

IN THE COURT OF APPEALS  
OF THE STATE OF WASHINGTON  
DIVISION I

STATE OF WASHINGTON, )  
Respondent, )  
)  
)  
v. )  
)  
)  
RICKY M. ARNTSEN, )  
Appellant. )  
\_\_\_\_\_ )

C.O.A. NO. 62241-2-I

APPELLANT'S SUPPLEMENT OF  
STATEMENT OF ADDITIONAL GROUNDS

FILED  
COURT OF APPEALS  
STATE OF WASHINGTON  
2009 NOV 20 AM 10:28

I. SUPPLEMENTAL ISSUES FOR REVIEW

Based on the recent decision of the Washington State Supreme Court in State v. Patton, 2009 WL 3384578 (Wash.), appellant, Ricky M. Arntsen, supplements his Statement of Additional Grounds (S.A.G.) with the following issues for review as they relate to the suppression of the firearm evidence at issue in this case:

A.) WHERE REASON FOR MR. ARNTSEN'S ARREST WAS ATTEMPTING TO ELUDE AND ARNTSEN WAS ALREADY IN CUSTODY AND COULD NOT ACCESS VEHICLE, WAS SEARCH OF VEHICLE INCIDENT TO ARREST IMPROPER?

B.) IF MR. ARNTSEN'S ARREST WAS FOR ROBBERY, BUT ARREST FOR ROBBERY WAS INVALID, WAS SEARCH OF VEHICLE INCIDENT TO ARREST IMPROPER?

II. FACTS RELEVANT TO SUPPLEMENTAL ISSUES REGARDING SUPPRESSION OF FIREARM EVIDENCE

The events leading to Mr. Arntsen's arrest, conviction, and, ultimately, this appeal, stem from a false report made by a person named James Harris. Harris was an acquaintance of Mr. Arntsen's and Harris, who had been harboring

a grudge against Arntsen, sold Mr. Arntsen and his wife a vehicle then, after the Arntsens left with the vehicle, Harris called 9-1-1 and falsely reported that Mr. Arntsen had robbed him for the vehicle at gunpoint. Harris made the false report to use the police as a weapon for his revenge and satisfy his animosity.

After the police investigated, taking statements from Harris and two prostitutes who worked for Harris and who Harris provided drugs to, the police detectives who were assigned to the case returned to Harris' motel room to "confront Harris about his honesty, with an eye toward closing the case without a criminal referral" because Harris' story was clearly untrustworthy. See S.A.G., pg. 14.

As the detectives returned to the motel to confront Harris and potentially close the case without a criminal referral, they encountered Mr. Arntsen, u-turned and initiated a pursuit. Because the detectives were driving an unmarked vehicle they requested a regular police vehicle to initiate a traffic stop. Upon seizing Mr. Arntsen through a command to stop by the activation of police lights, Arntsen fled, a brief chase ensued, and Arntsen was ultimately cornered, shot three times as he held his hands in the air attempting to surrender, and arrested. The facts preceding and causing Arntsen to attempt to elude and the events following Mr. Arntsen's arrest are laid out in greater detail in Arntsen's S.A.G., pgs. 1-8.

After arresting Mr. Arntsen the police searched the vehicle and found a handgun wrapped inside of a t-shirt. The police claim that the gun was wrapped in the t-shirt and sitting on the front passenger seat. Arntsen disputes this fact and asserts that the gun was wrapped in the t-shirt and tucked away underneath the front passenger seat, where it had been placed earlier by his wife:

Direct Examination of Anna Arntsen: RP, June 12, 2008 (S.A.G., EXHIBIT B):

ANNA ARNTSEN (ANNA): "[Mr. Arntsen] told me that evening or later on that night, we would be meeting James in regards to purchasing his vehicle. He was going to sell us a vehicle to settle a debt. In addition, we were going to pay

him an extra \$2,500."

MR. ARNTSEN: "Was there anything else that I told you about that?"

ANNA: "I was supposed to go to the storage and retrieve the gun that he had given you in earlier months, because he said he wanted it returned."

MR. ARNTSEN: "So why did he say -- did I tell you why he said he needed it?"

ANNA: "He had some concerns about some things that were going on in his life."

S.A.G., EXHIBIT B: RP, June 12, pgs. 716-717.

MR. ARNTSEN: "And when we got to the motel what happened?"

ANNA: "Well, we pulled up in the parking lot and you got out and you went over to the room....Then you and James came out of the room and he handed me the paperwork through the driver's side window and the paperwork was the bill of sale and the title to the Cadillac that we were about to purchase...."

. . . . .

MR. ARNTSEN: "So once he came and handed you the paperwork and all of that, did I ask you to do something?"

.....

ANNA: "To give him what we had in the trunk."

MR. ARNTSEN: "What did you do?"

ANNA: "I got out of the car, opened the trunk, and I grabbed the gun that was wrapped in the T-shirt, came back into the driver's side, sat down, attempted to hand [the gun] over the passenger's side to Mr. Harris."

MR. ARNTSEN: "What did he say?"

ANNA: "He said, 'No, I'll get that from you later.'"

MR. ARNTSEN: "And so what did you do with it after that?"

ANNA: "I stuck it under the seat."

MR. ARNTSEN: "Under the passenger's seat?"

ANNA: "Yes."

. . . . .

MR. ARNTSEN: "So you stuck it under the seat. What happened after that?"

ANNA: "You and James went back inside."

MR. ARNTSEN: "And then at some point, did I come out and ask you to do something else?"

ANNA: "Take [his girlfriend] to the store."

MR. ARNTSEN: "Did you?"

ANNA: "Yes."

MR. ARNTSEN: "What did I do?"

ANNA: "You stayed there with him."

MR. ARNTSEN: "Did I take the gun with me?"

ANNA: "No."

Id., pgs. 719-722.

Cross Examination of Ricky Arntsen -- RP, June 13, 2008 (S.A.G., EXHIBIT C):

THE PROSECUTOR: "You also agree on the 18th of October of 2007, you had a firearm in the front seat of that car; is that correct?"

MR. ARNTSEN: "No."

THE PROSECUTOR: "This gun I'm going to show you, which is Exhibit No. 24; that was taken -- was this in the front seat of your car?"

MR. ARNTSEN: "It was not on the front seat."

THE PROSECUTOR: "That was in the car?"

MR. ARNTSEN: "It was in the car."

S.A.G., EXHIBIT C: RP, June 13, pg. 934, lines 23-25, to pg. 935.

None of the police officers who were involved in the pursuit of Arntsen, none of the police officers who shot Arntsen, none of the police officers who leaned into Arntsen's vehicle and pulled him from the car after he was shot, and none of the officers who arrested Arntsen ever claimed that they saw Mr. Arntsen with a gun nor that they ever saw the gun anywhere inside the car. None of those police officers mentioned seeing Mr. Arntsen with a gun in or seeing the gun inside the car when they wrote their reports nor when they testified at trial. See, S.A.G., EXHIBIT E: Written Report of Detective Dave Honnen (Det. Honnen's Testimony is at RP, June 10, pgs. 94-182; see S.A.G., EXHIBIT P: Written Report of Detective Stephen Morrison (Detective Morrison's Testimony is at RP, June 10, pgs. 197-253; see EXHIBIT U: Statement of Officer Eric White (Offc. White's Testimony is at RP, June 10, pgs. 253-307; see EXHIBIT V: Written Report of Officer David Machado (Offc. Machado's Testimony is at RP, June 11, pgs. 355-412); see EXHIBIT W: Written Report of Officer Amber Thompson (Offc. Thompson's Testimony is at RP, June 11, pgs. 435-462).

Mr. Arntsen asserts now, as he did to the jury at trial, that the gun was never on the front passenger seat at any time that Mr. Arntsen was inside the vehicle. Arntsen asserts that when the police searched the car they discovered the firearm underneath the front passenger seat, and because a police shooting of a suspect had occurred, and the shooting happened as Arntsen held his hands in the air attempting to surrender, the stakes went up and the police took steps to ensure that the shooting of Mr. Arntsen appeared justified and to make it seem that Arntsen posed more of a danger to the police at the time of the shooting than he actually did.

**MR. ARNTSEN:** "Nobody ever said that I even handled [the gun] at all. My wife told you that it was under the seat. She put it underneath the seat. That's where it was until all of a sudden, after this happened, then eventually it ends up on the seat. No officer testified they seen it. But somehow it ends up on the seat. Go figure. If you can't find that the gun was used in the elude in some type of way to help me get away, then you can't find me guilty of that...you got to find beyond reasonable doubt that there was a connection between the weapon and the crime. See, I'm already being punished for the charge of possessing the gun. Then they're saying, find him guilty of this enhancement, too, because he ran while he had the gun. Well, we know I had the gun, and we know that I had the gun when I ran. That's why they're charging me with the possession of the gun. Now they are trying to get an extra charge in there for the same crime, find him guilty of that, too. You know, so like I said, no officers testified that I handled the gun in any type of way. It was only on top of the seat after the collision after I was shot and taken away. Here's the thing about the gun. This is the testimony that you heard. This is what is going on with that. This is incredible."

**EXHIBIT X: (Closing Argument of Mr. Arntsen) RP, June 16, pgs. 1089-1090.**

Not only did the police tamper with the firearm evidence by moving it from under the seat and placing it on top of the seat after they searched the car, the police also manufactured two second degree assault charges by falsely alleging that Arntsen deliberately rammed the detectives' vehicle in an effort

to injure them, which prompted the officers to shoot him. However, Arntsen asserted that the detectives tactically rammed into him to eliminate any further chance of his escape and to bring the chase to an end, and that the reason that the police were wrongfully lodging the assault charges against him was to justify the shooting. To resolve the dispute and to prove his innocence, Mr. Arntsen sought to introduce video evidence collected by the police from a 7-11 security camera. But, to cover up any wrongdoing by the police, the police erased the entire segment from the video evidence that showed the detectives ramming into Arntsen and the police shooting him while he had his hands in the air to surrender. See S.A.G., EXHIBIT M: (Testimony of Det. Honnen) RP, June 10, pgs. 170-172.

Then, not only did the police place the gun on top of the front passenger seat, and erase the video evidence, the police also suppressed the identity of an eyewitness who saw the events of the collision and the shooting, and the police also withheld or destroyed the statement which that eyewitness provided to the police. See S.A.G., EXHIBIT P-1: (Testimony of Det. Morrison) RP, June 10, pg. 219, lines 10-17, and pgs. 244-247.

In light of the Washington State Supreme Court's recent decision in State v. Patton, supra, Mr. Arntsen now supplements his Statement of Additional Grounds in addition to or in the alternative with the arguments presented below, asserting that the firearm evidence in this case must be suppressed.

### III. ARGUMENT

**A.) WHERE REASON FOR MR. ARNTSEN'S ARREST WAS ATTEMPTING TO ELUDE AND BECAUSE ARNTSEN WAS ALREADY IN CUSTODY AND COULD NOT ACCESS VEHICLE, SEARCH OF VEHICLE INCIDENT TO ARREST WAS IMPROPER.**

Because the State has made it clear that when the police encountered Mr. Arntsen they were returning to the motel "to confront Harris about his honesty

with an eye toward closing the [robbery] case without a criminal referral", this Court should reasonably conclude that the police had determined that Harris's story was untrustworthy and did not provide the requisite reliability to satisfy a finding of probable cause. Thus, at the moment the detectives u-turned and began to pursue Arntsen, they did so to conduct a speculative investigation and at the moment he was seized, the police were commanding Arntsen to pull over to execute a pretextual traffic stop and not a valid arrest for a robbery.

Detective Honnen's police report also indicates that there was a misdemeanor warrant out for Arntsen at the time. Because the State has made it clear that the police had no valid basis to pursue or arrest Arntsen for the false robbery complaint, the police pursuit and seizure of Arntsen could have been for the reason of the misdemeanor warrant as much as it could have been for anything else.

Therefore, when the police cornered and captured Arntsen after he fled, the only valid basis for Arntsen's arrest was attempting to elude (and possibly, arguendo, any charges arising from the events related to the elude); or, possibly, the unconfirmed misdemeanor warrant.

Following the United States Supreme Court's recent decision in Arizona v. Gent, -- U.S. --, 129 S.Ct. 1710, 173 L.Ed.2d 485 (2009), the Washington State Supreme Court has now held "that the search of a vehicle incident to the arrest of a recent occupant is unlawful absent [1] a reasonable basis to believe that the arrestee poses a safety risk or that the vehicle contains evidence of the crime of arrest that could be concealed or destroyed, and [2] that these concerns exist at the time of the search." State v. Patton, 2009 WL 3384578, at \*7 ¶26 (emphasis added)(numbers and brackets added).

In this case, Arntsen had already been shot three times, removed from the vehicle, and arrested, and he no longer had access to the vehicle at the time of the search. "...[W]e also recognize that we have heretofore upheld searches incident to arrest conducted after the arrestee has been secured and the attendant risk to officers in the field has passed. Today we expressly disapprove of this expansive application of the narrow search incident to

arrest exception." Patton, at \*7 ¶26.

Accordingly, because Arntsen had already been secured by police and no longer had access to the vehicle, there was no reasonable basis to believe that Arntsen posed a safety risk. "...[T]he Court in Gant issued a necessary course correction to assure that a search incident to the arrest of a recent vehicle occupant under the Fourth Amendment takes place 'only when the arrestee is unsecured and within reaching distance of the passenger compartment at the time of the search.'" Patton, \*7 ¶25 (quoting Gant, 129 S.Ct. at 1719).

Also, the State has made it clear that at the time of the search the police did not believe Arntsen had committed a robbery. See S.A.G., at pg. 14, and S.A.G., EXHIBIT N.

In support of his Statement of Additional Grounds, Arntsen presented a brief submitted by the State to the trial court titled "STATE'S RESPONSE TO DEFENSE MOTION TO DISMISS FIREARM ALLEGATIONS ON COUNTS 2-4". That brief is affixed to Arntsen's S.A.G. as EXHIBIT N.

In EXHIBIT N, the State asserted to the trial court that when Detectives Honnen and Morrison "happened to see [Arntsen]" as they approached the motel, "[t]he purpose for Honnen and Morrison's visit to Andy's motel was to interview Harris and confront him about his honesty with an eye toward possibly closing the case without a criminal referral." EXHIBIT N, pg. 2.

This assertion by the State speaks for itself: The detectives would have felt no reason to "confront Harris about his honesty with an eye toward closing the case without a criminal referral" if the informant(s) and the information provided by the informant(s) was reliable.

The State went on to say, "When [the police] got behind [Arntsen] and attempted to conduct a traffic stop [Arntsen] knew he would be facing a very serious charge for being caught in possession of the handgun...It was for this reason that he went to such extraordinary lengths to avoid police contact..." EXHIBIT N, pg. 2.

Because of the unreliability of the informants and the unreliability of

the information, the State makes no assertion that Mr. Arntsen attempted to avoid "police contact" because Arntsen had robbed Harris.

In this same brief, the State went on to tell the trial court that, "it should be pointed out that it appears the handgun was being used by [Arntsen] for general protection." EXHIBIT N, pg. 4.

Because the police and the State did not believe Harris's story, the State made no assertion that Arntsen had used the gun in a robbery.

Thus, because the police did not believe that Arntsen had robbed Harris and the only valid basis for arrest was attempting to elude, there was no reasonable basis to believe that the vehicle contained "evidence of the crime of arrest" that could be "concealed or destroyed". Clearly there would be no reasonable basis to believe that evidence of the crime of attempting to elude would be found inside the vehicle.

Even if, arguendo, Arntsen's arrest for the crimes of assault were valid (which it was not) based on the police assertions that Arntsen rammed the detectives' vehicle with his own vehicle, evidence of the crime of assault would not have been found inside the car, where the allegation was that the vehicle itself was the weapon used to commit the assaults.

"Consistent with article I, section 7 imperative to narrowly confine exceptions to the warrant requirement, we hold that the automobile search incident to arrest exception to the warrant requirement does not extend to the circumstances here." Patton, at \*8 ¶28.

Accordingly, article I, section 7 requires that the firearm evidence in this case must be suppressed.

**B.) BECAUSE ARREST FOR ROBBERY WAS INVALID,  
SEARCH OF VEHICLE INCIDENT TO ARREST WAS IMPROPER.**

In the alternative, assuming, arguendo, that Arntsen's arrest was for the

crime of robbery, there was no valid basis for an arrest for that crime and, therefore, the allegation of a robbery cannot constitutionally support a search of the vehicle after Arntsen's arrest.

In Washington State, a citizen informant's mere reporting of a crime does not, by itself, create probable cause to support an arrest. The Washington State Supreme Court in State v. Sieler, 95 Wn.2d 43, 621 P.2d 1272 (1980), which has been firmly followed and consistently upheld in a number of cases over the past 29 years, has required that a citizen informant must be reliable and the informant's information must also be reliable before the police are allowed to pursue or seize a suspect based on the information provided by the informant. Sieler, 95 Wn.2d at 47.

Washington courts have consistently required that a person who provides police with information must be reliable. E.g., State v. Jones, 85 Wn.App. 797, at 800 (1997); e.g., State v. Hart, 66 Wn.App. 1, at 7 (1992) (holding, "Not only must the source of the information be reliable, but also the report must contain objective facts to justify the pursuit and detention of a suspect."). Washington courts have just as consistently dismissed cases or suppressed evidence against defendants who were stopped and arrested as a result of information obtained from unreliable informants. E.g., State v. Hopkins, 128 Wn.App. 855 (2005); State v. Vandover, 63 Wn.App. 754 (1992); e.g., State v. Lesnick, 84 Wn.2d 940, at 944 (1975).

The record in this case clearly establishes that the citizen informants in this case were unreliable and that the information provided by the informants was untrustworthy. See S.A.G., pgs. 11-19. Accordingly, because the requisite reliability of the informants and their information was absent prior to the pursuit and the seizure of Arntsen, the unreliable allegation of robbery (which was ultimately dismissed) could not form a valid basis for Arntsen's arrest nor for the search of his vehicle. "Among the exceptions to the warrant requirement is a search incident to a lawful arrest." Gant, 128 S.Ct. at 1716 (citation therein). Because the citizen informants in this case were unreliable and the information they provided was unreliable, an arrest of Arntsen for the robbery, where the requisite reliability was absent, would have been unlawful. See, e.g., State v. Bowers, 36 Wn.App. 119, at 122-23 (1983) (citations therein); e.g., Sieler, 95 Wn.2d at 47. An unlawful arrest

cannot provide an exception to the warrant requirement under Wash. Const. art. I, sec. 7.

Therefore, the lawfulness of the search would then hinge on the offense for which Arntsen was "lawfully" arrested. The only offense for which Arntsen was "lawfully" arrested was attempting to elude; and, as argued above, that is not an offense that would justify the search of the vehicle under the facts and circumstances of this case. Accordingly, the firearm evidence must be suppressed, pursuant to article I, section 7, and the due process clauses of the Washington State and United States Constitutions.

**IV. SUPPRESSION OF FIREARM EVIDENCE  
IS PROPERLY BEFORE THIS COURT FOR THE FIRST TIME ON APPEAL**

The pursuit, seizure, arrest, and subsequent search of the vehicle and discovery of the firearm, arose from a false report that was initiated by Harris and finalized by the errors and misconduct of the police. The police officers in this case violated Arntsen's constitutional rights under the Fourth Amendment and Due Process Clause of U.S.C.A. 5 and 14, and under Wash. Const. article I, sections 3 and 7. Mr. Arntsen's convictions and current confinement are intimately related to Harris's false report and the erroneous actions of the police.

An appellate court may review an alleged error for the first time on appeal if it is a manifest error affecting a constitutional right. See, RAP 2.5 (a)(3),; State v. Walsh, 143 Wn.2d 1, at 7, 17 P.3d 591 (2001).

Even if a party has not raised an issue, either before the trial court or on appeal, the appellate court may consider any issue necessary for a proper decision and may decide the case on that basis. RAP 12.1 (b); State v. Danforth, 97 Wn.2d 255 (1982); Siegler v. Kuhlman, 81 Wn.2d 448 (1972); Crewford v. Wojnas, 51 Wn.App. 781, 786-87 (1988)(rev. denied).

The suppression issue raised here is also properly before this Court

under RAP 1.2 (a) and/or RAP 1.2 (c).

Under RAP 1.2 (a) a "technical violation of the rules will not ordinarily bar appellate review, where justice is to be served by such review...[w]here the nature of the challenge is perfectly clear, and the challenged finding is set forth in the appellate brief, [this court] will consider the merits of the challenge." State v. Williams, 96 Wn.2d 215, at 220 (1981)(citation omitted). See also, State v. Schaupp, 111 Wn.2d 34, fn. 1 (1988)(holding that although defendant did not assign error to the trial court's finding as required by RAP 10.3 (g), defendant was still entitled to review as "Justice could not be served by deciding this case on the basis of technical compliance or noncompliance with the rule." (citing RAP 1.2 (e)).

Furthermore, appellate courts have inherent authority to consider issues not raised by the parties if necessary to "serve the ends of justice." State v. Aho, 137 Wn.2d 736, 740-41 (1999)(quoting RAP 1.2 (c)); State v. Carter, 157 P.3d 420 (2007)(Although the State did not raise question of dismissal before the trial court, appellate court has inherent authority to consider issue pursuant to RAP 1.2 (c)).

The record in this case is sufficient to establish the impropriety of the search of the vehicle and supports suppression of the firearm evidence.

Also, State v. Patton, supra, creates a significant change in the law that was decided well after Arntsen's trial and also subsequent to the filing of his Statement of Additional Grounds. Thus, the issues presented here are properly before this Court now.

#### V. CONCLUSION

For all of the foregoing reasons, under the facts and circumstances of this case, this Court should find that the due process clause and the heightened protection of Wash. Const. art. I, sec. 7 requires suppression of the firearm evidence.

Accordingly, under the argument and authority presented in this

supplement to Arntsen's S.A.G., this Court should uphold the attempting to elude conviction; order the firearm evidence suppressed and remand for a new trial on the firearm allegation or dismiss that charge.

VI OATH OF APPELLANT

I, Ricky M. Arntsen, the appellant in this matter, hereby declare under penalty of perjury under the laws of the State of Washington that all that is said above and herein is true and correct.

Respectfully Submitted this 18<sup>th</sup> day of November, 2009.



Ricky M. Arntsen #968148  
Clallam bay corrections center  
1830 Eagle Crest Way  
Clallam Bay, WA. 98326

# EXHIBIT

# E

WRITTEN POLICE REPORT OF  
DETECTIVE DAVID HONNEN

2009 NOV 20 AM 10:28

STATE OF WASHINGTON

EXHIBIT

# E

# Snohomish County Follow-Up Report

## Edmonds Police Department

Page 1

Case Number  
**07-4466**

|   |  |                            |  |
|---|--|----------------------------|--|
| Incident Classification<br><b>ROBBERY 1 FIA-RES</b> |  | Name of Original Victim(s) |  |
| Report Date<br><b>10/18/2007</b>                    | Original Case Report Date<br><b>10/18/2007</b> | Necessity To               |  |
| Continuing Case Numbers                             |  | Incident Involved          |  |

Thursday, October 18, 2007

0600 hrs

I arrived at my office to begin my regular duty hours when I heard patrol units being dispatched to an occupied stolen vehicle at Andy's Motel, 22201 Hwy 99, Edmonds. I checked the call details on CAD and learned this incident started about 45 minutes earlier when a black male suspect armed with a handgun had forced another person to sign over the title to his vehicle, a white Cadillac. The Cadillac was driven from the parking lot followed by an associated suspect vehicle, a new green sedan, like a rental car. Officers were still on the scene at Andy's when the stolen Cadillac returned to the motel driven by a female suspect; she was taken into custody.

At the time, I was involved in another investigation and left the station to drive to the Everett area. I continued to monitor the police radio and heard SNOCOM advise officers the male suspect in the case was repeatedly calling the dispatch center claiming he'd bought the vehicle. I heard officers instruct SNOCOM to have the male return to Andy's Motel and meet with the officers so the situation could be sorted out. The male refused. I also heard Sgt. Blackburn advised units the suspect was driving a green American made, mid-sized sedan.

About 0700 hours I heard radio traffic indicating the female was being transported from the scene to the county jail. I phoned Sgt. Blackburn, and asked him to divert the patrol officer with the prisoner to our station so I could conduct an interview. I then drove to the station from the Everett area and arrived about 0800 hrs.

At 0820 hrs I contacted the female prisoner in the EPD lock-up. She'd been identified as Anna ARNTSEN, dob/03-16-1977. I started a tape recorder and advised her the interview would be recorded and also read her the Miranda warning. I asked for her name, dob and address. She confirmed the name and dob and gave the address of 16704 31<sup>st</sup> Ave S. #128, Seatac. She told me she understood her rights and did not want to talk with me and that concluded my contact with Ms. Arntsen.

I then briefly spoke with Officer Frausio and Officer Lavelly, they were in the process of writing their reports on this incident. I learned the victims in this case were 45 year old James Harris and 31 year old Melissa Britt. I was told Harris is an active drug dealer at Andy's Motel and Britt is probably a prostitute. They'd been living at the motel for some time. I learned the suspect in this case is an associate of Harris. Harris told officers he knew the suspect only by his first name, Ricky, and described him as a large black male, 5-11/250-300, bald, slightly grown out beard (goatee), wearing a black t-shirt and blue jeans and armed with a blue steel revolver. Ricky's full identity was determined when the stolen vehicle was returned to the motel and Anna Arntsen was arrested. Harris told officers that he recognized Anna and she was Ricky's wife. Anna then told officers her husband was Ricky M. ARNTSEN; dob/12-21-1970. I learned from the officers that Harris claimed Ricky had shown up at his room sometime around 0300. He was invited in but once inside Ricky produced a handgun and held Harris and Britt at gunpoint, forcing Harris to write out a bill of sale for his

|  |   |                    |              |
|--|---|--------------------|--------------|
| Officer Name/Number<br><b>Hennen, David #1010</b>  | Unit<br><b>E73</b>  | Approved By Number | Date         |
| Clearance<br><input checked="" type="checkbox"/> ArMA<br><input type="checkbox"/> ArPJ<br><input type="checkbox"/> Inval/Closed<br><input type="checkbox"/> Unfounded<br><input type="checkbox"/> EnHA<br><input type="checkbox"/> EnAD<br><input type="checkbox"/> Closed/Other | Distribution<br><input type="checkbox"/> PA<br><input type="checkbox"/> ADMIN<br><input type="checkbox"/> DOC<br><input type="checkbox"/> CPE<br><input type="checkbox"/> DSHS<br><input type="checkbox"/> HD<br><input type="checkbox"/> JUV<br><input type="checkbox"/> MNI<br><input type="checkbox"/> TRAF<br><input type="checkbox"/> DET<br><input type="checkbox"/> PAT<br><input type="checkbox"/> PROACT<br><input type="checkbox"/> Court<br><input type="checkbox"/> Other | Logged             | Date / Month |
| Entered RMS  |   | Entered WAC/CACIC  |              |

**Snohomish County Follow-Up Report  
Edmonds Police Department**

Case Number  
**07-4465**

Cadillac. When Ricky left with the Cadillac, Harris called police.

I then started to do background checks on all the people involved. All had criminal histories. NCIC III showed **Ricky M. ARNSTEN** has numerous aka's. He's been convicted of 7 felonies including manslaughter, robbery, burglary and VUCSA. He also has a felony arrest record in Colorado for robbery, assault, weapons, drugs. There is a misdemeanor warrant for DV harassment; a no contact order, and officer safety advisory.

In light of **Arnstens** history I wanted to re-interview Harris and Britt. About 0900 hrs Det. Morrison and I left the station to contact **Harris** and **Britt** at Andy's Motel. I was driving. Our vehicle is a 2002 Dodge Stratus, dark green with cold plates. There are no markings or equipment visible that would indicate it is a police car. The Stratus is equipped with a police radio and emergency lights in the grill and top edge of the windshield. It is also equipped with a siren.

I drove to the motel via 224<sup>th</sup> St SW to northbound Hwy 99. It was about 0936 hrs and I was in the curb lane approaching the driveway to Andy's and had signaled to make a right turn in when I saw a late model Ford Taurus, light green, driven by a large black male, exit the driveway of the Traveler's Motel and drive southbound on Hwy 99. It looked to me that he was the only person in the vehicle. Traveler's Motel is the business just north of Andy's and when the Taurus left the driveway to go southbound it drove right past me driver side to driver side. I believed this was most likely the suspect, **Ricky M. Arnsten**. I made a U turn and began following the Taurus. I advised SNOCOM that I was following a vehicle matching the suspect description in this case and requested back up units. I also advised SNOCOM the license plate, 446VHI.

There were no patrol units in the area. We continued to follow the Taurus by several car lengths southbound on Hwy 99, the inside lane, at normal speed. The driver was leaning over to his right; it looked like he was talking on a phone. Traffic was heavy, it was raining and about 58 degrees. We passed into Shoreline and I asked SNOCOM to request assistance from Shoreline PD. I continued to update SNOCOM as we progressed southbound; 175<sup>th</sup>, 185<sup>th</sup>, 150<sup>th</sup>. There was no indication that the driver was aware that we were following him.

As we approached 145<sup>th</sup> I saw a police car with lights flashing coming up behind us along the right shoulder. We came to a stop in heavy traffic for the red signal at 145<sup>th</sup>. SNOCOM advised me Shoreline PD was requesting if we wanted their officer to initiate the traffic stop. I told SNOCOM to have the Shoreline officer go ahead and make the stop and we would back. The Shoreline officer pulled in front of us and right behind the Taurus, siren and red lights activated. The Taurus drove to the right as other vehicles began to yield to the police car, we followed. Once on the right shoulder of Hwy 99 the Taurus started to accelerate. By now the signal had cycled to green and all the traffic was beginning to proceed. The Taurus passed this traffic on the right and accelerated. The Shoreline unit followed with lights and siren. At this point Det. Morrison took over the radio and we also turned on our red lights and siren and followed the Shoreline unit.

A short distance south of 145<sup>th</sup> the suspect vehicle swerved onto the shoulder to avoid traffic and nearly collided with a parked vehicle; swerving from the right shoulder back onto the travel lane. Speeds increased to above 50. Approaching 135<sup>th</sup>, traffic lanes were blocked with traffic waiting for the red signal. The suspect drove to the shoulder and passed all traffic on the right, running the red signal. Now approaching 130<sup>th</sup>, again a red signal and all southbound lanes were blocked. The suspect veered into the northbound lanes; head-on with several northbound vehicles. The suspect skidded and made a left turn to eastbound 130<sup>th</sup>. Another red signal at Stone Ave; suspect took the right shoulder around traffic and accelerated; 50 plus. Approaching Meridian, I think it was a green signal, the suspect turned left to northbound Meridian.

Up to this point we were able to keep up with the Shoreline officers. As we made the left turn onto Meridian there was another marked Shoreline patrol vehicle a few driveways north of the intersection that had been southbound and was starting to make a U turn and follow the chase. We slowed down and motioned for the Shoreline officer to take our place in the pursuit because we were driving an unmarked vehicle.

We are now the third police car in the pursuit, now approaching Roosevelt. I could see in my rear view

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|---|--------------------|--------------------|------|
| Officer Name/Number<br><b>Honnen, David #1010</b> | Unit<br><b>E73</b> | Approved By Number | Date |
|---|--------------------|--------------------|------|

**Snohomish County Follow-Up Report  
Edmonds Police Department**

Case Number  
**07-4485**

mirror another marked police car a considerable distance to my rear. I could no longer see the suspect vehicle. I followed the second Shoreline officer now turning right to eastbound Roosevelt. I turned off my emergency gear at this point and slowed a little but kept the pursuit in sight. I intended to allow the police car to my rear catch up and take over.

As we approached the intersection of Roosevelt and 1<sup>st</sup> I saw the suspect vehicle to my right, now westbound in the parking lot of the 7-11 Store on the northwest corner of that intersection. It was followed closely by the first Shoreline officer. I made a right turn into the 7-11 parking lot and pulled in right behind the suspect vehicle as it was coming to a stop in front of the building. The Shoreline officer pulled his vehicle up to the driver rear side of the suspect vehicle. It looked like the chase was over. I stopped about 10 feet directly behind the suspect. I was starting to get out of my vehicle when the suspect vehicle very quickly accelerated in reverse and smashed into the front of my vehicle pushing my vehicle backwards 10-15 feet. The impact was so forceful that the suspect vehicle actually drove up onto the hood and windshield of my vehicle shattering the windshield and showering us with glass. After a very brief moment the suspect vehicle pulled off our windshield and traveled forward making a maneuver to the left. I started to get out of my vehicle and drew my pistol. I heard several gunshots, maybe 4 or 5 shots in very rapid succession. The suspect vehicle continued to drive under the awning of the store, now parallel with the front of the store, knocking down the 6X6 supports for the awning and finally coming to a stop against a parked car directly broadside to the front doors of the store.

I was so focused on the driver in the suspect vehicle after his vehicle drove off my car that I did not see where the other officers were located. After the suspect vehicle finally came to a stop I saw the driver leaning over on his right side with his right hand visible near the top of the front seat; his left hand not visible. His back was to me. He was not moving.

I immediately approached the suspect vehicle from the rear along with Sgt. Machado. We both order the suspect to show us his hands. After several moments the suspect started moving and slowly raised his left hand to shoulder. The suspect was moaning and I could see blood on his left shoulder and head. While I covered the suspect, Sgt. Machado opened the car door and reached inside across the front of the suspect; I believe to release the seat belt. Sgt. Machado then grabbed the left arm of the suspect and dragged him out of the vehicle. The suspect was very heavy and as he came out of the vehicle he went face down on the pavement; more on his right side. His left hand was free but his right hand was under his body. I handed Sgt. Machado my cuffs and he cuffed the suspect's left hand. I holstered and moved to the suspect's right side and pulled his hand from under his body and applied the cuff to that wrist.

I stayed at the suspect's side while Sgt. Machado went for the 1<sup>st</sup> aid kit. The suspect was a very large black male, nearly shaved head, stubble, wearing a black t-shirt, dark colored jeans, white shoes. The suspect was conscious and moaning. Officer Nelson arrived with the 1<sup>st</sup> aid kit. There was no profuse bleeding, the suspect was breathing and I could hear the fire department units arriving so no 1<sup>st</sup> aid treatment was initiated by us. I did hear Officer Nelson ask the suspect for his name. It sounded to me like the suspect said, "Mr. fuck you". The suspect also made an unsolicited statement similar to, "you guys have my wife." I felt for any weapons along his left side and rear pockets, legs; nothing was found. In short order, the fire department arrived and subsequently transported the suspect from the scene.

I cleared this scene a few hours later after providing SPD investigators the details of the investigation in Edmonds and all the events that followed to this point.

About 1300 hrs I arrived at Shoreline PD and obtained a photo montage from Det. Shipley that contained a recent booking photo of Ricky Arnsten. I gave the photo montage to Det. Richardson at EPD.

I certify (or declare) under penalty of perjury, under the laws of the State of Washington, the above statement is true and correct.

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|---|--------------------|--------------------|------|
| Officer Name/Number<br><b>Honnen, David #1010</b> | Unit<br><b>E73</b> | Approved By Number | Date |
|---|--------------------|--------------------|------|

**Snohomish County Follow-Up Report  
Edmonds Police Department**

|                               |
|-------------------------------|
| Case Number<br><b>07-4465</b> |
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Signature *D. Hennen*  
Date 10-19-07  
Location Edmonds Police

The investigation continues...

DH/1010

|   |                    |                    |      |
|---|--------------------|--------------------|------|
| Officer Name/Number<br><b>Hennen, David 91010</b> | Unit<br><b>E73</b> | Approved By Number | Date |
|---|--------------------|--------------------|------|

# EXHIBIT

P

WRITTEN POLICE REPORT OF  
DETECTIVE STEPHEN MORRISON

2009 NOV 20 AM 10: 28

STATE OF WASHINGTON

EXHIBIT

P

**Snohomish County Follow-Up Report  
Edmonds Police Department**

Case Number  
**07-4465**

|   |  |                            |  |
|---|--|----------------------------|--|
| Incident Classification<br><b>ROBBERY 1 FIA-RES</b> |  | Name of Original Victim(s) |  |
| Report Date<br><b>10/18/2007</b>                    | Original Case Report Date<br><b>10/18/2007</b> | Received To                |  |
| Connecting Case Numbers                             |  | Incident Involved          |  |

On October 18, 2007, at approximately 0915 hrs, I was asked by Det. Dave Honnen to accompany him to Andy's Motel to interview a possible witness in relation to this incident. Det. Honnen was driving an unmarked, nondescript City of Edmonds administrative vehicle with civilian license plates. The vehicle is equipped with emergency lights and siren. I was a passenger in the front seat of the vehicle. As we were heading up to Andy's motel on Northbound Highway 99 from the 22400 blk, Det Honnen noticed a vehicle matching the description of the suspect vehicle (a green rental type vehicle) that was described by the victims leaving the parking lot of Andy's Motel. He also noticed that the driver of the vehicle was an adult black male. We followed the vehicle and notified dispatch that we were following the vehicle Southbound on Highway 99 from our location (Andy's Motel).

Det. Honnen asked if there were any patrol units that were available for a traffic stop on the suspect vehicle. Several units answered the call and said that they were en-route to our location. A few minutes later, we were still following the vehicle Southbound on Highway 99 across the county line and N. 205<sup>th</sup> ST. We notified dispatch of our locations, asking SNOCOM to notify Shoreline PD to see if they have any units to assist us.

As we were coming up to N. 145<sup>th</sup> St and Aurora Avenue N, in the S/B left hand lane, we noticed that a Shoreline PD unit was also coming up southbound to our location in the right hand lane. As he came along side of us, I motioned to the Shoreline Officer that the vehicle directly in front of us was the suspect vehicle. The Shoreline Officer in a fully marked patrol unit got in front of us and activated his emergency lighting and attempted to affect a traffic stop on the vehicle.

The suspect vehicle then fled southbound on Highway 99 from N. 145<sup>th</sup> ST and refused to pull over and stop. We activated our lights and siren on our vehicle and followed the Shoreline patrol vehicle in the #2 pursuit vehicle position. The vehicle continued southbound on Highway 99 at a high rate of speed. I notified SNOCOM that the vehicle was not stopping and we were heading Southbound on Highway 99 from NE 145<sup>th</sup> St in pursuit. Traffic conditions were medium to heavy, roadway was wet and it was raining. When the vehicle reached N. 130<sup>th</sup> St, the traffic light was in the red position for southbound traffic. Traffic was stopped back from the stop line southbound by numerous vehicles due to rush hour traffic. The suspect vehicle continued southbound at a high rate of speed ignoring the stopped traffic at the intersection. The suspect vehicle then sped southbound into the northbound lanes of Aurora Avenue N at the N 130<sup>th</sup> intersection bypassing the standing traffic. The vehicle then turned left and then headed eastbound on N. 130<sup>th</sup> St from Aurora Avenue N at a high rate of speed.

We followed the vehicle eastbound onto N. 130<sup>th</sup> ST from Aurora Avenue N. The vehicle continued

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| Officer Name/Number<br><b>Morrison, Stephen #1799</b>   | Unit<br><b>E78</b>   | Approved By Number  | Date  |   |   |   |                        |
| Clearances<br><input type="checkbox"/> Armp<br><input type="checkbox"/> AntiJ<br><input type="checkbox"/> Inev/Closed | <input type="checkbox"/> Undersuit<br><input type="checkbox"/> BootA<br><input type="checkbox"/> BootJ<br><input type="checkbox"/> Closed/Over | Distribution<br><input type="checkbox"/> PA<br><input type="checkbox"/> ADMIN | <input type="checkbox"/> DOC<br><input type="checkbox"/> CFS<br><input type="checkbox"/> DSHS | <input type="checkbox"/> HD<br><input type="checkbox"/> JUY<br><input type="checkbox"/> MPH | <input type="checkbox"/> TRAF<br><input type="checkbox"/> DET<br><input type="checkbox"/> PAT | <input type="checkbox"/> PROACT<br><input type="checkbox"/> Court<br><input type="checkbox"/> Other | Logged<br>Date / Month |
| Entered RMC   | Date / Month   | <input type="checkbox"/> Entered WAC/CNCK                                     | Date / Month  | <input type="checkbox"/> Entered WAC/CNCK   | Date / Month  | <input type="checkbox"/> Entered WAC/CNCK   | Date / Month           |

**Snohomish County Follow-Up Report  
Edmonds Police Department**

Case Number  
**07-4485**

to drive recklessly on N. 130<sup>th</sup> ST at a high rate of speed. The suspect vehicle then abruptly turned Northbound on Meridian Avenue N from N 130<sup>th</sup> St. The suspect vehicle traveled Northbound on Meridian Avenue at a high rate of speed. Both the Shoreline PD officer and Det Honnen and I continued to pursue the vehicle. We came across another Shoreline PD officer in a marked unit that was parked on the side of the road on Meridian Avenue N in the 13000 blk. We slowed down and allowed that marked patrol unit to assume the #2 position on the pursuit. The suspect vehicle then turned right and headed eastbound on Roosevelt Way N from Meridian Avenue N. The vehicle then sped up and traveled eastbound on Roosevelt Way N at a high rate of speed. I notified dispatch that the suspect speeds were 55 mph, and that the roadway conditions were wet and light of traffic. When we got just before the intersection of Corliss Avenue N and Roosevelt Way N, I saw the suspect vehicle then travel in the opposite direction in the 7-Eleven convenience store parking lot that was directly to our right on Roosevelt Way N. I also saw one of the marked Shoreline PD units following the suspect vehicle directly behind it. We pulled in to the parking lot and the Shoreline PD unit had come up to the left of the suspect vehicle as the suspect vehicle came up to the front northern portion of the 7-Eleven store front. We pulled in directly behind of the suspect vehicle. I could see the driver of the vehicle with his hands up, as if he was surrendering to us; however the vehicle was still traveling slowly in the forward direction. I did not see any other occupants inside of the suspect vehicle. As our vehicle was coming up to the rear of the suspect vehicle in order to affect a felony stop on the suspect vehicle, the suspect vehicle all of a sudden reversed direction and at full speed rammed our police vehicle with the rear of his vehicle with such speed and force that his vehicle's rear tires climbed the hood of our vehicle, and onto the front windshield of our police vehicle. The front hood was ripped back onto the front windshield and prevented the suspect's rear tires of his vehicle from completely crushing the front windshield and coming onto Det. Honnen and myself. This is a common tactic of suspects to purposely ram police vehicles with the rear of their vehicles into the front bumper of the police vehicle with such force in order to activate the airbags in the police vehicle. The airbag deployment would then render the police vehicle inoperative, and possibly injure the occupants inside of the police vehicle. The suspect vehicle can then flee the scene.

When the suspect vehicle rammed our police car, I was concerned that the airbags would go off in the vehicle and entrap us inside of the vehicle. I attempted to get out of the vehicle, and that is when the suspect vehicle drove up on top of our windshield. I was then concerned for myself and Det. Honnen's safety that the suspect's vehicle was going to crush the top interior of the vehicle. We quickly exited the vehicle as the suspect vehicle was driving off of our vehicle. I drew my service pistol and pointed it at the driver of the suspect's vehicle. At that time, I saw the Shoreline PD officer to my left on the driver's side and forward of our vehicle with his weapon drawn shouting at the suspect. I could not hear what was being said, due to the sirens that were still blaring from our police vehicles. The suspect ignored all commands and continued to drive forward into the walkway that is in front of the 7-Eleven storefront. The suspect then turned left and started to drive parallel to the front windows of the store, knocking over the support beams that support the awning that is in front of the store. I could see customers inside of the store running about in the store, presuming to take cover inside of the store. I then heard a series of approximately 4 or 5 "pops", which I determined to be gunshots. The vehicle kept moving in a parallel direction next to the front windows of the store. I then took a protective position from behind my passenger door of our wrecked police vehicle. I then looked to my left and saw a civilian walking up to the store in the parking lot an effort to see what was going on. Since the vehicle was still moving, if the vehicle was to return back out into the parking lot, the civilian might have been injured. I motioned to the white male adult to move away of the

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| Officer Name/Number<br><b>Morrison, Stephen #1789</b> | Unit<br><b>E76</b> | Approved By Number | Date |
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**Snohomish County Follow-Up Report  
Edmonds Police Department**

Case Number  
**07-4485**

scene. He could not hear what I was saying, due to the sirens blaring from our police vehicles. Fearing for the safety of the civilian in the parking lot, I tactically moved from the passenger side of the vehicle and engaged the civilian and told him forcefully to remove himself from the parking lot and to take cover over to the south end of the parking lot next to the adjacent apartment building. He complied. Once that the civilian was secured, I then returned back to our police vehicle and notified dispatch that Shots had been fired at our scene, and that we needed aid personnel on scene along with Edmonds PD and Seattle PD supervisors. I returned back to the scene to see that the suspect had been removed from the vehicle and was on the ground and in custody. The vehicle ended up parallel to the store windows, blocking the front entry doors to the store. I could see that the suspect was wounded. I then inquired about the officers on scene and everybody said that they were ok. Sgt. Machado of the Edmonds Police Department retrieved the first aid kit from his patrol vehicle and first aid was administered to the suspect. The suspect was conscious and alert and moaning. I could see blood from the arm and head of the suspect. I then went to contact the Shoreline PD supervisor who arrived on scene. I pointed out the civilian that I had contacted and moved over to the apartment complex to the Shoreline supervisor and told him that he was a witness to the shooting. Sgt. Machado and Officer Eric White of the Shoreline Police Department both informed me that they had discharged their weapons.

Once the scene was stabilized, I noticed that there were 4 or 5 ammunition shell casings on the parking lot asphalt. I retrieved 4 or 5 traffic cones from the back of Sgt. Machado's vehicle and put them over the casings in an attempt to preserve them for evidence. There was also a part of a bullet fragment that was on the ground, and I put a traffic cone over that as well.

I then assisted the incoming officers from all three jurisdictions (Seattle Police Department, Shoreline Police Department and the Edmonds Police Department) in setting up a crime scene area in the parking lot.

After it was discussed by the administrations, it was decided that the Seattle Police Department Major Crimes Unit would investigate the shooting. After briefing them on the scene, we returned back to the department.

Nothing further.

I certify (or declare) under penalty of perjury, under the laws of the State of Washington; the above statement is true and correct to the best of my knowledge, information and belief. Signed this day, the 18<sup>th</sup> of October, 2007 in Edmonds, Washington.



Det. S.J. Morrison #1790

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|---|--------------------|--------------------|------|
| Officer Name/Number<br><b>Morrison, Stephen #1790</b> | Unit<br><b>ETS</b> | Approved By number | Date |
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# EXHIBIT

4

**POLICE STATEMENT OF  
OFFICER ERIC WHITE**

2009 NOV 20 AM 10: 28

FILED  
STATE OF WASHINGTON

EXHIBIT

4

# GARRITY MATERIAL

## STATEMENT OF OFFICER ERIC WHITE 00213

This is a true and involuntary statement given at the direct order of Acting Captain (Sgt) KA LARSON of the King County Sheriff's Department on October 25, 2007, under the threat of termination.

On 10/18/2007 at 0938 hours I was at the location of N 175<sup>th</sup> Street & Linden Ave N (facing westbound on N 175<sup>th</sup> Street), in the City of Shoreline, County of King, State of Washington, on a traffic stop with vehicle 872-UCT (black 2005 Kia Sorrento) which I had observed speeding southbound on Linden Ave N at the 17700 block. My vehicle is a marked police car with the words on the driver and passenger side doors, SHORELINE POLICE TRAFFIC ENFORCEMENT. On the rear of my car on both the driver and passenger's side rear quarter panels there are graphics on the vehicle which read, IN PARTNERSHIP WITH KING COUNTY SHERIFF. I have red and blue lights in the front window, front grille and in my outside rear view mirrors, and in my rear window. On 10/18/2007 the equipment in my car was in proper working order as I checked it out before I got started driving to work. As I was completing the Notice of Infraction/NOI (IT47759SH) for speeding (38 in a 25) to the driver (Lisa L. Wright, dob, 11/20/1968), I heard King County Sheriff's Office/KCSO Radio dispatch an assist to Edmonds PD. I heard KCSO Radio state Edmonds PD Detectives were following a suspect vehicle (446-VHI a green Ford Taurus) and were at the location of N 180<sup>th</sup> Street and Aurora Ave N heading southbound on Aurora Ave N. I heard KCSO Radio state the driver of the vehicle was a suspect in a Kidnapping and Robbery and was known to be armed. I quickly completed the NOI and gave it to the driver of the vehicle. Afterwards I made a u-turn heading eastbound on N 175<sup>th</sup> Street.

As I got to Aurora Ave N, I stopped my car, and I waited to see if the Detectives and suspect vehicle would pass by me. I did not immediately see them so I asked KCSO Radio where they were. KCSO Radio told me they were passing Parker's Casino, which I know to be located at N 170<sup>th</sup> Street and Aurora Ave N. Knowing this I headed southbound on Aurora Ave N in an attempt to find the Edmonds PD Detective's vehicle and the suspect's vehicle. As I continued southbound on Aurora Ave N I passed the intersections of N 170<sup>th</sup> Street, N 165<sup>th</sup> Street, N 160<sup>th</sup> Street and N 155<sup>th</sup> Street, and did not see either vehicle. As I continued driving southbound on Aurora Ave N, I heard other people state on the radio that Edmonds PD Patrol Officers were driving code 2 on Aurora Ave N, but did not know where they were at the time and I did not see any police vehicles in my rearview mirror.

As I got to N 152<sup>nd</sup> Street I observed both the Edmonds PD Detective's vehicle and the suspect's vehicle in the far left hand lane of southbound traffic. I was in the next lane to the right of them. I observed both the Edmonds PD Detectives were in a Green Dodge Stratus with the license plate of 904-NTR and the suspect vehicle was in front of it with a rear plate that displayed 446-VHI. As I observed this, I notified KCSO Radio I had located them and advised of my location. I then got in behind vehicle 446-VHI, and could only see one occupant (the driver) in the vehicle.

# GARRITY MATERIAL

As I got in behind the vehicle the suspect vehicle's right hand signal began to blink and the suspect's vehicle changed lanes across three lanes of traffic (to the right) into the bus/right turn lane only. I then followed him and as I did the suspect's vehicle began to accelerate. I then activated my emergency lights and siren to effect a stop on the vehicle. The driver continued to accelerate southbound on Aurora Ave N passing N 145<sup>th</sup> Street and continuing on into the City of Seattle. I told KCSO Radio that I was in pursuit and the suspect vehicle was running southbound on Aurora Ave N. I pursued the vehicle southbound on Aurora Ave N at a rate of speed of 55 to 60 mph. The roadway was wet and it was raining at the time. The traffic was light and there were no other cars in between my vehicle and the suspect vehicle. I pursued the suspect vehicle at 55 to 60 mph in a 40 mph zone, with my emergency lights and siren on. As we came to N 130<sup>th</sup> Street and Aurora Ave N the suspect vehicle got into the on coming lane of traffic (northbound lane of traffic) as there was no traffic northbound on Aurora Ave N and southbound traffic was stopped for the red light and backed up from N 130<sup>th</sup> Street. I followed the suspect vehicle and continued to pursue the suspect vehicle with my emergency lights and siren on.

As he came to N 130<sup>th</sup> Street the suspect vehicle made a left turn heading eastbound on N 130<sup>th</sup> Street, and his vehicle began to fish-tail as he made his left turn. I was going to try a Pursuit Immobilization Technique/PIT at this point, but because the vehicle fished tailed and there was traffic stopped facing northbound I elected not to. I was not able to get on the radio to ask for permission to attempt the PIT maneuver since other officers were getting on the radio and cutting off my attempts to ask for permission. I continued to pursue the vehicle eastbound on N 130<sup>th</sup> Street telling KCSO Radio of the change in direction, and with my emergency lights and siren still on. As he came to Meridian Ave N, I was going to try a PIT maneuver, as the suspect vehicle began to slow down for the red light at N 130<sup>th</sup> Street & Meridian Ave N. There was traffic stopped facing westbound on N 130<sup>th</sup> Street at the light and the suspect made a left turn (going through the red light) heading northbound on Meridian Ave N and fished-tailed preventing me from doing so. I notified KCSO Radio that we were heading northbound on Meridian Ave N from N 130<sup>th</sup> Street. I then asked for permission to PIT the suspect's vehicle when speeds were under 40 mph. The radio dispatcher replied to me that speeds were under 40, and I replied back to him, permission to pit when speeds were under 40. I did not hear a response from a supervisor on the radio. As I continued to pursue the vehicle northbound on Meridian Ave N, with my emergency lights and siren on, I could see another Shoreline Police vehicle traveling southbound on Meridian Ave N at about N 135<sup>th</sup> Street. I observed the vehicle had its emergency lights on and that it pulled over to the side of the road (Westside of Meridian Ave N) as I approached. I continued to pursue the suspect vehicle with my emergency lights and siren on. As we came to Meridian Ave N & Roosevelt Way N the suspect vehicle slowed down for the four-way blinking red lights. As it did I came up on the right side (passenger's side) of the suspect's vehicle to attempt a PIT maneuver. I was not able to do this as the suspect

# **GARRITY MATERIAL**

vehicle made a sharp right turn heading southbound on Roosevelt Way N, and fished-tailed out of position for me to do so.

I pursued the suspect vehicle southbound on Roosevelt Way N at a speed of 40 mph, with my emergency lights and siren on. I then notified KSCO Radio that the suspect vehicle was heading southbound on Roosevelt Way N. As I continued to pursue the suspect vehicle, with my emergency lights and siren on, I heard Sgt. Fagerstrom state over the radio for Officer Amber Thompson to take primary on the pursuit. As I looked in my rear view mirror I could not see any additional Shoreline Police units in back of me, and continued to pursue the suspect vehicle. As the suspect vehicle came to the intersection of Roosevelt Way N & 1<sup>st</sup> Ave NE, it began to slow down for the four-way intersection which was a four way blinking red light. I did not see any oncoming traffic coming northbound on Roosevelt Way N, so I accelerated to the rear passenger's side of the vehicle to attempt a PIT maneuver. As I got to the rear passenger's side of the vehicle I observed and could hear the suspect vehicle's wheels spinning on the wet asphalt. As the tires spun on the wet asphalt the vehicle was not able to gain speed immediately so I positioned my car at the rear passenger's side of the vehicle and initiated a pit maneuver on the vehicle and caused it to spin out 180 degrees. The vehicle did not stop or shut off as I had intended it to do so with the PIT maneuver.

The suspect's vehicle then began fleeing northbound through an old gas station parking lot next to some gas pumps. I pursued the vehicle still with my emergency lights and siren going through the old gas station parking lot. As the suspect's vehicle continued to flee it went into a parking lot of 7-11 which was immediately north of the old gas station. The suspect vehicle attempted to flee out of the parking lot, but I observed the Edmonds PD Detective vehicle come in from the passenger's side (off Roosevelt Way N) of the suspect vehicle. The suspect's vehicle to came to a stop in the disabled parking spot of the 7-11. I then pushed the suspect's vehicle with the push bars of my car (at about 5 mph) on the suspect vehicle's driver's side door to box him in and prevent him from exiting the vehicle and causing a foot pursuit. I pushed the car sideways about 1 to 2 feet.

As I came to a stop I, turned off my siren, got out of my car and drew my department authorized weapon and went to the rear of my car. As I was getting out of my car I saw two people inside the 7-11 store. One was a white female with dark hair and the other I could not make out as he/she had their back to me and was partially blocked by the racks in the store. I pointed my department authorized weapon (Glock 21 .45 Cal Pistol Serial number HRN110) and pointed it at the suspect vehicle. I had my finger index on the side of the frame of my department authorized weapon as I have been trained to do so. I was dressed in my department authorized uniform with City of Shoreline Patches on the shoulders, my name sewn on the front in white letters, a black baseball cap on with the words, SHERIFF, in gold letters sewn on the front, and the numbers 00213 sewn on the back in gold letters, and wearing my department authorized black coat with King County Sheriff shoulder patches, left breast badge, and my name on the right breast E.M. WHITE, in gold letters. I began shouting verbal commands to the

# **GARNETT MATERIAL**

suspect to turn the car off, raise his hands, and exit the vehicle. I estimate I was about 15 to 20 feet away from the vehicle at this time.

I watched as the suspect looked in my direction, but failed to comply with my verbal commands. I observed him raise his hands to his face level but then he put them down on the steering wheel. I then heard his wheels start to spin on the wet parking lot ground and watched his vehicle go backwards, striking the front passengers side of my car causing it to move slightly, and then ramming the front of The Edmonds PD Detectives Green Dodge Stratus, (WA 904-NTR), causing it to move backward several feet. I then observed the suspect vehicle continue backing up and his car actually began backing over the Edmonds PD Detectives Car causing the Edmonds PD Detectives car's hood to come open and slam against the front windshield causing it to shatter and glass to spray out. I observed the detectives were still in the car. I observed the rear wheels of the suspect car were almost on the roof of the Edmonds PD Detective's car. I then pointed my gun at the suspect with my finger indexed along the side of my gun as I have been trained to do. I was preparing to use deadly force on the suspect because I believed he was trying to kill the Edmonds Detectives by driving his 3,000-4,000 pound car over them. I did not discharge any rounds at the suspect at that time because I was not sure if the detective in the passenger seat had exited the vehicle or not, and did not know if he was in the line of fire.

I again shouted verbal commands at the suspect to turn his vehicle off and raise his hands. The suspect a black male with short hair, beard and moustache did not comply with my verbal commands and then began driving forward off the Edmonds PD Detectives car. The vehicle came to a stop and I moved to the left towards the front driver's side quarter panel of my car still shouting verbal commands to the suspect to turn his car off and raise his hands. The suspect still did not comply with my verbal commands and I could see him making eye contact with me as I kept doing this. I watched as the suspect raised his hands to his chin level but did not turn off the car, or exit his vehicle with his hands up. I then observed the suspect's hands lowered back to the steering wheel and then I heard the wheels on his car spin on the wet ground and the vehicle start to move forward towards the front of the 7-11 store's front windows. Fearing that the suspect was going to ram his vehicle through the front window of the store and kill or serious injure the persons inside; I discharged three rounds at the suspect as he accelerated the car forward. I did not hear any other shots being fired and did not know if anyone else had fired their weapon.

As I discharged the rounds I stepped to the left as his vehicle was moving to keep a back stop of the brick wall of 7-11 as my back stop. I watched as the front driver's side window of the vehicle shattered and the suspect raised his right and left hands to the side of his head, and the vehicle crashed into a front support post outside of the building. I observed the vehicle was still moving forward and the suspect's hands were not on the steering wheel. I tracked the suspect's car with my department authorized weapon still pointing it at the suspect, and my finger indexed along the side. I glanced in the store and saw two people inside and yelled to them to get down. I watched as the suspect's car then crashed into a stone trash can located in front of the store to the left of the front door.

# GARRITY MATERIAL

As the vehicle came to a stop I told KCSO Radio that shots were fired and the suspect was hit and asked for AID to respond.

I again shouted verbal commands to the suspect to raise his hands and get out of the vehicle. The suspect kept his right and left hands on the front of his face and not moving. I then observed Sgt. Machado of Edmonds PD on the passenger's side of my car with his weapon drawn and pointed at the suspect vehicle. At this point I did not see any blood on the suspect and no other movement from him. I did not know if Sgt Machado or if anyone else had fired a weapon or not. I then observed two white males to the side of him with weapons drawn and pointed at the suspect vehicle. I observed they were in plain clothes. As I waited for the suspect to comply with my verbal commands I observed his hands slowly drop down. As they did I watched as blood began running down the left side of his arm. I observed he was wearing a short sleeve dark shirt. I watched as Sgt. Machado and the other two white males opened the driver's side door and pulled the suspect out of the vehicle, laid him on the ground and handcuffed him behind his back. I observed blood coming from the right ear of the suspect as he lay on the ground, and could hear him making sounds as if he were in pain. As he was taken into custody I asked KSCO Radio if aid was on the way and was told they were. Once the suspect was in custody I confirmed there were no other occupants in the car.

I then went to my car and obtained my cell phone and called for my guild representative. I then waited for additional units to arrive and as they did, I sat in a Shoreline PD Detective car with Detective McNaughton, until my guild representative and attorney arrived. Once they arrived Detective McNaughton left the car. I remained in the car which was about 100 feet north of the 7-11. I did not speak with anyone regarding the incident in detail. I stayed at the location until I was told to return back to precinct 5, at which time I was driven back by Detective Bowen.

While at precinct 5, I stayed in the precinct's Sgt.'s Office with the door closed with my guild representative, Detective Pat Bowen, and my guild attorney. As I waited in the office two Seattle Police Detectives took photographs of me in my uniform as it appeared at the scene. I voluntarily released my duty weapon to them at precinct 5. I did not alter, reload or change the firearm in anyway before or after I released it to them

  
Officer Eric White 00213

# EXHIBIT

V

WRITTEN POLICE REPORT OF  
OFFICER DAVID MACHADO

FILED  
JURIMETRIC PLAIN  
STATE OF WASHINGTON  
2009 NOV 20 AM 10:28

EXHIBIT

V

FILED  
DEPT. OF ARREST & DET.  
STATE OF WASHINGTON

2009 NOV 20 AM 10:28

# EXHIBIT

W

WRITTEN POLICE REPORT OF  
AMBER THOMPSON

EXHIBIT W

**Narrative:**

**NARRATIVE:**  
 On 10/18/07 at about 0940hrs I heard Dispatch advise Edmonds PD Detectives were following a robbery and kidnapping suspect who was armed with a handgun S/B on Aurora. Dispatch advised the suspect was driving a Green Ford Taurus bearing WA plate 446-VHI. Dispatch was updating the location of Edmonds PD and the suspect vehicle they were following. I heard Deputy Eric White advise he was at N 155/ Aurora. Deputy White advised he spotted the suspect vehicle S/B on Aurora at about N 152 St. Deputy White advised the suspect was fleeing and he was in pursuit. Sgt. Fagerstrom advised Deputy White would be the only Shoreline PD Officer to pursue with Edmonds PD. I was S/B on Meridian Ave N from N 145 St paralleling the pursuit. I heard Deputy White advise they turned W/B off of Aurora. I continued S/B on Meridian and that is when I heard Deputy White advise they were turning N/B onto Meridian. I was at about N 132/ Meridian when I saw the suspect vehicle turning N/B onto Meridian from N 130 St. I pulled into a driveway on the west side of the road and turned around. The suspect vehicle and Deputy White passed me as I was turning around. An Edmonds PD Detective vehicle was following them but he stopped to allow me to assist Deputy White. I started travelling N/B on Meridian to try and catch up to Deputy White. I advised Sgt. Fagerstrom I would take primary on the pursuit since my vehicle was equipped with a light bar. At one point, we turned E/B onto Roosevelt Way N. I was unable to get in front of Deputy White and at Roosevelt Way N and 1 Ave NE Deputy White attempted to "PIT" the suspect vehicle. I saw Deputy White hit the passenger side rear quarter panel of the suspect vehicle with the front driver's side quarter panel of his patrol car. The suspect vehicle spun around 180 degrees. The suspect vehicle drove W/B through an abandoned gas station lot and proceeded into the 7-11 parking lot adjacent to the gas station. The suspect pulled partially into a handicap parking stall on the north side of the 7-11 parking lot. Deputy White and an Edmonds PD Detective vehicle attempted to block in the suspect vehicle. I could see Deputy White hit the driver's side of the suspect vehicle in an attempt to block him in. The Edmonds PD Detective vehicle pulled in behind the suspect vehicle. The suspect pulled his vehicle forward and then put his vehicle in reverse and rammed the front of the Edmonds PD Detective car. The suspect vehicle went up the hood and partially onto the roof. The suspect hit the Edmonds car so hard that it pushed them back several feet. The hood of the Edmonds car had flipped up and shattered the windshield. It looked like the suspect was trying to drive over the top of the Edmonds car but couldn't and pulled forward back onto the ground. I was in my car just to the left and behind the Edmonds PD car and got out once the suspect drove back off of the Edmonds car. I ran towards Deputy White's car for cover and could see the B/M/A suspect briefly put his hands up towards the side of his head. We were standing in the parking lot with the suspect at gun point. The suspect was not complying with our commands to keep his hands up and get out of the car. The suspect then quickly accelerated his vehicle forward and to the left looking like he was going to either ram into the 7-11 or flee by driving around parked cars in the parking lot. I was behind and to the right of Deputy White when he shot at the suspect. The suspect vehicle hit a support post holding the awning of the 7-11. The suspect crashed into a cement garbage can located to the left of the store's front doors (Left of the doors when facing the store). I advised Dispatch that shots had been fired. The suspect vehicle came to a stop and the suspect was not responding to our commands to raise his hands. The suspect eventually put his hands up while we surrounded the driver's side of the vehicle at gun point. Sgt. Machado of Edmonds PD went to contact the suspect when the suspect lowered his right hand and appeared to be reaching towards the passenger side of the car. At this point, I could see blood on the suspect's left shoulder so I requested Medics respond to the scene via Dispatch. Sgt. Machado grabbed the suspect's right hand to stop him from reaching down towards the passenger seat. The suspect was leaning to his right and Sgt. Machado escorted the suspect to the ground where he was placed in handcuffs. Several Shoreline, Edmonds PD and Seattle PD units starting arriving on scene. Sgt. Machado asked me to go into the 7-11 to check the status of any occupants inside the store. There were five people inside 7-11 who all said they were fine and not injured. I asked them to stay inside the store in which they all agreed to do. I then placed crime scene tape around the north side of the parking lot per Sgt. Machado's request. Seattle Fire had arrived and tended to the suspect. I took photos of the crime scene using my department issued 35mm camera. I turned the film over to Detective Keller (KCSO Major Crimes). I was requested to remain at the scene until Seattle PD Homicide Detectives arrived. I walked Seattle PD Homicide Detectives D. Duffy and D. Duty through my recollection of the incident. I

**REVIEW**

|                                       |   |   |
|---------------------------------------|---|---|
| Date Submitted:<br>10/18/07           | Reporting Officer:<br>00374 Thompson, Amber C | Disposition:<br>EXTRA DUTY (in addition to, or support of, assigned unit) |
| Date Time Reviewed:<br>10/19/07 06:41 | Reviewed By:<br>04310 Fagerstrom, Kevin L.    | CID Screener:<br>08661 Toner, Mark P                                      |
| Date Assigned:<br>10/19/07            | Investigator Assigned:<br>06696 Keller, David | Event Processing Status:<br>Approved                                      |
|                                       |   | Date Status Last Changed:<br>10/19/07 7:10:20 AM                          |

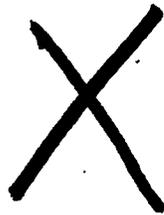
Aid Req  
  Weapons  
  Injury  
  Alcohol  
  Computer  
  Dom Viol  
  Drug  
  Juvenile  
  Gang

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|  |                                      |                                   |               |        |
|--|--------------------------------------|-----------------------------------|---------------|--------|
| DO NOT DISCLOSE: <input type="checkbox"/>  | <b>SHERIFF</b><br><b>KING COUNTY</b> | <b>OFFICERS WITNESS STATEMENT</b> | 07-308596     | Page 2 |
| Domestic Violence: <input type="checkbox"/>  |                                      | 551-X-8                           | District: R-1 |        |
| was then released from the scene and returned to the Shoreline Police Station where I completed my OWS. The above statement is true and correct to the best of my knowledge.                               |                                      |                                   |               |        |
| <b>Certification</b><br>I certify (or declare) under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct.<br>Date and Place: _____ Signature/Agency: _____ |                                      |                                   |               |        |
| <b>END OF REPORT</b>   |                                      |                                   |               |        |

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# EXHIBIT



**CLOSING ARGUMENTS BY RICKY ARNTSEN**  
**REPORT OF PROCEEDINGS, June 16, 2008, pgs. 1089-1090**

EXHIBIT



June 16, 2008

1 man, just to show that he was being wrongfully  
2 targeted, you know.

3 Now, as far as the gun, here's the thing about  
4 the gun. You got to find control and dominion. The  
5 fact that it's in the car, it's there, the fact that  
6 it's in the car, it's there, that's fine. But the  
7 thing is is that the proximity is not enough. Just  
8 because it's there is not enough. You have to  
9 establish that I handled that gun, that I had  
10 controlled that gun in some type of way. There's  
11 been no testimony here to any of that.

12 As far as the elude goes, with the special  
13 instruction that they asked you to find, one of the  
14 things is, is in the instruction, is that you have  
15 to find -- you can read the instructions for  
16 yourself because you have to find that the weapon  
17 was used, Number 19. You have to find beyond a  
18 reasonable doubt that there was a connection between  
19 the weapon and the crime, there was a connection  
20 between the weapon and the crime. Not just that the  
21 gun was in the car when I was running from the  
22 police. You have to find that I used that gun in  
23 some way during the elude in order to find the  
24 special enhancement. If the gun was not used to  
25 further the elude to help me get away, then you

June 16, 2008

1        don't get to find me guilty of the enhancement. You  
2        can find me guilty of the elude, if you feel like  
3        you should, but you can't find me guilty of the gun,  
4        even though the gun is in the car. I didn't point  
5        it at anybody while I was fleeing. Nobody ever said  
6        that I even handled it at all. My wife told you  
7        that it was under the seat. She put it underneath  
8        the seat. That's where it was until all of a  
9        sudden, after this happened, then eventually it ends  
10       up on top of the seat. No officer testified they  
11       seen it. Somehow ends up on the seat. Go figure.  
12       If you can't find that the gun was used in the elude  
13       in some type of way to help me get away, then you  
14       can't find me guilty of that. Reasonable doubt,  
15       that you got to find beyond a reasonable doubt that  
16       there was a connection between the weapon and the  
17       crime. See, I'm already being punished for the  
18       charge of possessing the gun. Then they're saying,  
19       find him guilty of this enhancement, too, because he  
20       ran while he had the gun. Well, we know I had the  
21       gun, and we know that I had the gun when I ran.  
22       That's why they're charging me with the possession  
23       of the gun. Now you are trying to get like an extra  
24       charge in there for the same crime, find him guilty  
25       of that, too. You know, so like I said, no officers

1 testified that I handled the gun in any type of way.  
2 It was only on top of the seat after the collision  
3 after I was shot and taken away. Here's the thing  
4 about the gun. This is the testimony that you  
5 heard. This is what is going on with that. This is  
6 incredible. The whole reason I'm charged as a felon  
7 in possession of this firearm is because of the  
8 manslaughter, the murder that was eventually reduced  
9 down to a manslaughter that someone else confessed  
10 to. The person, someone else. I had alibi  
11 witnesses. I didn't match the description.

12 MR. STERN: Your Honor, there is absolutely no  
13 evidence of that.

14 MR. ARNTSEN: Evidence that they heard from  
15 Mr. Maybrown.

16 THE COURT: Overruled. Mr. Arntsen, again, I'm  
17 going to ask you to be mindful of the time.

18 MR. ARNTSEN: I'm almost done. I'm wrapping it  
19 up.

20 The thing is about the gun is that they're  
21 asking you to find me guilty of that, based on a  
22 wrongful conviction fifteen years ago. Sure, I  
23 signed away my rights, but was it fair? So then you  
24 heard the testimony, you heard me up there  
25 testifying on Friday that if you find me guilty of

1 this gun, you are sending me to prison for 10 years  
2 for a wrongful conviction 15 years ago. And because  
3 of a false allegation that I robbed this guy for a  
4 car that he signed the bill of sale and the title  
5 to, that they dismissed. They dismissed the charge,  
6 admitted it was no robbery. So is that fair?

7 Here's the thing. There's a legal term called  
8 fruit of the poisonous tree. This isn't the law.  
9 I'm not telling you the law. You have the law in  
10 front of you. The Judge instructs you on the law.  
11 This is a biblical term that's found in Matthew  
12 7:17, where Jesus told his disciples that a tree  
13 will be judged by its fruit. Now, it was adopted  
14 into the law at some point. And what it says is,  
15 it's a legal term in the United States and that the  
16 logic of the terminology, if the source of the  
17 evidence, which is the tree, is tainted. Then  
18 anything gained from it would be likewise. So what  
19 we have is this tree.

20 MR. STERN: Excuse me.

21 MR. ARNTSEN: The tree is the charge of robbery.

22 MR. STERN: At some point I need to ask the  
23 Court to ask the jury to disregard all this. It has  
24 no legal bearing whatsoever.

25 THE COURT: I'm going to remind the jury that

IN THE COURT OF APPEALS  
FOR THE STATE OF WASHINGTON  
AT DIVISION ONE

C.O.A. NO. 62241-2-I

RICKY M. ARNTSEN

Appellant,  
vs.

STATE OF WASHINGTON

Respondent.

FILED  
COURT OF APPEALS  
STATE OF WASHINGTON  
2009 NOV 20 AM 10:28

**PROOF OF SERVICE**

I, RICKY M. ARNTSEN, pro se, do declare that on  
the 18<sup>th</sup> day of NOVEMBER, 2009. I have served the  
enclosed

MOTION FOR PERMISSION TO SUPPLEMENT STATEMENT OF ADDITIONAL GROUNDS,  
APPELLANT'S SUPPLEMENT OF STATEMENT OF ADDITIONAL GROUNDS, and  
EXHIBITS E, P, U, V, W, X

on ever other person required to be served, by presenting an envelope to  
state prison officials at the Clallam Bay Corrections Center, containing the  
above documents for U.S. mailing properly addressed to each of them  
and with first-class postage prepaid.

The names and addresses of those served are as follows:

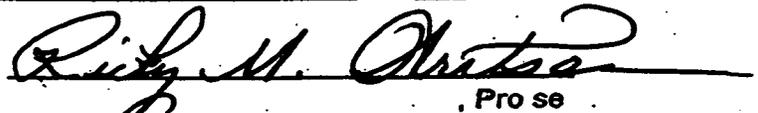
COURT OF APPEALS, DIV. I, ONE UNION SQUARE, 600 UNIVERSITY ST., SEATTLE 98101-1176;

SUSAN F. WILK, WASHINGTON APPELLATE PROJECT, 1511 Third Ave., SUITE 701, SEATTLE 98101;

SETH A. FINE, SNOHOMISH CO. PROSECUTOR'S OFFICE, 3000 ROCKEFELLER AVE./MS 504, EVERETT 98201.

I declare under penalty of perjury under the laws of the State of  
Washington, pursuant to RCW 9A.72.085, and the laws of the United  
States, pursuant to Title 28 U.S.C. § 1746, that the forgoing is true and  
correct.

Executed on this 18<sup>th</sup> day of NOVEMBER, 2009.

  
Pro se

Clallam Bay Corrections Center  
1830 Eagle Crest Way  
Clallam Bay, WA 98326-9723