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COURT OF APPEALS

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No. 33988-9-II

STATE OF WASHINGTON
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**COURT OF APPEALS
OF THE STATE OF WASHINGTON,
DIVISION TWO**

STATE OF WASHINGTON, Respondent,

v.

GREGORY HAAPALA, Appellant.

ON APPEAL FROM THE SUPERIOR COURT OF THE
STATE OF WASHINGTON FOR JEFFERSON COUNTY
05-1-0012-6

BRIEF OF RESPONDENT

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ORIGINAL
pm 10/25/06

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INTRODUCTION

This case illustrates how a citizen's complaint can lead to a lawful search of a suspected drug house. On January 18, 2005, BJ Cornett called the Jefferson County Sheriff's Office in Port Hadlock, Washington. She lived near a rental house at 150 Curtis Street in Port Hadlock, and noticed a constant stream of people stopping at the house, staying for a short time, and leaving. From 9:00 am January 14th until noon January 17th, she counted at least 29 cars stopping at the house for short periods.

Detective David Miller received the complaint, and on the morning of January 19, 2005 went to 150 Curtis Street to investigate. Outside the rental house, Detective Miller saw Donald Craig, who Miller knew from earlier cases. Craig told Miller that he rented the house, was the only person on the lease, and was in the process of being evicted. Miller asked to look inside, and after he listened to Miller read a pre-printed Ferrier warning, Craig agreed to let Miller inside.

Once in the house, Detective Miller saw evidence of illegal drug use, including methamphetamine and marijuana pipes in different rooms.

When he saw the pipe, Detective Miller told Craig he wanted to clear the house and apply for a search warrant. Miller and Craig went to each room, including where defendant Greg Haapala was sleeping, and had everyone leave without disturbing the home's contents. Miller sought and received a search warrant, and he gathered a porcelain marijuana bong from defendant's bedroom and two methamphetamine pipes from his bathroom.

A Jefferson County jury convicted defendant Haapala with one count of possession of methamphetamine and one count of intimidating a witness, Donald Craig. Defendant appeals, arguing that the search of the rental home was invalid and that he did not receive a fair trial. Because the search was valid and defendant's trial was fair, the State of Washington respectfully requests this Court to affirm defendant's conviction and dismiss this appeal.

I. RESTATEMENT OF ISSUES PRESENTED

Defendant's appeal presents five issues:

A. To give valid consent to search, Don Craig had to have the right to open the rental home to search and Greg Haapala had to have assumed the risk that Craig might permit a search. State v. Mathe, 102 Wn.2d 537, 543-44, 688 P.2d 859 (1984). Here, Don Craig was the sole tenant on the lease for the home, and

the landlord had earlier refused to lease the house to Haapala. Does substantial evidence support the trial court's conclusion that "Don Craig, as the person who rented the home had the authority to consent to the initial entry by Detective Miller"? (Order at 5; CP 55; Appendix A).

B. An affidavit for a search warrant must "set forth facts and circumstances sufficient to establish a reasonable inference that the defendant is probably involved in criminal activity and that evidence of the crime may be found at a certain location." State v. Jackson, 150 Wn.2d 251, 264, 76 P.3d 217 (2003). The sworn testimony of Detective Miller established his training and experience with illegal drug operations, as well as the citizen's complaint and his observations inside the rental house. (Search Warrant Transcript at 12-14; CP 38-40; Appendix B). Did the trial court abuse its discretion by finding probable cause for a search?

C. "A description [in a search warrant] is valid if it is as specific as the circumstances and the nature of the activity, or crime, under investigation permits." State v. Hosier, 124 Wn. App. 696, 712, 103 P.3d 217 (2004). The search warrant in this case sought evidence of drug manufacturing and dealing, including financial records and any electronic items "utilized to facilitate the

distribution and/or purchase of controlled substances.” (Search Warrant Transcript at 17; CP 43). Was the warrant description as specific as the circumstances permitted?

D. To vacate his conviction based on a conflict of interest, “defendant bears the burden of proving that there was an actual conflict that adversely affected his or her lawyer’s performance.” State v. Dhaliwal, 150 Wn.2d 559, 573, 79 P.3d 432 (2003). Defendant Haapala’s attorney acknowledged that Don Craig had called him, but that he did not speak with Craig. (VRP 387). Was defense counsel’s treatment of the call a legitimate trial tactic to downplay any alleged intimidation?

E. To calculate an offender score, the trial court may “rely on no more information than is admitted by the plea agreement, or admitted, acknowledged, or proved in a trial or at the time of sentencing, or proven pursuant to RCW 9.94A.537.” RCW 9.94A.530(2). At defendant Haapala’s sentencing hearing, the trial court concluded that defendant had an offender score of two, which defense counsel did not contest. (VRP 270). Did the trial court correctly calculate defendant’s offender score?

II. STATEMENT OF FACTS

A. Mrs. Cornett's Complaint

Elizabeth "BJ" Cornett lived across the street from 150 Curtis Street, the house that Don Craig rented. After Mrs. Cornett's neighbors commented on the amount of traffic at 150 Curtis, she began to take notice.

I knew there was a lot of traffic on Curtis St., which usually there isn't. And I'm not nosy, didn't pay much attention until it was brought to my attention by some of the other neighbors. Then when I called the detective he said, unless we have more evidence or whatever I can't, you know. And so I just said, so I just paid attention. I sat for two days during the day time and took license plate numbers of car makes.

(VRP 338).

In his sworn testimony to the magistrate, Detective Miller explained what Mrs. Cornett reported.

[S]he began making this list of vehicles at 9:00 am on January 14th and she continued making the list through till about noon on January 17th of '05...The purpose of this was to give me an idea of the amount of traffic coming and going from this residence and the 29 vehicles were in that time frame...

[I]n my training and experience this consistent traffic [and] high volume of traffic with a very short stay is very consistent with the sales of illegal drugs.

(Search Warrant Transcript at 14; CP 40). Mrs. Cornett's complaint confirmed the observations of patrol deputies in the neighborhood — "they'd seen high traffic at 150 Curtis St., who we all knew was Donny Craig's house." (VRP 343). Detective Miller decided to do a "knock and talk" at the house the next morning.

B. Donald Craig's Consent to Enter the Rental Home

Based on Mrs. Cornett's complaint, Detective David Miller and Sergeant Michael Stringer from the Jefferson County Sheriff's Office drove to 150 Curtis Street to investigate. They arrived at the house and saw Donald Craig in the front yard, working on his car.

Don Craig was standing in front yard. He was working on, he had two vehicles there like he was trying to get ready to tow one with the other. And I approached him and I told him why we were there.

(VRP 344). Craig agreed to talk. Detective Miller asked who was inside and who had control of the house.

[H]e told me that it was an eviction – he'd been served eviction papers and there was an eviction in process but he was still in control of the house. He told me there were other people inside the house, but they would all be considered guests. And none of them were on the lease or on the – in a, in any kind of a contract, that they would be considered guests and that he was the only one in control of the house.

(VRP 345).

At this point, Detective Miller asked for consent to search the house and read Craig a Ferrier warning.

A. I asked [Craig] if he'd be willing to allow us to search the house and look through, and confirm or deny that there's drug activity in the house.

Q. And what did he do?

A. He was very cooperative and agreed. You know, I read him the consent warning for search.

Q. What's a consent warning for search?

A. It tells him his rights. That he doesn't have to, he doesn't have to allow us to search. That he can, that he can limit the scope of the search to certain areas and that he can stop the search at any time.

Q. Okay, What did you do next?

A. He led us, Sgt. Stringer and I to the front porch and he opened the front door and allowed us in.

(VRP 345-46).

C. The Officers Discover Drug Paraphernalia and Clear the House

Once inside, Detective Miller went with Craig from room to room through the house. Craig opened the door to the downstairs bedroom and woke up a couple sleeping there. Detective Miller followed.

And as I stepped in, and, spoke with them as they looked at me and I told them I was there, I looked down on the dresser to my right just a couple feet

away from me and I recognized a methamphetamine smoking pipe. And I picked up the pipe – no, I didn't pick the pipe up that time, I asked them whose pipe is this? Is this yours? And, of course, they said no, you know, we're just guests, we're spending the night, it has nothing to do with us.

(VRP 347). When Detective Miller turned away, the woman, Carmen Chavez, jumped out of bed, grabbed the pipe and threw it hard into the garbage can. She did not break it though.

Detective Miller picked the pipe up,

and I told Don Craig that, now with the information of the high traffic, and with the paraphernalia for methamphetamine we feel we have enough to apply for a search warrant and we're going to have some deputies stand by and make sure nobody comes in, goes out, or nobody comes in, everybody was going out.

(VRP 347).

With Sergeant Stringer's help, Detective Miller, accompanied by Don Craig, went room by room to clear out the house. Upstairs, Craig and Detective Miller found defendant Greg Haapala asleep.

A. ...I opened the unlocked door and there was Greg Haapala sleeping on a bed right by the door.

* * * *

Q. What happened then?

A. Um, he was waking up or me opened the door woke him up, but, I said, Greg we're applying for a search warrant for this house and I need you to get

up. He was in boxer shorts only, and I told him I need you to get up and...

Q. Can I interrupt you again, Detective?

A. Sure.

Q. Do you know Mr. Haapala?

A. Uh, I believe we went, we've been in the same class since kindergarten so, I've definitely know him a long time.

(VRP 350). While in the bedroom Haapala was using, Detective Miller saw a glass bong on a shelf. In the bathroom, Detective Miller saw "two more meth pipes and a small scale that we commonly almost always find in meth-related cases." (VRP 350).

Detective Miller and Sergeant Stringer closed the house and applied for a search warrant.

D. Detective Miller Obtains a Search Warrant and Discovers Methamphetamine in Haapala's Room

Shortly after 2:00 pm that afternoon, Detective Miller applied by phone for a search warrant. Miller testified under oath about his experience with how methamphetamine distributors work. (Search Warrant Transcript at 12-14; CP 38-40). He then described the evidence of illegal activity he saw at 150 Curtis Street, including the marijuana and meth pipes, and the scale he found in Haapala's room. (Search Warrant Transcript at 15; CP 41). The magistrate

found probable cause for a search, concluding “there is probable cause to believe that...the crime of the uniform controlled substance act (RCW 69.50) with intent to manufacture or deliver has been committed.” (Search Warrant Transcript at 16; CP 42).

Investigators executed the search warrant, retrieving the meth and marijuana pipes and discovering 4.2 grams of methamphetamine hidden in a car manifold in Haapala’s room. (Order on Motion to Dismiss ¶ 13; CP 53). Investigators also found 40 grams of marijuana hidden in the attic above the bedroom. (CP 53).

The Jefferson County Prosecuting Attorney charged Haapala with one count of possession of methamphetamine and one count of possession of more than 40 grams of marijuana. On February 4, 2005, Donald Craig reported that defendant Haapala had threatened him to testify the drugs were not Haapala’s. As Craig testified at trial,

[H]e started asking me about what was found in the house. I says I really don’t, you know, I don’t know what was found in the house. And, um, he told me that, um, that I should, uh, you know, he was threatening to kill me saying he was going to kill me if I didn’t take the blame for it, for what was in the house.

(VRP 538). The Prosecuting Attorney filed an amended information, adding one count of intimidating a witness. (Amended Information; Supp CP 1-2).

This case went to trial on November 19-21, 2005, and on November 22, 2005, the jury acquitted Haapala on possession of marijuana (count II) and convicted him of possession of methamphetamine (count I) and intimidating a witness (count III). (Judgment and Sentence; Supp CP 3). The Superior Court sentenced defendant Haapala to 24 months incarceration, the midpoint of the standard range. (Judgment and Sentence ¶ 4.5; Supp CP 8) (VRP 277).

Defendant now appeals, arguing the search was illegal and his conviction invalid.

ARGUMENT

III. STANDARD OF REVIEW

This court reviews the search warrant for an abuse of discretion, giving great deference to the magistrate's decision.

A judge's decision to issue a warrant is reviewed for abuse of discretion, and great deference is accorded that decision. The affidavit is evaluated in a common sense manner, rather than hypertechnically, and any doubts are resolved in favor of the warrant.

State v. Jackson, 150 Wn.2d 251, 265, 76 P.3d 217 (2003).

The court reviews calculation of defendant's offender score *de novo*. State v. Tili, 148 Wn.2d 350, 358, 60 P.3d 1192 (2003).

IV. DONALD CRAIG HAD COMMON AUTHORITY TO CONSENT TO SEARCH.

To have the right to agree to a search, Donald Craig needed common authority over the rental home.

The authority which justifies the third-party consent ... rests ... on mutual use of the property by persons generally having joint access or control for most purposes, so that it is *reasonable to recognize that any of the co-inhabitants has the right to permit the inspection* in his own right and that *the others* have assumed the risk that one of their number might permit the common area to be searched.

State v. Mathe, 102 Wn.2d 537, 543, 688 P.2d 859 (1984) (quoting United States v. Matlock, 415 U.S. 164, 171 n.7, 94 S.Ct. 988, 993 n.7, 39 L.Ed.2d 242 (1974)).

Washington courts look at two factors to decide whether a person has common authority.

In applying the common authority rule, two aspects are important. First, a consenting party must be able to permit the search in his own right. Second, it must be reasonable to find that the defendant has assumed the risk that a co-occupant might permit a search.

Mathe, 102 Wn.2d at 543-44. Donald Craig, as the sole lessee of the rental home, satisfies both requirements.

A. Craig Could Permit The Search

Donald Craig had both actual and apparent authority to consent to the search. No dispute exists that Craig was the sole lessee of 150 Curtis Street. As Linda Spindor, property manager for the rental, confirmed, "Donald Craig signed a lease on November 17, 2003. That lease expired on October 31, 2004 and became a month-to-month tenancy." (CP 10). When he agreed to let Detective Miller inside 150 Curtis Street, Craig was consenting to the search of his own home.

Defendant's argument that Craig was evicted does not alter Craig's authority. In State v. Birdsong, 66 Wn. App. 534, 536, 832 P.2d 533 (1992), a tenant who had possessions at the rental and kept a set of keys had authority to consent to a search. Furthermore, Detective Miller could reasonably rely on Craig's authority to consent, given that Miller knew Craig lived there, and Craig's explanation that the people inside were his guests. Whether his authority was actual or apparent, Craig could legitimately permit investigators to enter the rental house.

B. Haapala Assumed the Risk Of A Search

Because Linda Spindor refused to rent the home to him, Greg Haapala knew that he stayed at 150 Curtis Street only with Craig's permission.

When Don paid partial rent on December 27, 2004, he asked me if I would consider letting Gregory B. Haapala take over the tenancy and become the person responsible for the rent. I said I would need to run the credit check on him. On January 9, 2005 I met with Greg and he filled out an application. On the 10th I received the credit report back and at that point I decided not to rent to Greg.

(Spindor Letter; CP 10). From this point on, defendant Haapala knew he was a guest at the home; he was there only because Craig let him stay there.

It was no surprise under these circumstances that Craig could allow a search of Haapala's room.

While it is likely Christian retained some privilege to remove his personal belongings from the apartment, he could not reasonably have expected to retain exclusive control over the apartment under the attendant circumstances. It should have been no surprise to Christian that the manager entered the apartment before noon on June 1 pursuant to the prior oral notice. Whatever subjective expectation of privacy Christian might have claimed, under these circumstances it was not objectively reasonable.

State v. Christian, 95 Wn.2d 655, 659, 628 P.2d 806 (1981). Like defendant Christian, defendant Haapala had no reasonable expectation that he could keep Craig out of his room. Craig had

control of the house, and he could allow investigators to look inside. Because Craig had authority to consent to search, the investigators entry into 150 Curtis Street was lawful.

V. THE SEARCH WARRANT WAS VALID

The magistrate did not abuse his discretion by signing the search warrant in this case. Mrs. Cornett's complaint of heavy traffic, combined with Detective Miller's experience and observations inside the house, provides ample evidence of probable cause. Given all deference to the magistrate, a search warrant was clearly appropriate.

Defendant challenges the warrant on two grounds: (1) Detective Miller's testimony for the warrant contained "conclusory predictions and blanket inferences"; and (2) the warrant description was overbroad. (Opening Brief at 9). Neither assertion invalidates the warrant.

First, Detective Miller testified about his experience with methamphetamine dealers *along with* his investigation of Mrs. Cornett's complaint and his observations inside the rental house. Unlike the affidavit invalidated in State v. Thein, 138 Wn.2d 133, 145-46, 977 P.2d 582 (1999), Detective Miller gave specific facts

that tied illegal activity to the place of the search, 150 Curtis Street. The magistrate did not abuse its discretion in accepting that evidence.

Second, the description of items to be seized was comprehensive, not overbroad. Based on the combination of high vehicle traffic, a scale, and evidence of illegal drug use inside the rental home, investigators suspected that some of the occupants were dealing or distributing drugs. The warrant language seeks financial records showing drug transactions as well as electronic equipment that could “facilitate the distribution and/or purchase of controlled substances.” (Search Warrant Transcript at 17; CP 43).

Given investigators’ reasonable suspicion of drug dealing, the warrant was sufficiently tied to the crime under investigation. State v. Hosier, 124 Wn. App. 696, 712, 103 P.3d 217 (2004). The warrant was therefore valid.

VI. DEFENSE COUNSEL’S DECISION NOT TO WITHDRAW WAS A LEGITIMATE TRIAL TACTIC

Defense counsel had a small role regarding the charge of intimidating a witness. When Haapala confronted Craig about testifying, Haapala demanded that Craig call Haapala’s attorney. Craig did, and defense counsel confirmed that Craig called. (VRP

542). Defendant alleges that defense counsel had a conflict and received ineffective assistance of counsel when he did not withdraw.

Defense counsel's decision not to withdraw was a legitimate and appropriate trial tactic. Haapala's defense to the intimidation charge was that Craig was a paranoid meth addict. (VRP 758). By withdrawing, defense counsel would give a small measure of credibility to Craig's allegations. By not withdrawing, defense counsel signaled to the jury that Craig's testimony was not worth taking seriously.

Legitimate trial tactics do not constitute ineffective assistance. "In ineffective assistance of counsel cases, this court has been reluctant to find counsel's performance deficient solely on the basis of questionable trial tactics." State v. Dhaliwal, 150 Wn.2d 559, 572, 79 P.3d 432 (2003). Defendant fails to prove prejudice from counsel's choice to remain in the case and rebut Craig's allegations of a threat.

VII. THE COURT'S REASONABLE DOUBT INSTRUCTION WAS PROPER

At the close of trial, the court instructed the jury on reasonable doubt, using a pattern instruction first proposed by the Federal Judicial Center. State v. Castle, 86 Wn. App. 48, 55-56,

935 P.2d 656 (1997). This court has approved use of the pattern instruction.

Looking at the whole language of [the reasonable doubt] Instruction here, we hold that it clearly instructed the jury that it was the State's burden to establish guilt beyond a reasonable doubt and that the defendant is presumed innocent unless that burden is overcome. Merely stating the standard in the negative did not shift the burden of proof to the defense. Additionally, we conclude that the "possible doubt" language merely emphasized that a reasonable doubt is one based on a real possibility of innocence founded on reason and evidence, as opposed to any possibility of innocence, however far fetched...

Accordingly, we adopt Castle, and we hold that the reasonable doubt instruction did not relieve the State of its burden of proof.

State v. Bennett 131 Wn. App. 319, 328, 126 P.3d 836 (2006).

Defendant's arguments in this appeal amount to a disagreement with Bennett's holding. Because the Court correctly upheld use of the pattern instruction, defendant's arguments for overruling the precedent are unpersuasive.

VIII. THE COURT CORRECTLY CALCULATED DEFENDANT'S OFFENDER SCORE

Defendant's final argument is that he had an offender score of one, rather than two. Yet defendant provides no information proving the lack of a prior conviction.

At his sentencing, the State provided evidence of a 1992 conviction for violation of the Uniform Controlled Substances Act (VUCSA). (Judgment and Sentence ¶ 2.2; Supp CP 5). Defendant cites a confusing exchange at the sentencing hearing as evidence that the State agreed the 1992 conviction washed out. That was not the case.

Defendant had an additional VUCSA charge in Federal Way from 2001. That was the charge that was dismissed or as the prosecutor put it, was “quashed”. Here is the exchange between counsel, defendant and the Court:

COURT: What was the prior VUCSA conviction?

MR. HYNSON: Marijuana. Growing (inaudible).

MR. HAAPALA: It was called Manufacturing With the Intent To Deliver.

MR. HYNSON: It was like '89 or ...

COURT: How long ago was the next question that I was going to ask is how long ago was it?

MR. HYNSON: About '89.

MR. HAAPALA: Yeah, I believe it was in the late '80s.

MS. DALZELL: 1992, You Honor. And, uh, again in 1999 – 2001, sorry.

COURT: What was the 2001 conviction?

MS. DALZELL: It was a VUCSA. And I'm looking at the NISIC, that's all I have.

COURT: Felony?

MS. DALZELL: Yes.

COURT: What was the one in '99. Was it also a VUCSA?

MS. DALZELL: The one in '92 was a, uh, Manufacturing and Marijuana and then the one, the later one it doesn't specify which drug. It was over in Federal Way.

MR. HYNSON: Is it a felony?

MS. DALZELL: It is a felony.

(VRP 274).

At this point, defendant explained that the 2001 Federal Way conviction was in District Court, had a quashed warrant, and was dismissed. (VRP 274). The exchange continued:

COURT: Do you remember if that was in District Court or Superior Court?

MR. HAAPALA: It was in District Court.

MR. HYNSON: Was that figured in the 2 points?

COURT: I was going to say, it looks like he he's got a higher offender score. Oh, that was a felony.

MS. DALZELL: No. He's figured in the 2 points because the 1992 case quashed. Its was a (inaudible) quash, would it (inaudible).

(VRP 275). The confusion exists over which conviction washed. What does not exist, and defendant does not show, is that he had no prior convictions.

Because no reasonable dispute existed at sentencing that defendant's offender score was two (as opposed to three), his sentence was valid. Under RCW 9.94A.530(2), the trial court may rely on "acknowledged" information. This includes a criminal history to which defendant makes no objection.

In determining any sentence other than a sentence above the standard range, the trial court may rely on no more information than is admitted by the plea agreement, or admitted, acknowledged, or proved in a trial or at the time of sentencing, or proven pursuant to RCW 9.94A.537. Acknowledgement includes not objecting to information stated in the presentence reports.

RCW 9.94.530(2). Here, neither defendant nor his counsel objected to defendant's offender score of two. As defense counsel stated at the hearing, he agreed with the standard range sentence with an offender score of two. (VRP 270).

CONCLUSION

Law enforcement officers appropriately investigated this case from the citizen's complaint to the execution of a lawful search. Because defendant was convicted after a fair trial, the

State of Washington respectfully requests this Court to affirm the Judgment and Sentence and dismiss this appeal.

DATED this 25th day of October, 2006.

Juelanne Dalzell
Jefferson County Prosecuting Attorney

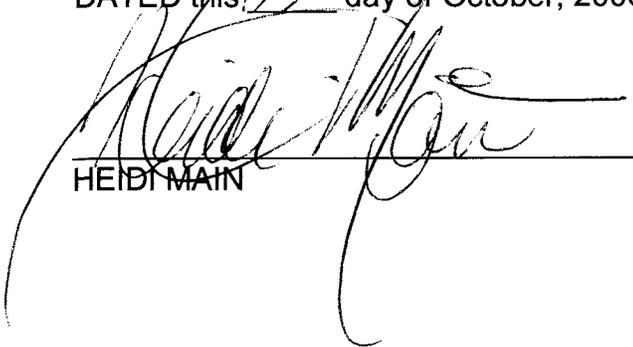
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DECLARATION OF SERVICE

The undersigned declares under penalty of perjury under the laws of the State of Washington, that on the date stated below, I mailed or caused delivery of **Brief of Respondent** to:

Manek R. Mistry
Jodi R. Backlund
Backlund & Mistry
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Olympia, WA 98501

DATED this 25th day of October, 2006.


HEIDI MAIN

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APPENDIX A

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JEFFERSON COUNTY
RUTH GORDON, CLERK

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON
COUNTY OF JEFFERSON

STATE OF WASHINGTON,)
)
 Plaintiff,)
)
 Vs.)
)
 GERGORY HAAPALA,)
)
 Defendant.)

NO. 05-1-00012-6

TRANSCRIPT OF AFFIDAVIT
FOR SEARCH WARRANT

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0500294

REPORT NUMBER

Jefferson County Sheriff's Office
79 Elkins Rd, Port Hadlock, WA 98339
SUPPLEMENTAL INCIDENT REPORT

NARRATIVE

SUPPLEMENT DATE 01/22/2005
APPROVAL DATE

OFFICER 13 MILLER, DAVID
OFFICER

TRANSCRIPTION OF TAPE RECORDED TELEPHONIC SEARCH WARRANT AFFIDAVIT FOR THE RESIDENCE AT 150 CURTIS STREET.

JUDGE: Detective Miller if you would raise your right hand.

MILLER: Okay.

JUDGE: Do you solemnly swear or affirm the testimony your about to give will be the truth, the whole truth, and nothing but the truth?

MILLER: I do.

JUDGE: All right and um you're asking for a search warrant so if you'll go ahead and give me the information in that regard. And I have the time as 2:09 pm.

MILLER: Okay.

JUDGE: Go ahead.

MILLER: Uh this is an affidavit for a search warrant. The undersigned on oath states, I believe that:

Evidence of crime of violation of the uniform controlled substance act (RCW 69.50) with intent to manufacture or deliver, and contraband, contraband, the fruits of a crime or things other wise criminally possessed, and weapons or other things by means of which a crime has been committed, or reasonably appears about to be committed, are located in, on, or about the following described premises, vehicle or person:

At 150 Curtis Street, a gray two story house with a basement and covered front porch.

My belief is based upon the following facts and circumstances. Are you still there Your Honor?

JUDGE: I am.

MILLER: I heard some clicking.

JUDGE: I think it's the recorder that clicks.

MILLER: Okay. Based upon my training and experience, participation in controlled substance investigations, conversations with other experienced law enforcement agents with whom I am associated, and conversations with known drug users. I know:

Individuals involved in the distribution of illegal controlled substances. Such as

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0500294

REPORT NUMBER

Jefferson County Sheriff's Office
79 Elkins Rd, Port Hadlock, WA 98339
SUPPLEMENTAL INCIDENT REPORT

NARRATIVE

methamphetamine more often than not maintain address and or telephone numbers in books or papers or in computers that reflect names, addresses and or telephone numbers for drug um customers, and associates and their illegal drug organizations. Individuals involved in the distribution of illegal controlled substances such as methamphetamine almost always keep paraphernalia for packaging weighing and distribution of their illegal drugs. That paraphernalia includes but not, but is not limited to the scale, the scales, packing material, um chemicals to cut the drug product, razor blades, straws, pipe and syringes as well as weapons for the protection of their illegal enterprise;

Individuals who distribute illegal controlled substances such as methamphetamine, commonly secrete contraband, including drugs, the proceeds of drugs sales, and records of drug transactions in secure locations with the permi, within the premises under their dominion and control, in their vehicle safes, safe deposit boxes, self-storage units, and on their person, not only for ready access, but also to conceal them from law enforcement;

That based upon my experience and training, drug traffickers commonly have in their possession (on their person or at their residents), firearms, including, but not limited to handguns, pistols, revolvers, rifles, shot guns, machine guns, or other weapons. Said weapons are most often used and/or maintained in order to protect and secure a drug trafficker's uh person and property;

In addition to weapons, drugs traffickers protect their illegal, in addition to weapons, drug traffickers protect their illegal enterprise through the use of surveillance equipment, radio scanners, binoculars, and other miscellaneous equipment;

In order to conduct their illegal enterprise with the smallest amount of detection from law enforcement officers, yet allow their customer easy access to them, drug traffickers commonly use pagers, cellular telephones, telephones, answering devices, computer monitors, and other types of communication devices.

Drug traffickers must maintain on hand amounts of U.S. currency in order to maintain their on-going drug business, or to acquire personal assets. Currency is typically found in drug trafficker's residences and vehicles;

And um, I meant to say this first, I'll back up. That affiant Detective Dave Miller is a commissioned deputy for the Jefferson County Sheriff's Office, within the State of Washington and has been since July of 1986. Affiant was a Reserve Deputy from July of 1986 to January of 1988, a full time patrol deputy from January of 1988 to June of 1998 and assigned to investigations from June of '98 to present. I have completed the Washington State Criminal Justice Basic Law Enforcement Academy, as well as the Clallam County Reserve Academy.

During my career as a Jefferson County Deputy Sheriff, I have been responsible for, or assisted with, the investigation and arrest of suspects in crimes including felony and misdemeanor assaults, sexual assault, burglary, forgery, property crimes, and controlled substance laws. Some of these investigations included search warrants that I have written, or assisted in the writing of. I have been present during the service of these warrants as well as others.

Additional training that I have received includes:

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A 40-hour Marine Patrol Law Enforcement course taught by the Washington State Parks Department.

A 40-hour basic Criminal Investigation course taught by Clallam County Sheriff's Office.

A total of 32 hours on the Reid technique of criminal interviews and interrogation presented by the John E Reid and Associates, Inc.

An 8-hour course on Physical Evidence Recognition and Collection presented by the Washington State Criminal Justice Training Commission.

The Washington State Patrol Crime Laboratory has trained me in the testing and weighing of leaf marijuana. As a result of this training I am a Leaf Marijuana Identification Technician.

I attended the Western State Information Network 16th annual Narcotics Information Sharing Conference. At this 20 hour conference I attended classes on knock and talks, indoor growing marijuana, warrant planning and drug interdiction.

I attended an 80 hour basic drug enforcement course presented by uh the Drug Enforcement Administration.

I have training and/or law enforcement experience in recognition of various forms of controlled substances such as marijuana (in it's various forms), cocaine and methamphetamine. My training and experience have also taught me how illegal drugs are sold, manufactured and consumed. I have also been trained in the recognition of the odor of burning marijuana.

I have been involved in numerous drug investigations. I have applied for, and have been issued both drug and non-drug related search warrants.

I currently hold a valid law enforcement commission with Jefferson County Sheriff's Office. And,

PROBABLE CAUSE TO REQUEST THIS WARRANT CONSISTS OF THE FOLLOWING INFORMATION:

On January 18th of '05 I received a list of 29 vehicles from a woman by the name of BJ Comett, who lives at 183 Randolph Street. Uh BJ Comett has a clear view of the residence at 150 Curtis Street. Um she began making this list of vehicles at 9:00 am on January 14th and she continued making the list through till about noon on January 17th of '05. Um she uh the purpose of this was to give me an idea of the amount of traffic uh coming and going from this residence and the 29 vehicles were in that time frame. Uh she's did not, this was not a continuous surveillance, there was a lot of time when she wasn't watching as there is obviously uh possibly a lot more vehicles than what's listed but from 9:00am on the 14th through noon on the 17th uh she listed 29 vehicles that come and stay for a very short period of time and then leave. And uh this is uh and she said this is very consistent and continuous. And this is a very good uh- uh view of what the big picture and what's going on continually there. Um and in my training and experience this uh consistent traffic uh high volume of traffic with a very short stay, is uh very consistent with the sales of illicit drugs.

On uh January 19th uh '05 at about 10:24 am Sergeant Stringer and I arrived at 150 Curtis Street

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and met with a man in the driveway by the name of Don Craig. Um Craig told that he is the only tenant on the lease with, and he's renting, he had been renting the uh the residence at 150 Curtis, but he uh he-he'd been evicted. He had been served today with papers to be evicted, or not today but a few days ago he had been served to be evicted, and he was in the process of moving out. But he said, he's the only tenant on the lease, he has still has control of the place. He told us there were people in side, and he wasn't really sure who all of them were, but -but that they were all guests, or considered to be guests, and not necessarily living in the house. Um - um I - I read to Mr. Craig a consent to Search warning and he told me that he understood that and that uh that he was willing to let us take a look in his house and see what was going on. I explained to him the reason that we were there was -was the high traffic and the suspected drug activity. He took us to the house we went inside through the front door, and uh the first person we saw in the kitchen was Chris Carter. Uh I recognized Chris Carter; uh Carter told us that he was just visiting uh since last night. We then went into the living room saw a person sleeping on the couch. We identified him as Justin Taylor, he also told us that he was just visiting um since the night. Um Craig told us that he believe there was a couple sleeping in the bedroom that was downstairs. And Craig opened the door and I stepped into the bedroom. And uh I saw the couple uh sleeping uh well they were waking up as we -as we walked in. I looked down. As I walked in I looked on the dresser right by the door as I stepped in, and there was a glass um -smoking pipe. And this pipe was uh -uh very consistent the methamphetamine pipes that I have seen in the past. It-it's got a glass bulb with a very small hole in the top. And black soot residue in the bulbous end and some white residue near the mouthpiece and-and this is uh- uh identical of the, or much like all the other meth pipes I have seen in other meth cases and I don't know of anything else that this type of pipe would be used for, other than smoking methamphetamine. Um we identified the two in the bed as uh um as I'm going to spell the males name, it's Y-T-T-E-R-B-R-I-U-M, and his last name is B-R-E-M-S-S-P-R-A-H-L-U-N-G. That person and Carmen Chavez were in the bed uh they both told us that they were guests, that they don't live there. That and I asked them about the meth pipe, they denied any knowledge of the meth pipe. Uh when I turned my back briefly uh Carmen Chavez had gotten out of the bed, and she picked the meth pipe up and -and threw it hard into the garbage can. In an attempt to break it, it didn't break and I picked it up and collected it as evidence. Um at that point I told Don Craig that we need to clear uh the people out of the house. That I intended to uh to apply for a search warrant for the residence. Um so Chavez and her partner and uh Carter eventually left and uh the uh Justin Taylor left.

We went upstairs Craig told that he believe that Greg Haapala was asleep upstairs in a bedroom and so uh we went upstairs and I opened the door to the bedroom and I saw, I recognized Greg Haapala. I woke him up, told him that we uh intend to apply for a search warrant for this residence and that he needs to get out so we can secure the residence. He was wearing only uh boxer shorts, and I um told him that he needed to get dressed. He got up and I followed him uh to the bathroom; not only for officer safety, but also uh in the event that he might attempt to uh destroy evidence. When I, on the way to the bathroom I saw, on a shelf in the bedroom a porcelain type pipe commonly called a bong for smoking marijuana. Um and this bathroom is attached to this bedroom, it is accessed only by the bedroom. It would be like a master bathroom off of the master bedroom type situation. I followed uh Haapala to the bathroom and on the counter I saw two glass uh um methamphetamine smoking pipes, one almost identical to the one that I found downstairs, and the one a little bit different shape. Uh also on that counter top I saw a small plastic balance type scale that I've seen in many different methamphetamine delivery cases where people use it to weigh their methamphetamine for sale. Um I didn't comment on or touch those items. I-I stayed with uh Gaikow...or stayed with Haapala until he uh he finished getting dressed and uh we let him out and -and we all exited the house and closed the door and there are currently two deputies standing by at their residence not allowing any body in, pending the attempt to uh to obtain a search warrant.

I'd like to talk about the criminal history of the people involved. Uh Don Craig has been convicted

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of disorderly conduct, two counts of malicious mischief, he's been convicted of theft and he's been and failure to comply. He has cases pending of theft 3rd, and domestic violence assault 4th. These-these criminal histories are according to the NCIC uh Criminal History check.

The Chris Carter uh is convicted of DUI, uh 2 misdemeanor traffic violations, driving while license suspended. Uh violation of a domestic violence court order. And Carter has pending a violation of the uniform controlled substance act, possession of methamphetamine and that's pending for an arrest that occurred uh May 24th of '04.

Um Greg Haapala was arrested September '92 for manufacture deliver uh of marijuana he was found guilty on, for two counts of possession. He's been found guilty of driving with license suspended, twice. He uh recently, Deputy Garrett served a uh search warrant at his previous residence uh at 182 West Maude. Uh her and Deputy Tamura, and Deputy Johnson went to that residence, there they found uh jars containing green dark plant material that were located under the kitchen table. These and other items were taken into evidence. Samples of the green plant material was sent to the WSP Crime Laboratory for analysis and she received a report on 11/04/04 that stated that the samples were marijuana. Some of the marijuana contained a chemical found in the plant, and I'll spell it; S-A-L-V-I-A D-I-V-I-N-O-R-U-N. This chemical is reported to have psycho active properties. Neither the plant nor the chemical compounds found with the plant are controlled. Deputy Garrett weighed the marijuana that was placed into evidence. The weight of the marijuana in those jars was 375 grams, 375.2 grams, the weight of the marijuana that the WSP lab analyzed is 79.9 grams, the combined weight is a total weight of 450.1 grams. Uh the charge of manufacture to deliver, to manufacture to deliver with intent of marijuana will be added to that case. And that's the end of the affidavit Your Honor.

JUDGE: All right I'll find this probable cause to search the residence you've identified. Do you have a warrant there?

MILLER: I do, and I have a list of items to be searched for.

JUDGE: All right why don't you go ahead and read the warrant as well.

MILLER: Okay, uh okay uh. Upon sworn uh complaint made before me there is probable cause to believe that there's, the crime of uh of the uniform controlled substance act (RCW 69.50) with intent to manufacture or deliver. Uh has been committed and that evidence of that crime; or contraband, or fruits of the crime, or things otherwise criminally possessed; or weapons or other things by means of which a crime has been committed or reasonably appears about to be committed; or a person for whose arrest there is probable cause, or who is unlawfully restrained uh is/are concealed in or on certain premises, vehicles or persons.

YOU ARE COMMANDED TO:

Search within ten days of this date, the premises, out building, vehicles or persons described as follows:

150 Curtis Street, a gray two-story house with a basement and covered front porch.

Seize, if located, the following property or persons:

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See attachment "A".

Attachment "A", uh any and all controlled substances, including, but not limited to, methamphetamine;

Any books, records, any books, record books, research products and materials, including formulas, microfilm, tapes, data, calendars, receipts, notes, ledgers, computers, computer disks or records, and other papers relating to the sale, ordering, transporting, manufacturing, purchase, possession and distribution of controlled substances;

Drug paraphernalia, including, all equipment, uh products, and materials of any kind which are used, intended for use, or designed for use in manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, containing, concealing, injecting, ingesting, inhaling or otherwise ingesting into a human body a controlled substance, including, but not limited to, bags, materials for packaging, cutting, weighing, and injecting controlled substances, also any materials used in the manufactured of a controlled substance, such as glass wear, chemicals, and heating devices, and any items describes as paraphernalia under RCW 69.50.102.

Any books, papers, documents, records, computer disks, invoices, receipts, records of real-estate transactions, records reflecting ownership of motor vehicles and boats, bank statements and related records. Currency, passbooks, money drafts, letters of credit, money orders, bank drafts, cashier's checks, bank checks, safe deposit box keys, money wrappers, and other items evidencing the obtaining, secreting, transfer, concealment of assets and/or expenditures of money;

Telephone books and/or address books, and any papers reflecting names address telephone numbers, paper, excuse me, pager numbers, cellular telephone numbers, fax numbers, telephone records, and bills relating to co-conspirators, sources of supply, customers, financial institutions, and other individuals or businesses with whom a financial relationship exists. Also, telephone answering devices that record telephone conversations and the tapes therein for messages left for, or by co-conspirators for the delivery or purchase of controlled substances;

Any electronic equipment, such as pagers, cellular telephones, telephone answering machines, radios, scanners, computers, fax machines, currency counting machines, um calculators and related manuals used to generate, transfer, count, record and/or store information about drug trafficking. Additionally, computer soft ware, hardware, including the contents of internal and external hard drive devices, tapes, disks, audiotapes, and the content therein, and any other electronic items utilized to facilitate the distribution and/or purchase of controlled substances.

Any firearms including, rifles, shotguns, handguns, and there accompany magazines, and ammunition. Any other item determined, to be illegally obtained proceeds derived from the sale and or distribution of controlled substances.

JUDGE: Hello.

MILLER: Yeah, that's the end.

JUDGE: Okay uh and there's a place uh for authorized, for me to authorize you to sign on my behalf.

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MILLER: Yes.

JUDGE: All right and I'll authorize you to sign that warrant on my behalf. So you will have a hard copy there.

MILLER: I do.

JUDGE: All right then, then you'll need to um bring that hard copy that you signed obviously back to when you serve your return.

MILLER: Okay.

JUDGE: To be filled in the court.

MILLER: Okay.

JUDGE: Along with the original of your affidavit.

MILLER: Okay and -and should I print your name and then, and then or-or do I sign your name and then print?

JUDGE: You could print my name and then sign your name as authorized.

MILLER: Okay.

JUDGE: Uh you know my signature is authorized by you.

MILLER: Okay.

JUDGE: All right.

MILLER: Okay Your Honor.

JUDGE: All right then I have 2:31 pm.

MILLER: Thank you Your Honor.

JUDGE: All right thank you.

MILLER: Bye.

JUDGE: Bye.

DISPATCHER: And the end of the call is 14:31 hours.

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APPROVED AS TO FORM

A handwritten signature is written across the line, followed by the number "13" written inside a hand-drawn oval.

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45

APPENDIX B

FILED
AUG - 3 2005
JEFFERSON COUNTY CLERK

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

STATE OF WASHINGTON,

Plaintiff,

vs.

GREGORY HAAPALA,

Defendant.

Case No.: 05-1-00012-6

MEMORANDUM OPINIION AND ORDER ON
DEFENDANT'S MOTION TO DISMISS AND
SUPPRESS CrR 3.6

THIS MATTER came before the court for hearing on defendant's motions on June 24 and July 8, 2005. The Court has considered the motions and memoranda filed by defendant, the State's response to those motions, the testimony of Detective David Miller, the testimony of Donald E. Craig, the testimony of Linda Spindor, the exhibits admitted, the transcript of the sworn statement provided by Detective David Miller to Judge Huth under oath on January 19, 2005 to support his request for a search warrant to search the residence at 150 Curtis Street (Port Hadlock) and the arguments of counsel.

At all hearings the defendant, Mr. Haapala, appeared with his attorney, John R. Hynson. The state appeared through Deputy Prosecuting attorney Shane R. Seaman.

MOTIONS AT ISSUE

Mr. Haapala filed the following motions:

1. Motion to Dismiss (Knapstad) filed June 3, 2005.

CRADDOCK D. VERSER
JUDGE
Jefferson County Superior Court
P.O. Box 1220
Port Townsend, WA 98368

1 accompanying those warnings to Mr. Craig, Don Craig consented to the search
2 of the house and accompanied Detective Miller and Sergeant Stringer into the
3 house. [Miller testimony, Craig testimony].
4

5 6. Don Craig had been served with a Three Day Notice to Terminate
6 Tenancy/Vacate 150 Curtis Street on January 15, 2005 by Linda Spindor, the
7 rental manager for the owners of the house. [Ex. 3, L. Spindor testimony].
8

9 7. Greg Haapala had moved into the upstairs bedroom of the house at
10 150 Curtis St. on January 1st or 2nd 2005 as Don Craig had begun moving out of
11 that room. [Craig testimony].
12

13 8. Upon entering the house at 150 Curtis St., Detective Miller saw
14 Chris Carter and Justin Taylor in the common areas of the house. Detective
15 Miller had purchased a vehicle from Justin Taylor. [Miller testimony].
16

17 9. In the downstairs bedroom Detective Miller saw Carmen Chavez and
18 Ytterbrium Bremssprahlung and also saw a glass pipe of a unique type
19 commonly used to smoke methamphetamine. Ms. Chavez attempted to dispose of
20 that pipe. [Miller testimony at hearing and in support of warrant].
21

22 10. After seeing the methamphetamine pipe, Detective Miller
23 determined he would apply for a search warrant and he and Sergeant Stringer
24 proceeded to have everyone vacate the house. [Miller testimony].
25

26 11. Detective Miller went to the upstairs bedroom to remove persons
27 who might be there from the house and found Greg Haapala in the bed
28 sleeping. Detective Miller followed Mr. Haapala into the bathroom adjoining
29 that bedroom and observed a "bong" used to smoke marijuana, two glass pipes
30 commonly used to ingest methamphetamine, and a scale of a type which he
31 identified as used to weigh methamphetamine. [Miller testimony at hearing
32 and in support of warrant].
33

34 12. Detective Miller then went to District Court Judge, Mark Huth,
35 gave the sworn testimony as indicated in the transcript in support of the
36 search warrant [CP 91], and a search warrant was issued by Judge Huth.
37

38 13. The resulting search led to the discovery of methamphetamine in
39 the room occupied by Mr. Haapala, and over 40 grams of marijuana in the
40 attic of the house which is accessible through the bedroom occupied by
41 Mr. Haapala. [Miller testimony and affidavit of probable cause, CP 2].
42

43 ISSUES
44

45 1. Motion to Dismiss per State v. Knapstad, 107 Wn. 2d 346 (1986).
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CRADDOCK D. VERSER
JUDGE

Jefferson County Superior Court
P.O. Box 1220
Port Townsend, WA 98368

1 While the facts in this case are similar to those in Knapstad, the
2 testimony of Don Craig provides additional evidence not present in that
3 case. Donald Craig testified that all of the possessions in the bedroom
4 occupied by Mr. Haapala belonged to Mr. Haapala. In addition Donald Craig
5 testified that the room had been occupied by Mr. Haapala since January 1st or
6 2nd. These facts distinguish this case from Knapstad and provide a
7 sufficient *prima facie*, case to proceed to trial. Mr. Craig's credibility,
8 while certainly open to attack, is for the trier of fact to assess.

9
10 The marijuana in the attic is a closer case. The testimony shows that
11 the attic is accessible only from the rooms occupied by Mr. Haapala, which
12 again distinguishes this case from Knapstad. It is for the jury to
13 determine if Mr. Haapala had dominion and control over the premises where
14 the marijuana was located raises a rebuttable presumption that he
15 constructively possessed the marijuana. While Mr. Haapala argues that as
16 others had access to the areas where the controlled substances were found,
17 the law does not require that possession be exclusive. State v. Wheatley, 10
18 Wn. App. 777, 779 (1974); State v. Tadeo-Mares, 86 Wn. App. 813 (1997). At
19 this point all the State is required to do is make a *prima facie* case. At
20 trial the State has to produce evidence sufficient to present this count to
21 the jury for its consideration or a motion to dismiss will be granted.

22
23 The motion to dismiss based on Knapstad, is denied.

24
25 2. Sufficiency of the Affidavit for Search Warrant:

26
27 An affidavit in support of a search warrant must provide the issuing
28 magistrate with enough information for the magistrate to conclude that there
29 is a likelihood that criminal evidence will be found at the place to be
30 searched. The standard is whether there is a probability that evidence of
31 criminal activity will be found. State v. Patterson, 83 Wn. 2d 49, 53-55,
32 515 P.2d 496 (1973). Probable cause requires reasonable grounds for
33 suspicion supported by circumstances sufficiently strong to warrant a man or
34 woman of ordinary caution to believe evidence of a crime can be found on the
35 premises to be searched. State v. Hansen, 42 Wn. App. 755, 760(1986),
36 citing State v. Fisher, 96 Wn. 2d 962 (1982). The "ordinary caution"
37 standard in Washington refers to caution used by a trained police officer
38 who can find probable cause in the appearance of paraphernalia which to the
39 eye of a layman could be without significance. Patterson, *supra.*, at 83
40 Wn.2d 57, quoting State v. Poe, 74 Wn. 2d 425, 429 (1968).

41
42 In this case, even excluding the observations of Detective Miller when
43 he entered the room occupied by Mr. Haapala, the information provided is
44 sufficient. The affidavit describes the traffic at the residence consistent
45 with illicit drug sales. In addition Detective Miller describes his
46 observation of a pipe used to smoke methamphetamine in the home and the
47 efforts of one of the occupants of the home to break the pipe after he
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CRADDOCK D. VERSER
JUDGE
Jefferson County Superior Court
P.O. Box 1220
Port Townsend, WA 98368

1 observed it. He also advises Judge Huth that Chris Carter, an occupant of
2 the home, had a pending charge of possession of methamphetamine, that Greg
3 Haapala, an occupant of the home, was found guilty of possession of
4 marijuana, and had been found in possession of marijuana in another search.
5 These facts as related to Judge Huth provide enough information for him to
6 issue the warrant to search the home as there was a probability that
7 controlled substances would be found in the home.

8
9 Don Craig, as the person who rented the home had the authority to
10 consent to the initial entry by Detective Miller. Mr. Haapala has not shown
11 that any other person had the authority to consent to the search of the
12 home, or that any other person was "on the lease" or paid rent for the home.

13
14 3. "Bad Faith" argument:

15
16 This motion essentially alleges that Detective Miller knew Don Craig
17 was trying to set up Greg Haapala for criminal prosecution. Detective
18 Miller did give the proper Ferrier, warnings to Don Craig. [See finding of
19 fact 5]. Even if Don Craig gave a declaration to the Sheriff's office on
20 February 15, 2005 stating that he had not resided at 150 Curtis for 47 days,
21 this declaration could not have affected Detective Miller's search on
22 January 19, 2005. Whatever Don Craig thought of Mr. Haapala, and whatever
23 his motivation for giving Detective Miller permission to search the home are
24 not material to the fact that he did have authority to give that permission
25 and did give that permission to Detective Miller.

26
27 4. "Misrepresentation" or material omission from information for search
28 warrant:

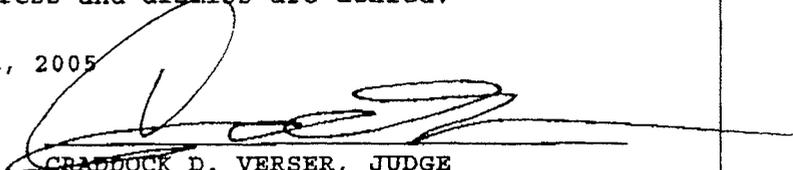
29
30 While Mr. Haapala argued that he would establish that Don Craig was an
31 informant working for the Jefferson County sheriff, he was unable to
32 establish such a relationship at the hearings. The fact that Detective
33 Miller had purchased a car from Justin Taylor, an occupant in the home, is
34 not a material fact which should have been disclosed to Judge Huth.

35
36 Mr. Haapala failed to show that the information provided by Detective
37 Miller to Judge Huth contained a deliberate falsehood or reckless disregard
38 for the truth. State v. Garrison, 118 Wn. 2d 870, 872-73 (1992).

39
40 CONCLUSION

41
42 Defendant's motions to suppress and dismiss are denied.

43
44 Dated this 3rd day of August, 2005

45
46 
47 CRADDOCK D. VERSER, JUDGE

48
49 CRADDOCK D. VERSER
50 JUDGE
Jefferson County Superior Court
P.O. Box 1220
Port Townsend, WA 98368