillette standing at the rear passenger side quarter panel of a silver four door car. I was the second responding car to arrive on scene. The suspect car was parked at a car wash parking lot next to the vacuum machines. Officer Gillette had his pistol drawn and was ordering the driver of the vehicle to show him his hands. Officer R. Yates and Officer Soptich arrived before me and were on the driver side of the vehicle with their pistols drawn. I went up to the passenger side near Officer Gillette as Officer R. Yates was giving the driver of the vehicle commands to show us his hands. One of the Officers on scene advised that the suspect was not moving. Officer J. Yates reached into the vehicle and secured a pistol. I could not see the pistol from my point of view on the vehicle.

Once I could see inside I witnessed an adult male sitting in the driver side of the vehicle bleeding from the head. His chin was touching chest and both hands were down at his sides. I could see a hole in his right side temple and a larger hole on the side of his head on the left side. Officer R. Yates stated that the subject had a very weak pulse. The subject was left in position and paramedics were called in to check the subject. Paramedics declared the subject dead at the scene.

On the passenger side door of the vehicle I witnessed one hole through the front passenger side window and a large, deep dent in the middle pillar of the vehicle. Below the dent was a bullet laying on the cement. Laying on the cement about five feet in front of the passenger side vehicle were four shell casings. All casings and bullets were marked. A crime scene inner and outer perimeter were established at the scene. I cleared the scene around 0325 hours.

I certify (or declare) under penalty of perjury under the laws of the State of Washington that the foregoing report, written in the County of Yakima, is true and correct. My typed name below is my signature.

Coban: Yes: (x) No:

Date, Time: Sat Jan 04 03:58:11 PST 2014

Reporting Officer: B. Althausen 7419

Supplement

Yakima Police Department - Incident Narrative Report

Incident #: 14Y000448

Synopsis: Responded to officer involved shooting. Once on scene, recovered the suspects weapon. Transported the suspect weapon and the involved officer to YPD.

Narrative:

On 01-04-2014 at approx 0258 hours, I overheard Officer C. Gillette advise, via his radio, that shoots were fired and one suspect was down. I responded from the 1600 block of Perry St, traveling north on 16th Ave, then east on Nob Hill Blvd. While responding I looked at my MDC to get the location of Officer Gillette. Dispatch had his location at 907 E. Nob Hill Blvd. I responded with lights and sirens activated.

Upon arrival, I entered through the west parking lot entrance just behind Officer Gillette's vehicle. I noticed several officers approaching a silver Volkswagon (Wa.Lic# 071-ZIJ). I exited my vehicle and assisted other officers at the suspect vehicle. As I approached I observed the vehicle windows had dark tint and I could not tell how many persons were inside the vehicle. Most officers were standing near the drivers side of the suspect vehicle so I moved to the passenger side with Officer Gillette and Officer C. Thorn.

Once I moved to the passenger side of the vehicle, I overheard Officer R. Yates advise the suspect was still holding the weapon in his hand and his finger was still on the trigger. Officer R. Yates stated the weapon was in his lap. I advised Officer Gillette to step back and asked Officer Thorn to move up. At this point I advised Officers to hold their positions as I looked to see the safest way to retrieve the weapon from the suspect. I looked inside and noticed no movement from the suspect and a heavy about of blood. I also noticed the suspect was still holding the weapon in his right hand which was sitting across his lap. Officer R. Yates advised from his angle on the drivers side the weapon was pointed towards the drivers side door and the suspects finger was still on the trigger. Officer R. Yates advised me the best location to retrieve the weapon was from my side (passenger side). I put on medical gloves, which I carry on my persons, and advised Officer R. Yates and Officer C. Thorn to cover me as I reach in take the weapon from the suspect.

As I reached in from the passenger side, I noticed the barrel of the weapon was pointed towards the driver side (south) and the suspects left leg. The suspects finger was still on the trigger as I began pulling it from his right hand. Once I had the weapon I moved back to my patrol vehicle. This weapon was a small hand gun, which was black with brown grips. I noticed the weapon was made of plastic and had a small orange tip at the barrel. Once at my vehicle I placed the weapon in a brown evidence bag and secured it in the rear trunk area.

I advised Officer Gillette to come over to my patrol vehicle and asked him to sit in the passenger seat. I stayed with Officer Gillette until I was advised by Sgt R. Wisner to transport Officer Gillette to YPD. I arrived at YPD at approx 0312 hours and sat with Gillette in the departments muster room. Sgt Wisner arrived in the muster room and advised me to stay with Officer Gillette until Sgt Salinas arrived.

At approx 0325 hours Sgt Salinas arrived and read Officer Gillette a Yakima Police Department "Summery Statement to Supervisors". Officer Gillette was advised not to speak to other officers regarding the incident. In the room at this time these questions were read to Gillette was, myself, Officer A. Patlan (YPPA representative), Lt G. Jones, Sgt R. Wisner, and Sgt J. Salinas.

I left the room shortly after this when detectives arrived. At approx 0400 hours I removed the suspects weapon from my locked patrol vehicle and was advised to turn the weapon over to detectives. At approx 0404 hours I handed this weapon over to the custody of Detective D. Shaw in his office.

I certify (or declare) under penalty of perjury under the laws of the State of Washington that the foregoing report, written in the County of Yakima, is true and correct. My typed name below is my signature.

Coban: Yes:X No:

Date, Time: Sat Jan 04 05:26:57 PST 2014

Reporting Officer: J. Yates #6666

Supplement

03:56:16 01/04/2014 - Adams T
Yakima Police Department - Incident Narrative Report

Incident #: 14Y000448

Synopsis: I RESPONDED TO AN OFFICER INVOLVED SHOOTING, BUT NEVER ENTERED THE SCENE.

Narrative:

ON THE LISTED DATE AND TIME, I HAD JUST CALLED OUT OF SERVICE AND WAS AT MY HOUSE, WHEN I HEARD OVER THE RADIO THAT OFFICER GILLETTE (D3) HAD CALLED OUT "SHOTS FIRED - SUSPECT DOWN". I KNOW MOMENTS BEFORE THAT I HEARD OFFICER GILLETTE CALL OUT WITH AN OCCUPIED VEHICLE AT THE CAR WASH LOCATED NEAR S. 9TH STREET AND E. NOB HILL BLVD.

NEXT, I HEARD SERGEANT WISNER REQUEST ALL UNITS TO HEAD TO THE SCENE. I DROVE CODE THREE TO THE AREA TO FIND MANY OTHER UNITS FROM DIFFERENT JURISDICTIONS ALREADY ON SCENE. OFFICERS WERE ALREADY PUTTING UP CRIME SCENE TAPE AND I NEVER ENTERED THE INTERIOR PERIMETER. I CONTACTED SERGEANT WISNER WHO REQUESTED THAT I HANDLE CALLS FOR SERVICE DURING THE INCIDENT.

I CLEARED THE LOCATION AND ENDED MY INVOLVMENT.

I certify (or declare) under penalty of perjury under the laws of the State of Washington that the foregoing report, written in the County of Yakima, is true and correct. My typed name below is my signature.

Coban: Yes: X No:

Date, Time: Saturday, Jan. 04, 2014 03:54:20

Reporting Officer:

Supplement

Yakima Police Department - Incident Narrative Report

Incident #: 14y000448

Synopsis:

Dispatched to an Officer involved shooting. Upon arrival the scene was being secured by evidence tape, and the suspect was being evaluated by paramedics. This concluded my involvement.

Narrative:

On 1/4/14 at approximately 0257 hrs I heard over the radio, "Shots fired." I was unable to hear the call sign of the unit who had made the statement. Soon after dispatch had requested all available units to respond to 907 E Nob Hill Blvd in order to assist Officer Gillette at the location as he had announced that shots had been fired at a suspect.

I drove to the location with lights and siren activated, and arrived at approximately 0305 hrs. Upon my arrival multiple officers were already at the location. I observed the suspects vehicle, WA plate 071-ZIJ, was parked on the west side of the car wash between vacuums. I also observed Officer Gillette's patrol vehicle parked to the east of the suspects vehicle.

Paramedics were at the location evaluating the suspect, and Officers were placing evidence tape around the car wash, in order to secure the area.

After paramedics had concluded their evaluation. Sgt Salinas advised to look for any impact of the bullet that had passed through the driver's side window. I searched the cover of the trash can which was directly south of the driver's side window. I could see a slight indent on the metal attached lid. Inside of the indent was a small piece of red and white substance. The indent in the metal did not penetrate the metal.

At 0324 hrs, Sgt Salinas advised that the area was secured and I was no longer needed at the location. This concluded my involvement.

I certify (or declare) under penalty of perjury under the laws of the State of Washington that the foregoing report, written in the County of Yakima, is true and correct. My typed name below is my signature.

Coban: Yes:x No:

Date, Time: Sat Jan 04 04:04:57 PST 2014

Reporting Officer: Walters, R 7282

Supplement

04:39:13 01/04/2014 - Gronewald S
Yakima Police Department - Incident Narrative Report

Incident #: 14Y000448

Synopsis: RESPONDED TO ASSIST YPD OFFICER THAT CALLED OUT WITH SHOTS FIRED.
ARRIVED ON SCENE AND ASSISTED IN SETTING A PERIMETER.

Narrative:

On 01/03/13, at approximately 0256 hours, I responded to 907 E NOB HILL BLVD; CLASSIC AUTO WASH to assist Officer Gillette, who had called out with shots fired. I arrived on scene behind other officers and watched as Officer R. Yates and Officer Stopich checked the involved suspect vehicle. I observed an adult male in the driver seat of the vehicle. The male was bleeding from the left side of his head, and was leaning forward in the seat. Due to the number of officers already surrounding the vehicle, I stood back and observed officers clear the car for medical.

Officer R. Yates asked me to look for bullet holes in the fence to the west of the vehicle. I was unable to locate any. I did see a bullet hole in the driver side door and driver window. I retrieved crime scene tape from my vehicle and assisted Officer Walk with setting up an inner perimeter. Sergeant Wisner advised that I could clear for other calls once the perimeter was done. At 0316 hours I cleared the scene for another call.

I certify (or declare) under penalty of perjury under the laws of the State of Washington that the foregoing report, written in the County of Yakima, is true and correct. My typed name below is my signature.

Coban: Yes: No:

Date, Time: Saturday, Jan. 04, 2014 04:35:46

Reporting Officer: S. Gronewald 7481

Supplement

03:28:54 01/04/2014 - Davis R
Yakima Police Department - Incident Narrative Report

Incident #:14y000448

Synopsis: Responded to assist with a YPD officer involved shooting.

Narrative: On 1-4-14 at approximately 0257 hours I was dispatched assist Ofc C Gillette, who had called via radio that he had shots fired, at 907 E Nob Hill Blvd.

Upon arrival I met with other officers that had already arrived on scene. I checked with Ofc Gillette to make sure he was ok and he said he was. There were no other duties to be handled.

I took position on the east entrance to the address listed and started a crime scene log for personnel entering and leaving the scene. I started a Crime Scene Entry Log which I had officers and detectives initial upon entering the area that was contained in yellow "Police Line" tape.

I had no other involvement with the scene and cleared at approximately 0624 hours.

The log was scanned and attached to the Spillman report. The hard copy was turned in to the Sgt's box to be added to the paper report.

I certify (or declare) under penalty of perjury under the laws of the State of Washington that the foregoing report, written in the County of Yakima, is true and correct. My typed name below is my signature.

Coban: Yes: XX No:

Date, Time:Sun Jan 05 04:02:39 PST 2014

Reporting Officer: R Davis #6862

Supplement

04:00:03 01/04/2014 - Soptich D
Yakima Police Department - Incident Narrative Report

Incident #: 14Y000448

Synopsis: Officer involved shooting.

Narrative: On 01/04/2014 at 0256 I responded to Officer Gillette saying 3 shots fired at 909 E Nob Hill. Upon my arrival I saw Officer Gillette's car parked on the west side of the car wash near the building and I saw Officer Gillette was standing at the passenger side of a the suspect vehicle(parked in one of the vacuum stalls) with his service weapon drawn.

I drew my service weapon and walked over to the passenger side and saw that the subject had a black handgun in his right hand with his finger on the trigger. I then approached the drivers side of the vehicle and saw the suspect with his head down and had a gun in his right hand laying over his right leg pointing towards the floor. From the drivers side of the vehicle I could see the front of the gun and noticed that the gun had a small orange tip which I could not see from the passenger side where Officer Gillette was standing. I pointed in on the suspect and covered the other units while officers retrieved the handgun from the suspect. I then grabbed crime scene tape and taped off the perimeter. I then secured the scene at 0325 hrs.

I certify (or declare) under penalty of perjury under the laws of the State of Washington that the foregoing report, written in the County of Yakima, is true and correct. My typed name below is my signature.

Coban: Yes: X No:

Date, Time: Saturday, Jan. 04, 2014 03:55:14

Reporting Officer: D. Soptich #7511

Supplement

Yakima Police Department - Incident Narrative Report

Incident #: 14Y000448

Synopsis: Suspicious Circumstances

Narrative: On 01/04/14 at approximately 0300 hours I responded to 907 E Nob Hill regarding suspicious circumstances and an officer involved shooting.

Upon my arrival I found multiple other officers already on scene with some stacked up on the suspect vehicle. At that time I stepped away from the area. Once the scene was cleared and security tape was put up, I began to log the officers at the scene at approximately 0308 hours.

A short time later many of the officers cleared from the call and at that point I was able to complete a Crime Scene Entry Log that included arriving command staff and detectives. Each personnel that entered and/or exited was documented and while doing so, I also stayed on the Southwest corner of the scene as a perimeter.

Once the traffic unit arrived with Total Station and detectives, Lieutenant Jones okayed my clearing from the scene at approximately 0500 hours. I cleared the scene and per Sergeant Fowler returned to the station to secure. The completed entry log was then provided to the detectives on the case for records.

I certify (or declare) under penalty of perjury under the laws of the State of Washington that the foregoing report, written in the County of Yakima, is true and correct. My typed name below is my signature.

Coban: Yes: X No:

Date, Time: Sat Jan 04 20:32:31 PST 2014

Reporting Officer: G Walk 7456

Supplement

Yakima Police Department - Incident Narrative Report

Incident #: 14Y000448

Synopsis: I assisted by blocking traffic e/b on E. Nob Hill for a short time and then I cleared.

Narrative:

On 01/04/14, at approximately 0257 hrs, I responded to 909 E. Nob Hill Blvd, to assist Ofc C. Gillette, who advised that shots were fired at his location. Upon arrival I noticed Ofc C. Gillette was safe and standing near the passenger side of his patrol car. I stood near the front of his patrol car and watched other officers clear the suspect car to make sure the scene was safe.

I returned to my patrol car and moved it onto E. Nob Hill to help stop traffic near the entrance to 909 E. Nob Hill Blvd. Officers set up an outer perimeter with crime scene tape. I did not enter the crime scene after it was taped off. I checked with Sgt. Wisner and he said I was not needed at the scene. I cleared to handle other calls for service in the City.

I cleared at 0306 hrs.

I certify (or declare) under penalty of perjury under the laws of the State of Washington that the foregoing report, written in the County of Yakima, is true and correct. My typed name below is my signature.

Coban: Yes: X No:

Date, Time: Sat Jan 04 03:55:23 PST 2014

Reporting Officer: E. Agledal 7424

Supplement

03:29:55 01/04/2014 - Saldana C
Yakima Police Department - Incident Narrative Report

Incident #: 14Y00448

Synopsis: Officer involved shooting; perimeter set and maintained.

Narrative: On 01/04/14 I was on uniformed patrol in a marked police vehicle. At approximately 0256 hours, I was assisting on a call in the 600 block of N. 16th Ave. when I heard an officer call out "shots fired." I soon learned that Officer C. Gillette was at 909 E. Nob Hill Blvd. He stated shots had been fired and one suspect was down.

I arrived at the above location, the Classic Auto Wash, behind several other units. I took up a security perimeter position in the east entrance/exit. I blocked the driveway and then taped off the area to prevent anyone from entering onto the property. No one entered the property at my location, although several vehicles left from that location, including a Union Gap unit, Officer J. Yates transporting Officer Gillette and Officer C. Thorn transporting Mrs. Gillette. I did not enter the scene beyond establishing my perimeter position. At approximately 0329 hours, I relinquished my position to Officer R. Davis.

See additional narratives for further information.

I certify (or declare) under penalty of perjury under the laws of the State of Washington that the foregoing report, written in the County of Yakima, is true and correct. My typed name below is my signature.

Coban: Yes: No:

Date, Time: Saturday, Jan. 04, 2014 03:29:41.

Reporting Officer: C. Saldana, 6914.

Supplement

Yakima Police Department - Incident Narrative Report

Incident #: 14Y000448

Synopsis: Officer Gillette advised he was out with a vehicle at the east side car wash (located at 907 E. Nob Hill Blvd). Moments later he advised shots fired and one down. Multiple Officers detailed the scene.

Narrative:

On 01-04-14 at approximately 0256hrs, I was talking with Officer J. Yates at S. 16th Ave/Perry Street when Officer Gillette called out with a vehicle (WA License 071ZIJ) at the E. Nob Hill Car Wash. Moments later, Officer Gillette advised over the air that shots had been fired and one was down. In hearing this, I immediately activated my lights/sirens and quickly drove towards his location.

While enroute to the incident, I was hearing complete silence on the radio so I stated over the radio "D6 D3 we're coming, hang in there". A very short time later, I arrived at 907 E. Nob Hill Blvd and there were several Officers already on scene. As I approached the suspect vehicle, I remembered that Officer Gillette had taken his fiance (Neila M. Bahadar 07-23-84) on a ride along with him tonight. Knowing her personally, I glanced over at her and asked her if she was ok and she nodded her head up and down.

I then approached the suspect vehicle, I noticed that there were several Officers surrounding the vehicle to include Officer Gillette (who was standing at the passenger side door. This windows on the vehicle were very dark, to the point that I was unable to see clearly inside. I approached Officer Gillette and told him that he could remove himself from the location of the suspect vehicle and sit in a patrol vehicle. I asked Union Gap Officer Monty McNearney to escort Officer Gillette to a YPD patrol vehicle and he did so.

Once Officer Gillette was secured in a patrol vehicle, the remaining Officers focused on the suspect. Upon looking at the suspect, from the passenger side of his vehicle, I could see that he had a small black handgun with wood handles still clinched by his right hand. The suspect was sitting down in the driver seat and his head was slumped over (chin touching his upper chest). I noticed a pool of bright red blood on the top of the suspects pants (groin area). I also observed what appeared to be a bullet hole in the driver side window of the suspects vehicle.

After making the initial observations of the suspect, Officer J. Yates (who was standing next to me) put latex gloves on and began retrieving the firearm from the suspect's hand. Officer R. Yates had made mention that he could see that the suspect's finger was still on the trigger of the firearm. At this time Officer J. Yates reached in, pulled the suspect's right hand slowly towards the passenger side of the vehicle, retrieved the firearm and then secured it.

Once the firearm was secured from the suspect, I once again turned my attention to Officer Gillette's fiance. I asked Sgt Wisner if I could transport Neila back to the station for detectives. Sgt Wisner advised me I could, so I transported her back to the station.

Once at the station, I spoke with Neila about the situation. She stated that

prior to stopping at the Car Wash, Casey (Officer Gillette) advised that the vehicle sitting in the Car Wash had been there for awhile and he was going to contact it. Neila stated that Casey parked his vehicle and walked to the driver side of the vehicle with his flashlight out. Neila stated Casey shined his light in the driver side window then walked around the vehicle towards the passenger side. Neila advised that she couldn't see if anyone was even in the vehicle. Casey then opened up the passenger side door and it was at this time that Neila stated she observed a head pop up from the driver side seat. Seconds later, Neila heard shots being fired (approximately 3 shots). She sloped down in her seat slightly and cringed when hearing the shots. Neila instantly wasn't sure if Casey was being shot or shooting someone. The shots stopped and Neila observed Casey still standing. Neila then remembered seeing a couple bullet holes in the driver side of the vehicle.

A short while after my conversation with Neila, Detective Drew Shaw entered the break room (where me and Neila were sitting alone) and escorted her to a separate room for a statement.

This was the extent of my involvement in this call.

I certify (or declare) under penalty of perjury under the laws of the State of Washington that the foregoing report, written in the County of Yakima, is true and correct. My typed name below is my signature.

Coban: Yes: X No:

Date, Time: Sat Jan 04 06:10:43 PST 2014

Reporting Officer: C. THORN #6948



REPORT OF INVESTIGATION Assisting Officer's Narrative

Case #
Citation #

Officer's Name: Trooper S.L. Storms

Badge No.: 478

Video file name (if applicable): _____

Video viewed by officer for this report: YES NO

On January 4th 2014 I went to the Nob Hill Carwash at 910 W. Nob Hill at 2:43 A.M. to wash my patrol vehicle. I pulled around to the back of the car wash and parked outside the 1st automatic carwash bay (furthest east). Prior to washing my car I observed a gray Volkswagen 4 door passenger car parked directly to the west of me in the vacuum cleaning bay, with the nose of the vehicle facing the fence (west). I noticed the vehicle was running by the exhaust coming from the rear of the vehicle. There were no lights on in the vehicle and the windows were tinted. I watched the vehicle for approximately two minutes and observed no movement from within. I got out of my vehicle and walked around the rear towards the Volkswagen. While standing at the rear of my vehicle it looked as though the driver's seat was partially reclined. I assumed the driver may be napping, and after pausing for a moment longer decided not to approach the vehicle. I returned to the driver's side of my vehicle, entered the code for my car wash and proceeded into the car wash. When the wash was complete I cleared the car wash.

Shortly after clearing the carwash I heard over YPD's radio of shots fired with a suspect down at 910 W. Nob Hill. I asked WSP communications to call YPD and see if assistance was needed. YPD advised no assistance was necessary and did not contact the scene.

<i>I certify (or declare) under penalty of perjury under the laws of the State of Washington that this report is true and correct (RCW 9A.72.085):</i>				
Officer's Signature 	Officer's Printed Name Sarah Storms	Badge # 478	Date Signed 01-17-14	
Place Signed Union Gap	Reviewed by (Signature)* 	Reviewed by (Printed Name)* V.D. Dittus	Badge # 116	Date Signed 1-24-14

*Report is valid without review.

Supplement

Yakima Police Department - Incident Narrative Report

Incident #:14Y000448

NARRATIVE: At about 0320, 1/4/2014, Lt Jones contacted me by phone to advised and officer (Casey Gillette) had just been involved in a shooting at the car wash in the 900 Block of East Nob Hill Blvd. Lt Jones stated the unknown suspect was deceased. I then contacted Sgt Bardwell to initiate a call-out for investigators. I responded and arrived a short time after Sgt Bardwell.

Officer Gillette had been removed from the scene, which consisted of the entire west side of the car wash property at 907 East Nob Hill. The scene was secured with both crime scene tape and officers stationed at both lot entrances. I also learned Officer Gillette's girlfriend had been with him for a ride-along, and had witnessed the incident from the passenger seat of Officer Gillette's vehicle. Officer Gillette's vehicle was parked behind a silver VW sedan, which was parked in one of the outdoor vacuum bays along the west edge of the property, next to the fence dividing the car wash property from Fire Station #5. This vehicle was running and the suspect's body was upright in the driver's seat, with both doors standing open. The suspect had not been moved after aid pronounced him deceased. The suspect had an obvious wound to his head, but did not have other readily apparent injuries. There were a number of small objects lying in his lap with one appearing to be a rail mounting for an under-gun light of some kind.

Officer Gillette's vehicle was also running and I looked to see if the In-car camera was operating. I was told the camera, which was pointed to the front of Officer Gillette's vehicle, had not been recording prior to the incident, but was activated by another officer on their arrival. The view of the camera did not include the suspect's vehicle.

The windows of the vehicle had dark window tinting and the driver's door window had one hole, which appeared to be broken from the inside outward. The glass had shattered, but was held in place by the window tint film. There was a hole in the door sheet metal, with a section of the metal "peeled" outward, and a small corresponding hole visible in the inside door panel. The passenger door had not apparent damage, however the "B" pillar had what appeared to be a bullet strike that did not penetrate. A mushroomed bullet jacket was found lying on the ground below this point. I also saw four spent shell casings lying on the ground between the passenger door and the fence line. All four had been marked with plastic evidence tents. I did survey the area to the south of the vehicle, which would have been the direction of the four shots fired, looking for spent projectiles, but did not locate any. There did appear to be several small, silver fragments lying on the ground that may have been portions of the projectiles.

I removed myself from the immediate scene without touching or moving any items to await Sgt Bardwell's return with other investigators to complete the scene. I did see there appeared to be four surveillance cameras mounted to the outdoor cover over the vacuum bays and Sgt Bardwell advised attempts were being made to contact the responsible for the car wash to obtain the recorded video.

I certify (or declare) under penalty of perjury under the laws of the

State of Washington that the foregoing report, written in the County of Yakima, is true and correct. My typed name below is my signature.

Coban: Yes: No: X

Date, Time: Thu Jan 09 09:38:58 PST 2014

Reporting Officer: Lt Nolan Wentz

Supplement

Yakima Police Department - Incident Narrative Report

Incident #: 14Y000448

Synopsis:

Narrative:

On 1/4/14 at about 0315 hours I received a call from Lt. Wentz. He told me that a Yakima police officer, Casey Gillette, had been involved in a shooting. He advised that the officer was fine, but the suspect had died as a result of the shooting. He advised that it had occurred at the car wash, 907 E. Nob Hill.

I contacted Detectives Shaw, K. Hampton, and Baker and requested that they respond to the station to assist with the investigation. I responded directly to the scene, arriving at about 0335 hours. Officer R. Davis was posted at the east entrance of the car wash keeping an entry/exit log. I met with Sgt. Fowler, and he walked me through the scene. He pointed out Officer Gillette's marked patrol unit, which was on the west side of the building, facing north and west. Just west of Officer Gillette's vehicle was a light colored VW Passat, WALIC# 071ZIJ, parked between 2 vacuum stations, facing west. Both the driver's door and the passenger door were standing open. The driver's door window was shattered, but still in place. The engine was running. I saw a male subject seated in the driver's seat, with an apparent gunshot wound to his head. There were several spent shell casings on the ground, passenger side. There was also a spent bullet. There was what appeared to be a bullet strike on the passenger side 'A' pillar. Lt. Wentz arrived on scene. I briefed him and I responded to the station to meet with detectives. Lt. Wentz advised that he would contact Sgt. Belton and have the traffic unit respond for total station. Once at the station I contacted Det. Cays and requested that he respond to assist.

I learned that Officer Gillette had a rider during the incident (his fiancée). I assigned Det. Shaw to interview her.

I assigned Det. Baker to attempt to locate a responsible party for the car wash and arrange to view the surveillance video at the car wash. Detectives gathered necessary crime scene equipment and responded to the scene, arriving at about 0450 hours. I assigned Det. Cays to photograph the scene and evidence. Sgt. Belton and Officers Moore and Lancaster were on scene when we arrived, preparing to document the scene with total station. Sgt. Wisner was also at the scene.

Detectives Cays, Hampton, and Shaw collected evidence as the traffic unit documented individual items of evidence. Once the scene was processed, I contacted Coroner Jack Hawkins (0525 hrs). Coroner Hawkins and Deputy Coroner Slight arrived and removed the deceased from the vehicle. DC Slight removed a wallet from the deceased's pocket. The wallet contained a Washington State identification card for Rocendo Arias 10/3/90. The photo on the ID card matched that of the deceased. It listed an address of 405 N. 11th St in Selah. Spillman showed a LKA of 409 N. Naches.

The coroner took possession of Arias. Elite towing responded to tow the vehicle to the YPD annex for future processing.

At approx. 0615 hours Lt. Wentz, Sgt. Wisner and myself responded to 409 N. Naches in an attempt to notify family. As I arrived at the scene, Officer Jim Yates called me and advised that he was aware that Arias' parents still lived at 405 S. 11th St in Selah. We responded to that location.

I contacted Arturo Arias at the Selah address at about 0620 hrs. He confirmed that Rocendo Arias was his son. I notified him of his son's death and

the circumstances surrounding the death. Arturo was emotional and was having some difficulty speaking and understanding English. He called his daughter Lorena Arias and I explained to her the circumstances over the phone. I asked Arturo if there was anyone else I could call for him and he said no.

I contacted Information Technology Tech Stephen Yu and asked him to respond to the station and attempt to recover the in-car video from Officer Gillette's patrol vehicle.

I returned to the station and completed paperwork. I secured at approx. 0815 hours.

I certify (or declare) under penalty of perjury under the laws of the State of Washington that the foregoing report, written in the County of Yakima, is true and correct. My typed name below is my signature.

Coban: Yes: No:

Date, Time: 1/7/13 1515 Hrs

Reporting Officer: Sgt. Tim Bardwell #3410

Supplement

Yakima Police Department - Incident Narrative Report

Incident #: 14Y000448

Synopsis: Officer Involved Shooting. Initial scene investigation.

Narrative:

INITIAL CALL OUT AND SCENE WALK THROUGH

On Saturday January 4, 2014 at approximately 0320 hours I was assigned to Major Crimes Unit of the Yakima Police Department Detective Division. On this time and date I was contacted by Sergeant T. Bardwell who advised that Yakima Police Officer C. Gillette had been involved in a shooting and the suspect did not survive. I was advised that the shooting occurred in the 900 block of E. Nob Hill Blvd.

At approximately 0345 hours I arrived at 909 E. Nob Hill Blvd, Classic Car Wash, and contacted Sergeant T. Bardwell and Detective D. Shaw. Officer Gillette, the only officer involved in the shooting, had already been removed from the scene.

I observed a silver Volkswagen, Washington License Plate #071ZIU, parked on the west side of the lot by the vacuuming area. The vehicle was still running and I noticed that the front driver's side window had a bullet hole in it. I also noticed a defect in the driver's side door, which was consistent with a bullet strike. I also noted that the windows were tinted and I could not see into the vehicle's back seat.

The driver's side door was open at that time and I could see a deceased Hispanic male slumped over in the driver's seat. I noticed the deceased had a wound to the head, and a pool of blood in his lap.

I was advised that (4) spent shell casing were on the passenger side of the vehicle along with one spent bullet slug. The scene was preserved pending further processing by investigators.

POLICE DEPARTMENT

I returned to the Yakima Police Department and learned that Officer Gillette had his fiancée, identified as Neila Bahadar, with him on a ride along when the incident occurred. Detective D. Shaw and I contacted Sergeant J. Salinas, who was one of the responding supervisors to the scene. Sergeant Salinas had taken the Public Safety Statement from Officer Gillette and provided it to us.

Detective Shaw agreed to contact and interview Bahadar, while I contacted Officer Gillette to obtain photos and his duty weapon. We also learned that Officer J. Yates had collected a pistol from the deceased at the scene. He advised that the pistol had been in the suspect's hand and on his lap. Officer Yates took custody of the pistol at the scene and gave it to Detective Shaw.

At approximately 0405 hours I contacted Officer Gillette and his YPPA representative Officer T. Patlan in the muster room. I advised Officer Gillette that I would be taking overall photos of him and that his weapon and magazines

would be collected for the investigation.

I took several digital photos of Officer Gillette, which included a "360" of him. Officer Gillette was in his marked police jumpsuit uniform at the time of the shooting. I also collected his firearm, which was a Smith & Wesson M&P .40 caliber S/N DXN9228. Officer Gillette had (2) extra magazines on his duty belt.

Investigative Note: Some pictures of the serial number next to the gun show it as DXN9228. That serial number was misread and corrected in the later photo.

Detective R. Baker and I conducted a round count of the magazines. The two spare magazines contained 15 rounds of .40 caliber ammunition. The magazine capacity for the magazine is 15 rounds.

I then removed the magazine from Officer Gillette's duty pistol. There were 11 rounds in the magazine and 1 round in the chamber totaling 12 rounds. The magazine in the pistol was also a 15 round capacity magazine.

Investigative Note: The round count from the magazine in Officer Gillette's pistol would be consistent with the number of casings observed at the scene. This is in relation to an officer having his pistol fully loaded with one round in the chamber.

SCENE EVIDENCE COLLECTION

At approximately 0445 hours Yakima Police Detectives returned to the scene to process and collect evidence. Detective K. Cays was assigned to photograph the scene without placards and then with placards. Detective D. Shaw was assigned to set the placards. Officer J. Moore and Officer J. Lancaster were also on scene conducting total station.

Once the placards were set and marked by total station I collected each piece of evidence. Placard (#1) was the Volkswagen vehicle. The four (4) shell casings (#3, #4, #5, #6) and one fired slug (#2) were collected. Detective D. Shaw marked the area I collected the evidence from with orange traffic paint.

Once the scene was processed Yakima County Coroner J. Hawkins and Deputy Coroner M. Slight arrived to collect the body. When they retrieved the body from the vehicle, they found the wallet of the deceased and his WA State Driver's License. The deceased was identified as Rocendo Arias (DOB 10-03-1990). Detective Shaw and I noted that Arias had a firearm mounted laser sight in his lap when the body was removed.

The scene was completed at approximately 0650 hours. I followed Elite Towing from the scene to the Yakima Police Department Annex, where the silver Volkswagen vehicle was tagged.

Detective Cays and I also tagged all of the property retrieved at the scene and from Officer Gillette into the property room for evidence.

I certify (or declare) under penalty of perjury under the laws of the State of Washington that the foregoing report, written in the County of Yakima, is true and correct. My typed name below is my signature.

Coban: Yes: No: x

Date, Time: Wednesday January 08 13:45:40 PST 2014

Reporting Officer: Detective Kasey Hampton #6170

Supplement

Yakima Police Department - Incident Narrative Report

Incident #: 14Y000448

Synopsis: Autopsy of deceased.

Narrative:

On Monday January 6, 2014 at approximately 1000 hours ID Technician K. Drury and I went to the Yakima County Coroner's Office for the autopsy of Rocendo Arias. The autopsy was conducted by Dr. Reynolds. It was determined that Arias died of a single gunshot wound to the head. The bullet entered the right side and lodged in the brain. Bullet slug fragments were retrieved by Dr. Reynolds and given to police for evidence.

No other bullet defects were located on Arias' body.

Numerous photos of the autopsy were conducted and items collected. All of the items collected were tagged into the property room for evidence. See the coroner's report and the medical examiners reports for additional information.

I certify (or declare) under penalty of perjury under the laws of the State of Washington that the foregoing report, written in the County of Yakima, is true and correct. My typed name below is my signature.

Coban: Yes: No: x

Date, Time: Wednesday January 08 14:03:40 PST 2014

Reporting Officer: Detective Kasey Hampton #6170

Supplement

Yakima Police Department - Incident Narrative Report

Incident #: 14Y000448

Synopsis: Search Warrant conducted on the 1999 Volkswagen Passat. WSP 3D LEICO Scanner used.

Narrative:

On Monday January 13, 2014 at approximately 1400 hours I applied for a search warrant on the 1999 silver Volkswagen Passat, WA State License Plate #071-ZIJ. I applied for the warrant through Yakima Superior Court, and I met with Judge R. Bartheld. After being sworn in by Superior Court Judge Bartheld, he found probable cause for the search warrant and signed it. The search warrant was filed with the Yakima County Clerks Office in Yakima Superior Court under SW 14-004.

On Tuesday January 14, 2014 at approximately 1000 hours I met with Washington State Patrol Forensic Scientist Jim Luthy and Washington State Patrol Forensic Scientist Kristopher Kern at the Yakima Police Department.

Investigative Note: Washington State Patrol recently acquired a LEICA 3D Scanner, which can be used at crimes scene to recreate a 3D image of that scene.

At approximately 1030 hours, Yakima Police Department ID Technician K. Drury and I escorted both WSP Forensic Scientists to 907 E. Nob Hill Blvd, Classic Auto Wash, so the scene could be scanned via the LEICA 3D Scanner.

At approximately 1135, hours while scanning the scene, ID Technician Drury located a slug in the rock bed on the west side of the car wash. This area is in front of the area of where the silver 1999 Volkswagen Passat, bearing a Washington State license plate of 071-ZIJ. I collected the slug, which was later tagged into the property room for evidence.

After completing the 3D scan at 907 E. Nob Hill Blvd, we returned to 210 S. 2ND Street, Yakima Police Department Annex, to serve the warrant on the silver 1999 Volkswagen Passat bearing a Washington State license plate of 071-ZIJ. The warrant service began at approximately 1200 hours.

I served and conducted a search of the vehicle between the times WSP Forensic Scientist conducted a 3D scan of the vehicle. During the warrant service I recovered various firearm paraphernalia to include; two (2) empty laser sight packaging and one (1) Swiss Arms Laser with a mount still in the packaging.

Inside of the center console area I located a large amount of small plastic bags. Due to my training and experience I know those bags are commonly used for trafficking and distributing narcotics.

During the warrant service I seized a black Velocity Cruz Tablet Model# T410, ID# ZVJVM T410V1. That tablet was located on the front passenger seat, next to Arias and had possible blood evidence on it.

Underneath the front driver's seat, I located a black and grey HTC cellular telephone. That cellular telephone was covered in a red, sticky substance which due to my training and experience I recognized it was blood.

That cellular telephone was also seized. See the receipt for property seized for additional information on items taken during the search warrant, which was completed at approximately 1615 hours.

After the service of the warrant, the property was placed into a temporary evidence locker. On Wednesday January 15, 2014 at approximately 1200 hours, I tagged all of the items into the Yakima Police Property Room for evidence.

I certify (or declare) under penalty of perjury under the laws of the State of Washington that the foregoing report, written in the County of Yakima, is true and correct. My typed name below is my signature.

Coban: Yes: No: x

Date, Time: Thursday January 16 15:26:54 PST 2014

Reporting Officer: Detective Kasey Hampton #6170

Supplement

Yakima Police Department - Incident Narrative Report

Incident #: 14Y000448

Synopsis: Applied for Search Warrant on Velocity Cruz Tablet and HTC Cellular Telephone found during the search warrant of the vehicle.

Narrative:

On Thursday January 16, 2014 at approximately 1100 hours I applied for a search warrant for the black Velocity Cruz Tablet Model# T410; ID# ZVJVMT410V1 and the black and gray HTC cellular telephone recovered from the silver 1999 Volkswagen Passat.

I applied for the warrant through Yakima Superior Court, and I met with Judge R. Ruekauf. After being sworn in by Superior Court Judge Ruekauf, she found probable cause for the search warrant and signed it. The search warrant was filed with the Yakima County Clerks Office in Yakima Superior Court under SW 14-004A.

Both items were taken out of the Yakima Police Department Property Room and given to Detective D. Robinson. Detective Robinson is the departments Cyber Crimes Computer Forensic specialist and has the training and equipment to conduct the search.

I certify (or declare) under penalty of perjury under the laws of the State of Washington that the foregoing report, written in the County of Yakima, is true and correct. My typed name below is my signature.

Coban: Yes: No: x

Date, Time: Thursday January 16 15:39:54 PST 2014

Reporting Officer: Detective Kasey Hampton 6170

Supplement

Yakima Police Department - Incident Narrative Report

Incident #: 14Y000448

Synopsis: Received a written statement from officer C. Gillette through his attorney Adam Moore.

Narrative:

On Thursday January 9, 2014 at approximately 1400 hours I contacted attorney Adam Moore in an interview room at the Yakima Police department. Moore is the attorney representing Officer C. Gillette.

Moore provided the typed and signed statement from Officer Gillette at that time. I made a copy of the statement and tagged the original document into the property room for evidence. Officer Gillette's statement can be reviewed for additional information on the case.

I certify (or declare) under penalty of perjury under the laws of the State of Washington that the foregoing report, written in the County of Yakima, is true and correct. My typed name below is my signature.

Coban: Yes: No: x

Date, Time: Friday January 10 13:01:38 PST 2014

Reporting Officer: Detective Kasey Hampton #6170

Supplement

Yakima Police Department - Incident Narrative Report

Incident #: 14Y000448

Synopsis: Officer involved shooting in 900 block of E Nob Hill. Suspect was fatally wounded.

Narrative:

On 01/04/14 at about 0400 hours I was contacted by phone by Det. Sgt. T. Bardwell reference an officer involved shooting at the Classic Car Wash at 909 E Nob Hill Blvd. I was advised the suspect was deceased at the scene. Det. Sgt. Bardwell requested I respond to the YPD to assist other detectives with the scene.

I arrived at the YPD a short time later and met with Detective K. Hampton, Detective D. Shaw, Detective R. Baker and Det. Sgt. Bardwell. I was given a brief overview of the incident at that time. I learned that Officer Gillette observed a vehicle at the car wash and went to contact the vehicle/occupant. This contact resulted in Officer Gillette drawing his firearm and shooting at the suspect. The suspect did not survive.

At about 0445 hours I responded to the scene with the other detectives for processing. I was assigned to photograph the scene. I began the photographs with no evidence placards in place, to include Officer Gillette's patrol vehicle and placement, the suspect vehicle and placement, shell casings, a spent bullet, the suspect (Rocendo Arias) and other items. Evidence placards were placed and I photographed those. Once the photographs were obtained, Detective's K. Hampton and Shaw collected the evidence. There were a total of four spent .40 caliber shell casings located at the passenger side of the suspect vehicle as well as one spent bullet.

The Yakima County Coroner, J. Hawkins and Deputy Coroner M. Slight arrived and removed Arias from the driver's seat of the vehicle. Prior to and during the time Arias was being removed I noticed he had some items on his lap. One of the items looked like a small flashlight of some sort. I later learned from photographs taken from the driver's side of the vehicle into the vehicle that what I thought was a light was some type of a mounted laser sight. Arias was transported to the coroner's office for a later autopsy.

I remained on scene until Arias's vehicle was removed from the scene by Elite Towing. I responded back to the YPD and downloaded the photographs. I then assisted Detective K. Hampton tag evidence that was collected from the scene and Officer Gillette.

This ended my involvement in the investigation.

I certify (or declare) under penalty of perjury under the laws of the State of Washington that the foregoing report, written in the County of Yakima, is true and correct. My typed name below is my signature.

Coban: Yes: No: x

Date, Time: Wed Jan 08 13:21:18 PST 2014

Reporting Officer: K. Cays #7146

Supplement

Yakima Police Department - Incident Narrative Report

Incident #: 14Y000448

Synopsis: OFFICER INVOLVED SHOOTING

Narrative: On 01-04-14 at approximately 0320 hours, Sergeant Bardwell called me back to service regarding an Officer Involved Shooting and asked me to respond to the Yakima Police Department (YPD) for assignment.

At approximately 0400 hours, I arrived at the Yakima Police Department and was briefed by Detective Shaw that Officer Gillette had shot a male while investigating a suspicious vehicle at the Classic Auto Wash (907 East Nob Hill Boulevard, Yakima, Washington).

Sergeant Bardwell instructed me to assist Detective K. Hampton with documenting Officer Gillette's duty pistol and remaining rounds. I met with Detective Hampton at the evidence processing table in the detective division. Detective Hampton had Officer Gillette's duty pistol, which was a .40 caliber Smith and Wesson M & P (serial# DXN9228), and its three magazines on the table.

Detective Hampton removed the rounds from Officer Gillette's two extra 15 round capacity magazines. Each contained 15 rounds of .40 caliber ammunition. Detective Hampton then removed the remaining rounds from Officer Gillette's 15 round capacity magazine that had been seated in his duty weapon along with the pistol's chambered round. There were 11 rounds of .40 caliber ammunition in this magazine, totaling 12 rounds counting the chambered one. Detective Hampton photographed the pistol, magazines and rounds prior to placing them into evidence.

Sergeant Bardwell instructed me to go to the scene and wait for instruction. At approximately 0435 hours, I arrived at the scene and entered the taped off portion of the parking lot. I observed a silver Volkswagen four door vehicle, bearing Washington State license 071-ZIJ, parked facing west at a vacuum station at the west end of the parking lot. This vehicle was running and its front passenger door was open.

I observed four spent shell casings and what appeared to be a bullet slug on the parking lot to the passenger side of the vehicle. These items had already been marked with yellow evidence markers. I observed a young male, who was deceased, seated in the driver's seat with his head slumped forward. I observed blood on the side of this male's head, hands and the front of his shirt.

Shortly after my arrival at the scene, Detective Shaw, Detective Cays, Detective K. Hampton, and Sergeant Bardwell arrived to process the scene. I was instructed to contact the property owner in an attempt to gain the video surveillance recordings from the many visible exterior cameras. I left the scene at approximately 0530 hours, in case I needed to go to the business owner's residence if he didn't answer his phone.

YPD records showed the owner of the Classic Auto Wash as Alan Withrow. I called his provided number at approximately 0550 hours, and requested his business' video surveillance footage surrounding this incident. Withrow told me he would contact his employee in charge of the video surveillance system later in the day

to have the footage recorded onto a disk.

Later in the day, Withrow left me a message advising the recorded copies (2 disks) of his business' surveillance footage were ready for me to pick up. At approximately 1410 hours, I went to the Classic Auto Wash and contacted employee Edgar Hernandez. He handed me two CD's consisting of the recorded footage surrounding this incident. I went to the station and gave both disks to Detective Shaw, who viewed the footage and then gave them to Detective Hampton.

I certify (or declare) under penalty of perjury under the laws of the State of Washington that the foregoing report, written in the County of Yakima, is true and correct. My typed name below is my signature.

Coban: Yes: No:

Date, Time: Mon Jan 06 12:04:28 PST 2014

Reporting Officer: R. Baker 6020

Supplement

Yakima Police Department - Incident Narrative Report

Incident #: 14Y000448

Synopsis: COBAN AND SUNCOMM RADIO TRAFFIC RECORDING REVIEW

Narrative: On 02-18-14, I was asked by Detective Shaw to review Officer Gillette's and Officer Soptich's COBAN and Radio Traffic recordings to document their times of arrival on scene. Detective Shaw explained that Officer Gillette's COBAN time stamp did not reflect the accurate time of this incident due to it not being confirmed or updated upon logging in at the beginning of his shift.

The COBAN (disk #1) recording date and time stamp for Officer Gillette read; JAN 04 2014 02:48:32, when he parked his vehicle on scene.

The Suncomm radio traffic recording for this incident had an automated voice date and time stamp at the beginning which stated; JAN 04 2014 02:54:35. Officer Gillette is heard calling out on scene with the vehicle and giving its license plate information. Dispatch responded, "02:54".

The COBAN (disk #2) recording date and time stamp for Officer Soptich read; JAN 04 2014 02:58:29, when he arrived and parked his vehicle on scene. He had responded to this scene with his COBAN activated and therefore his audio could be heard while viewing this recording. Neither he nor his training officer (Officer R. Yates) advised dispatch of their arrival. A few seconds after Officer Soptich parked his vehicle, per the COBAN recording, K9-3 and 16-S (SAM) are heard calling "in the area" and dispatch responded, "02:58".

I briefed Detective Shaw of my findings

I certify (or declare) under penalty of perjury under the laws of the State of Washington that the foregoing report, written in the County of Yakima, is true and correct. My typed name below is my signature.

Coban: Yes: No:

Date, Time: Wed Feb 19 09:44:30 PST 2014

Reporting Officer: R. Baker 6020

Supplement

Yakima Police Department - Incident Narrative Report

Incident #:

14Y000448

Synopsis:

On 01-04-14, a Yakima Police Officer shot and killed a suspect in the 900 Block of E. Nob Hill Blvd.

Narrative:

INITIAL CALL OUT

On 01-04-14 at approximately 0315 hours, I received a telephone call from Det. Sgt. Bardwell. He advised me that an officer had been involved in a shooting at a car wash in the 900 block of E. Nob Hill Blvd. and the suspect did not survive. Sgt. Bardwell requested that I respond to the scene and assist with the investigation.

CRIME SCENE ARRIVAL AND INITIAL WALK THROUGH

At approximately 0340 hours, I arrived and contacted Sgt. Bardwell at the Classic Car Wash located at 907 E. Nob Hill Blvd. The scene was secured and marked with yellow tape. I learned that Officer C. Gillette was the sole officer involved and that he had already been taken away from the scene.

I observed a silver Volkswagen Passat (071-ZIJ) parked on the west side of the business in an area designated for vacuuming the interior of a vehicle. There were several placards marking evidence on the ground which patrol officers had discovered on the passenger side of the Volkswagen.

I observed that the Passat was idling and the driver's side window was shattered. I observed a defect in the driver's window consistent with a bullet strike. The driver and front passenger doors were standing open which allowed me to observe a deceased Hispanic male, later identified as Rocendo Arias, sitting in the driver's seat.

Without moving Arias' body, I observed a defect to the right side of his head and the left side of his head which suggested and, is consistent with, a gunshot wound which traveled from one side of Arias' head and exited the other side. His left hand was in his lap and his right arm was extended over the console and his hand was resting on the edge of the passenger's seat. On the passenger side of the Passat, I observed several shell casings and one (1) spent bullet lying on the ground.

The exterior of the Passat was dry and dirty and I observed bird droppings on the hood which suggested the Passat had not recently been washed. Inside the Passat, I observed debris on the floorboard which suggested the vehicle had not been vacuumed recently.

The scene was preserved pending the return of detectives to process evidence.

POLICE DEPARTMENT

After walking through the scene, I left and arrived at the police department at

0400 hours. Upon arriving, I learned that Officer Gillette's fiance, Neila Bahadar, had been on a "ride along" with him and was present when the shooting occurred. Sgt. Bardwell requested I obtain a statement from Bahadar as to what she heard and observed during the incident.

INVESTIGATIVE NOTE: A "ride along" is a term used when civilians ride with a police officer during a shift.

BAHADAR INTERVIEW

At 0412 hours, I met with Bahadar in an interview room within the Detective Division. Bahadar agreed to provide a statement and allowed me to record it. She explained that she had been on a "ride along" that night with Officer Gillette.

She said that Officer Gillette had pulled into the car wash to investigate a vehicle which had been parked at the business for some time. She explained she watched as Officer Gillette walked to the driver's side of the vehicle and then around to the passenger side of the vehicle. She observed Officer Gillette open the passenger side door and step back as if he was startled. Bahadar said she observed a figure (silhouette) sit up inside the vehicle as if the someone (Arias) had been slumped over.

She heard 3 or 4 gunshots and watched as Officer Gillette stood near the open passenger side door. Bahadar said Officer Gillette held his position until additional back up units arrived. Bahadar said she did not hear any type of confrontation between Arias and Officer Gillette. According to Bahadar, the incident occurred very quickly.

After the scene was secure, Bahadar said she was transported back to the Yakima Police Department by a patrol officer.

With nothing further to add, I ended the interview at approximately 0423 hours.

INVESTIGATIVE NOTE: Due to an error when I downloaded the recorded statement into the Dictation Module system, the recorded interview was erased. On 01-07-14 at approximately 0938 hours, I conducted a second recorded interview with Bahadar which was downloaded into the system successfully. Bahadar's statement was consistent with the original statement she provided me the morning of the incident.

EVIDENCE COLLECTION

At approximately 0445 hours, we returned to the scene to process and collect evidence. I removed all placards which had been used by patrol officers to mark evidence. Det. Cays photographed the scene without any placards in place and after he was finished, I re-marked all evidence using my numbered placards which I carry in a crime scene kit.

I marked the Passat, a spent bullet which was lying on the ground on the passenger side of the Passat as well as four (4) spent .40 caliber shell casings which were also located on the ground on the passenger side of the Volkswagen.

Det. Cays continued to photograph the scene as I marked the evidence. Once the scene was photographed with the placards in place, each piece of evidence was collected and placed into a sealed envelope which was later booked into evidence. After each piece of evidence was collected, I marked it's location

and the corresponding item number with orange traffic paint.

I also utilized orange traffic paint to mark the location of each tire on Officer Gillette's patrol vehicle and each tire of the Volkswagen. The Traffic Unit also arrived and mapped the scene using the Total Station.

INVESTIGATIVE NOTE: Traffic paint is used to mark evidence during an investigation so detectives can return to the scene at a later date and recreate the incident if needed.

When Yakima County Coroner J. Hawkins and Deputy Coroner M. Slight arrived, Arias' body was removed from the Volkswagen. On Arias' lap, I observed what appeared to be a small flashlight, however, upon further inspection it was determined to be a firearm mounted laser sight. Arias' body was transported to the Yakima County Coroner's Office pending an autopsy.

The crime scene was completed at approximately 0650 hours which completed my participation at that time.

I certify (or declare) under penalty of perjury under the laws of the State of Washington that the foregoing report, written in the County of Yakima, is true and correct. My typed name below is my signature.

Coban: Yes: No: XX

Date: 01-08-14

Time: 0800 hours

Reporting Officer: Det. D. Shaw #4297

Supplement

Yakima Police Department - Incident Narrative Report

Incident #:

14Y000448

Synopsis:

On 01-21-14, a second statement was taken from Officer Gillette with specific questions pertaining to the confrontation between he and Arias.

Narrative:

On 01-21-14, Officer Gillette and his attorney, Mr. Adam Moore, agreed to provide a second statement to detectives in reference to specific questions about the confrontation between Officer Gillette and Arias.

GILLETTE STATEMENT

At approximately 1500 hours, Det. Cays and I met with Officer Gillette at Mr. Moore's office located at 217 N. 2nd Street. With Officer Gillette and Mr. Moore's permission, the interview was recorded. Upon activating the recording device, I provided the current date, time and reiterated that Officer Gillette's statement was completely voluntary.

INVESTIGATIVE NOTE: Prior to the interview, Officer Gillette was provided a copy of the questions which he reviewed with Mr. Moore.

I asked Officer Gillette if he could recall the sequence of his gunshots and if he knew where his rounds had struck. Officer Gillette told us that he fired one (1) round, paused and fired three (3) additional rounds, however, he could not recall where or what his rounds struck.

I then asked Officer Gillette if he recalled his movement during the time he fired his handgun and how he opened the passenger door and contacted Arias. Officer Gillette described opening the passenger door and leaning inside the Passat. He initially believed his handgun was already unholstered and described his movement at the time of the shooting as leaning back and then leaning forward as he fired his handgun.

I asked Officer Gillette to be more specific about which hand he used to open the passenger side door. After stating moments earlier that he believed he had his flashlight in one hand and his handgun in the other upon contacting Arias, Officer Gillette appeared to realize that his handgun was holstered at the time he opened up the passenger side door of the Passat. Officer Gillette then said his handgun must have been holstered initially because there was no need for him to be holding it (handgun) at the time he opened the door.

INVESTIGATIVE NOTE: Due to my training and experience investigating officer involved shootings, I know that it is common for officers to not have any recollection of drawing their handgun during a use of force incident because of the muscle memory which develops due to the countless repetitions an officer completes throughout their career.

Officer Gillette continued to explain that he treated the contact with Arias as he would a traffic stop and told us that he did not fully expose himself to Arias on the initial contact. Officer Gillette explained to us that once he

made contact with Arias, he observed the slide of a handgun as it sat in his (Arias') lap. He further described observing the ridges on the slide which are consistently found on most semi-automatic handgun models.

INVESTIGATIVE NOTE: The ridges on a slide are designed to assist the operator with their grip when pulling back on the slide to charge or load the firearm.

According to Officer Gillette, once he unholstered his handgun and came to the decision to fire, he recalled rocking back, firing the first round and then rocking forward and firing three (3) additional rounds.

I asked Officer Gillette if he recalled when he realized Arias had been shot. He explained that after firing his last round (4th), he called for assistance via his portable radio and did not observe Arias move.

When asked, Officer Gillette described Arias' body position after the shooting occurred. He described to us that Arias was holding the firearm in his right hand which came to rest on his (Arias) upper right leg.

INVESTIGATIVE NOTE: Because assisting officers removed the handgun from Arias' hand, the position of his (Arias) body changed from what Officer Gillette last recalled and above described.

According to Officer Gillette, Arias did not speak during this incident.

Finally, I asked Officer Gillette to describe how Arias lunged at him. Officer Gillette told us that as Arias awoke, he (Arias) turned toward him (Gillette) at which time Officer Gillette ordered him not to move. Arias lunged quickly at Officer Gillette with the handgun pointed at him at which time Officer Gillette rocked back, fired and leaned forward and fired again.

The interview concluded at approximately 1519 hours.

I certify (or declare) under penalty of perjury under the laws of the State of Washington that the foregoing report, written in the County of Yakima, is true and correct. My typed name below is my signature:

Coban: Yes: No: XX

Date: 01-22-14

Time: 1200 hours

Reporting Officer: Det. D. Shaw #4297

Supplement

Yakima Police Department - Incident Narrative Report

Incident #:

14Y000448

Synopsis:

Summary and conclusion of the investigation in reference to a deadly use of force incident by a Yakima Police officer.

Narrative:

CASE SUMMARY

On 01-04-14, Officer Casey Gillette, a duly commissioned and employed law enforcement officer for the city of Yakima, was working in full police uniform and operating a fully marked Yakima Police vehicle. Officer Gillette was assigned to "D" Squad (graveyard) and was working in District 3 which encompasses the southeast side of the city.

On this date at approximately 0254 hours, Officer Gillette advised SUNCOMM that he was out with a vehicle located at the "eastside car wash". Officer Gillette provided SUNCOMM with the license plate (071-ZIJ) of the vehicle he was investigating and SUNCOMM acknowledged his transmission.

INVESTIGATIVE NOTE: The Classic Car Wash, located at 907 E. Nob Hill Blvd., is known to Yakima Police Department personnel as the "eastside car wash". The city of Yakima contracts with two (2) local businesses which provide car washing services to the Yakima Police Department's vehicles. The Classic Car Wash, which is one of those two (2) businesses, is located in east Yakima and, therefore, is commonly referred to as the "eastside car wash".

Moments after calling out with the vehicle, which was a silver 1999 Volkswagen Passat, Officer Gillette advised SUNCOMM that gunshots had been fired and the suspect was down.

Police officers from the cities of Yakima, Union Gap and Moxee responded to the scene as did deputies from the Yakima County Sheriff's Office. Officers Althausser and R. Yates were the first two (2) to arrive and assist. According to their reports, which were substantiated by Coban video, they observed Officer Gillette, with his handgun drawn, standing on the passenger side of the Passat.

Officer R. Yates reported that when he looked through the driver's side window of the Passat, he observed Arias sitting in the driver's seat with his chin tucked to his chest. Officer R. Yates reported observing a black handgun on Arias' lap which was pointed toward the driver's side door. He reported observing that Arias' finger was on the trigger.

Officer J. Yates reported that when he arrived, he moved up on the passenger side of the Passat. He observed that Arias was holding a handgun in his right hand which was sitting across his lap. Officer J. Yates put on protective gloves and removed the handgun from Arias' right hand. He placed the handgun, which he realized was not real, into a paper bag to preserve it as evidence.

Upon my arrival, I completed an initial walk through of the scene. I observed that the Passat, which was still idling, was parked on the west side of the

business parking lot in an area designated for vacuuming the interior of a vehicle. I observed Arias, who was obviously deceased, sitting in the driver's seat. His chin was tucked against his chest and his left hand was in his lap. Arias' right arm was draped over the console and his hand was resting on the edge of the passenger seat.

I observed a wound to his head which appeared consistent with a bullet strike. There was also a defect to the driver's side window and driver's side door which appeared consistent with damage caused by a bullet strike.

On the passenger side of the Passat, I observed several shell casings and a fired bullet lying on the ground. I also observed a defect on the exterior pillar between the front passenger door and the rear passenger door which also appeared consistent with damage caused by a bullet strike.

Upon processing the scene, detectives recovered four (4) shell casings and one (1) fired bullet from the ground on the passenger side of the Passat.

The exterior of the Passat was dry and dirty and I observed bird droppings on the hood which suggested the Passat had not recently been washed. I also observed debris on the driver and front passenger floorboards suggesting those areas had not recently been vacuumed or cleaned.

INVESTIGATIVE NOTE: Several days later, with the assistance of the Washington State Patrol Crime Scene Response Team, a second fired bullet was discovered at the scene by Evidence Technician K. Drury. The bullet was recovered in a decorative rock landscape area west of where the Passat had been parked at the time of the incident.

Officer Gillette was taken to the Yakima Police Department at which time detectives photographed him as he appeared at the time of the incident. Officer Gillette's semi-automatic M&P .40 caliber handgun was seized along with all his magazines and the ammunition which they contained.

A round verification was conducted by Detectives Hampton and Baker. The verification revealed that four (4) rounds were missing from Officer Gillette's handgun which is consistent with the four (4) shell casings found at the scene.

At the time of this incident, Officer Gillette's fiance, Neila Bahadar, was on a "ride along" with him and witnessed the incident. She had been transported back to the police department and I interviewed her in reference to what she observed.

INVESTIGATIVE NOTE: A "ride along" is a term used when a civilian rides with a police officer during a shift.

Bahadar advised that Officer Gillette noticed that the Passat had been parked at the car wash for some time and he wanted to "check it out". She told me that Officer Gillette parked his patrol vehicle and walked up to the driver' side of the Passat. He then walked around the back of the Passat and over to the passenger side door. According to Bahadar, it did not appear to her as if anybody was inside the Passat.

Bahadar said she saw Officer Gillette open the passenger side door at which time she observed a figure (silhouette) sit up as if someone had been slumped over inside the Passat. She then observed Officer Gillette step back at which time she heard 3-4 gunshots. Bahadar said that Officer Gillette held his position, with his handgun pointed at the Passat, until assisting units arrived.

When asked, Bahadar said she did not hear any conversation or yelling between Officer Gillette and the individual inside the Passat.

Detectives observed surveillance cameras mounted in various locations of the business and later obtained a copy of the surveillance video during the time of this incident. I reviewed the surveillance video which shows Arias's Passat arriving at the car wash prior to 0200 hours and parking in a stall designated for vacuuming the interior of a vehicle.

INVESTIGATIVE NOTE: Because of the angle of the surveillance camera, only the rear passenger side of the Passat is visible.

The Passat appears to be idling because the exhaust can be seen emitting from the vehicle. At no time did anyone walk around the rear of the Passat or exit the passenger side back seat.

At 0251 hours, a Washington State Patrol vehicle can be seen exiting from the car wash and exiting the business.

At 0254 hours, Officer Gillette is observed arriving at the car wash and stopping his patrol vehicle off the rear driver's side bumper of the Passat which allowed it room to back out if needed. Officer Gillette activates his spotlight and illuminates the Passat.

The video shows Officer Gillette approach the driver's side of the Passat, pause and walk around to the passenger side of the Passat and out of view of the camera. Within a few minutes, a second Yakima Police vehicle is seen arriving with its emergency lights activated suggesting that Officer Gillette had already called for assistance.

The Coban video was seized from Officer Gillette's patrol vehicle. Upon review of the video, it shows Officer Gillette drive west on E. Nob Hill Blvd. from Fair Avenue and pass the car wash. He then turns his patrol vehicle around in the middle of the E. Nob Hill Blvd. and pulls into the car wash parking lot.

Because he parked his patrol vehicle at an angle, the Coban camera does not capture the incident in its entirety. The camera does not capture the Passat at all and only shows Officer Gillette briefly as he walks around the rear passenger side corner of the Passat.

Because Officer Gillette's Coban video was not activated originally at the time of the incident, no audio was available.

Detectives contacted the Washington State Patrol and learned that the trooper who had been at the car wash moments before the incident was Sarah Storms. Trooper Storms provided a report which stated that at approximately 0243 hours, she arrived at the Classic Car Wash to wash her patrol vehicle at which time she observed a gray Volkswagen parked in a vacuum stall.

Trooper Storms reported that she exited her patrol vehicle and watched the Volkswagen for approximately two (2) minutes. The Volkswagen was idling and she did not observe anybody inside. Trooper Storms returned to her patrol vehicle, washed it and left the business.

INVESTIGATIVE NOTE: In Trooper Storms' report, she listed the Classic Car Wash address as 910 W. Nob Hill Blvd., however, the accurate address is 907 E. Nob Hill Blvd.

On 01-06-14 at approximately 1000 hours, an autopsy was preformed by Dr. Reynolds at the Yakima County Coroner's Office.

Dr. Reynolds determined that Arias suffered a single gunshot wound to the right temple which resulted in his immediate death. A bullet was recovered from Arias' head and was determined to be consistent with a .40 caliber which is what Officer Gillette carry's while on duty.

According to Dr. Reynolds, the fatal gunshot wound to Arias' head was fired from a distance greater than four (4) feet which is consistent with the distance Officer Gillette was when he shot Arias. Dr. Reynolds observed a small hemorrhage on Arias' forehead which he determined occurred at or near the time of his death. The wound is consistent with Arias having struck his head on the steering wheel during this incident.

Inside Arias' pants pocket, a pipe was located which appeared to be the type used to smoke marijuana.

On 01-09-14, a statement was obtained, in writing, from Officer Gillette. According to Officer Gillette, while on routine patrol, he noticed a vehicle parked at the Classic Car Wash at 907 E. Nob Hill Blvd at approximately 0200 hours. Officer Gillette reported that the vehicle appeared to being idling because he could see the exhaust plume as he drove by. Because the vehicle was parked in the area designated for vacuuming the interior of a vehicle, he believed the occupant(s), although not seen, was in the process of cleaning the vehicle and continued about his patrol duties.

Approximately one (1) hour later, he drove by the Classic Car Wash a second time and observed the same vehicle, which was still idling, parked in the same location. Officer Gillette said he pulled into the car wash to check on the driver, primarily to determine if the driver was impaired due to it being just after bar closing time.

Officer Gillette said he pulled up and parked his patrol vehicle off to the left of the Volkswagen Passat which was parked in a vacuuming stall. According to Officer Gillette, this left the Passat the opportunity to back out of the stall if needed because it was not his intention, at that point, to effect an arrest.

He called out his location (with SUNCOMM) and provided the Passat's license plate. Officer Gillette reported, which is confirmed through surveillance video, that he walked up to the driver's side of the Passat. Officer Gillette said that he observed someone sitting upright in the driver's seat with their hands clasped on their lap. The occupant's head was slumped forward which led Officer Gillette to believe he was sleeping or passed out.

He walked around to the passenger side of the Passat, also which is confirmed through surveillance and Coban video, and opened the passenger door. Officer Gillette reported that he observed Arias drooling just as he raised his head up, opened his eyes and turned and looked at him (Gillette).

Officer Gillette reported that as he illuminated Arias' hands, which were on his lap, he (Gillette) observed the slide of a semi-automatic handgun. Officer Gillette drew his handgun and stated "Don't you fucking move"! Arias lunged toward Officer Gillette, extended his right arm and pointed the handgun directly at him (Gillette).

Officer Gillette stated that he felt he was about to be shot so he fired one (1) round followed by three (3) additional rounds. Officer Gillette, who stated the

incident occurred within seconds, remained at the passenger side door of the Passat and advised SUNCOMM that gunshots had been fired and the suspect (Arias) was down.

According to Officer Gillette, once back up units arrived, Arias' handgun was removed by Officer J. Yates. Officer Gillette stated that as Officer Yates walked passed him (Gillette), he realized for the first time that the handgun was a replica.

On 01-14-14, a search warrant was obtained and executed on the Passat. Inside, detectives located a Tablet, a cellular telephone, a firearm mounted laser sight and a pellet handgun which was under the driver's seat.

The Washington State Patrol Crime Scene Response Team assisted in the execution of the search warrant and conducted 3-D imaging of the interior and exterior of the Passat.

On 01-16-14, a search warrant was obtained and executed for the cellular telephone which had been seized during the search warrant on the Passat. Upon review of the cellular telephone's contents, detectives located several text messages sent by and received by Arias prior to his death. In some of the texts, certain words such as "twomps" and "white girl" were observed which suggests that marijuana and cocaine were topics of conversation.

INVESTIGATIVE NOTE: "Twomps" is common street slang for \$20.00 worth of marijuana and "white girl" is common street slang for cocaine.

On 01-21-14 at approximately 1500 hours, Officer Gillette provided a follow up interview in reference to specific details about the confrontation with Arias. According to Officer Gillette, he treated the contact with Arias as he would a traffic stop. Officer Gillette did not fully expose himself when he opened the passenger side door of the Passat.

Once he made contact, he observed the slide of the handgun in Arias' lap and described the ridges on the slide which assist with grip. When Officer Gillette drew his handgun and made the decision to fire, he recalled rocking back, firing the first round and then leaning forward and firing three (3) more rounds.

Officer Gillette said that after firing the four (4) rounds, he observed Arias' right hand, still holding the handgun, resting upon his (Arias) right leg. He reported that he did not move or manipulate the scene in any way and held his position at the passenger side door until additional police units arrived.

On 02-05-14, the toxicology results from Arias' blood were received from the Washington State Patrol Crime Laboratory. The toxicology revealed that Arias had Ethanol (alcohol), Amphetamine, Methamphetamine and THC (marijuana) in his blood. The Ethanol level was measured at 0.038 +/- 0.0031 g/100mL, the Amphetamine level was measured 0.27 mg/L, the Methamphetamine level was measured at 0.54 mg/L and the THC (marijuana) was measured at 39 ng/mL.

INVESTIGATIVE NOTE: The blood sample was collected at autopsy which occurred over 48 hours after Arias' death.

INVESTIGATIVE CONCLUSION

On 01-04-14 at approximately 0254 hours, Officer Gillette contacted a Volkswagen Passat at the Classic Car Wash which he believed was suspicious. Both Officer

Gillette's Coban video and the car wash surveillance video depict Officer Gillette parking off to the driver's side of the Passat allowing it (Passat) room to back out if needed. Officer Gillette did not activate his emergency lights, which would have been indicative of a seizure, upon contacting the Passat.

Officer Gillette stated he contacted the occupant, later identified as Arias, to determine his level of sobriety. Upon contacting Arias on the passenger side of the Passat, Officer Gillette observed that Arias was in possession of a handgun, which appeared to Officer Gillette at the time, to be real. Officer Gillette stated that he drew his handgun and ordered Arias not to move, however, Arias lunged at Officer Gillette and pointed the handgun at him.

Officer Gillette stated he believed he was about to be shot at which time he rocked or learned backward and fired his first round.

The evidence suggests that Officer Gillette's first round struck the exterior pillar which separates the back seat and the front passenger's seat.

INVESTIGATIVE NOTE: Due to my training and experience in the investigation of officer involved shootings, it is common for officers to inadvertently shoot an object which they are seeking cover behind.

Officer Gillette stated he leaned forward and fired three (3) additional rounds, one (1) which struck Arias on the right side of his head.

The positioning of Arias' body at the time he was shot suggests that after Officer Gillette fired his first round into the pillar, Arias flinched thus changing the position of his body at the time Officer Gillette fired the 2nd, 3rd and 4th rounds.

Based on the above statements and evidence, no crime appears to have been committed by Officer Gillette. Officer Gillette, based on the immediate fear that he was going to be shot, appears to have acted appropriately under the circumstances.

This case was sent to the Yakima County Prosecutor's Office for review. As of the date of this report, the 3-D scans taken by the Washington State Patrol Crime Scene Response Team and the results of the blood stain pattern analysis on Arias' clothing have not yet been received. Those reports and results will be sent at a later date.

I certify (or declare) under penalty of perjury under the laws of the State of Washington that the foregoing report, written in the County of Yakima, is true and correct. My typed name below is my signature:

Coban: Yes: No: XX

Date: 02-06-14

Time: 1245 hours

Reporting Officer: Det. D. Shaw #4297

Supplement

Yakima Police Department - Incident Narrative Report

I assisted in this case by extracting data from a tablet and a cell phone that the subject had in his possession. I extracted the data from both devices and made copies of the report for this investigation. For both devices I used Cellebrite for the extraction.

Based on my own training, knowledge and experience to include: 1.) I have successfully completed a 40hr NTI's Computer Forensics Course which required the completion of intense computer forensics training and also demonstrate my proficiency in finding the "Certificate of Completion" in digital form using approved computer forensics protocols. The NTI testing process required me to address issues dealing with data storage anomalies, encryption, data hiding, data compression and forensic data recovery of data. I have also received a passing score on a difficult Computer Forensics Examination administered by Oregon State University and I have also been awarded a Professional Development Certificate. Be aware that only a percentage of those who sit for the OSU examination receive passing scores.

2.) I also completed a 40 hr Computer Forensics course in Seattle WA, by X-Ways Software Technology AG. This is a company in Cologne Germany.

3.) I completed a 32 hr Computer Forensics Course in Pasadena CA by Guidance software (Encase). Encase is the computer forensics software program that Yakima Police currently uses.

4.) I have also attended a 24 hr Cellular Phone Forensics course. This was held in Olympia WA by High Tech Crime Institute.

I certify (or declare) under penalty of perjury under the laws of the State of Washington that the foregoing report, written in the County of Yakima, is true and correct. My typed name below is my signature.

Coban: Yes: No:

Date, Time: 09:42:58 01/21/14

Reporting Officer: D Robinson



Yakima Police Department Crime Laboratory Report

Agency: Yakima Police Department

Agency Representative: K. Hampton

Agency Case Number: 14Y000448

Decedent: Rocendo Arias

Laboratory Number:

Crime Scene Response:

On 1/14/2014 WSP CSRT responded to Yakima and used the Leica 3-D scanner to map the scene at the carwash and the decedent's vehicle as it was stored in the YPD annex. While mapping the scene at the Classic Carwash on East Nob Hill, I located a fired bullet in the gravel area just west of where the decedent's vehicle had been parked the night of the incident. Additionally, I noticed an area on the mat hanger that looked like a bullet impact site. I tested the suspected bullet impact site for the presence of copper and lead using DTO (dithiooxamide), and NaRhO (sodium rhodizonate). The area tested positive for the presence of copper and was photographed by Kristopher Kern with WSPCL. The bullet was collected and measurements were taken of the bullet impact on the mat hanger.

Once back at the YPD annex I assisted K. Hampton in the execution of the search warrant on the Volkswagen Passat YPD 14Y000448:001, with a WA license plate of 071-ZIJ. I took overall, midrange, and close-up photographs of the exterior and interior of the vehicle. K. Hampton collected multiple items of evidentiary value. WSPCL personnel also marked evidence inside the vehicle which were each chemically tested and diagramed. Please refer to Kristopher Kern's report for further details.

During the search a fired bullet was recovered from the B pillar of the vehicle, a bullet defect was chemically tested and measured in the driver's side door and the driver's side window. Refer to Kristopher Kern's report for further details.

Kristen Drury BS MFS, Forensic Lab Supervisor

Date:



Yakima Police Department Crime Laboratory Report

Agency: Yakima Police Department

Agency Representative: K. Hampton

Agency Case Number: 14Y000448

Decedent: Rocendo Arias

Laboratory Number:

Crime Scene Response:

On 1/6/2014 I attended the autopsy of Rocendo Arias at the Yakima County Coroner's Office. In attendance were Deputy Coroner M. Slight, Coroner Jack Hawkins, Dr. Reynolds, Mrs. Reynolds, K. Hampton, and myself. I took overall, midrange, and close-up photographs of Arias's wounds. Multiple items of evidentiary value were collected for additional analysis. The evidence was collected by K. Hampton and transported back to YPD where it was tagged and logged into the property vault. All photos were downloaded onto the YPD network.

I was requested by Sgt. Bardwell to contact the WSP Crime Lab to schedule the CSR team to assist our agency in the documentation of the decedent's vehicle and the trajectory analysis. I contacted Kristopher Kern with the WSPCL in Seattle and arranged for them to come to Yakima on 1/14/2014 to process the Volkswagen Jetta that had been taken as evidence in this case.

Kristen Drury BS MFS, Forensic Lab Supervisor

1/13/14

Date:

Page 1

YAKIMA POLICE DEPARTMENT
Use of Deadly Force Situations
SUMMARY STATEMENT TO SUPERVISOR

Incident Number: 14Y00448

Date: 01-04-14

Directions to on-scene supervisor:

This is a compelled statement.

The supervisor (sergeant or higher rank) is compelling this statement and will not deviate from its contents.

The supervisor will write down on this card the answers provided verbatim, and disseminate public safety information immediately via radio as appropriate, and provide this completed card to the first arriving Major Crimes Unit supervisor.

The police supervisor receiving this information is required to submit a written statement to the Major Crimes Unit. The statement is to include that the Summary Statement was formally given to the involved officer, the content of the answers given by the involved officer, and that the supervisor did not deviate from the specified questions.

"(Rank of involved officer) OFFICER (Name of involved officer) C. Gillette, I am directing you to give me a summary statement in a use of deadly force incident. Due to the immediate need to take action, you are ordered to answer the following questions listed below. If you refuse to answer these questions relating to the performance of your official duties, you will be subject to Department charges, which could result in your dismissal from the Department."

Requesting Supervisor: Name SGT J. SALINAS Rank SGT Per.# 3606 Time 0327

"At this time and to the best of your knowledge, please answer the following":

1. From where and in what direction did you fire rounds? SOUTH / SOUTHWEST

2. In what direction did the suspect(s) fire rounds? NO HE DIDN'T FIRE ANY ROUNDS

3. If you know of anyone injured, what is her/his location? JUST THE SHOOTER IN THE CAR
THERE IS NO ONE ELSE IN THE CAR

4. If any suspects are outstanding, what are their descriptions? NONE

Supervisors: If there are **no** outstanding suspects, proceed directly to question #5, otherwise ask question #4 (a-d).

4a. What was their direction of travel? _____

4b. How long have they been gone? _____

4c. With what weapons were they armed? _____

4d. Are there any other safety risks known about the outstanding suspect(s)? _____

5. Does any evidence need protection? MY GUN, MY FLASHLIGHT

6. Any known witnesses? FIANCEE

7. Where are they located? BREAK ROOM MPD

"(Rank of involved officer) OFFICER (Name of involved officer) GILLETTE, in order to prevent the contamination of your statement, I order you not to discuss this incident with anyone, including your supervisors or staff officers, prior to the arrival of the assigned investigators, with the exception of your legal representation."

DECLARATION OF CASEY L. GILLETTE

I, Casey L. Gillette, state that the following is true:

1. I am a duly commissioned police officer of the Yakima Police Department;
2. I submit the following Declaration regarding a use of force incident on Saturday, January 4, 2014;
3. On that day, at approximately 2:00 A.M., I was on patrol in District 3, within the city of Yakima. As I passed a business known as Classic Auto Wash, 907 E. Nob Hill Blvd., I noticed a vehicle parked at one of the vacuum cleaner stalls. There are 6 of those stalls running north and south, and the vehicle was in the fourth stall in from Nob Hill. It was clear to me that the motor was running because I noted the exhaust plume. Although no one was visible, it appeared the driver was in the process of using or having used the vacuum station. No other cars were visible at the facility. Classic Auto Wash is a self-service, cash-only business, and no employees were present at that time of night;
4. About one hour later, at close to 3:00 A.M., I passed the same car wash again, and noticed the car at the same position, the motor still running. As before, the driver was not visible. I drove into the facility to check on the situation, primarily to rule out the possibility that the driver was impaired, or unsafe to drive upon eventually deciding to leave the car wash. This situation arose on a night during a time of the week (Friday to Saturday) where there are usually more drinking drivers, and this occurrence was just after bar closing time. I parked my

ORIGINAL
(STAMPED AND EVIDENCE)

patrol car behind and to the driver's left. It is not possible to exit the vacuum stalls going forward, because of the fencing running between the car wash and the adjacent fire station. I did not box-in the vehicle, leaving room for the driver to back out of the stall. Since it was not my intention to effect an arrest, this positioning minimized the contact by being less confrontational. Again, it was my intent only to determine and rule out the risks of an impaired driver on the public road, once he decided to leave, or otherwise determine the driver's condition.

When I exited my car, I notified dispatch:

Me: David 3; I'll be out with a vehicle at the east side car wash.

Dispatch: David 3, go ahead.

Me: Washington license number (unknown to me at this writing).

5. I proceeded to the driver's side of the vehicle. Since it was not centered in the stall, but was closer to the vacuum apparatus on the driver's left, the space between the driver's door and the machine was limited to about 2 feet. I stood there and looked in the driver's window. Although the glass was tinted, I was able to see that he was sitting upright, with his hands clasped on his lap. The driver's head was slumped forward and it appeared he was sleeping or, if passed out, unfit to drive. From that angle, I did not see anything in his hands - his left hand was covering his right;

6. My concerns about the public safety issues remained, so I walked around the rear of his vehicle to the passenger side. I opened the passenger's door,

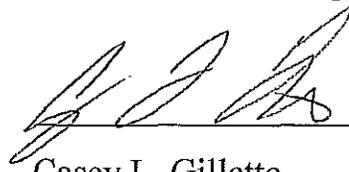
and noted that he was drooling. It was my intent to engage him in conversation. He raised his head up and opened his eyes, turned his head and looked directly at me. The beam of my flashlight illuminated his whole body, including his hands, still on his lap. Then I saw what appeared to be the “slide” on a semi-automatic pistol; the rest of the object, which I identified as a pistol, was covered by his left hand. I drew my service weapon and then stated: “Don’t you fucking move;”

7. Instead of being compliant, he lunged toward me and extended his right arm, pointing the (apparent) firearm directly at me. I was convinced I was about to be shot, and I reacted by shooting once, then three more rounds. My perception of his actions and my reactions to them occurred within seconds, although now it seems they were simultaneous. I remained at the car door and called dispatch on my portable radio and stated:

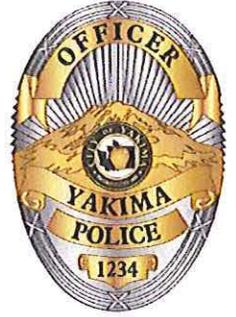
“David 3; shots fired, suspect down.”

8. I remained at that position until, within a minute or so, other police units arrived. While waiting for the arrival of other units, I did not disturb the incident scene in any way. I was escorted to Patrolman Jim Yates’ car. As Patrolman Yates walked past me carrying what I thought was the man’s weapon, I saw for the very first time the orange colored marks indicating it was a replica gun.

I declare under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct. Signed at Yakima, Washington, this 9th day of January, 2014.



Casey L. Gillette



Memorandum

January 21, 2014

To: Adam Moore, Attorney
From: Detective Kasey Hampton #6170
CC: Officer Casey Gillette
Subject: Follow Up Questions

1. Do you remember the sequence of shots and where they hit?
2. Do you remember your movement during the shooting?
 - a. Where you moving right to left or left to right? Front of the car to the back?
3. At what point during the shooting did you realize that he had been shot?
4. Do you remember if the suspect moved during the incident?
5. Do you remember the placement of the body after he incident occurred?
 - a. How was the subject sitting in the vehicle?
 - b. Could you see his hands the entire time?

1 Okay, this recorder is active. Ah, today's date is January 21st,
2 2014. The time is 1509 hours. This is a ah, statement ah, in
3 reference to ah, a officer involved shooting involving ah, Officer
4 Casey Gillette. YPD case number 14Y000448.
5
6
7 Q. Ah, Officer Gillette, do we have your permission to record this?
8 A. Yes, you do.
9
10 Q. Okay. Ah, Mr. Moore, we have your permission to record this?
11 A. Um, yes, yes, sir.
12
13 Q. Detective Cays?
14 A. Yes.
15
16 Q. Okay, and I also ah, don't have a problem with it being
17 recorded. Ah, this is a ah, free and voluntary statement ah, in
18 reference to some follow-up questions to your original
19 statement. Um, and we would just like to ask you these ah,
20 short series of questions, Officer Gillette, to see if you can
21 provide any further detail and, and ah, in..involving this ah,
22 incident. We all in agreement?
23 A. Yes, sir, yeah.
24
25 Q. Okay. All right. I'm just gonna basically read it off of this
26 piece of paper here, Officer Gillette, and the first question
27 would be, and I'm gonna change it to make sure that you
28 understand it if, if you..
29 A. Uh-huh.
30
31 Q. Don't but it, it says do you remember the sequence of, of shots
32 and where they hit? And do you understand what that ah..
33 A. Right, um..
34
35 Q. What it's asking?
36 A. I believe it was, it was one, and then two, three, four. And I,
37 I couldn't tell you which shot hit what.
38
39 Q. Okay.
40 A. I know, by the time I got back into the window or I guess an
41 area where I could see his whole body, he was already done
42 moving so..
43
44 Q. Okay.
45 A. I couldn't tell you which shot hit what.
46
47 Q. Okay. And then I guess that would kind of answer and then at
48 least in my mind question number two but it says do you remember
49 your movement during the shooting and the reason that I, that I

Statement of Officer Casey Gillette

Case number 14y000448

Page 2 of 6

50 ask that question is ah, when you approached the passenger side
51 of the vehicle..

52 A. Um-hum.

53

54 Q. Um, do you remember specifically how you opened the door and how
55 you first initially contacted him?

56 A. Um, I know ah, see walking straight ahead, I opened the door and
57 I lean in and I don't believe I fully go in but I go in like
58 this. And I know I had my gun out because I didn't have to draw
59 it, I mean, it was already right there on him. Um, and then I
60 don't think I go left or right, I think I just go back and then
61 back again like that. So I don't think I, at least, I didn't
62 feel like I went left or right, I felt like I just kinda..

63

64 Q. Okay.

65 A. Went back and a..

66

67 Q. And let me, let me suggest this then or paint this picture and
68 you tell me if I've, if I'm understanding correctly. When you
69 say you opened up the, the passenger side door, do you know what
70 hand you would have used?

71 A. Ah, I would have used ah, ah..I don't, I don't believe I had my
72 gun out at that point, ah, there would be no reason to. I, I
73 would imagine I used my right or left, whatever hand my
74 flashlight wasn't in. Cause I know I had my flashlight out the
75 whole time.

76

77 Q. Right.

78 A. So um, I don't know, I guess I ah..

79

80 Q. And, and that's fine. Um, but once the door came open um, and I
81 know that obviously with, you know, it's hard to see on tape but
82 you're describing ah, if I'm understanding your body language,
83 that you are kind of standing behind the, the..

84 A. Pillar.

85

86 Q. The B pillar of the..

87 A. Right.

88

89 Q. Vehicle and you're kinda leaning in..

90 A. Right.

91

92 Q. Looking inside the..

93 A. I mean ah, I guess the, the way I treat it is like a traffic
94 stop, you know, just kinda, not gonna fully expose myself to the
5 point where the guy pulled a gun on me, aha..

96

- 97 Q. Right.
- 98 A. So..
- 99
- 100 Q. And so then once you leaned forward ah, you said that you saw a
- 101 part of a, of what..
- 102 A. Right.
- 103
- 104 Q. You believed to be a handgun?
- 105 A. I said I saw it from, I saw the top of the slide ah, maybe an
- 106 inch or two and it was clear, I could see the ridges where
- 107 normally it is on a gun where it provides grip or whatever those
- 108 ridges are for.
- 109
- 110 Q. Um-hum.
- 111 A. And then, so then I had my gun out. I think I already had my
- 112 gun out at that point before I verbally said anything to him.
- 113
- 114 Q. Okay.
- 115 A. So..
- 116
- 117 Q. And then well, you kinda made a rocking motion with your, with
- 118 your body, do you remember um, were you rocking backwards and,
- 119 and shooting and then came forward or did you..
- 120 A. Right, I..I know when I was going back was when the first shot
- 121 went off and I, if I had to guess and I really don't recall how
- 122 it was but I know, I would say I was coming back forward
- 123 shooting again so I would say, you know, looking at ah, a
- 124 parallel view, I was going from left to right. From, from back
- 125 of the car to the front of the car.
- 126
- 127 Q. Okay.
- 128 A. That would be my guess.
- 129
- 130 Q. Okay.
- 131 A. So.
- 132
- 133 Q. And then, and again you're using your body in a rocking motion
- 134 is..
- 135 A. Right.
- 136
- 137 Q. Is leaning, almost leaning forward and, and um, do you know at
- 138 what point in the, the shooting that, that he had actually been
- 139 hit?
- 140 A. Ah, after the last shot, I took up another, I took up the same
- 141 position I was in before, you know, used my radio, said shots
- 142 fired and he didn't move after that. And I saw blood on his
- 143 hand where the gun was. Um, and then I'd, you know, I think I

Statement of Officer Casey Gillette

Case number 14y000448

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144 saw a dimple in his hair where it could have been the shot but I
145 just remember seeing the blood on his hand.

146

147 Q. Okay.

148 A. Um, where it was from, I don't know.

149

150 Q. And do you remember at all the, the suspect moving after you,
151 you fired the last shot?

152 A. I, I don't think he moved at all, no.

153

154 Q. Okay.

155 A. He stayed in the same position the whole time.

156

157 Q. Okay, no twitching, no agonal breathing, nothing that you
158 recall?

159 A. Not that I recall, no.

160

161 Q. Okay. Ah, do you remember the, the placement of, of the body
162 ah, during or after the incident ah, specifically, you know,
163 could you see his hands the entire time?

164 A. I would say it was almost, after it was done and he didn't move
165 anymore, really the only difference is when I first saw him.
166 Afterwards was the, the gun was exposed and it was more towards
167 his knee. Before ah, he wa..it was in his lap like this to
168 where it was covered but now his hand had moved and it was up
169 here farther and then if I, that's about the only difference
170 cause his head was slumped like this.

171

172 Q. Okay.

173 A. When all was said and done.

174

175 Q. And what you're describing for the, you know, for the recorder
176 that obviously can't see what you're doing, you're describing
177 with your right hand that, that the gun was in the right hand
178 and that it was kind of up on his right thigh and his left
179 hand..

180 A. Right.

181

182 Q. Was kind of in his, in his lap?

183 A. Right.

184

185 Q. Okay. And that's the difference between the time you first
186 contacted him to the time the body..

187 A. Yes.

188

189 Q. Or the suspect had, was..

190 A. Ah, kinda moving back is the last..

Statement of Officer Casey Gillette

Case number 14y000448

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- 191
192 Q. Okay.
193 A. His hand was probably down there so.
194
195 Q. And were you, did, were you there when they removed the gun?
196 A. No, no, I'd ah, there was plans formulating and then I think it
197 was Chad Thorn had said hey, we need to get Casey out of here.
198 I got moved back, taken to Jim Yates' car and however long it
199 took 'em to get the gun out cause I know they were still
200 formulating a plan on how to do it.
201
202 Q. Right.
203 A. Um, that's when I first saw the orange tip as he walked by me.
204 He had it in his hand so.
205
206 Q. Okay. So then if I can just recap briefly just to make sure
207 that I'm understanding correctly. As you approached the
208 passenger side, you're not, you don't recall which hand you used
209 to open the, the door?
210 A. No, no, I don't.
211
212 Q. Um, the way you're describing with your body movements is that
213 you're standing next to or slightly behind the B pillar of the
214 passenger side?
215 A. Yes, sir.
216
217 Q. Okay. And then you're describing leaning back and shooting and
218 then leaning back forward and continuing ah, your succession of
219 shots and then..
220 A. Yes, sir, yes.
221
222 Q. Ah, and then after the shooting was, after the shots had been
223 fired, you held your position and the only difference between
224 the suspect at that point was just a slight difference in, in
225 the, in the gun hand, it was, was kind of laying on his right
226 thigh with his right hand with the gun in his hand?
227 A. Right.
228
229 Q. Okay.
230 A. Right.
231
232 Q. Detective Cays, do you have any follow-up questions to that?
233 Q. I don't.
234
235 Q. Okay. Um, Mr. Moore, is there..
236 Q. Well ah, you haven't asked him about whether the guy moved and
237 pointed the apparent gun at him or not, you know, by the..

Statement of Officer Casey Gillette

Case number 14y000448

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238

239 Q. Oh, well, then I, that, that was pretty clear to us in, in your
240 statement um..

241 Q. Okay.

242 A. Um, the..

243

244 Q. The, the only question, I guess, that I would have is do you
245 recall him saying anything to you?

246 A. I don't remember anything audible coming from him. And I think
247 the only thing that was said was me sayin' don't fuckin' move
248 so.

249

250 Q. And then you don't recall him saying anything?

251 A. I don't remember, I mean ah, he may have said somethin' when the
252 shots were being fired but I didn't hear him say anything so I
253 don't know.

254

255 Q. So, all right. And then I guess one final question, I, I guess
256 just since Mr. Moore brought it up then the, the lunging of his
257 body towards you um, ah, can you describe that to me one more
258 time?

259 A. Well, he was, so as he was waking up, he does turn towards me
260 and that's about the time I say don't you fuckin' move. And he
261 does a real quick lunge, extends his right arm with the gun
262 pointed right at me and then that's when I leaned back so to
263 speak and then fire one shot and then two or three more. And
264 then ah..

265

266 Q. Okay.

267 A. Take my positive back up at the pillar.

268

269 Q. And that's when you came to see the, the body at rest with the
270 gun in the right hand and kinda..

271 A. Right.

272

273 Q. Laying on the right thigh?

274 A. Yes, sir.

275

276 Q. Okay. Okay. That's ah, that's it for me. Ah, if there are no
277 more questions, that'll conclude the ah, statement with ah,
278 Officer Gillette. The time is 1519 hours on this same date.
279 Detective Shaw, 4297.

280

281

282 End of Statement, 1519 hours

283 Det. D. Shaw, #4297/ps

1 Today's date is January 7th, 2014. The time is 0938 hours. This is
2 a recorded statement in reference to YPD case number 14Y000448. Ah,
3 present is Detective Shaw from the Major Crimes Unit and..

4
5

6 A. Neila.

7

8 Q. Neila, who is ah, Officer Gillette's fiancé. Um, and this is a
9 second statement um, in reference to this incident ah, due to a
10 malfunction by or mistake by me in reference to the recording.
11 So um, just to go over it again ah, you had planned on going on
12 a ride-along with Casey.

13 A. Yes.

14

15 Q. For that shift?

16 A. Yes.

17

18 Q. And um, did you ah, did he bring you to the PD from the
19 beginning, were you with him from the beginning of shift or did
20 he pick you up halfway through or how did that work out?

21 A. No, he went to muster um, and came back to our house and picked
22 me up about 8:45, almost nine, somewhere in there.

23

24 Q. Okay. And so then you were with him for the ah, for that time
25 up until the, the incident ah, that ah..

26 A. Yeah.

27

28 Q. The shooting then?

29 A. Yeah.

30

31 Q. Okay. So can you tell me what you remember from ah, you know,
32 the time that he noticed the, the car or, you know, anything
33 like that until the time he pulled in?

34 A. Um, we..

35

36 Q. Ah..

37 A. Were driving up Nob Hill right there by the Fairgrounds. He
38 looked over and said that car's been sittin' there awhile, let's
39 check it out. So he turned around and he pulled up behind it.
40 He walked up to the driver's side with his flashlight. He
41 peered inside. Walked around the backside looking in. It
42 didn't look like anybody was in the car from my standpoint. Um,
43 he walked around over to the passenger side. Um, I, I can't, I
44 couldn't tell based on how the car was, how we were parked
45 behind him um, if and when he drew his gun. Ah, but he opened
46 the, the passenger door. Um, you could see the silhouette of a
47 person sit up and Casey may have like stepped back a little bit
48 and then there was ah, three, four shots maybe. And then all
49 the other cops came and..

50

51 Q. Okay.

52 A. Whatnot.

53

54 Q. Were you able to hear anything, any conversations between Casey
55 and the person inside the car or anybody yell or scream or
56 anything like that?

57 A. I could not. The windows were up and there was no audio in the,
58 in the car.

59

60 Q. Okay. Um, and after ah, Casey engaged this ah, individual, did
61 he come back to the car to where you were and..

62 A. No, he stood um, where he, right there at the passenger door um,
63 and did not move until other units got there.

64

65 Q. Okay.

66 A. He did, I mean, he, he engaged his shots or however you say it
67 and he stood there. Um, it looked like he had his gun still
68 pointed.

69

70 Q. Um-hum.

71 A. Um, and, and just was frozen in that position.

72 Q. Okay.

73 A. Until the rest of the police got there.

74

75 Q. Okay. Do you remember if the car windows were tinted, is that
76 what made it difficult for you to see if ah..

77 A. Um, yeah, they, they were, they were pretty tinted. Um, it was,
78 it was kinda hard to tell when we first par..pulled up if
79 somebody was in there. I, I, it was really hard to tell. It,
80 it was hard to see if anybody was sitting up in there. It
81 wasn't obvious, super obvious that there's a person in there
82 until he opened the door and then you could see the movement of
83 the body or of the person.

84

85 Q. Um-hum.

86 A. Um, so, I mean, they were, they were, they were pretty tinted.
87 They were..

88

89 Q. Okay.

90 A. Yeah.

91

92 Q. So you, I guess it's safe to assume then that Casey didn't know
93 if anybody was in there either until he opened up that door?

94 A. Um..

96
97 Q. I mean, at least from your standpoint?
98 A. From my standpoint, yeah.
99
100 Q. Okay.
101 A. I wasn't sure how much he could see so.
102
103 Q. Okay. And then once the other police officers got there ah, I
104 assume that somebody obviously had you get into another car and
105 they brought you back to the police department?
106 A. Yeah. Um, a couple of 'em as they were approaching kind of
107 peeked in and gave me like a thumbs up, are you okay. Um, I
108 think Gates was one of 'em. And then um, after they all kinda
109 got there and whatnot, they had pulled Casey away and he was
110 standing next to my passenger door in the car and he was, I'm
111 not sure which officer he was standing with.
112
113 Q. Um-hum.
114 A. Um, and then um, Chad Thorn was the one that took me back to his
115 car.
116
117 Q. All right.
118 A. And then, and then brought me..
119
120 Q. Brought you here?
121 A. Back to the PD.
122
123 Q. Okay. Had you guys passed by or did you know if you'd passed by
124 that car before and, and seen it sitting there or is that
125 something that Casey just..
126 A. Um..
127
128 Q. Must have noticed and..
129 A. I know we'd driven by there, I mean, that's, it's, it's in his
130 beat so I know we'd driven by there a few times. I can't say
131 specifically if that car, how long it was there. I know that
132 there was a vehicle there, I can't, I didn't look at the make
133 and the model and whatnot, but I, I mean, I know we had seen a
134 car or two there.
135
136 Q. Um-hum.
137 A. So, you know, I, I know earlier we had seen, I think right
138 before that, shortly before that, there was like a truck pullin'
139 out. Oh, we pulled somebody over shortly before that. Then a
140 truck had pulled out of there and just got lost to people to be
141 over ah..ah, unrelated.

- 142
143 Q. Um-hum.
144 A. Um, so we, I know we had driven by there, I couldn't, I can't
145 specifically recall if, if that specific car was there or not,
146 but..
147
148 Q. Right.
149 A. I'm not a cop so I'm not as observant as he is, you know.
150
151 Q. Sure.
152 A. I'm just in it for the..
153
154 Q. Right.
155 A. Okay, ha..
156
157 Q. Right. Um, is there anything that you can remember now that
158 you've had a couple of days to think about it and process it, is
159 there anything that you remember that you think that we should
160 know or, or that ah, stands out to you for any reason..
161 A. Um..
162
163 Q. As far as what you might have seen or anything you might have
164 heard before or after this happened?
165 A. No. Not that I can think of. Um, I mean, there's obviously, I
166 now know what Casey's side of the story is..
167
168 Q. Sure.
169 A. But from my own recollection, there's, there's nothing other
170 then the fact that he kinda, I think when he opened the door, he
171 kinda looked, looked startled.
172
173 Q. Right.
174 A. I mean, it was hard, it happened so fast, it was hard to..
175
176 Q. Sure.
177 A. To tell really what was going on.
178
179 Q. Right.
180 A. I mean, it was unexpected.
181
182 Q. Right. Yeah, it always, it always usually is so.
183 A. Yeah.
184
185 Q. Okay. Well, I think that'll ah, do it if there's nothing else
186 that you think that I need to know, then ah, I think that'll be

187 the end of the interview. The time is ah, 0945 hours. Ah,
188 Detective Shaw, 4297.
189
190
191 End of Statement, 0945 hours
192 Det. D. Shaw, #4297/ps

Supplement

Yakima Police Department - Incident Narrative Report

Incident #:14y000448

Synopsis:total station scene

Narrative:

On 01/04/2014 at about 0400 Hrs I was called by Sgt Belton to respond to the car wash at 909 E Nob Hill Blvd regarding an officer involved shooting. I went to the station and responded with the crime scene van and total station equipment.

I set up the total station and with the assistance of Ofc Lancaster and Sgt Belton I gathered the needed data to construct a to-scale map.

On 01/06/2014 I input the gathered information into Mapscenes 2010 forensic mapping program and constructed the attached to-scale maps. North is listed as an approximate and all measurement numbers are in standard US feet.

I certify (or declare) under penalty of perjury under the laws of the State of Washington that the foregoing report, written in the County of Yakima, is true and correct. My typed name below is my signature.

Coban: Yes: No:x

Date, Time:Wed Jan 08 13:12:48 PST 2014

Reporting Officer:Moore 6431

FILED
COUNTY CLERK

STATE OF WASHINGTON)
) ss. RETURN OF SEARCH WARRANT 14 JAN 15 AM 11:03
Superior Court)
County of Yakima) NO. SW 14-004

SUPERIOR COURT
YAKIMA CO. WA

I, Detective Kasey Hampton #6170, certify that I received the attached search warrant on January 13, 2014, and executed the same on January 14, 2014, at 210 S. 2nd Street Yakima, WA 98901 (Yakima Police Department Annex), by making search as directed therein, to-wit:

A silver 1999 Volkswagen Passat bearing a Washington State license plate of 071-ZIJ and a Vehicle Identification Number of WVVMD63BXXE3605

I certify that I was assisted in making this search by Yakima PD ID Technician K. Drury, WSP Forensic Scientist J. Luthy, and WSP Forensic Scientist K. Kern

I further certify that I took into my possession: see attached property sheet.

Said articles were found in the possession of:

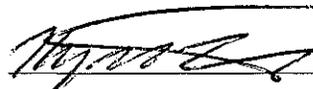
A silver 1999 Volkswagen Passat bearing a Washington State license plate of 071-ZIJ and a Vehicle Identification Number of WVVMD63BXXE3605

A copy of this search warrant and a receipt for the property seized by police was left with the vehicle.

The above-described property is being kept at the Yakima Police Department Annex pending completion of the police investigation..

DATED this 15th day of January, 2014

D. Rizzi, Chief of Police

 #6170
Detective Kasey Hampton #6170

Warrant Docket No. SW 14-004 1
Case Report No. 14Y000448

RECEIPT FOR PROPERTY SEIZED

The undersigned hereby acknowledges receipt of the following described items taken on the 14TH DAY OF JANUARY, 2014, ~~199~~ from the premises located at

210 S. 2ND STREET, YAKIMA PD ANNEX pursuant to Search

Warrant No. 14-004 ; or consent to Search; 1999 VOLKSWAGEN PASSAT 071-ZJT

1. One Tablet, Model TH10 ID# ZVJVMT41QVI
2. SWISS ARMS BRAND LASER + MOUNT PACKAGE
3. BROWN PLASTIC MAGAZINE DOOR/SEAT (PASSENGER FRONT)
4. Green Air Soft
5. Green Air Soft
6. Battery Pack from Passenger Side Seat
7. PLASTIC RIFLE MAGAZINE - CENTER CONSOLE
8. PACKAGING MATERIALS - CENTER CONSOLE
9. TACTICAL LASER SIGHT PACKAGING - CENTER CONSOLE
10. RED & BLACK "REDS" HAT - CENTER CONSOLE AREA
11. SWISS ARMS LASER MOUNT IN PACKAGING W/ BLOOD - DRIVERS SEAT
12. COPPER JACKET FROM PASSENGER SIDE "B" PILLAR - DOOR SEAL
13. COLT DEFENSE REPLICA PELLET GUN 12H24212 - UNDER DRIVER'S SEAT
14. HTC CELLULAR PHONE UNDER DRIVER'S SEAT
15. AIR SOFT PELLETS ON DRIVERS SEAT
16. PRESSURE GRIP FOR LASER SIGHT ON FRONT SEAT

DATED this 14 day of JANUARY, ~~199~~ 2014

START 1200 HRS

END 1615 HRS

K. HAMPTON
Officer

PC170
Badge No.

200 S. 3RD ST
City of Yakima Police Department

YAKIMA, WA 98901
Other

- ~ Marijuana
- ~ Marijuana Paraphernalia To Include Pipes, Rolling Papers And Packaging
- ~ Interior And Exterior Photographs
- ~ Cellular Telephones Capable Of Storing Photographs, Videos And Messages
- ~ An Electronic Tablet Capable Of Storing Photographs, Videos And Messages
- ~ Dominion, Including, Any Information Tending To Establish The Identity Of Persons Who Had Dominion And Control Over The Vehicle During The Assault

Belonging to the suspect and is currently located in the below described vehicle:

A silver 1999 Volkswagen Passat bearing a Washington State license plate of 071-ZIJ and a Vehicle Identification Number of WVWMD63BXXE3605

Which is currently located at:

The Yakima Police Department secure annex located at 210 S. 2nd Street, Yakima, Washington.

NOW, THEREFORE, you are hereby commanded in the name of the State of Washington within ten (10) days of this date, to use such force as may be necessary and search the vehicle above described and to seize:

- ~ Any Replica Or Toy Firearm
- ~ Any Replica Or Toy Firearm Paraphernalia
- ~ Firearms
- ~ Firearm Paraphernalia To Include Holsters
- ~ Ammunition
- ~ Marijuana
- ~ Marijuana Paraphernalia To Include Pipes, Rolling Papers And Packaging
- ~ Interior And Exterior Photographs
- ~ Cellular Telephones Capable Of Storing Photographs, Videos And Messages
- ~ An Electronic Tablet Capable Of Storing Photographs, Videos And Messages
- ~ Dominion, Including, Any Information Tending To Establish The Identity Of Persons Who Had Dominion And Control Over The Vehicle During The Assault

described herein, and to safely keep the same as provided by law and to make return of this warrant within three (3) days of the execution of the same showing all acts and things done hereunder with a particular statement of all articles seized and the names of all persons in whose possession the same were found and if no person be found in possession of said articles, then your return shall so state.

HEREIN FAIL NOT; WITNESS my hand and seal this 13th day of January, 2014.

A handwritten signature in cursive script, appearing to read "Richard H. Barthel", is written over a horizontal line.

Yakima County Superior Court Judge

I have probable cause and do believe that there is evidence relevant to the commission of the crime of:

~ 2nd Degree Assault, 9A.36.021

To wit:

- ~ Any Replica Or Toy Firearm
- ~ Any Replica Or Toy Firearm Paraphernalia
- ~ Firearms
- ~ Firearm Paraphernalia To Include Holsters
- ~ Ammunition
- ~ Marijuana
- ~ Marijuana Paraphernalia To Include Pipes, Rolling Papers And Packaging
- ~ Interior And Exterior Photographs
- ~ Cellular Telephones Capable Of Storing Photographs, Videos And Messages
- ~ An Electronic Tablet Capable Of Storing Photographs, Videos And Messages
- ~ Dominion, Including, Any Information Tending To Establish The Identity Of Persons Who Had Dominion And Control Over The Vehicle During The Assault

Belonging to the suspect and are currently located in the below described vehicle:

A silver 1999 Volkswagen Passat bearing a Washington State license plate of 071-ZIJ and a Vehicle Identification Number of WVWMD63BXXE3605

Which is currently located at:

The Yakima Police Department secure annex located at 210 S. 2nd Street, Yakima, Washington.

My probable cause is based upon the following facts, which were told to me by the following Yakima Police Department Officers:

On Saturday January 4, 2014 at approximately 0320 hours, I was contacted by Sergeant T. Bardwell who advised that Yakima Police Officer C. Gillette had been involved in a shooting and the suspect did

not survive. I was advised that the shooting occurred at a car wash located at 907 E. Nob Hill Blvd.

At approximately 0345 hours I arrived at 907 E. Nob Hill Blvd, Classic Car Wash, and contacted Sergeant T. Bardwell and Detective D. Shaw. Officer Gillette, the only officer involved in the shooting, had already been removed from the scene.

I observed a silver Volkswagen Passat (071ZIJ), parked on the west side of the lot in the area designated for vacuuming. The Passat was still running and I noticed that the front driver's side window was shattered and had a defect in it, which was consistent with damage caused by a bullet strike. It also appeared that glass fragments were on the outside of the Passat.

I also noticed a defect in the driver's side door, which was consistent with a bullet strike. I saw that the paint and the metal on the door were peeled outwards, which is consistent with a round exiting the door, not entering it.

The driver's side door was open at which time I could see a deceased Hispanic male slumped over in the driver's seat. I noticed the decedent had a wound to the head, and a pool of blood in his lap.

I was advised that four (4) spent shell casing were on the passenger side of the Passat along with one (1) spent bullet slug. The scene was preserved pending further processing by investigators.

I returned to the Yakima Police Department and learned that Officer Gillette had his fiancé, identified as Neila Bahadar, with him on a ride along when the incident occurred. Detective D. Shaw and I contacted Sergeant J. Salinas, who was one of the responding supervisors to the scene. Sergeant Salinas had taken the Public Safety Statement from Officer Gillette and provided it to me.

Officer R. Yates and Officer D. Soptich were the first officers to arrive on scene, followed shortly afterwards by Officer B. Althausen. Officer R. Yates advised in his report that when he arrived, Officer

Gillette was on the passenger side of the Passat with his service pistol drawn.

Officer R. Yates approached the driver's side of the Passat and noted that the driver's side door was closed and that the driver's side window appeared to have a gunshot hole in it. Officer Yates noted that when he looked through the driver's side window he noted that the suspect had a black gun in his lap. His report said that the suspect had his right index finger on the trigger. Officer R Yates stated that he then noticed that the pistol had an orange tip.

Officer Soptich, who arrived with Officer R. Yates went to the passenger side of the vehicle. Officer Soptich noted that when he looked into the Passat, he could see the suspect holding a black handgun. He also noted that the suspect had his finger on the trigger. Officer Soptich then went to the driver's side of the Passat and was then able to see that the pistol had an orange tip. Officer Soptich noted in his report that he was unable to see the orange tip from the passenger side of the vehicle, which is where Officer Gillette was standing when he fired.

Officer J. Yates and Officer C. Thorn also arrived on scene to assist Officer Gillette. Officer J. Yates advised that he retrieved the pistol from the hands of the suspect. Officer J. Yates removed the pistol from the passenger side of the vehicle. He also noted in his report that the suspect's finger was on the trigger of the pistol. Officer J. Yates also noted in his report that he did not know the pistol was a replica until he retrieved it. Only after retrieving it did he note that it was made out of plastic and had an orange tip.

The scene was secured by additional patrol officers and Yakima Police Detectives were called to investigate the case.

Detective Shaw agreed to contact and interview Bahadar. She said that Officer Gillette had pulled into the car wash to investigate a vehicle which had been parked at the car wash for some time. She explained she watched as Officer Gillette walked to the driver's side of the vehicle and then around to the passenger side of the vehicle. She observed

Officer Gillette open the passenger side door and step back as if he was startled. Bahadar said she observed a figure (silhouette) sit up inside the vehicle as if someone had been slumped over.

Bahadar said that she heard three (3) or four (4) gunshots and watched as Officer Gillette stood near the open passenger side door. Bahadar said Officer Gillette held his position until additional back up units arrived. Bahadar said she did not hear any type confrontation between the driver and Officer Gillette. According to Bahadar, the incident occurred very quickly.

I contacted Officer Gillette to obtain photos and his duty weapon. He advised that the pistol had been in the suspects hand and on his lap. Officer J. Yates took custody of the pistol at the scene and gave it to Detective Shaw.

I took several digital photos of Officer Gillette, which included overall views from all four sides. Officer Gillette was in his marked police jumpsuit uniform at the time of the shooting. I also collected his firearm, which was a Smith & Wesson M&P .40 caliber S/N DXN9228. Officer Gillette had two (2) extra magazines on his duty belt.

Detective R. Baker and I conducted a round count of the magazines. The two spare magazines contained fifteen (15) rounds of .40 caliber ammunition. The capacity for the magazine is fifteen (15) rounds.

I then removed the magazine from Officer Gillette's duty pistol. There were eleven (11) rounds in the magazine and one (1) round in the chamber totaling twelve (12) rounds. The magazine in the pistol was also a fifteen (15) round capacity magazine. The round count from the magazine in Officer Gillette's pistol would be consistent with the number of casings found at the scene. This is in relation to an officer having his pistol fully loaded with one round in the chamber. It is also consistent with Officer Gillette's statement that he fired four (4) rounds.

At approximately 0445 hours, Yakima Police Detectives returned to the scene to process and collect evidence. Detective K. Cays was assigned

to photograph the scene without placards and then with placards. Detective D. Shaw was assigned to set the placards. Officer J. Moore and Officer J. Lancaster were also on scene conducting Total Station.

Once the scene was processed Yakima County Coroner J. Hawkins and Deputy Coroner M. Slight arrived to collect the body. When they retrieved the body from the Passat, they found the wallet of the decedent and his WA State Driver's License. The decedent was identified as Rocendo Arias (DOB10-03-1990). Detective Shaw and I noted that Arias had a firearm mount for a laser sight in his lap when the body was removed.

When Arias was removed from the front seat, I observed the handle of another firearm protruding from underneath the front driver's side seat. I could see the grips had been removed and could only see the butt of the pistol.

The scene was completed at approximately 0650 hours. I followed Elite Towing from the scene to the Yakima Police Department Annex, where the silver Volkswagen Passat was tagged. The Passat has been in a secured facility at the Yakima Police department since that time.

On Monday January 6TH, 2014 at approximately 1000 hours I was present at the autopsy of Arias, which was conducted by Dr. Reynolds. It was determined that Arias died from a single gunshot wound to the head. The bullet entered the right side of the head and lodged in the brain, which is consistent from the direction that Officer Gillette fired his service pistol.

During the autopsy the batteries and the laser mount were collected from the lap of Arias. Also collected from the body of Arias was a glass pipe, which due to my training and experience as a law enforcement officer I know these pipes are used to smoke marijuana.

On Thursday January 9TH, 2014 at approximately 1400 hours I received a written statement from Officer C. Gillette about the shooting. The statement was provided by Attorney A. Moore and stated the following:

On Saturday January 4, 2014 at approximately 0256 hours Officer C. Gillette was working in police uniform and a marked patrol vehicle. Officer Gillette was assigned a patrol beat, which is noted as District 3, which is the southeast side of the City of Yakima. 907 E. Nob Hill Blvd, Classic Auto Wash, is in his assigned patrol beat.

Officer Gillette initially noted a vehicle, the silver 1999 Volkswagen Passat, WA License Plate 3017ZIU, had been parked in the vacuum station at approximately 0200 hours. He noted that the vehicle was running at that time. An hour had passed and when Officer Gillette returned to the area at 0256 hours, the vehicle was parked at the same location. Noting the time and that the vehicle had not moved, Officer Gillette decided to make contact with the vehicle's occupant.

Officer Gillette noted in his statement that it was a Friday night entering into Saturday morning and that drunk drivers were more frequent during this time and that the vehicle was parked at the location shortly after bars close.

Officer Gillette parked behind and to the left of the Passat and notified Yakima Police Department dispatch. Officer Gillette noted in his report that it was not his intent to detain the driver, but to conduct a welfare check and determine if the driver was impaired.

Officer Gillette noted in his statement that he proceeded to the driver's side door. Officer Gillette stated that he was able to see someone in the driver's seat slumped over. The driver had his hands clasped in his lap, with his left hand covering his right hand.

Officer Gillette's statement said that the vehicle was not centered in the stall with the driver's side parked too close to the vacuum apparatus for him to make contact on the driver's side. This is also reflected in scene photos. Officer Gillette decided to walk around the back of the vehicle to the passenger side. Video obtained from the car wash by investigators shows Officer Gillette's approach to the driver's side of the Passat and then shows him walking around the back of the Passat to the passenger side. The video also shows that Officer

Gillette had his flashlight in his hand at this time, which is a common occurrence for officers working a graveyard shift.

Officer Gillette states that he was concerned about public safety and opened the front passenger side door to make contact with the driver. Officer Gillette noted that the driver was drooling and that it was his intent to engage the driver in conversation to ascertain his level of sobriety.

Officer Gillette stated that the driver raised his head, opened his eyes, and looked directly at him. Officer Gillette stated that his flashlight illuminated the driver's body, to include his hands, which were still in the driver's lap. Officer Gillette saw the slide of a semi-automatic pistol in the driver's right hand, with the left hand covering the rest of the firearm

Officer Gillette stated that he drew his service pistol and told the driver not to move. Officer Gillette statement said that the driver lunged toward him, extending his right arm and pointing the pistol directly at Officer Gillette. Officer Gillette stated that he was convinced that he was about to be shot so he fired four (4) rounds in quick succession from his duty pistol.

Officer Gillette then advised dispatch, "shots fired; suspect down." Additional Yakima Police Officers then responded to the scene to assist.

Due to police noting an additional firearm underneath the front seat, I request to search and seize any replica or toy firearms or real firearms from the vehicle.

Due to my training and experience I also know that if someone possesses a firearm, either real or replica, firearm paraphernalia to include holsters are likely to be found. Police also request any ammunition be seized at the time of service.

Due to the marijuana paraphernalia being found on Arias, I request to search and seize any Marijuana or Marijuana paraphernalia from the

vehicle. Police also request to seize the cellular telephone and the electronic tablet from the vehicle.

From my training and experience, I know that persons who use firearms and/or drugs, frequently take photographs or videos of themselves posing with firearms and drugs. I know that people utilize their cellular telephones, iPads and Tablets to take photographs of themselves. I also know it is common for people to post these photographs on social media sites such as Myspace and Facebook.

I also request to seize paperwork, which shows any dominion from Arias and or the vehicle owner. To better document the scene, I request permission to take interior and exterior photographs.

Your affiant requests permission to seize the above described evidence which is relevant to this investigation.

NOW, THEREFORE, you are hereby commanded in the name of the State of Washington within ten (10) days of this date, to use such force as may be necessary and search the **vehicle** above described, including the trunk, glove compartment and any other enclosed area of the vehicle, any and all containers, and seize all evidence connected therewith, and to safely keep the same as provided by law and to make return of this warrant within three (3) days of the execution of the same showing all acts and things done hereunder with a particular statement of all articles seized and the names of all persons in whose possession the same were found and if no person be found in possession of said articles, then your return shall so state.

You are further commanded to serve a copy of this warrant upon the person or persons found in the above described vehicle and if no person or persons be found in possession thereof, you shall post a copy of this warrant in a conspicuous place on said vehicle.

~~_____~~ #6170

Detective Kasey Hampton #6170

SUBSCRIBED AND SWORN to before me this 13th day of January, 2014.

Ronald H Bannell

Superior Court Judge

FILED
COUNTY CLERK

'14 JAN 13 P2 :44

SUPERIOR COURT
YAKIMA CO. WA

SUPERIOR COURT OF WASHINGTON FOR YAKIMA COUNTY

IN THE MATTER OF YAKIMA COUNTY
YAKIMA POLICE DEPARTMENT
CASE #14Y000448

NO. WT 14-004

MOTION TO SEAL SEARCH WARRANT,
APPLICATION FOR SEARCH WARRANT,
RETURN OF SERVICE, INVENTORY
SHEETS, MOTION TO SEAL, ORDERS,
AND CASE FILE

Clerk's Action Required

COMES NOW the Plaintiff, the State of Washington, by and through Detective Kasey Hampton of the Yakima Police Department, and hereby moves the court to seal the search warrant, application for search warrant, return of service, inventory sheets, and this motion, and case file for the following reasons:

1. Contained within the search warrant and application for search warrant are facts regarding the investigation of and Assault 2ND Degree, which resulted in an officer involved shooting. Moreover, this information could place law enforcement officers and witnesses in danger during this investigation. These interests cannot be protected by deletion of the harmful material rather than sealing of the entire file; and
2. Further, disclosure of the information contained in this application for search warrant and search warrant would be contrary to the public interest.

Accordingly, the State respectfully requests that the Yakima County Superior Court order the application for search warrant, search warrant , return of service, inventory sheets, motions, orders, and case file be sealed and remain sealed until further order of the Court.

Respectfully submitted,

DATED: 1/13/14

N/A
JUDGE

Presented by:

 #0170
Detective Kasey Hampton #6170
Yakima Police Department

FILED
COUNTY CLERK

'14 JAN 13 P2:44

SUPERIOR COURT
YAKIMA CO. WA

SUPERIOR COURT OF WASHINGTON FOR YAKIMA COUNTY

IN THE MATTER OF 2nd DEGREE ASSAULT

NO. WT 14- 004
ORDER SEALING FILE
Clerk's Action Required

THIS MATTER having come before Judge RICHARD H. BARTHELD on the motion of the State of Washington; and the Court having considered the motion, files and records herein, and the affidavit of Detective ~~Samuel [redacted]~~ ^{P.D.} of the Yakima County Sheriff's Office; and pursuant to RCW 9.73.090;
KATSON HUNTER

IT IS ORDERED that the Clerk of this Court shall seal the attached search warrant, the affidavit for search warrant, the motion to seal search warrant, and all materials and documents in this file until further order of this Court.

IT IS FURTHER ORDERED that this Order Sealing the Application for Authority to Intercept and Order Authorizing shall be sealed pending further order of the Court;

IT IS FURTHER ORDERED that this Order Sealing File may be extended upon the request by law enforcement showing that an extension of the Order Sealing is in the interest of justice.

DATED: 1/13/2014

Richard H. Bartheld
JUDGE

Presented by:

FILED
COUNTY CLERK

'14 JAN 16 11:06

SUPERIOR COURT
YAKIMA CO. WA

SUPERIOR COURT OF WASHINGTON FOR YAKIMA COUNTY

IN THE MATTER OF YAKIMA COUNTY
YAKIMA POLICE DEPARTMENT
CASE #14Y000448

NO. WT 14-004A

MOTION TO SEAL SEARCH WARRANT,
APPLICATION FOR SEARCH WARRANT,
RETURN OF SERVICE, INVENTORY
SHEETS, MOTION TO SEAL, ORDERS,
AND CASE FILE

Clerk's Action Required

COMES NOW the Plaintiff, the State of Washington, by and through Detective Kasey Hampton #6170 of the Yakima Police Department, and hereby moves the court to seal the search warrant, application for search warrant, return of service, inventory sheets, and this motion, and case file for the following reasons:

1. Contained within the search warrant and application for search warrant are facts regarding the investigation of Assault 2ND Degree, which resulted in an officer involved shooting. Moreover, this information could place law enforcement officers and witnesses in danger during this investigation. These interests cannot be protected by deletion of the harmful material rather than sealing of the entire file; and

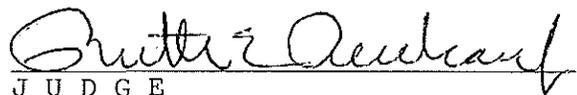
2. Further, disclosure of the information contained in this application for search warrant and search warrant would be contrary to the public interest, since it is still an active and ongoing investigation.

Accordingly, the State respectfully requests that the Yakima County Superior Court order the application for search warrant, search warrant, return of service, inventory sheets, motions, orders, and case file be sealed and remain sealed until further order of the Court.

Respectfully submitted,

DATED:

1-16-14



J U D G E

YAKIMA SUPERIOR COURT

Presented by:



Detective Kasey Hampton #6170
Yakima Police Department

FILED
COUNTY CLERK

'14 JAN 16 11:06

SUPERIOR COURT
YAKIMA CO. WA

SUPERIOR COURT OF WASHINGTON FOR YAKIMA COUNTY

IN THE MATTER OF 2nd DEGREE ASSAULT

NO. WT 14-004A

ORDER SEALING FILE

Clerk's Action Required

THIS MATTER having come before Superior Court Judge
Ruth E Luckauf on the motion of the State of Washington; and the
Court having considered the motion, files and records herein, and the
affidavit of Detective Kasey Hampton #6170 of the Yakima Police Department;

IT IS ORDERED that the Clerk of this Court shall seal the attached
search warrant, the affidavit for search warrant, the motion to seal search
warrant, and all materials and documents in this file until further order of
this Court.

IT IS FURTHER ORDERED that this Order Sealing the Application for
Authority to Intercept and Order Authorizing shall be sealed pending further
order of the Court;

IT IS FURTHER ORDERED that this Order Sealing File may be extended upon
the request by law enforcement showing that an extension of the Order Sealing
is in the interest of justice.

DATED: 1-16-14

Ruth E Luckauf
SUPERIOR COURT J U D G E

FILED
COUNTY CLERK

'14 JAN 16 A11 :06

SUPERIOR COURT
YAKIMA CO. WA

IN THE SUPERIOR COURT OF YAKIMA

SW 14-004A

IN AND FOR YAKIMA COUNTY

STATE OF WASHINGTON)
) ss. SEARCH WARRANT
COUNTY OF YAKIMA) FOR
) A Black Cruz Tablet
) and HTC Cellular Telephone

In the name of the State of Washington, to the Chief of Police, Police Department of Yakima, County, State of Washington, his officers, any peace officer of the State of Washington duly authorized to enforce or assist in enforcing any law thereof,

GREETINGS:

WHEREAS, a complaint has been made to and signed before the undersigned Superior Court Judge by one Detective Kasey Hampton #6170 of the Yakima Police Department's Major Crimes Unit, stating under oath, that he has probable cause and does believe that there is evidence relevant to the commission of the crime of:

- 2nd Degree Assault, RCW 9A.36.021

To wit:

- Dominion, to include, any information to establish the identity of the persons who control over the tablet and cellular telephone
- Pictures

- Videos
- Text Messages or other messaging services
- Address Books
- Incoming/Outgoing Calls
- Social Media History
- Internet Search Recent and History

Belonging to the suspect and is currently located in the electronic devices which are described as:

1. A Black Cruz Electronic Tablet-Device. Model #T410; ID# ZVJVMT410V1. Yakima Police Department CASE# 14Y000448; BEAST Property Item #030.
2. A Black and Grey HTC Cellular Telephone. Yakima Police Department CASE# 14Y000448; BEAST Property Item #043.

Which is currently located at:

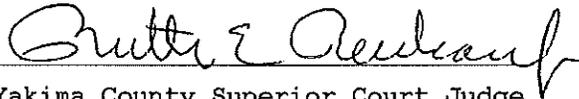
The Yakima Police Department Property Room located at 200 S. 3RD Street, Yakima, Washington.

NOW, THEREFORE, you are hereby commanded in the name of the State of Washington within ten (10) days of this date, to use such force as may be necessary and search the electronic devices above described and to seize:

- Dominion, to include, any information to establish the identity of the persons who control over the tablet and cellular telephone
- Pictures
- Videos
- Text Messages or other messaging services
- Address Books
- Incoming/Outgoing Calls
- Social Media History
- Internet Search Recent and History

described herein, and to safely keep the same as provided by law and to make return of this warrant within three (3) days of the execution of the same showing all acts and things done hereunder with a particular statement of all articles seized and the names of all persons in whose possession the same were found and if no person be found in possession of said articles, then your return shall so state.

HEREIN FAIL NOT; WITNESS my hand and seal this 16th day of January, 2014.


Yakima County Superior Court Judge

FILED
COUNTY CLERK

'14 JAN 16 11:06

SUPERIOR COURT
YAKIMA CO. WA

IN THE SUPERIOR COURT OF YAKIMA

IN AND FOR YAKIMA COUNTY

SW 14-004A

STATE OF WASHINGTON)

) ss. AFFIDAVIT FOR SEARCH WARRANT

COUNTY OF YAKIMA)

FOR

A Black Cruz Tablet and HTC Cellular Telephone

Detective Kasey Hampton #6170, being first duly sworn upon oath, before the undersigned Judge of the Yakima Superior Court, deposes and says:

I am a duly commissioned Police Officer with the Yakima Police Department with over 14 years in Law Enforcement. I have been assigned to the Yakima Police Department Detective Division Major Crimes Unit since January 2009. During my Law Enforcement Career I have been a corrections officer, patrol officer, gang enforcement officer and detective.

I graduated from Basic Law Enforcement Academy and have received additional training in Homicide Investigations, Crime Scene Investigations, Officer Involved Shootings and Interview/Interrogation Techniques. During my time as a Major Crimes Detective I have investigated several officer involved shooting incidents and been assigned as lead detective on four (4) of those officer involved shootings. I have written and/or executed dozens of search warrants in relation to homicides, robberies, and serious felony assaults.

I have probable cause and do believe that there is evidence relevant to the commission of the crime of:

* 2nd Degree Assault, RCW 9A.36.021

To wit:

- Dominion, to include, any information to establish the identity of the persons who control over the tablet and cellular telephone
- Pictures
- Videos
- Text Messages or other messaging services
- Address Books
- Incoming/Outgoing Calls
- Social Media History
- Internet Search Recent and History

Belonging to the suspect and is currently located in the electronic devices which are described as:

1. A Black Cruz Electronic Tablet Device. Model #T410; ID# ZVJVMT410V1. Yakima Police Department CASE# 14Y000448; BEAST Property Item #030.
2. A Black and Grey HTC Cellular Telephone. Yakima Police Department CASE# 14Y000448; BEAST Property Item #043.

Which is currently located at:

The Yakima Police Department Property Room located at 200 S. 3RD Street, Yakima, Washington.

My probable cause is based upon the following facts, which were told to me by the following Yakima Police Department Officers:

On Saturday January 4, 2014 at approximately 0320 hours, I was contacted by Sergeant T. Bardwell who advised that Yakima Police Officer C. Gillette had been involved in a shooting and the suspect did

not survive. I was advised that the shooting occurred at a car wash located at 907 E. Nob Hill Blvd.

At approximately 0345 hours I arrived at 907 E. Nob Hill Blvd, Classic Car Wash, and contacted Sergeant T. Bardwell and Detective D. Shaw. Officer Gillette, the only officer involved in the shooting, had already been removed from the scene.

I observed a silver Volkswagen Passat (071ZIJ), parked on the west side of the lot in the area designated for vacuuming. The Passat was still running and I noticed that the front driver's side window was shattered and had a defect in it, which was consistent with damage caused by a bullet strike. It also appeared that glass fragments were on the outside of the Passat.

I also noticed a defect in the driver's side door, which was consistent with a bullet strike. I saw that the paint and the metal on the door were peeled outwards, which is consistent with a round exiting the door, not entering it.

The driver's side door was open at which time I could see a deceased Hispanic male slumped over in the driver's seat. I noticed the decedent had a wound to the head, and a pool of blood in his lap.

I was advised that four (4) spent shell casing were on the passenger side of the Passat along with one (1) spent bullet slug. The scene was preserved pending further processing by investigators.

I returned to the Yakima Police Department and learned that Officer Gillette had his fiancé, identified as Neila Bahadar, with him on a ride along when the incident occurred. Detective D. Shaw and I contacted Sergeant J. Salinas, who was one of the responding supervisors to the scene. Sergeant Salinas had taken the Public Safety Statement from Officer Gillette and provided it to me.

Officer R. Yates and Officer D. Soptich were the first officers to arrive on scene, followed shortly afterwards by Officer B. Althausen. Officer R. Yates advised in his report that when he arrived, Officer

Gillette was on the passenger side of the Passat with his service pistol drawn.

Officer R. Yates approached the driver's side of the Passat and noted that the driver's side door was closed and that the driver's side window appeared to have a gunshot hole in it. Officer Yates noted that when he looked through the driver's side window he noted that the suspect had a black gun in his lap. His report said that the suspect had his right index finger on the trigger. Officer R Yates stated that he then noticed that the pistol had an orange tip.

Officer Soptich, who arrived with Officer R. Yates went to the passenger side of the vehicle. Officer Soptich noted that when he looked into the Passat, he could see the suspect holding a black handgun. He also noted that the suspect had his finger on the trigger. Officer Soptich then went to the driver's side of the Passat and was then able to see that the pistol had an orange tip. Officer Soptich noted in his report that he was unable to see the orange tip from the passenger side of the vehicle, which is where Officer Gillette was standing when he fired.

Officer J. Yates and Officer C. Thorn also arrived on scene to assist Officer Gillette. Officer J. Yates advised that he retrieved the pistol from the hands of the suspect. Officer J. Yates removed the pistol from the passenger side of the vehicle. He also noted in his report that the suspect's finger was on the trigger of the pistol. Officer J. Yates also noted in his report that he did not know the pistol was a replica until he retrieved it. Only after retrieving it did he note that it was made out of plastic and had an orange tip.

The scene was secured by additional patrol officers and Yakima Police Detectives were called to investigate the case.

Detective Shaw agreed to contact and interview Bahadar. She said that Officer Gillette had pulled into the car wash to investigate a vehicle which had been parked at the car wash for some time. She explained she watched as Officer Gillette walked to the driver's side of the vehicle and then around to the passenger side of the vehicle. She observed

Officer Gillette open the passenger side door and step back as if he was startled. Bahadar said she observed a figure (silhouette) sit up inside the vehicle as if someone had been slumped over.

Bahadar said that she heard three (3) or four (4) gunshots and watched as Officer Gillette stood near the open passenger side door. Bahadar said Officer Gillette held his position until additional back up units arrived. Bahadar said she did not hear any type confrontation between the driver and Officer Gillette. According to Bahadar, the incident occurred very quickly.

I contacted Officer Gillette to obtain photos and his duty weapon. He advised that the pistol had been in the suspects hand and on his lap. Officer J. Yates took custody of the pistol at the scene and gave it to Detective Shaw.

I took several digital photos of Officer Gillette, which included overall views from all four sides. Officer Gillette was in his marked police jumpsuit uniform at the time of the shooting. I also collected his firearm, which was a Smith & Wesson M&P .40 caliber S/N DXN9228. Officer Gillette had two (2) extra magazines on his duty belt.

Detective R. Baker and I conducted a round count of the magazines. The two spare magazines contained fifteen (15) rounds of .40 caliber ammunition. The capacity for the magazine is fifteen (15) rounds.

I then removed the magazine from Officer Gillette's duty pistol. There were eleven (11) rounds in the magazine and one (1) round in the chamber totaling twelve (12) rounds. The magazine in the pistol was also a fifteen (15) round capacity magazine. The round count from the magazine in Officer Gillette's pistol would be consistent with the number of casings found at the scene. This is in relation to an officer having his pistol fully loaded with one round in the chamber. It is also consistent with Officer Gillette's statement that he fired four (4) rounds.

At approximately 0445 hours, Yakima Police Detectives returned to the scene to process and collect evidence. Detective K. Cays was assigned

to photograph the scene without placards and then with placards. Detective D. Shaw was assigned to set the placards. Officer J. Moore and Officer J. Lancaster were also on scene conducting Total Station.

Once the scene was processed Yakima County Coroner J. Hawkins and Deputy Coroner M. Slight arrived to collect the body. When they retrieved the body from the Passat, they found the wallet of the decedent and his WA State Driver's License. The decedent was identified as Rocendo Arias (DOB10-03-1990). Detective Shaw and I noted that Arias had a firearm mount for a laser sight in his lap when the body was removed.

When Arias was removed from the front seat, I observed the handle of another firearm protruding from underneath the front driver's side seat. I could see the grips had been removed and could only see the butt of the pistol.

The scene was completed at approximately 0650 hours. I followed Elite Towing from the scene to the Yakima Police Department Annex, where the silver Volkswagen Passat was tagged. The Passat has been in a secured facility at the Yakima Police department since that time.

On Monday January 6TH, 2014 at approximately 1000 hours I was present at the autopsy of Arias, which was conducted by Dr. Reynolds. It was determined that Arias died from a single gunshot wound to the head. The bullet entered the right side of the head and lodged in the brain, which is consistent from the direction that Officer Gillette fired his service pistol.

During the autopsy the batteries and the laser mount were collected from the lap of Arias. Also collected from the body of Arias was a glass pipe, which due to my training and experience as a law enforcement officer I know these pipes are used to smoke marijuana.

On Thursday January 9TH, 2014 at approximately 1400 hours I received a written statement from Officer C. Gillette about the shooting. The statement was provided by Attorney A. Moore and stated the following:

On Saturday January 4, 2014 at approximately 0256 hours Officer C. Gillette was working in police uniform and a marked patrol vehicle. Officer Gillette was assigned a patrol beat, which is noted as District 3, which is the southeast side of the City of Yakima. 907 E. Nob Hill Blvd, Classic Auto Wash, is in his assigned patrol beat.

Officer Gillette initially noted a vehicle, the silver 1999 Volkswagen Passat, WA License Plate 3017ZIJ, had been parked in the vacuum station at approximately 0200 hours. He noted that the vehicle was running at that time. An hour had passed and when Officer Gillette returned to the area at 0256 hours, the vehicle was parked at the same location. Noting the time and that the vehicle had not moved, Officer Gillette decided to make contact with the vehicle's occupant.

Officer Gillette noted in his statement that it was a Friday night entering into Saturday morning and that drunk drivers were more frequent during this time and that the vehicle was parked at the location shortly after bars close.

Officer Gillette parked behind and to the left of the Passat and notified Yakima Police Department dispatch. Officer Gillette noted in his report that it was not his intent to detain the driver, but to conduct a welfare check and determine if the driver was impaired.

Officer Gillette noted in his statement that he proceeded to the driver's side door. Officer Gillette stated that he was able to see someone in the driver's seat slumped over. The driver had his hands clasped in his lap, with his left hand covering his right hand.

Officer Gillette's statement said that the vehicle was not centered in the stall with the driver's side parked too close to the vacuum apparatus for him to make contact on the driver's side. This is also reflected in scene photos. Officer Gillette decided to walk around the back of the vehicle to the passenger side. Video obtained from the car wash by investigators shows Officer Gillette's approach to the driver's side of the Passat and then shows him walking around the back of the Passat to the passenger side. The video also shows that Officer

Gillette had his flashlight in his hand at this time, which is a common occurrence for officers working a graveyard shift.

Officer Gillette states that he was concerned about public safety and opened the front passenger side door to make contact with the driver. Officer Gillette noted that the driver was drooling and that it was his intent to engage the driver in conversation to ascertain his level of sobriety.

Officer Gillette stated that the driver raised his head, opened his eyes, and looked directly at him. Officer Gillette stated that his flashlight illuminated the driver's body, to include his hands, which were still in the driver's lap. Officer Gillette saw the slide of a semi-automatic pistol in the driver's right hand, with the left hand covering the rest of the firearm.

Officer Gillette stated that he drew his service pistol and told the driver not to move. Officer Gillette's statement said that the driver lunged toward him, extending his right arm and pointing the pistol directly at Officer Gillette. Officer Gillette stated that he was convinced that he was about to be shot so he fired four (4) rounds in quick succession from his duty pistol.

Officer Gillette then advised dispatch, "shots fired; suspect down." Additional Yakima Police Officers then responded to the scene to assist.

On Monday January 13, 2014 I applied for a search warrant in Yakima Superior Court for the 1999 Volkswagen Passat WA License Plate #071-ZIJ. The warrant was signed and approved by Yakima Superior Court Judge Bartheld.

On Tuesday January 14, 2014 I served the search warrant on the 1999 Volkswagen Passat WA License Plate #071-ZIJ.

During the warrant service I recovered various firearm paraphernalia to include; two (2) empty laser sight packaging and one (1) Swiss Arms Laser with a mount still in the packaging.

Inside of the center console area I located a large amount of small plastic bags. Due to my training and experience I know those bags are used for trafficking narcotics.

I seized a Black Cruz Tablet Model# T410, ID# ZVJVMT410V1. That tablet was located on the front passenger seat, next to Arias and had possible blood evidence on it.

Underneath the front drivers seat I located a black and grey HTC cellular telephone. That telephone was covered in a red sticky substance that due to my experience was blood. That cellular telephone was also seized.

Due to my training and experience as a police officer I know that persons who traffic in narcotics and carry guns (real, replica, or toy) take pictures and/or video using electronic devices. Those electronic devices can include either electronic tablets or cellular telephones. These devices are also used to communicate in the trafficking of narcotics, via the messaging services provided by those devices.

Due to Arias having a replica firearm in his lap at the time of the shooting along with an opened package of a Swiss Arms Laser/Mount combo, I conducted research on Swiss Arms Laser/Mount. It should be noted that several videos exist on the internet that show the proper way to mount the laser on a firearm.

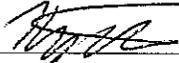
I know due to my training and experience that electronic tablets can be used in a similar fashion to cellular telephones to make phone calls, send text messages, or use other messaging services. They can also be used to view online instruction videos.

Your affiant requests permission to search the above described items to obtain evidence which is relevant to this investigation.

NOW, THEREFORE, you are hereby commanded in the name of the State of Washington within ten (10) days of this date, to use such force as may be necessary and search the items above described, including the

trunk, glove compartment and any other enclosed area of the vehicle, any and all containers, and seize all evidence connected therewith, and to safely keep the same as provided by law and to make return of this warrant within three (3) days of the execution of the same showing all acts and things done hereunder with a particular statement of all articles seized and the names of all persons in whose possession the same were found and if no person be found in possession of said articles, then your return shall so state.

You are further commanded to serve a copy of this warrant upon the person or persons found in the above described vehicle and if no person or persons be found in possession thereof, you shall post a copy of this warrant in a conspicuous place on said vehicle.

 #6170

Detective Kasey Hampton #6170

SUBSCRIBED AND SWORN to before me this 16th day of January, 2014.



Superior Court Judge

Yakima County, Washington

RECEIVED
MAR 13 2014
CITY LEGAL DEPT.

FILED
MAR 13 2014

KIM M. EATON, YAKIMA COUNTY CLERK

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON
IN AND FOR THE COUNTY OF YAKIMA

IN THE MATTER OF YAKIMA POLICE
DEPARTMENT CASE # 14Y000448
AND THE INVESTIGATION OF 2ND
DEGREE ASSAULT.

NO. WT 14-004 AND WT 14-004A

MOTION TO UNSEAL FILES RE
SW 14-004 AND SW 14-004A

CLERK'S ACTION REQUIRED

COMES NOW the City of Yakima and hereby moves the court to unseal the Return of Search Warrants (SW 14-004 and SW 14-004A), Receipt for Property Seized (SW 14-004), Search Warrants (SW 14-004 and SW 14-004), Affidavits for Search Warrants (SW 14-004 and SW 14-004A), "Motion to Seal Search Warrant, Application for Search Warrant, Return of Service, Inventory Sheets, Motion to Seal, Orders, and Case File" (SW 14-004 and SW 14-004A), and Order Sealing File (WT 14-004 and WT 14-004A) for the following reasons:

1. The records were previously sealed during the ongoing investigation of Yakima Police Department Case No. 14Y000448, Assault 2nd Degree, which resulted in an officer involved shooting.

MOTION TO UNSEAL FILES
RE SW 14-004 AND SW 14-004A - 1

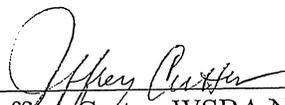
CITY OF YAKIMA LEGAL DEPARTMENT
CIVIL DIVISION
200 South Third Street
Yakima, WA 98901-2830
(509) 575-6030

1 2. The investigation of Yakima Police Department Case No. 14Y000448 is now
2 complete and the potential danger to law enforcement officers and witnesses is
3 believed to have passed. Further, disclosure of the information contained in the
4 above titled documents is in the public interest.
5

6 Accordingly, the City of Yakima respectfully requests that the Yakima County Superior
7 Court order Return of Search Warrants (SW 14-004 and SW 14-004A), Receipt for Property
8 Seized (SW 14-004), Search Warrants (SW 14-004 and SW 14-004), Affidavits for Search
9 Warrants (SW 14-004 and SW 14-004A), "Motion to Seal Search Warrant, Application for
10 Search Warrant, Return of Service, Inventory Sheets, Motion to Seal, Orders, and Case File"
11 (SW 14-004 and SW 14-004A), and Order Sealing File (WT 14-004 and WT 14-004A) be
12 unsealed.
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16 DATED this 12th day of March, 2014.
17

18 CITY OF YAKIMA LEGAL DEPARTMENT
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20 
21 _____
22 Jeffrey Cutter, WSBA No. 22904
23 City Attorney
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RECEIVED
MAR 13 2014
CITY LEGAL DEPT.

FILED
MAR 12 2014

KIM M. EATON, YAKIMA COUNTY CLERK

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON
IN AND FOR THE COUNTY OF YAKIMA

IN THE MATTER OF YAKIMA POLICE
DEPARTMENT CASE # 14Y000448
AND THE INVESTIGATION OF 2ND
DEGREE ASSAULT.

NO. WT 14-004 AND WT 14-004A

DECLARATION OF DETECTIVE
KASEY HAMPTON IN SUPPORT
OF MOTION TO UNSEAL FILES
RE SW 14-004 AND SW 14-004A

CLERK'S ACTION REQUIRED

I, Kasey Hampton, declare under penalty of perjury, under the laws of the State of Washington, that the following is true and correct:

1. I am over the age of 18 and make this declaration based on my personal knowledge.
2. I am competent to testify on the matters stated herein.
3. I am one of the Detectives who investigated Yakima Police Department ("YPD") Case No. 14Y000448.
4. On January 13, 2014, I filed the following documents with the Yakima County Superior Court related to YPD Case No. 14Y000448: Search Warrant (SW 14-004), Affidavit for Search Warrant (SW 14-004), "Motion to Seal Search Warrant, Application for Search Warrant, Return of Service, Inventory Sheets, Motion to Seal, Orders, and Case File"

DECLARATION OF DETECTIVE
KASEY HAMPTON IN SUPPORT
OF MOTION TO UNSEAL FILES
RE SW 14-004 AND SW 14-004A - 1

CITY OF YAKIMA LEGAL DEPARTMENT
CIVIL DIVISION
200 South Third Street
Yakima, WA 98901-2830
(509) 575-6030

1 (SW 14-004), and Order Sealing File (WT 14-004) signed by the Honorable Richard H.
2 Bartheld.

- 3 5. On January 15, 2014, I filed the following documents with the Yakima County Superior
4 Court related to YPD Case No. 14Y000448: the Return of Search Warrant (SW 14-004)
5 and Receipt for Property Seized (SW 14-004).
6
7 6. On January 16, 2014, I filed the following documents with the Yakima County Superior
8 Court related to YPD Case No. 14Y000448: Search Warrant (SW 14-004A), Affidavit
9 for Search Warrant (SW 14-004A), "Motion to Seal Search Warrant, Application for
10 Search Warrant, Return of Service, Inventory Sheets, Motion to Seal, Orders, and Case
11 File" (SW 14-004A), and Order Sealing File (WT 14-004A) signed by the Honorable
12 Ruth E. Ruekauf.
13
14 7. On January 22, 2014, I filed the following document with the Yakima County Superior
15 Court related to YPD Case No. 14Y000448: Return of Search Warrant (SW 14-004A).
16
17 8. The investigation of Yakima Police Department Case No. 14Y000448 is now complete.
18
19 9. I believe the potential danger to law enforcement officers and witnesses has passed.
20
21 10. Disclosure of the information contained in the above described documents is in the
22 public interest.
23
24
25

26 DATED this 12 day of March, 2014.

27
28  #6170
29 Kasey Hampton, # 6170
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FILED
COUNTY CLERK

RECEIVED

14 MAR 13 A9:36

SUPERIOR COURT
YAKIMA CO. WA

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON
IN AND FOR THE COUNTY OF YAKIMA

IN THE MATTER OF YAKIMA POLICE
DEPARTMENT CASE # 14Y000448
AND THE INVESTIGATION OF 2ND
DEGREE ASSAULT.

NO. WT 14-004 AND WT 14-004A

ORDER UNSEALING FILES

CLERK'S ACTION REQUIRED

THIS MATTER having come before Judge Renkauf on the motion of the City of Yakima; and the Court having considered the motion, and the declaration of Detective Kasey Hampton of the Yakima Police Department.

IT IS ORDERED that the Clerk of this Court shall unseal the records related to Yakima County Superior Court Order Nos. WT 14-004 and WT 14-004A which contain the following files:

- Return of Search Warrants, SW 14-004 and SW 14-004A
- Receipts for Property Seized (Inventory Sheets), SW 14-004
- Search Warrants, SW 14-004 and SW 14-004A
- Affidavits for Search Warrants, SW 14-004 and SW 14-004A

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- “Motion to Seal Search Warrant, Application for Search Warrant, Return of Service, Inventory Sheets, Motion to Seal, Orders, and Case File” for SW 14-004 and SW 14-004A
- Order Sealing File for WT 14-004 and WT 14-004A

DATED this 12 day of March, 2014.


_____, Judge

Supplement

Yakima Police Department - Incident Narrative Report

Incident #:14y000448

Synopsis:total station scene

Narrative:

On 01/04/2014 at about 0400 Hrs I was called by Sgt Belton to respond to the car wash at 909 E Nob Hill Blvd regarding an officer involved shooting. I went to the station and responded with the crime scene van and total station equipment.

I set up the total station and with the assistance of Ofc Lancaster and Sgt Belton I gathered the needed data to construct a to-scale map.

On 01/06/2014 I input the gathered information into Mapscenes 2010 forensic mapping program and constructed the attached to-scale maps. North is listed as an approximate and all measurement numbers are in standard US feet.

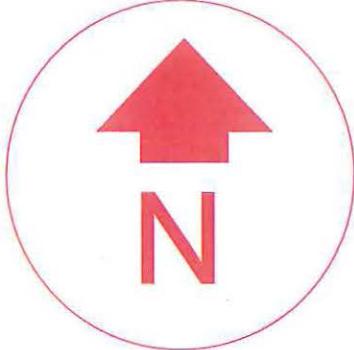
I certify (or declare) under penalty of perjury under the laws of the State of Washington that the foregoing report, written in the County of Yakima, is true and correct. My typed name below is my signature.

Coban: Yes: No:x

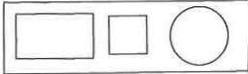
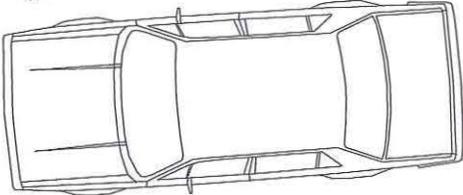
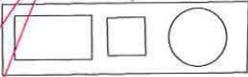
Date, Time:Wed Jan 08 13:12:48 PST 2014

Reporting Officer:Moore 6431

Case Number: 14Y000448	Date of Occurrence: 01/04/2014	Date of Sketch: 01/06/2014
Decedent Name: Arias, Rosendo (10/03/90)		
Location: 909 East Nob Hill Blvd.		
City or Area: City and County of Yakima, Washington State		
Investigating Agency: Yakima Police Department		
Agency Director: Chief D. Rizzi Jr.		
Lead Investigator: Det. K. Hampton		
Drawn By: Ofc J. Moore	Total Station Team: Ofc J. Moore, Ofc. J. Lancaster, Sgt C. Belton	

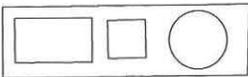


Casings



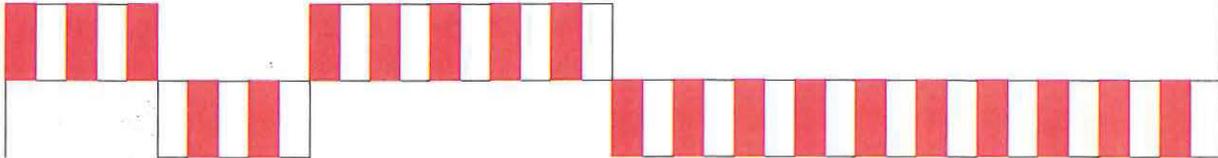
Car 1414

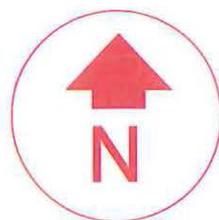
Car Wash



SCALE

0 5' 10' 20' 40'





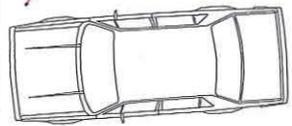
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Car Wash

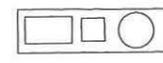
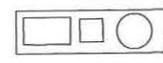
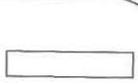
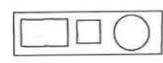
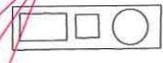
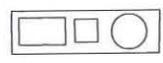
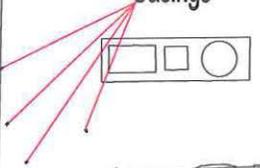


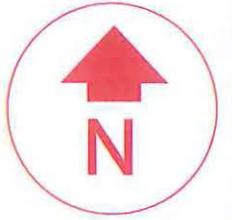
Car 1414

WASHINGTON
071 ZIJ
EVERETT STATE



Casings





80'

70'

60'

50'

40'

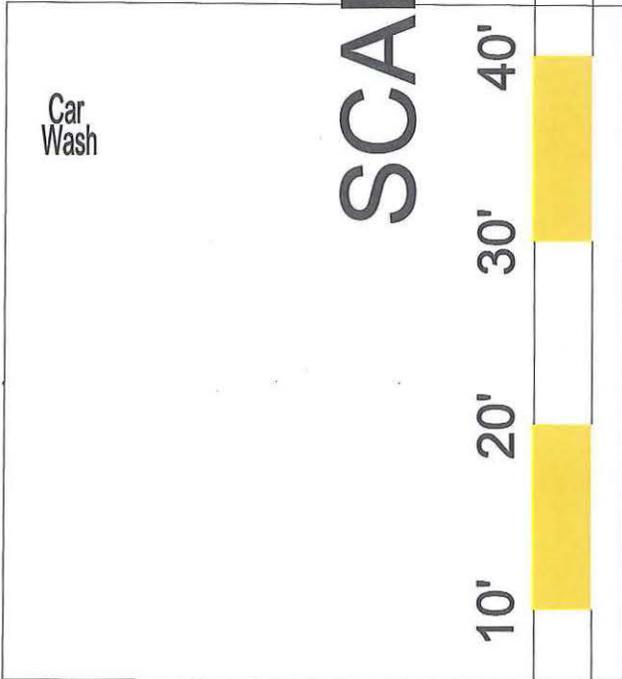
30'

20'

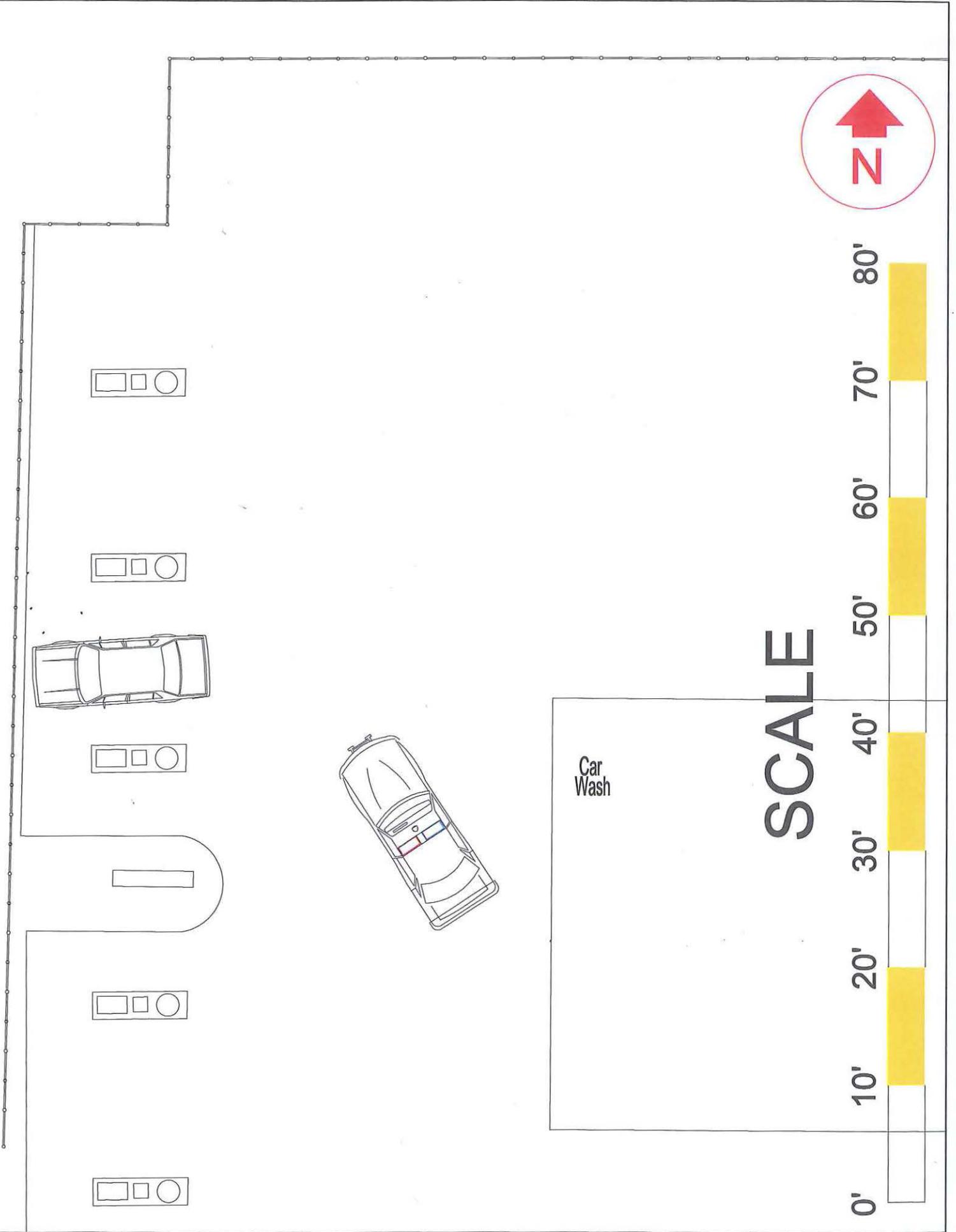
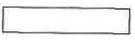
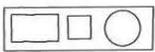
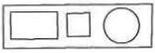
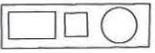
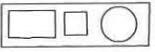
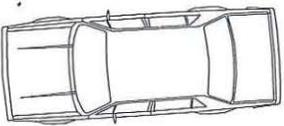
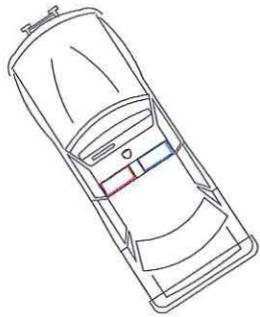
10'

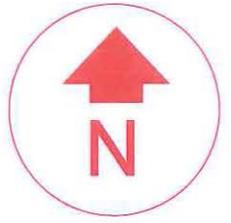
0'

SCALE



Car Wash





80'

70'

60'

50'

40'

30'

20'

10'

0'

SCALE

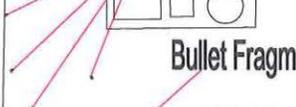
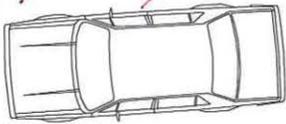
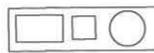
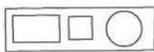
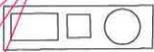
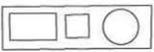
Car Wash

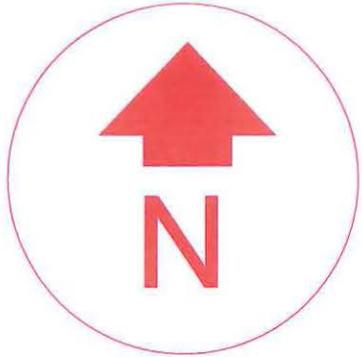
Car 1414

WASHINGTON
071 ZIJ
DISPATCH STATE

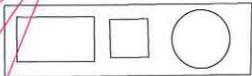
Casings

Bullet Fragment

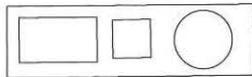
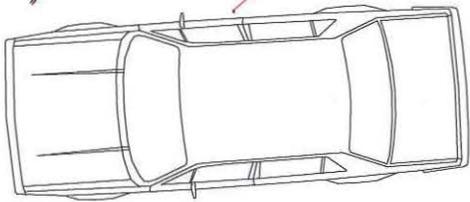




Casings



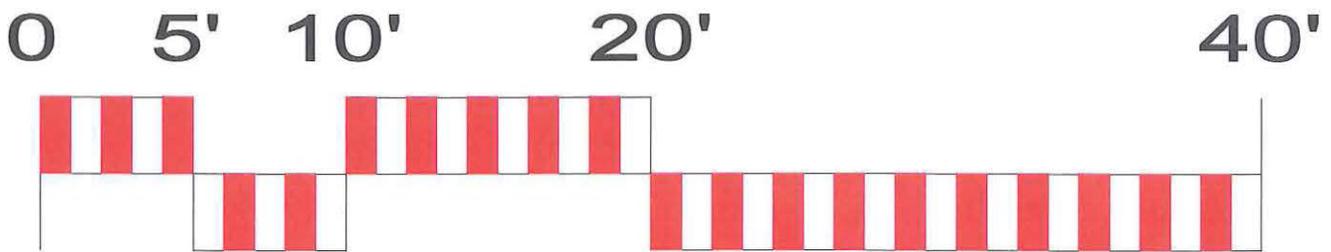
Bullet Fragment



Car
1414

Car Wash

SCALE



Jeffrey M. Reynolds, MD Forensic Pathologist

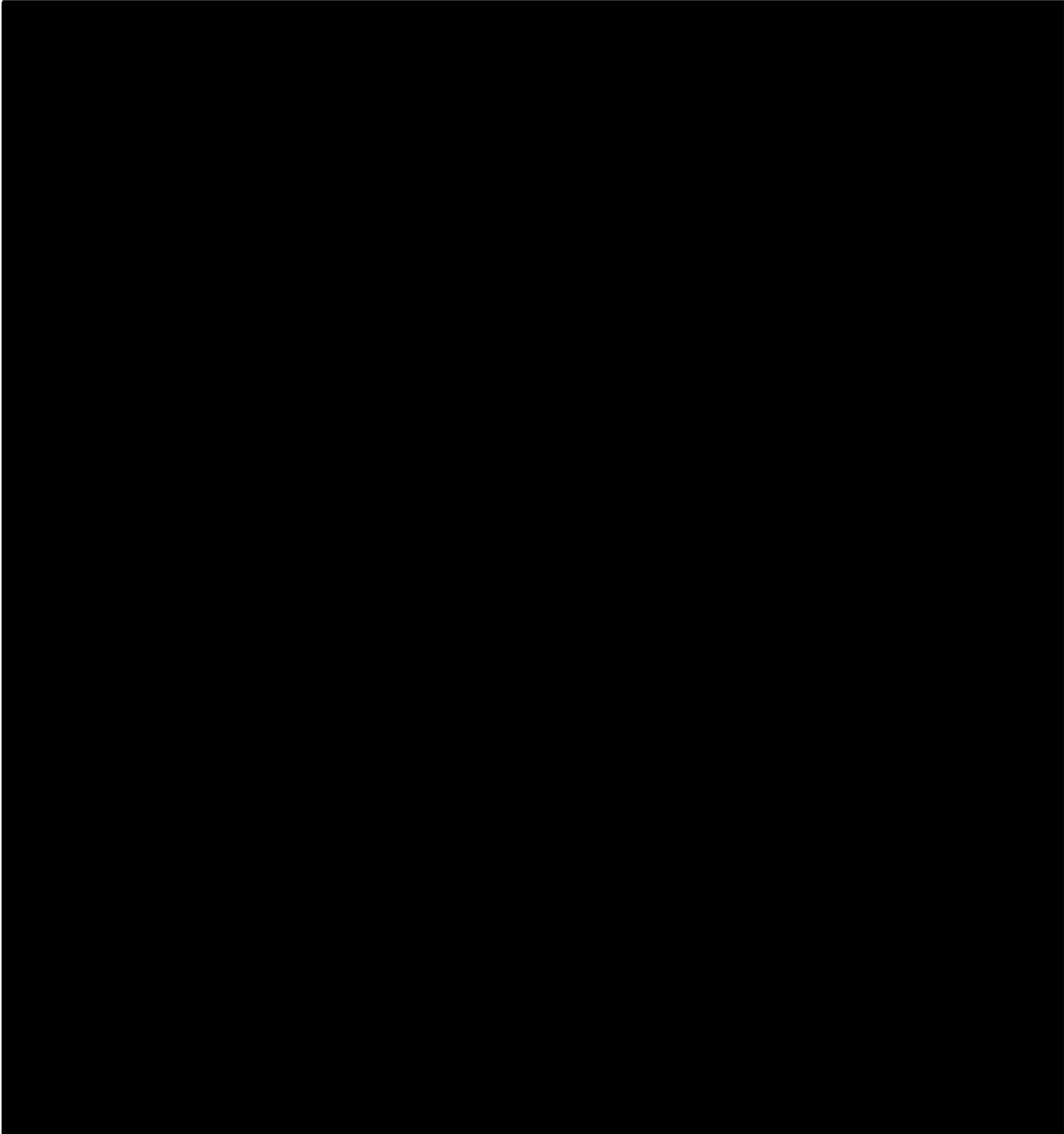
ForensicJR@aol.com
4606 Avalanche
Yakima, WA 98908-2829
USA

www.ForensicJMR.com

Phone 509-966-1222

AUTOPSY REPORT

3



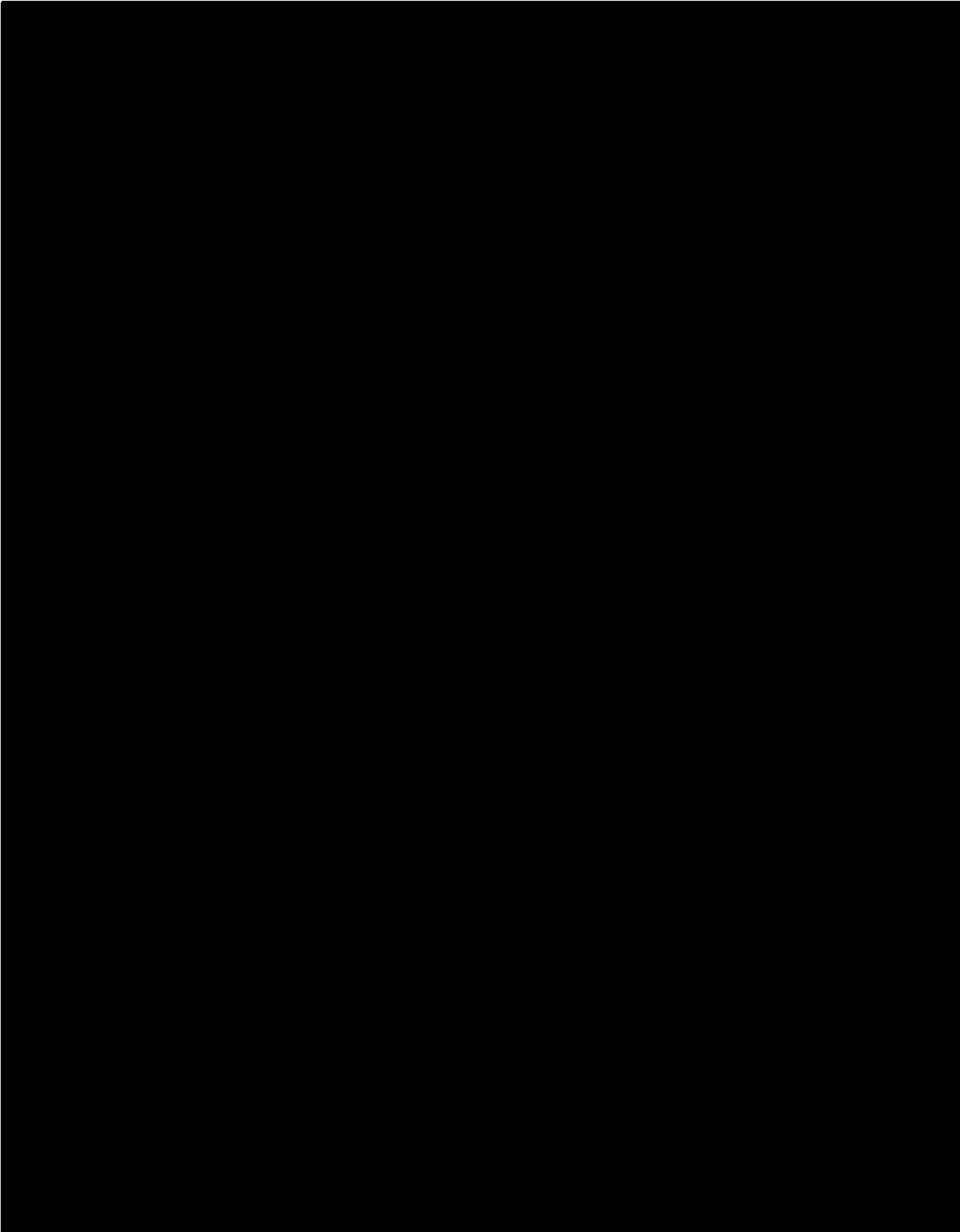
Jeffrey M. Reynolds, MD Forensic Pathologist

3

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4606 Avalanche
Yakima, WA 98908-2829
USA

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Phone 509-966-1222



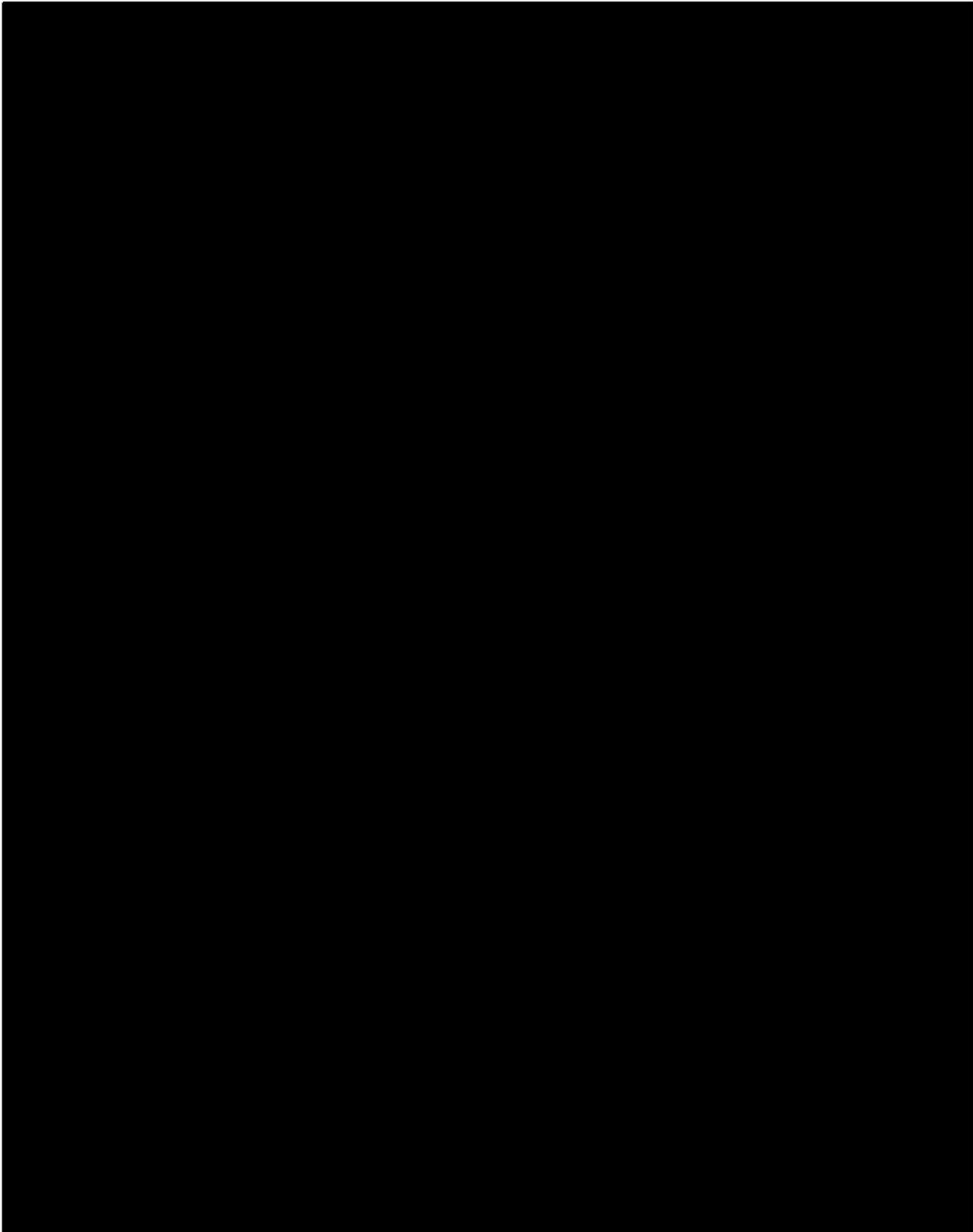
Jeffrey M. Reynolds, MD Forensic Pathologist

3

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Yakima, WA 98908-2829
USA

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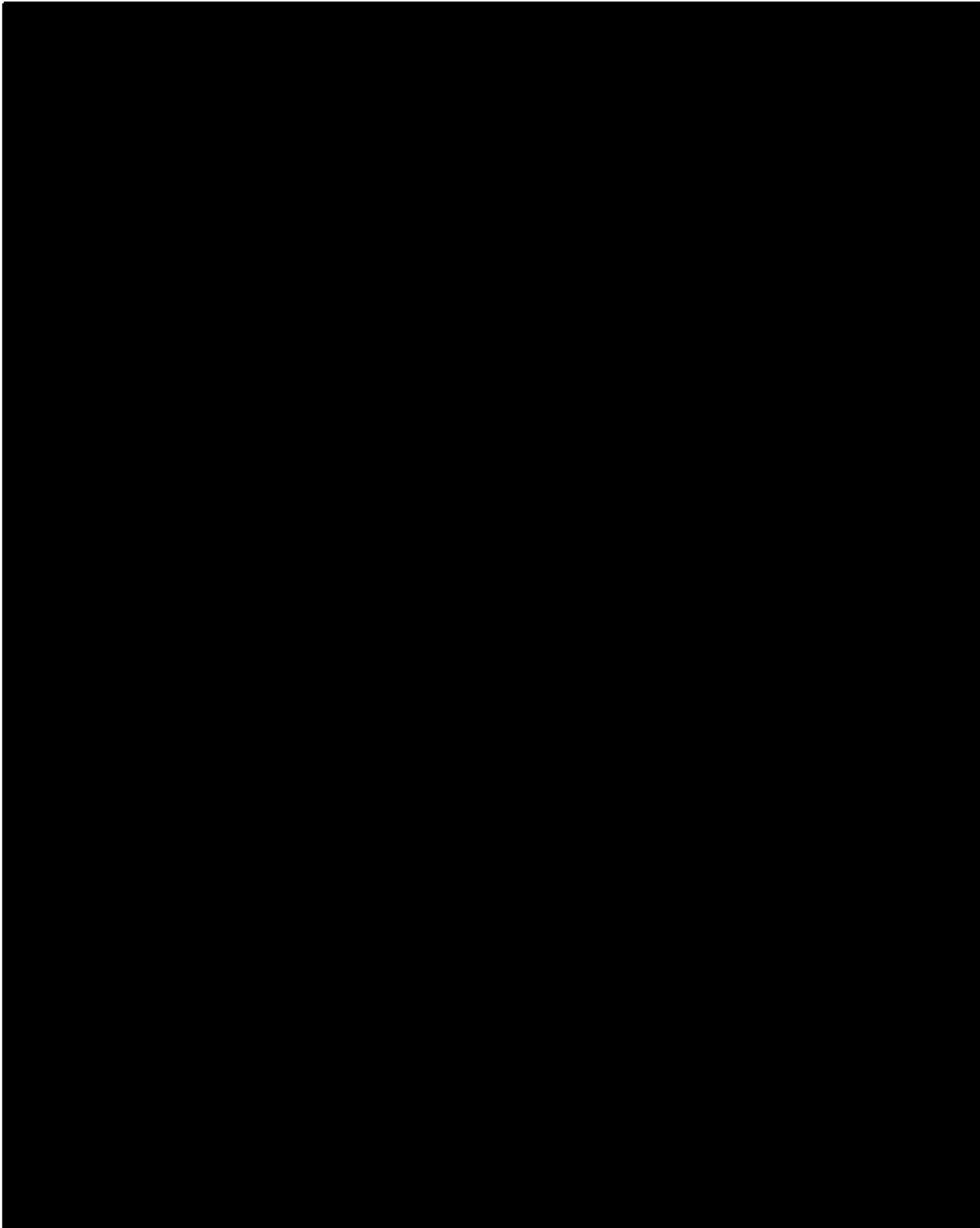
Jeffrey M. Reynolds, MD Forensic Pathologist

3

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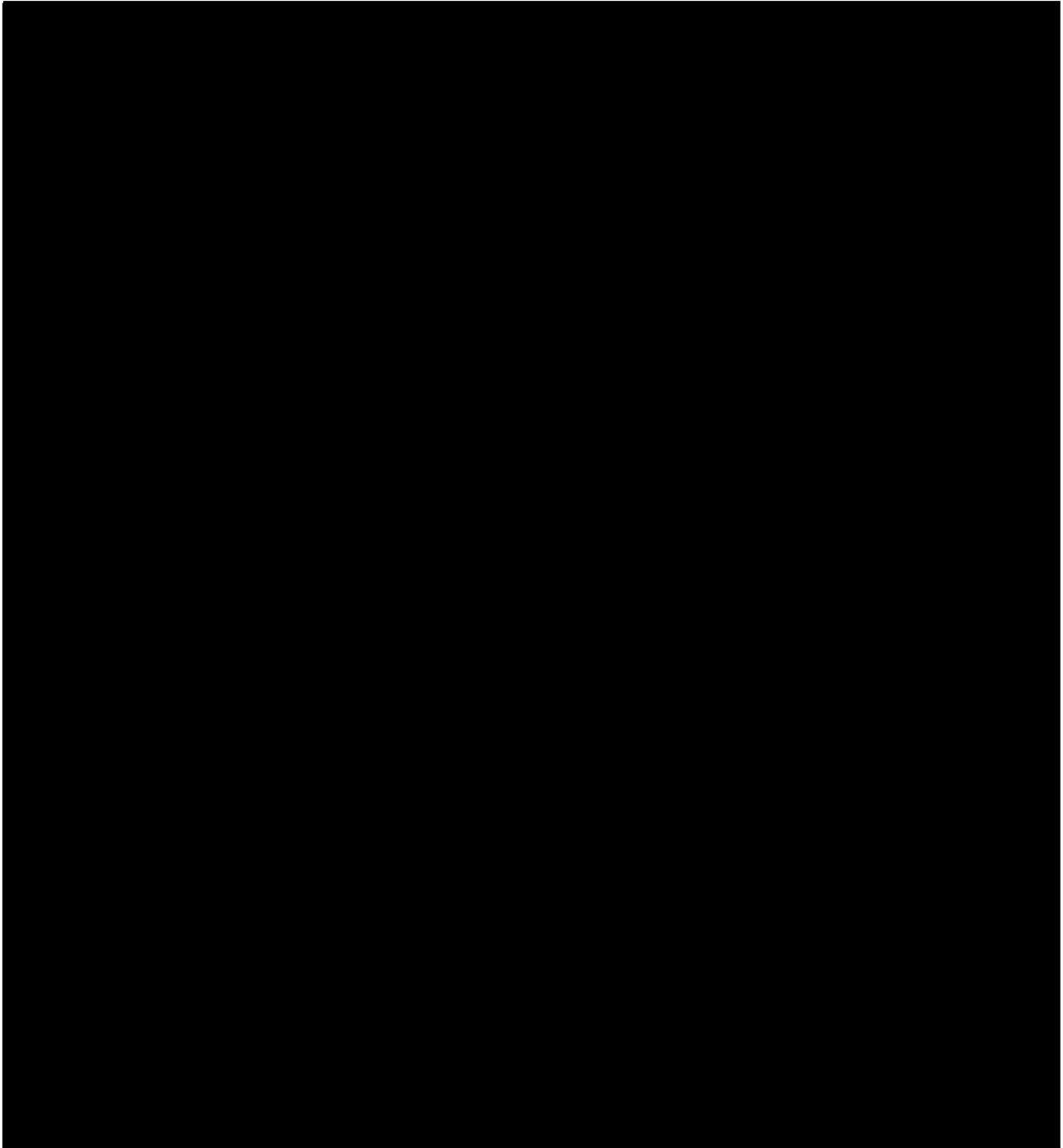
Jeffrey M. Reynolds, MD Forensic Pathologist

3

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Phone 509-966-1222





TOXICOLOGY LABORATORY
WASHINGTON STATE PATROL
 2203 Airport Way South Suite 360 Seattle, WA 98134
 (206) 262-6100 FAX No. (206) 262-6145
TOXICOLOGY REPORT

Attention: Jack Hawkins
Agency: Yakima Co Coroner
Address: 1711 Inglewood Ave.
 Yakima, WA 98902

Tox Case #: ST-14-00261 **Case Type:** Death Investigation **Report Date:** 2/4/2014

Agency Case #: 14-007 JH2	Subject Name: Rocendo Arias
----------------------------------	------------------------------------

Evidence: The following evidence was submitted to the Laboratory by Marshall Slight of the Yakima Co Coroner on 1/8/2014 via USPS-1st Class Mail:
 (1) ST-14-00261-A: VGray, Blood - Central, Decomposed
 (2) ST-14-00261-B: VGray, Blood - Central, Decomposed
 (3) ST-14-00261-C: VRed, Lot # 1278243, Urine, Decomposed

Volatile Analysis Results:

ST-14-00261-A: Blood - Central

ST-14-00261-A was tested by Headspace - Gas Chromatography for the presence of acetone, ethanol, isopropanol, and methanol on the date(s) indicated below. The following average result was obtained:

Ethanol	0.038 ± 0.0031 g/100mL (k=3, 99.7% confidence level)	01/09/14, 01/14/14
---------	--	--------------------

Drug Analysis Results:

ST-14-00261-A: Blood - Central

ST-14-00261-A was tested by Enzyme Multiplied Immunoassay Technique (EMIT) for the presence of amphetamines, barbiturates, benzodiazepines, cannabinoids, cocaine metabolite, methadone, opiates, phencyclidine (PCP), and tricyclic antidepressants on 01/10/2014. The following result(s) was obtained:

Presumptive positive for amphetamines and cannabinoids

ST-14-00261-A was tested by Gas Chromatography/Mass Spectrometry for basic drugs and metabolites on 01/10/2014. The following result(s) was obtained:

Amphetamine	positive
Methamphetamine	positive

ST-14-00261-A was tested by Gas Chromatography/Mass Spectrometry for amphetamines on 01/17/2014. The following result(s) was obtained:

Amphetamine	0.27 mg/L
Methamphetamine	0.54 mg/L



Request ID: ST-14-00261-0001

ST-14-00261-A was tested by Gas Chromatography/Mass Spectrometry for cannabinoids on 01/22/2014.
The following result(s) was obtained:

Carboxy-THC 39 ng/mL

ST-14-00261-C: Urine

ST-14-00261-C was tested by Enzyme Multiplied Immunoassay Technique (EMIT) for the presence of amphetamines, barbiturates, benzodiazepines, cannabinoids, cocaine metabolite, methadone, opiates, phencyclidine (PCP), and tricyclic antidepressants on 01/09/2014. The following result(s) was obtained:

Presumptive positive for amphetamines and cannabinoids

ST-14-00261-C was tested by Semi-Quantitative Visual Reagent Strip, Bayer Ketodiasitx for the presence of glucose and ketones on 01/09/2014. The following result(s) was obtained:

None Detected

ST-14-00261-C was tested by Spectrophotometry for the presence of acetaminophen and salicylates on 01/09/2014. The following result(s) was obtained:

None Detected

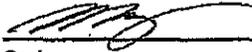
COMMENTS

All testing was performed by the Forensic Scientist listed below except as otherwise indicated. The Forensic Scientist has technically reviewed all relevant pages of testing documentation in the case record.

Examined by:**Reviewed by:**


Asa Louis, BSc
Forensic Scientist 3

Date: 20140204


Reviewer

Date: 2.4.14



WASHINGTON STATE PATROL – CRIME LABORATORY REQUEST FOR LABORATORY EXAMINATION

http://www.wsp.wa.gov/forensics/docs/bureau/forensic_services_guide.pdf

CRIME LAB BAR CODE HERE
FOR LAB USE ONLY

PRIMARY AGENCY CASE NUMBER 14Y000448	RELATED AGENCY CASE NUMBER(S)
--	-------------------------------

HAS OTHER EVIDENCE IN THIS CASE BEEN PREVIOUSLY SUBMITTED TO A WSP CRIME LAB? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	OFFENSE ASSAULT 2ND DERE	DATE OF OFFENSE 1-4-2013
---	---	------------------------------------

SUSPECT(S) – LAST, FIRST, MI (SID #, if available)	DOB	VICTIM(S) – LAST, FIRST, MI	DOB
1 ARIAS, ROCENDO NMI	10/03/1990	1	
2		2	
3		3	
4		4	

INVESTIGATING OFFICER/DETECTIVE (Can be different from submitter)	<input checked="" type="checkbox"/> RUSH COURT DATE
---	--

NAME (TYPE OR PRINT) (LAST NAME, FIRST NAME) HAMPTON, KASEY	RANK/POSITION DET	BADGE # 6170	SIGNATURE	DATE 01/15/2014
---	-----------------------------	------------------------	-----------	---------------------------

E-MAIL ADDRESS(ES) kasey.hampton@yakimawa.gov	PHONE 509-576-6534	EXTENSION N/A
---	------------------------------	-------------------------

AGENCY YAKIMA POLICE DEPT.	STREET ADDRESS 200 S. 3RD STREET	CITY YAKIMA	ZIP CODE 98901
--------------------------------------	---	-----------------------	--------------------------

EVIDENCE ITEM # (Prioritized)	ITEM DESCRIPTION	EXAM CODES	SPECIAL INSTRUCTIONS
002	BULLET FRAGMENT TAKEN AT SCENE	F/T	For DNA: Please submit Supplemental form on initial submission and Consumption form as needed. Please compare bullets and casings to gun provided.
003	.40 CAL SHELL CASING ITEM #3	F/T	
004	.40 CAL SHELL CASING ITEM #4	F/T	
005	.40 CAL SHELL CASING ITEM #5	F/T	
006	.40 CAL SHELL CASING ITEM #6	F/T	
007	OFF. GILLETTE'S PISTOL S/N DXN9228	F/T	
008	.40 CAL. MAGAZINE - GILLETTE'S PISTOL	F/T	
020	BULLET FRAGMENT- BRAIN OF ARIAS	F/T	
029	BULLET SLUG FROM GRAVEL BED	F/T	
041	COPPER JACKET FROM "B" PILLAR	F/T	

FOR LAB USE ONLY			
SUBMITTED BY: (PRINT NAME—LAST NAME, FIRST NAME)	SIGNATURE	DATE	TIME

SUBMITTAL METHOD	TRACKING NUMBER
------------------	-----------------

RECEIVED BY: (PRINT NAME—LAST NAME, FIRST NAME)	SIGNATURE	DATE	TIME
---	-----------	------	------

FOR LAB USE ONLY	Evidence Item #	TRANSFERRED BY	TO	VIA	DATE-TIME	RECEIVED BY	DATE-TIME
					-		-
	TRACKING NO.						
					-		-
	TRACKING NO.						
					-		-
	TRACKING NO.						

Item(s) being released:			
-------------------------	--	--	--

RELEASED TO: (PRINT NAME—LAST NAME, FIRST NAME)	SIGNATURE	DATE	TIME
---	-----------	------	------

RELEASE METHOD <input type="checkbox"/> IN PERSON <input type="checkbox"/> UPS <input type="checkbox"/> FED EX <input type="checkbox"/> U.S. CERT. MAIL <input type="checkbox"/> U.S. REG. MAIL <input type="checkbox"/> CAMPUS MAIL	TRACKING NUMBER
---	-----------------

RELEASED BY: (PRINT NAME—LAST NAME, FIRST NAME)	SIGNATURE	DATE	TIME
---	-----------	------	------

144000448

WSP CSRT Evidence Inventory Log

WSP Lab #: 144-000058

Date: 1-14-14

Initials: KM

Page:

Item Number	Description
KJK-1	1 Images from CSRT can out
KM	KM

The proper handling, storage and repackaging (if necessary) of the above evidence has been discussed with the agency representative listed below. Further information on evidence handling and the services provided by the WSP Crime Laboratory Division can be found on the following web page: http://www.wsp.wa.gov/forensics/docs/bureau/forensic_services_guide.pdf

Evidence collected by the WSP CSRT (listed above) has been signed over into the possession of: KASEY HAMPTON

Submitting Scientist: Kristopher Kern K.K. Kern

Date: 1-14-14

Accepting Agency Rep: [Signature] #670

Date: 1-14-2014

01/13/14
09:49

SunComm Yakima County 911
CAD Master Call Table:

Page: 286
1

Call
Long-Term Call ID: 658623

Active Call: Nature: SUSPICIOUS CIRCType: lf Priority: 3
Address= 907 E NOB HILL BLVD; CLASSIC AUTO WASH City: Y1 YAKIMA
Calls: 25+ Dupl: 0 Names: 1 w/Alrts: 0 Wants: 0 Prem: 0 Adr: 0
S FAIR AVE & LA FOLLETTE ST
Zones: & & & Determinant: Alarm:
Directions:

Complainant

Number:
Last: Fst: Mid:
Address: DOB:
City: ST: ZIP: SSN:
Phone: Race: Sex: Prev Calls: Wants: Adr:
Alert:

Contact

Contact: Telephone:
Address:

Information

Info: (See below)

License Plate: 071ZIJ State:
How Received: O Officer Report Occurred between: 02:56:22 01/04/14
Received By: Towle Amanda and: 02:56:22 01/04/14
Hold Until: : : / / When Reported: 02:56:22 01/04/14

=====

INVOLVEMENTS:

Type	Record #	Date	Description	Relationship
LW	14M0019	01/04/14	AGENCY ASSIST	*Initiating Call
LW	14C00190	01/04/14	AGENCY ASSIST	*Initiating Call
LW	14U000072	01/04/14	SUSPICIOUS CIRC	*Initiating Call
LW	14Y000448	01/04/14	<No access allowed>	*Initiating Call
FR	AL1037273	01/04/14	EMR MEDIC	*Initiating Call
FR	Y14004002	01/04/14	EMR MEDIC	*Initiating Call

Call Taker Comments:

03:03:36 01/04/2014 - West J
all code 4/scene secure reopen ch 1
03:03:49 01/04/2014 - West J
INITIAL CALL ...D3 ADVISING SHOTS FIRED/ONE DOWN
03:04:56 01/04/2014 - Giles J
071ZIJ IS PLATE TO VEH INVOLVED

03:05:09 01/04/2014 - West J
***LT JONES HAS BEEN NOTIFIED IS ENR
03:21:44 01/04/2014 - West J
6S ENR YPD
05:53:10 01/04/2014 - Towle Amanda
ELITE ENRT

City of Yakima
Police Department



Application - Passenger Permit and Waiver

Full Name: NEILA M BAHADAR Age 29 Date of Birth 07-23-1984

Address: 118 N 31ST AVE Telephone (509) 969-3653

Occupation NURSE STUDENT Employer _____

Have you ever participated in the rider program before? Y N
If Yes, how many times? _____ Date of your last ride-along _____

Why are you interested in the ride-along program? _____

Requested Date: 01/03/2013 Time 2100 Officer GILLETTE

WAIVER

The undersigned has requested permission from the City of Yakima Police Department for the undersigned, (or minor child) to ride in a Yakima Police vehicle. The undersigned understands that no benefit will accrue to the City of Yakima, the Yakima Police Department, nor to any individual police officer in the event such a request is granted, but such permission is sought for the sole benefit of the undersigned.

The undersigned knows and understands that extraordinary risks exist while riding in such a police vehicle, over and above those risks ordinarily attendant to riding as a passenger in a non-police vehicle, because of the nature of the activities for which such police vehicle has and will be used while the undersigned (or minor child) is riding therein, including, but not limited to, high speed travel, its use in various emergency situations and for other police activities. The undersigned, with such knowledge and understanding, nevertheless hereby voluntarily assumes any and all risks attendant to riding in a police vehicle, whether those risks involve the manner of driving such vehicle.

In consideration of such permission being given, the undersigned hereby waives and all claims of liability for damages of any and every nature whatsoever against the City of Yakima, the Yakima Police Department or any police officer of the Yakima Police Department, which might otherwise accrue to the undersigned or which may be claimed by another against the undersigned, by reason of riding by the undersigned in a police vehicle for which this permission is sought.

I have read and understand the above waiver _____ date 01/03/2013
(rider signature)

Parent/Guardian if rider is a minor: N/A date _____
(Parent/Guardian signature)

Records Check completed Y/N by _____ Date _____

Request Granted / Denied by: _____ Date _____
(circle one)

Assigned to: _____ Squad _____ Date _____ Time _____
(officer name)

City of Yakima

200 S. 3rd Street

Police Department

Yakima, Washington 98901

Dominic Rizzi, Chief of Police

Telephone (509)575-6200



Yakima Police Department REQUEST FOR COBAN

Yakima PD Case Number: 14Y000448

Defendant: ROCENDO ARIAS

Date of Birth: 10-03-1990

Date of Incident: 01-04-2014

Time of Incident: 02:56:22

Location of Incident: 907 E. NOB HILL BLVD

Synopsis of Incident:

Officer Involved Shooting.

Involved Officers: SEE ATTACHED FORM

Requested By: K. HAMPTON #6170 Requested For: INVESTIGATIONS

Date Requested: 01-08-2014

Rachel Manriquez
Yakima Police Department
Desk Phone: 509-575-6186
Email: RACHEL.MANRIQUEZ@YAKIMAWA.GOV

CD Copied
Date 1-14-14
By R Manriquez
Psn 3821

BELOW TO BE FILLED OUT BY COBAN CUSTODIAN.

Date Received: _____

Date Completed: _____

Electronic Signature: _____

I certify (or declare) under penalty of perjury under the laws of the State of Washington that the foregoing report, written in the County of Yakima, is true and correct. My typed name above is my signature.

⚠ * These details are cross-referenced from this device's contacts

Drafts (2)

#	Party	Time	Status	Message	Del?
1	➡ 1	12/29/2013 6:03:47 AM(UTC+0)	Unsent		
2	➡ 5099499816 Mito G-man*	12/9/2013 6:12:42 AM(UTC+0)	Unsent		

Inbox (139)

#	Party	Time	Status	Message	Del?
1	➡ 5099698189 My Baby*	1/4/2014 3:47:52 AM(UTC+0)	Read	My mom called are u near her house yet	
2	➡ 5097594895	1/4/2014 1:40:16 AM(UTC+0)	Read	Dahm bro I have the money but I also need to pay some stuff too or. Else I would I dnt mean to leave u hangin bro but mabe in a few days I might	
3	➡ 5097594895	1/4/2014 1:34:48 AM(UTC+0)	Read	Orale that's koo hey I'm not gonna b able to do that today I got a bunch of stuff goin on but hey I got some twamps. For sale hit me up if u need one	
4	➡ 5093793731	1/4/2014 12:51:59 AM(UTC+0)	Read	K	
5	➡ 5093793731	1/4/2014 12:19:18 AM(UTC+0)	Read	Yea its coo	
6	➡ 5093793731	1/3/2014 11:31:27 PM(UTC+0)	Read	K	
7	➡ 5093793731	1/3/2014 11:10:30 PM(UTC+0)	Read	U sud cum ritenow cuz si puede before all da trailes start to cum again pri	
8	➡ 5097594895	1/3/2014 10:15:21 PM(UTC+0)	Read	Nthin bro jus chillin n u	
9	➡ 5099698189 My Baby*	1/3/2014 6:48:29 PM(UTC+0)	Read	Come here	
10	➡ 5099698189 My Baby*	1/3/2014 6:47:30 PM(UTC+0)	Read	Puto	
11	➡ 5099698189 My Baby*	1/3/2014 6:42:14 PM(UTC+0)	Read	>:!	
12	➡ 5099698189 My Baby*	1/3/2014 6:37:50 PM(UTC+0)	Read	Babii???	
13	➡ 5094066193 Uriel*	1/3/2014 6:31:50 PM(UTC+0)	Read	At noon Cuz I shouldn't be off to late though	
14	➡ 5099698189 My Baby*	1/3/2014 6:31:40 PM(UTC+0)	Read	Did u do the app ??	
15	➡ 5094066193 Uriel*	1/3/2014 6:20:00 PM(UTC+0)	Read	Yes I do	
16	➡ 5094066193 Uriel*	1/3/2014 6:16:51 PM(UTC+0)	Read	Nooo plz I'm buying just come nigga get the free way	
17	➡ 5094066193 Uriel*	1/3/2014 6:14:04 PM(UTC+0)	Read	She said ur in the process to getting it come so we could eat n then u go to bbsi	
18	➡ 5094066193 Uriel*	1/3/2014 6:10:19 PM(UTC+0)	Read	U mean bbsi Orale I'm w nadia came to visit her she said to come apply here	
19	➡ 5097594895	1/3/2014 4:59:03 AM(UTC+0)	Read	Fasho	
20	➡ 5097594895	1/3/2014 4:32:15 AM(UTC+0)	Read	Hey nd I got some white girl so hit me up if someone wants some	
21	➡ 5097594895	1/3/2014 4:30:42 AM(UTC+0)	Read	Simon I. Dnt work tommorow so mabe tommorow	
22	➡ 5097594895	1/3/2014 4:26:39 AM(UTC+0)	Read	Let me chek it out nd try. It out but I need one u knw so mabe bro	
23	➡ 5097594895	1/3/2014 4:21:14 AM(UTC+0)	Read	Orale hey wats up wat u up too man	
24	➡ 5097594895	1/3/2014 4:17:09 AM(UTC+0)	Read	I'm at work bro	
25	➡ 5097594895	1/3/2014 4:10:25 AM(UTC+0)	Read	Yah who castro bro	
26	➡ 5097594895	1/3/2014 4:09:04 AM(UTC+0)	Read	I thnk it tha rong numba bro	
27	➡ 5097594895	1/3/2014 4:07:04 AM(UTC+0)	Read	Who's dis	
28	➡ 5099698189 My Baby*	1/3/2014 3:14:09 AM(UTC+0)	Read	Babiiii	
29	➡ 5099698189 My Baby*	1/3/2014 2:06:45 AM(UTC+0)	Read	Love u too babii ;)	
30	➡ 5099698189 My Baby*	1/3/2014 2:06:14 AM(UTC+0)	Read	K	
31	➡ 5099698189 My Baby*	1/3/2014 1:55:11 AM(UTC+0)	Read	Babii can u come home soy hurting again	
32	➡ 5099698189 My Baby*	1/3/2014 1:54:01 AM(UTC+0)	Read	Tu estas being pendejo	

#	Party	Time	Status	Message	SENT MSGS	Del?
1	➡ 5097594895	1/4/2014 5:03:31 AM(UTC+0)	Sent	No puedes nada orita		
2	➡ 5097594895	1/4/2014 1:38:04 AM(UTC+0)	Sent	Fuk neta? Lets do 80 on it i need too pay rent cuz		
3	➡ 5093793731	1/4/2014 12:51:23 AM(UTC+0)	Sent	Be there in 4		
4	➡ 5093793731	1/4/2014 12:37:09 AM(UTC+0)	Sent	What time you off?		
5	➡ 5093793731	1/4/2014 12:28:03 AM(UTC+0)	Sent	Sorry cuz es que theres hella shit too move in this lil ass fukin room i be sweating and shit		
6	➡ 5093793731	1/4/2014 12:06:52 AM(UTC+0)	Sent	My bad primo, still koo?		
7	➡ 5093793731	1/3/2014 11:31:00 PM(UTC+0)	Sent	Fuk cuz gemme otro 15 mins		
8	➡ 5097594895	1/3/2014 10:23:24 PM(UTC+0)	Sent	Aki equal picking up my kids from daycare		
9	➡ 5097594895	1/3/2014 9:49:06 PM(UTC+0)	Sent	Whats good		
10	➡ 5099698189 My Baby*	1/3/2014 6:48:50 PM(UTC+0)	Sent	Putaaa		
11	➡ 5099698189 My Baby*	1/3/2014 6:42:55 PM(UTC+0)	Sent	Estoy afuera		
12	➡ 5099698189 My Baby*	1/3/2014 6:39:29 PM(UTC+0)	Sent	Que qieres		
13	➡ 15094066193 Uriel*	1/3/2014 6:31:12 PM(UTC+0)	Sent	Perdon primo... What time you working today		
14	➡ 15094066193 Uriel*	1/3/2014 6:17:45 PM(UTC+0)	Sent	Thank you I appreciate it cuz but I need to do this you know what I mean		
15	➡ 15094066193 Uriel*	1/3/2014 6:16:18 PM(UTC+0)	Sent	I'm already on my way over here..		
16	➡ 15094066193 Uriel*	1/3/2014 6:13:32 PM(UTC+0)	Sent	Ask her what's up with that apartment she was telling me about yesterday		
17	➡ 15094066193 Uriel*	1/3/2014 6:09:50 PM(UTC+0)	Sent	Bbsi		
18	➡ 15094066193 Uriel*	1/3/2014 6:08:54 PM(UTC+0)	Sent	Que vas hacer? I'm going to be Bdsi right now		
19	➡ 5097594536 Raul-is*	1/3/2014 4:30:49 PM(UTC+0)	Sent	Bbsi vato?		
20	➡ 5097594895	1/3/2014 4:57:27 AM(UTC+0)	Sent	Orale sounds good hit me up manana loco		
21	➡ 5097594895	1/3/2014 4:29:48 AM(UTC+0)	Sent	Orale koo vato hit me up cuando tengas tiempo		
22	➡ 5097594895	1/3/2014 4:25:08 AM(UTC+0)	Sent	10 chillin at home was going to ask you if you were gonna want what we were talking about		
23	➡ 5097594895	1/3/2014 4:17:31 AM(UTC+0)	Sent	Castro we kicked it wit Toby at your pad		
24	➡ 5097594895	1/3/2014 4:09:43 AM(UTC+0)	Sent	This angel?		
25	➡ 5097594895	1/3/2014 4:08:07 AM(UTC+0)	Sent	Castro, homie call me		
26	➡ 5099698189 My Baby*	1/3/2014 2:03:28 AM(UTC+0)	Sent	I love you		
27	➡ 5099698189 My Baby*	1/3/2014 2:03:19 AM(UTC+0)	Sent	Ok babii		
28	➡ 5099698189 My Baby*	1/3/2014 1:46:12 AM(UTC+0)	Sent	Que que		
29	➡ 5099698189 My Baby*	1/3/2014 1:05:26 AM(UTC+0)	Sent	LOL esta broken		
30	➡ 5099698189 My Baby*	1/3/2014 12:58:50 AM(UTC+0)	Sent	Lmao		
31	➡ 5097594536 Raul-is*	1/2/2014 11:14:27 PM(UTC+0)	Sent	You working today?		
32	➡ 5099698189 My Baby*	1/2/2014 11:02:56 PM(UTC+0)	Sent	Im next in line		
33	➡ 5099698189 My Baby*	1/2/2014 10:59:25 PM(UTC+0)	Sent	:/		
34	➡ 5097594536 Raul-is*	1/2/2014 10:52:37 PM(UTC+0)	Sent	Haha right and the landlord lady will work with you, payment wise for the deposit		
35	➡ 5099698189 My Baby*	1/2/2014 10:50:27 PM(UTC+0)	Sent	I love you too!		
36	➡ 5097594536 Raul-is*	1/2/2014 10:47:56 PM(UTC+0)	Sent	What you think bout trying out mine and my girls place if we get out		
37	➡ 5099698189 My Baby*	1/2/2014 10:43:29 PM(UTC+0)	Sent	:/		
38	➡ 5099698189 My Baby*	1/2/2014 10:39:30 PM(UTC+0)	Sent	5		

Yakima officer who shot man previously disciplined for using excessive force

POSTED ON FEBRUARY 6, 2014

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By Donald W. Meyers / Yakima Herald-Republic
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Phone: 509-577-7748

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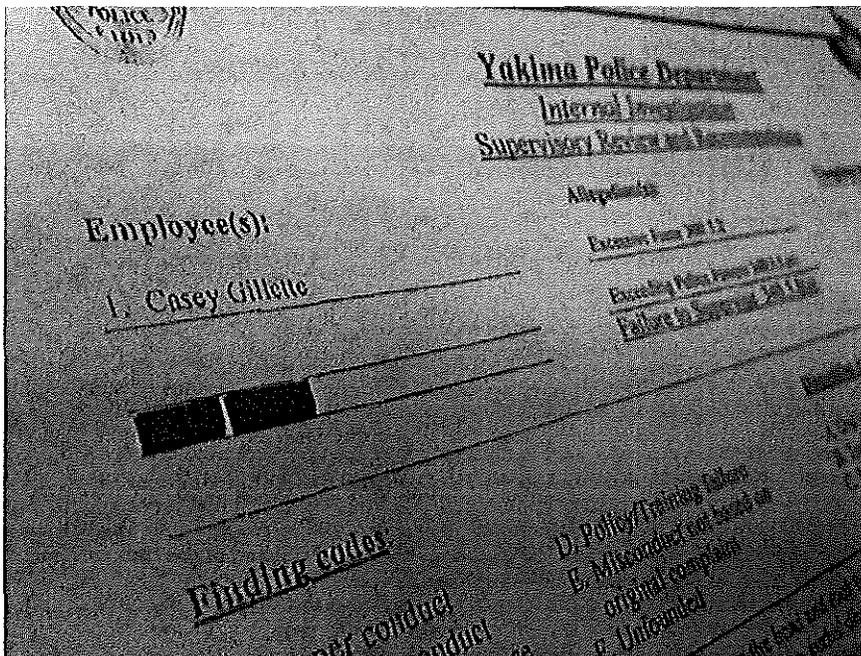
YAKIMA, Wash. — The Yakima police officer who fatally shot a man Jan. 4 had previously been disciplined for using excessive force, police records show.

Officer Casey Gillette received a written reprimand for punching a man in the face while investigating a report of a fight in May 2013, according to records obtained from the Yakima Police Department.

According to the disciplinary report, Gillette struck the man on the side of the head after the man verbally challenged officers to a fight. In the reprimand signed by chief Dominic Rizzi Jr., Gillette's use of force was found to be unnecessary and excessive.

The department is **currently investigating whether Gillette's shooting** of Rocendo Arias at an East Nob Hill Boulevard car wash was justified.

- This article will be updated online and in print for Friday.



YAKIMA, Wash. – KIMA has learned the YPD officer accused of shooting a man to death at a car wash in January has a history of using force in the department. A public records request reveals Casey Gillette was investigated for using excessive force.

The internal investigation report stated on May 10, 2013, officers responded to N. 7th St. in Yakima after reports of a fight in the street. It says when they responded nobody was out in the street, but a man walked out who appeared intoxicated.

The report says the man was loudly asking officers to fight him and to come on to his yard. It says Officer Gillette walked onto the property, punched the man, and had another officer help him cuff the man. The document says there was some dispute between if the "punch" was with an open hand or closed fist. Gillette said he wanted to arrest the man for disorderly conduct, according to the report. When another officer told him no such municipal code existed in the City of Yakima, they decided to arrest him for obstructing a police officer. The man was booked into the city jail.

It was later founded that the decision to arrest the man for obstructing could have been the two officers' way of protecting the city from liability when really they had no probable cause.

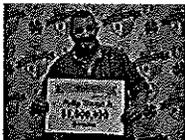
The report states none of the officers gave the man any verbal commands and he had no chance to comply with officers before being struck by Officer Gillette.

A YPD investigator met with the city prosecutor's office. They determined there was no probable cause to arrest the man with obstructing. The report states, "He had no obligation to cooperate or assist the police with their investigation and that his verbal rants and threats did not hinder or delay any of their duties."

Another report within the internal investigation reveals Chief Rizzi punished Gillette with a written reprimand on July 5, 2013.

Gillette's current criminal investigation for shooting and killing Rocendo Arias is ongoing with the Yakima County Prosecutor's office.

MORE TO EXPLORE



Man claims \$1 million scratch game prize in Yakima



Trial date set for man accused of injuring his toddler

(<http://www.kimatv.com/news/local/Man-cashes-in-242858701.html>)

(<http://www.kimatv.com/news/local/Trial-date-set-for--242859511.html>)



Yakima school remains closed after boiler malfunction

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James P. Hagarty Prosecuting Attorney

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February 24, 2014

Chief Dominic Rizzi
Yakima Police Department
200 S. 3rd Street
Yakima, WA. 98901

Re: Officer Involved Shooting – Officer Casey Gillette – January 4, 2014 – YPD# 14Y00448

Dear Chief Rizzi:

I have received the investigative reports prepared by the Yakima Police Department concerning the above noted incident. The Yakima County Prosecuting Attorney's Office has now completed its review of the reports, surveillance video, Coban videos, communication recordings, and statements of Officer Gillette and the passenger witness.

The relevant statutory provisions provide as follows:

RCW 9A.16.040(1)(b) provides in part that the use of deadly force by a law enforcement officer is justified when necessarily used by a peace officer to overcome actual resistance to the execution of the legal process, mandate, or order of a court or officer, or in the discharge of a legal duty.

RCW 9A.16.040(c)(i) permits the use of deadly force necessarily used to arrest or apprehend a person the officer reasonably believes has or is committing a felony. In such a situation, the officer must have probable cause to believe the person, if not apprehended, poses a threat of physical harm to the officer or others. Circumstances which are considered threats of physical harm include the situation where the person threatens the officer with a weapon or displays a weapon in a manner which could be reasonably construed as threatening.

The relevant facts are as follows:

On January 4, 2014, Officer Casey Gillette ("Gillette"), a commissioned law enforcement officer, was on routine patrol in the City of Yakima. Gillette was in a marked patrol vehicle and wearing a police uniform. At the time, Gillette had a female passenger doing a ride along with him. At approximately 2:00 am Gillette observed a vehicle parked on the west side of the Classic Auto Car Wash located at 907 E. Nob Hill, and noted that the engine was running, but he could not see anyone visible in the vehicle. Gillette made no contact with the vehicle at that time. At approximately 2:43, this same vehicle was observed at that location by Trooper S. Storms ("Storms"), who had come to the car wash to clean her WSP vehicle. Storms observed the vehicle parked and the engine running, but decided not to make contact with the vehicle and then departed the car wash. At approximately 2:53, Gillette drove by the car wash and observed the same vehicle still parked in the same place and the engine still running. Gillette decided to make contact with vehicle to determine the driver's condition.

Gillette pulled his vehicle into the car wash lot and parked his vehicle to the rear and left of driver side of the parked vehicle. Gillette activated his spotlight and illuminated the vehicle. At approximately 2:54, Gillette called dispatch and advised he was out with the vehicle and gave the license number. Gillette then approached the vehicle on the driver's side, where he observed a subject in the driver's seat, with his head slumped forward to his chest and his hands between his legs. Gillette believed the subject was either sleeping or passed out. This individual was later identified as Rocendo Arias ("Arias"). Gillette went around the rear of the vehicle to the passenger side. Gillette is observed at the rear of the parked vehicle in his vehicle's Coban and the surveillance camera located on the business property. Gillette is observed carrying his flashlight in his left hand. Gillette stated that he opened the passenger side door and illuminated

the interior with his flashlight, which allowed him to see Arias' entire body, including his hands. Arias then raised his head and turned towards Gillette. At this same time, Gillette observed what appeared to be the slide and ridges on the slide that are consistent with those found on most semi-automatic handguns. Because of the way the weapon was located between Arias' legs and being in his hands, Gillette was unable to see the orange tip. Gillette ordered Arias not to move, while Gillette drew his own weapon. Arias then lunged quickly at Gillette and pointed the weapon pointed at Gillette. Gillette then rocked back and fired one round, which struck the middle pillar on the passenger side of the vehicle, and then leaned forward and fired three more rounds.

At 2:56, numerous officers heard Gillette call out that shots had been fired, and shortly thereafter, that the subject was down. Arriving officers observed Gillette standing beside the open passenger side door pointing his weapon inside the vehicle and ordering Arias to show his hands. Officers observed Arias in the driver's seat, observed he was holding a weapon in his hand and had his finger on the trigger. From the driver side the weapon was observed pointing at the driver's side door and officers could observe the orange tip. Officers on the passenger side indicated that from their position they could not see the orange tip. An officer entered the vehicle and retrieved the weapon.

Gillette indicated that he fired four rounds. One dent was located on the passenger side middle pillar on the passenger side, with a fired bullet lying on the ground just below. There was a hole through the driver side window and one through the door. The final bullet entered Arias' head and was located there during the autopsy. Four shell casings were found approximately five feet in front of the passenger side, consistent with the ejection pattern for Gillette's weapon.

Here, Arias was observed with what appeared to be a real firearm being held in his hand. Arias responded to Gillette's command not to do anything by raising his weapon and pointing the weapon at Gillette. The act of turning and the raising of the gun towards Gillette, justified a reasonable belief on the part of Gillette, under the circumstances at the time and as they appeared to Gillette, that a felony offense was being committed, and created a reasonable belief that Arias posed an immediate threat of death and/or physical injury to Gillette. I conclude that Officer Gillette was justified in the use of deadly force under the circumstances.

Should anything further be need, please contact me.

Sincerely,

James P. Hagarty
Yakima County Prosecuting Attorney



Memorandum

Date: April 14, 2014

TO: Chief Rizzi

FROM: Captain R. Light

SUBJECT: Use of Force Review Board

On April 9, 2014 at approx 0900 hrs the following members of the Yakima Police Department convened to review the case file regarding Officer Gilette's shooting incident. Myself along with Captain Copeland, Lt. Wentz, Sgt Bardwell, Sgt. Henne and Officer J. Nesary thoroughly reviewed the case file and found unanimously that there were no department policy violations regarding this incident.

Captain R. Light

Chief Dominic Rizzi



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CRIME LABORATORY REPORT

Agency: Yakima Police Department
Agency Rep: Kasey Hampton
Subject: Suspect – Arias, Recendo
Victim – None Listed

Laboratory Number: 114-000058
Agency Case Number: 14Y000448
Request Number: 0002

Evidence:

Items 002, 020, and 029 – Each item was a sealed paper envelope that contained a fired bullet.

Items 003 through 006 – Each item was a sealed paper envelope that contained a fired 40 S&W caliber cartridge case, headstamped SPEER.

Item 007 – A sealed cardboard box that contained a 40 S&W caliber Smith & Wesson model M&P semiautomatic pistol, serial number DXN9228, with an attached STREAMLIGHT model TLR-1 light.

Item 008 – A sealed paper bag that contained an empty magazine and twelve unfired 40 S&W caliber cartridges, headstamped SPEER.

Item 041 – A sealed paper bag that contained a fired bullet fragment.

Results and Conclusions:

The Smith & Wesson pistol, item 007, was examined and test fired using the magazine in item 008. The firearm and its safeties were functional. The pistol's trigger pull weight was approximately four and one-quarter pounds. The test fires from this firearm were placed into a paper envelope and packaged with the item.

The four fired 40 S&W caliber cartridge cases in items 003 through 006 were microscopically compared to the test fired cartridge cases from the Smith & Wesson pistol, item 007. The fired cartridge cases were identified as having been fired in the Smith & Wesson pistol.

The three fired bullets and bullet fragment, items 002, 020, 029, and 041, were examined. The weight and dimensions of the fired bullets and bullet fragment were consistent with 40 caliber class, to include 40 S&W caliber. The three fired bullets and bullet fragment had five land and groove right twist rifling.

The three fired bullets and bullet fragment, items 002, 020, 029, and 041, were microscopically compared to the test fired bullets from the Smith & Wesson pistol, item 007. The two fired bullets, items 002 and 020, were identified as having been fired from the Smith & Wesson pistol. The fired bullet and bullet fragment, items 029 and 041, were inconclusive and could not be identified or eliminated as having been fired from the Smith & Wesson pistol due to damage.


Kathy Geil, Forensic Scientist

4/22/14
Date



Yakima Police Department

Custody Receipt

On 12/01/2014 at 3:25 pm the following item was transferred so that the current custody reads as follows;
"Returned To Owner". This custody update was processed by CAYS, KEVIN.

Case #: 14Y000448

Item #	Description
001	1999 VOLKS PAS4D - SILVER 071ZIJ
	Item Notes:

VEHICLE RELEASED

Total # of Items Transferred: 1
Comments:

CAYS, KEVIN

Released By

citypdapp\etrackado\Receipt.PLC

Action Towing


Released To

12/01/2014 - 3:25 pm

Date/Time