

FILED

JAN 15 2014

SUPERIOR COURT OF CALIFORNIA
COUNTY OF HUMBOLDT

1 **Peter E. Martin**
A Law Corporation
2 State Bar Number 121672
917 Third Street
3 Eureka, California 95501
Tel: (707) 268-0445
4 Fax: (707) 667-0318
Email: peter@petermartinlaw.com

5
6 **Jeffrey Schwartz**
State Bar Number 80643
7 791 Eighth Street, Suite H
Arcata, California 95521
Tel: (707) 822-2707
8 Fax: (707) 633-1900

9
10 Attorneys for Plaintiffs

11 SUPERIOR COURT OF CALIFORNIA
12 COUNTY OF HUMBOLDT
13

14 Barbara Sage, as an individual; Barbara) CASE NO. DR120195
15 Sage, as successor-in-interest to Charles)
Sage, deceased,) DECLARATION OF KEVIN
16) STONEBARGER IN OPPOSITION TO
Plaintiffs,) MOTION FOR SUMMARY
17) JUDGMENT/SUMMARY ADJUDICATION
vs.)
18)
19 City of Arcata, Brian Hoffman, Does 1)
through 50,)
20)
Defendants.6)
21)

22 I, Kevin Stonebarger, declare:
23

24 1. I was a peace officer employed by the City of Arcata from 1999 through March 8,
25 2013. I am currently employed as a private investigator. My curriculum vitae is attached
26 hereto as Exhibit A and is made a part hereof by this reference.
27
28

1 2. I have personal knowledge of all facts set forth herein, and could, if called upon,
2 competently testify thereto.
3

4 3. Sgt. Todd Dokweiler is a detective employed by the City of Arcata. In calendar year
5 2010 through the present, Sgt. Dokweiler has been in charge of the Special Services
6 Unit of the Arcata Police Department. One purpose of the Special Services Unit was to
7 locate and eradicate unlawful indoor marijuana growing operations in the City of Arcata.
8 In the middle of calendar year 2010, Sgt. Dokweiler began using a white board in his
9 office to record statistics relating to the number of marijuana plants seized, the amount
10 of money seized, and the amount of processed marijuana seized.
11

12 4. I was a member of the Special Services Unit from early 2010 until February, 2012. At
13 the end of calendar year 2010, several members of the Special Services Unit met at the
14 Lost Coast Brewery in Eureka for dinner and drinks. I was present at this meeting.
15 During this meeting, Brian Hoffman proposed that Sgt. Dokweiler should set goals for
16 the Special Services Unit ("SSU") for calendar year 2011. If the SSU reached these
17 goals, Sgt. Dokweiler agreed to buy dinner and drinks for the entire SSU team. At this
18 meeting, Sgt. Dokweiler set a goal for 2011 that the SSU seize at least \$150,000 in
19 forfeitable assets from marijuana growers in calendar year 2011.
20

21 5. About a month after the dinner, Sgt. Dokweiler, myself and Brian Hoffman met at the
22 Arcata Police Department in Sgt. Dokweiler's office to discuss the details of the goals for
23 2011. At that time, Sgt. Dokweiler set a goal to seize 10,000 marijuana plants and a
24 goal to seize a certain amount of processed marijuana. Sgt. Dokweiler asked Mr.
25 Hoffman and myself to assist him with keeping the statistics current on his white board
26 in his office to keep track of the SSU's progress toward these goals.
27
28

1 6. In calendar year 2011, the SSU team met most Wednesdays to serve search
2 warrants. These Wednesdays were called "search warrant Wednesdays" and all
3 members of the SSU were supposed to be at work on Wednesday. Brian Hoffman
4 frequently commented and discussed the goals that Sgt. Dokweiler had set. Brian
5 Hoffman repeatedly stated that Sgt. Dokweiler was going to buy dinner and drinks at the
6 end of the year. Brian Hoffman was very motivated to meet Sgt. Dokweiler's goals
7 because Sgt. Dokweiler had a reputation of being thrifty or cheap, and Mr. Hoffman was
8 planning to take great delight in the day that Sgt. Dokweiler had to pay for dinner and
9 drinks for the entire SSU team. I have personal knowledge of these facts because I
10 was present when Brian Hoffman made these repeated statements about his motivation
11 for meeting Sgt. Dokweiler's goals.

12
13 7. When Brian Hoffman started investigating the Sage case in mid-2011, he was more
14 enthusiastic, determined and driven to complete the investigation than I had previously
15 seen him with any other search warrant case. I worked with Brian Hoffman on the Sage
16 case from the beginning of the investigation. I made two trips with Brian Hoffman to the
17 Sage residence in the early morning hours. Agent Ortega was on the drug task force
18 and was the officer who referred the Sage matter to Mr. Hoffman for investigation. Mr.
19 Hoffman and Agent Ortega have been best friends since childhood.

20
21 8. Mr. Hoffman and I went to the exterior of the Sage residence and got out of the car
22 and walked around the area on two occasions prior to the execution of the search
23 warrant for the house. On both occasions, I smelled the odor of growing marijuana
24 coming from the general direction of the Sage residence. On on least one of these
25 occasions, I expressed concern to Mr. Hoffman that we could not determine that the
26 odor of growing marijuana was actually coming from the Sage residence as opposed to
27 one of the other residences in the neighborhood. This was because the wind was
28 blowing east-to-west on both occasions that Mr. Hoffman and I were on foot at the Sage

1 residence. There is a well-populated residential neighborhood to the east of the Sage
2 residence, and it was my opinion that the marijuana odor could not be pinpointed as
3 coming from the Sage residence. There was about a fifty foot distance from the
4 west/south edge of the fence on the Sage property to the detached shop area in the
5 backyard. As we could not approach closer to the backyard shed, it was my
6 professional opinion that we could not say where the odor of growing marijuana
7 originated.

8
9 9. When Mr. Hoffman got the PG&E records after the PG&E search warrant on the
10 Sages, I told Mr. Hoffman that in my opinion the PG&E records did not show that
11 marijuana was currently growing at the Sage residence. This is because the electric
12 usage had significantly declined. Also, there was a travel trailer parked in the driveway
13 and it appeared to be lived in by persons other than the Sages. I was of the opinion that
14 the PG&E usage could be explained by the number of people potentially living on the
15 property.

16
17 10. When Brian Hoffman showed me pictures of the Sages and their birthdates prior to
18 the search warrant for the Sage residence, I expressed concern to Mr. Hoffman that due
19 to the advanced ages of Charles and Barbara Sage, that they could very well have a
20 legitimate medical need to lawfully use marijuana. I also expressed concern about
21 doing a search warrant on persons of those advanced ages due to special officer safety
22 considerations. In a standard search warrant the suspects are placed face down on the
23 ground and have their arms handcuffed behind their backs. I told Mr. Hoffman that I
24 was concerned about officer safety if we could not follow this procedure due to the age
25 and health of the Sages.

26
27 11. In November or December, 2011, I called Assistant D.A. Kelly Neel to discuss her
28 having declined to approve two search warrants written by Brian Hoffman. I asked Ms.

1 Neel if the D.A. had changed its policy on approving marijuana grow search warrants.
2 She told me that the D.A.'s policy had not changed. Ms. Neel told me that concerns had
3 arisen about Brian Hoffman's search warrant affidavits. Ms. Neel told me Mr. Hoffman
4 had submitted an affidavit for a search warrant for marijuana at 1447 Panorama Drive,
5 Arcata, CA. Ms. Neel told me that certain information in Mr. Hoffman's affidavit for 1447
6 Panorama Drive was false. Mr. Hoffman had stated in his affidavit that the electrical
7 meter at 1447 Panorama Drive was visible from the roadway. Ms. Neel told me that it
8 was not possible to see the PG&E meter from the roadway at 1447 Panorama Drive
9 because it was obscured by vegetation. Ms. Neel also told me that Mr. Hoffman had
10 recently submitted a marijuana search warrant affidavit for a residence at 2155 Wyatt
11 Lane, Arcata, CA, and that affidavit had contained a significant error. Ms. Neel told me
12 that Mr. Hoffman had incorrectly indentified a prior incident relating to the 2155 Wyatt
13 investigation as involving marijuana or hashish when in fact that prior incident involved
14 cocaine. Mr. Hoffman discovered his mistake two days later and re-wrote the search
15 warrant to include the correct information and re-submitted it to Asst. D.A. Neel. Ms.
16 Neel rejected the corrected affidavit because she felt the magnitude of Mr. Hoffman's
17 error had the potential to compromise any prosecution arising out of that search
18 warrant. Ms. Neel told me about a third marijuana search warrant that Mr. Hoffman had
19 submitted to her that she rejected because the evidence was weak. Based on these
20 three incidents, Ms. Neel told me that she had concerns about Mr. Hoffman's credibility
21 and was more cautious when reviewing search warrant affidavits written by Mr.
22 Hoffman.

23
24 12. Shortly after my call with Ms. Neel as described in Paragraph 11, I met with Sgt.
25 Dokweiler and related the substance of my conversation with Ms. Neel to him.

26
27 13. I know that Sgt. Dokweiler's custom and practice is to report any personnel
28 concerns of this magnitude directly to Chief Chapman.

1 14. In November, 2013, I went to 1447 Panorama Drive to view the residence from the
2 street and took pictures. The PG&E meter was not visible from the street or from the
3 driveway of the residence to the south of 1447 Panorama Drive. I had been with Mr.
4 Hoffman in November, 2011, when we drove by 1447 Panorama Drive and got out of
5 the car to view the residence. At that time, we stood on the sidewalk in front of the
6 residence. The PG&E meter was obscured by a large stump and a large tree in
7 November, 2011, just as it was when I returned to 1447 Panorama in November, 2013.
8

9 15. Prior to about October, 2009, APD did not generally do search warrants on grow
10 houses in Arcata. At that time, complaints about grow houses were referred to the Drug
11 Task Force.
12

13 16. In or about October, 2009, there was a nationally televised documentary aired
14 about marijuana growing in Arcata entitled: "Pot City, USA." As a result of the
15 controversy surrounding the airing of this documentary, the APD began a campaign to
16 eradicate grow houses in Arcata.
17

18 17. In 2010, APD had a custom that grow houses that had PG&E usage of less than
19 5,000 kilowatt hours per month would not be the subject of investigation. In 2011, the
20 target was lowered to 3,000 kilowatt hours per month. This was because the
21 eradication program had become a victim of its own success: there were fewer large
22 grows to investigate.
23

24 18. Tom Chapman was close friends with Sgt. Dokweiler. The Dokweilers and the
25 Chapmans socialized together outside of work. Tom Chapman was a big fan of
26 statistics. Tom Chapman ordered that each officer's citations and arrests be tabulated
27 every month and posted at APD so their colleagues could see them. In 2011, Tom
28 Chapman was constantly in and out of Sgt. Dokweiler's office, and could not have failed

1 to see that large 4' x 6' "white board" where Dokweiler posted the running total of cash
2 seizures, plant seizures, guns seized, and processed marijuana seized. Dokweiler
3 would not have undertaken this program without Chief Chapman's knowledge and
4 approval. Chief Chapman originated the campaign to eradicate grow houses in Arcata.
5

6 19. In 2011, Chief Chapman had a "no surprises" policy where he told his managers to
7 bring everything to him for review so that he would not be unpleasantly surprised by
8 developments.
9

10 20. In 2011, Dokweiler wanted to publish the statistics on APD's grow eradication
11 efforts at the end of the year.
12

13 21. Chief Chapman was responsible for training the officers at APD. In 2010 and 2011,
14 there was no formal training about search warrants or search and seizures issues
15 provided to officers who wrote search warrants. An officer with no training would be
16 told to write an affidavit and then a supervisor would review it. I had received formal
17 training in writing search warrants from CNOA, but no one else I worked with in 2011
18 had such training to my knowledge.
19

20 22. In 2010 and 2011, APD had no documented training of officers about the
21 Compassionate Use Act (H&S 11362.5 et seq.) or about SB 420.
22

23 23. APD never investigated or disciplined Hoffman for his false and/or misleading
24 statement that he smelled marijuana coming from the Sage residence. This statement
25 was made in Hoffman's affidavit for the search of the Sage residence.
26
27
28

1 24. APD never investigated or disciplined Hoffman for his false and/or misleading
2 statement about viewing the electric meter at the premises at 1447 Panorama Dr.,
3 Arcata.

4
5 25. APD never investigated or disciplined Hoffman for his false and/or misleading
6 statement about an arrest made in a search warrant affidavit relating to an investigation
7 at 2155 Wyatt Lane, Arcata.

8
9 26. APD never investigated or disciplined Dokweiler for his 2011 numerical goals and
10 quotas for cash seizures, plant seizures, guns seized, and processed marijuana seized.

11
12 27. APD never investigated or disciplined Dokweiler for his offer to buy drinks for the
13 marijuana eradication team if they met his 2011 numerical goals and quotas for cash
14 seizures, plant seizures, guns seized, and processed marijuana seized.

15
16 28. Had any internal investigation been commenced on Officer Hoffman or Sgt.
17 Dockweiler for the events described in paragraphs 24-28, I would have known of them
18 because APD policy is to interview witnesses in an internal investigation (IA). I was a
19 percipient witness to the events and was never interviewed.

20
21 29. At the execution of the Sage search warrant on June 1, 2011, at least six officers
22 carried AR-15 assault rifles. This is because many of the DTF officers liked to carry
23 assault rifles, and several DTF officers were a part of this search warrant team.

24
25 30. Generally, all the officers at an APD search warrant party wore bullet proof vests
26 and helmets.

27
28 31. In or about mid-2009, Thomas Chapman was appointed Acting Chief of Police.

1 32. In or about January, 2010, Thomas Chapman was appointed Chief of Police.

2
3 33. Thomas Chapman has been Acting Chief or Chief continuously since mid-2009.

4
5 34. At all times relevant herein, both as Acting Chief and as Chief, Thomas Chapman
6 was the final policy maker for law enforcement policies at the Arcata Police Department.

7
8 35. Thomas Chapman had final approval of all APD policies as Chief and Acting Chief.
9 Some policies he wrote himself; others he selected from APD's subscription to Lexipol.
10 Lexipol is a company that provides policies to over 200 police agencies around the
11 country.

12
13 36. Chief Chapman was the policymaker who determined that APD should perform its
14 own marijuana eradication program internally, and who was in charge of policy for the
15 marijuana eradication team at APD.

16
17 37. Chief Chapman was the policymaker who knew or should have known that APD
18 had adopted numerical quotas for seizures of cash, marijuana plants, and processed
19 marijuana.

20
21 38. Chief Chapman was the policymaker who neglected to train his marijuana
22 eradication team in search and seizure law and search warrant writing.

23
24 39. Chief Chapman was the policymaker who had the duty, and deliberately chose not
25 to abide by his duty, to investigate and discipline Hoffman and Dokweiler for their
26 misconduct as outlined herein.

1 40. Chief Chapman was the policymaker who permitted and allowed his officers to seek
2 search warrants for citizen's homes in Arcata without any consideration of the mandates
3 of the CUA and the MMPA.
4

5 41. Chief Chapman was the policymaker who by his actions herein exhibited deliberate
6 indifference to the right of the citizens of Arcata who were medical marijuana patients to
7 be secure in their homes.
8

9 42. City Manager Randy Mendoza was not involved in policy making at the Arcata
10 Police Department while he was city manager.
11

12 I declare under penalty of perjury under the laws of the State of California that
13 the foregoing is true and correct.
14

15 Dated: January ____, 2014
16

Kevin Stonebarger
17
18
19
20
21
22
23
24
25
26
27
28

1 40. Chief Chapman was the policymaker who permitted and allowed his deputies to
2 seek search warrants for citizen's homes in Arcata without any consideration of the
3 mandates of the CUA and the MMPA.

4
5 41. Chief Chapman was the policymaker who by his actions herein exhibited deliberate
6 indifference to the right of the citizens of Arcata who were medical marijuana patients to
7 be secure in their homes.

8
9 42. City Manager Randy Mendoza was not involved in policy making at the Arcata
10 Police Department while he was city manager.

11
12 I declare under penalty of perjury under the laws of the State of California that
13 the foregoing is true and correct.

14
15 Dated: January 14, 2014

16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52
53
54
55
56
57
58
59
60
61
62
63
64
65
66
67
68
69
70
71
72
73
74
75
76
77
78
79
80
81
82
83
84
85
86
87
88
89
90
91
92
93
94
95
96
97
98
99
100
101
102
103
104
105
106
107
108
109
110
111
112
113
114
115
116
117
118
119
120
121
122
123
124
125
126
127
128
129
130
131
132
133
134
135
136
137
138
139
140
141
142
143
144
145
146
147
148
149
150
151
152
153
154
155
156
157
158
159
160
161
162
163
164
165
166
167
168
169
170
171
172
173
174
175
176
177
178
179
180
181
182
183
184
185
186
187
188
189
190
191
192
193
194
195
196
197
198
199
200
201
202
203
204
205
206
207
208
209
210
211
212
213
214
215
216
217
218
219
220
221
222
223
224
225
226
227
228
229
230
231
232
233
234
235
236
237
238
239
240
241
242
243
244
245
246
247
248
249
250
251
252
253
254
255
256
257
258
259
260
261
262
263
264
265
266
267
268
269
270
271
272
273
274
275
276
277
278
279
280
281
282
283
284
285
286
287
288
289
290
291
292
293
294
295
296
297
298
299
300
301
302
303
304
305
306
307
308
309
310
311
312
313
314
315
316
317
318
319
320
321
322
323
324
325
326
327
328
329
330
331
332
333
334
335
336
337
338
339
340
341
342
343
344
345
346
347
348
349
350
351
352
353
354
355
356
357
358
359
360
361
362
363
364
365
366
367
368
369
370
371
372
373
374
375
376
377
378
379
380
381
382
383
384
385
386
387
388
389
390
391
392
393
394
395
396
397
398
399
400
401
402
403
404
405
406
407
408
409
410
411
412
413
414
415
416
417
418
419
420
421
422
423
424
425
426
427
428
429
430
431
432
433
434
435
436
437
438
439
440
441
442
443
444
445
446
447
448
449
450
451
452
453
454
455
456
457
458
459
460
461
462
463
464
465
466
467
468
469
470
471
472
473
474
475
476
477
478
479
480
481
482
483
484
485
486
487
488
489
490
491
492
493
494
495
496
497
498
499
500
501
502
503
504
505
506
507
508
509
510
511
512
513
514
515
516
517
518
519
520
521
522
523
524
525
526
527
528
529
530
531
532
533
534
535
536
537
538
539
540
541
542
543
544
545
546
547
548
549
550
551
552
553
554
555
556
557
558
559
560
561
562
563
564
565
566
567
568
569
570
571
572
573
574
575
576
577
578
579
580
581
582
583
584
585
586
587
588
589
590
591
592
593
594
595
596
597
598
599
600
601
602
603
604
605
606
607
608
609
610
611
612
613
614
615
616
617
618
619
620
621
622
623
624
625
626
627
628
629
630
631
632
633
634
635
636
637
638
639
640
641
642
643
644
645
646
647
648
649
650
651
652
653
654
655
656
657
658
659
660
661
662
663
664
665
666
667
668
669
670
671
672
673
674
675
676
677
678
679
680
681
682
683
684
685
686
687
688
689
690
691
692
693
694
695
696
697
698
699
700
701
702
703
704
705
706
707
708
709
710
711
712
713
714
715
716
717
718
719
720
721
722
723
724
725
726
727
728
729
730
731
732
733
734
735
736
737
738
739
740
741
742
743
744
745
746
747
748
749
750
751
752
753
754
755
756
757
758
759
760
761
762
763
764
765
766
767
768
769
770
771
772
773
774
775
776
777
778
779
780
781
782
783
784
785
786
787
788
789
790
791
792
793
794
795
796
797
798
799
800
801
802
803
804
805
806
807
808
809
810
811
812
813
814
815
816
817
818
819
820
821
822
823
824
825
826
827
828
829
830
831
832
833
834
835
836
837
838
839
840
841
842
843
844
845
846
847
848
849
850
851
852
853
854
855
856
857
858
859
860
861
862
863
864
865
866
867
868
869
870
871
872
873
874
875
876
877
878
879
880
881
882
883
884
885
886
887
888
889
890
891
892
893
894
895
896
897
898
899
900
901
902
903
904
905
906
907
908
909
910
911
912
913
914
915
916
917
918
919
920
921
922
923
924
925
926
927
928
929
930
931
932
933
934
935
936
937
938
939
940
941
942
943
944
945
946
947
948
949
950
951
952
953
954
955
956
957
958
959
960
961
962
963
964
965
966
967
968
969
970
971
972
973
974
975
976
977
978
979
980
981
982
983
984
985
986
987
988
989
990
991
992
993
994
995
996
997
998
999
1000

EXHIBIT A

STATEMENT OF EXPERTISE

KEVIN D. STONEBARGER

Your affiant, Kevin Stonebarger is currently the owner and operator of Stonebarger Investigations, specializing in criminal and civil actions. My main focus of expertise is on narcotics, including Proposition 215 and the Compassionate Use Act, Use of Force and Drunk Driving, including impairment and Field Sobriety Tests.

I was employed as a full-time sworn police officer by the Arcata Police Department from December 20, 1999 to March 7th, 2013. I was assigned to the Humboldt County Drug Task Force (HCDF) during the year of 2012, my second assignment to that position during my career. Prior to that, I was assigned to the Arcata Police Department Special Services Unit as a Park Ranger and was the Warrant Entry Team Leader.

Prior to my employment with the Arcata Police Department, I was employed as a full time Police Officer for the Fortuna Police Department (FoPD) from June 1, 1996 to December 19, 1999. I was assigned to the Humboldt County Drug Task Force (HCDF) from June 1, 1998 to December 10, 1999 to investigate violations of the Uniform Controlled Substances Act. I hold a Peace Officers Standards and Training Advanced Certificate. I also hold an Associates of Science degree in Administration of Justice from College of the Redwoods where I graduated with high honors.

I was a handler protection K-9 Handler for the Arcata Police Department from May 29, 2001 until January 13, 2008. My K-9 partner "Eddie" was trained in handler protection, building and area searches and suspect apprehension. Since November 2000, "Eddie" and I trained regularly in each of those areas. I also trained with other K-9 handlers and trainers from other Humboldt County Law Enforcement agencies as well as handlers from around the State of California. "Eddie" was responsible for the apprehension of numerous subjects, some the most violent wanted subjects in the County.

I have worked with and spoken with local, state and federal officers/agents in the area of narcotics enforcement. I have developed contacts with narcotics users, narcotics sellers and narcotics informants and have discussed with them all aspects of use, sales, packaging and transfer of controlled substances. I have discussed with prior and current users of controlled substances regarding the effects of certain drugs including methamphetamine, opiates, marijuana, ecstasy, alcohol, LSD and certain prescription drugs. I have attended a 16 hour drug recognition course and have conducted drug influence evaluations of hundreds of people.

I have arrested nearly 400 people for driving under the influence of alcohol and/or controlled substances and have assisted in the arrests of hundreds more. I have arrested

STATEMENT OF EXPERTISE

KEVIN D. STONEBARGER

over 300 people for possession, possession for sale, transportation for sale and being under the influence of controlled substance(s), including, heroin, methamphetamine, LSD, marijuana, hallucinogens, inhalants and depressants and have assisted in the arrest/investigations of dozens more persons for the same violations. I have assisted with and participated in at least 2 DUI/Driver's License checkpoints in the cities of Arcata and Eureka. I am the recipient of the 1998, 2001 and 2002 California State Mother's Against Drunk Driver's Award. I am also the recipient of the 1997, 2001 and 2002 Humboldt County Mother's Against Drunk Driver's Award. In 2001, I received the MADD "Century" Award, denoting 100 or more arrests for drunk driving in that year.

I have obtained no less than 100 search warrants where controlled substances were listed as the primary item to be seized. I have also trained multiple officers/agents in writing and obtaining search warrants. I have qualified numerous times in the Superior Court of the State of California, County of Humboldt, as an expert in the area of possession, possession for sale, transportation and cultivation of marijuana. I have also qualified as an expert in the possession and possession for sale of other controlled substances such as methamphetamine, heroin and hash in all its forms.

I was the sexual assault, parolee, probation and registrant coordinator for the Fortuna Police Department from 1996 to 1999. I am currently a firearms, Taser, rifle and chemical agents instructors for the Arcata Police Department.

Until 2012, I was a firearms instructor, force options simulator instructor, chemical agents instructor, and controlled substances instructor at the College of the Redwoods Basic Police Academy. During that time, I instructed in excess of 500 students in firearms, in excess of 600 students in a state-of-the art Force Options Simulator that I installed and set up. I also exposed over 600 students to miscellaneous chemical agents including CN, CS and OC.

I am an advanced officer instructor in Tactical Firearms, Force Option Simulator, Patrol Rifle, Taser & Drug Recognition Evaluation. I am currently the only POST certified Taser "Train the Trainer" instructor in the County of Humboldt. In May 2005, I became Associate Faculty at College of the Redwoods.

I graduated from the Redwoods Police Academy (690 hours) on April 26, 1996. I ranked #4 overall in graduation standings. The academy included at least 16 hours of drug recognition and evaluation training. Also during the course of the Basic Police

Academy, I

STATEMENT OF EXPERTISE

KEVIN D. STONEBARGER

attended and completed a twelve hour block of instruction on the investigation of child exploitation, a three hour block on Child Sexual Assault, a three hour block on Adult Sexual Assault, and a seven hour block of instruction on Sexual Assault Investigation.

I have attended the following training since June 1, 1996:

1. Basic Traffic Accident Investigation (Concord) **1996** (40 hours)
2. Street Survival Seminar (Calibre Press) **1997** (16 hours)
3. Parolee Contacts (Garden Grove P.D.) **1997** (8 hours)
4. Crime Scene Recognition and Reconstruction (D.O.J.) **1998** (60 hours)
5. Basic S.W.A.T. (Stockton P.D.) **1998** (40 hours)
6. Interview and Interrogation (F.B.I.) **1998** (24 hours)
7. Narcotics Influence and Evaluation (Sonoma Co. S.O.) **1998** (24 hours)
8. Basic Narcotics Investigations (D.O.J.) **1998** (80 hours)
9. Surviving Search Warrant Entries (CNOA) **1998** (4 hours)
10. Clandestine Labs-Techniques & Investigations (CNOA) **1998** (4 hours)
11. A Workable Approach to Search and Seizure (CNOA) **1998** (4 hours)
12. Clandestine Labs- The Mexican Connection (CNOA) **1998** (4 hours)
13. Drugs on Wheels (CNOA) **1998** (4 hours)
14. Vehicle Interdiction (C.A.M.P.) **1998** (4 hours)
15. Courtroom Tactics (C.A.M.P.) **1998** (4 hours)
16. A Weed to a Science (C.A.M.P.) **1998** (4 hours)
17. Marijuana Trends (C.A.M.P.) **1998** (4 hours)
18. Mexican National Drug Organizations (C.A.M.P.) **1998** (4 hours)
19. Expert Testimony in Marijuana Cases (C.A.M.P.) **1998** (4 hours)
20. Domestic Violence, First Responders (San Francisco P.D.) **1999** (8 hours)
21. Making Meth (CNOA) **1999** (8 hours)
22. Firearms Instructor (Modesto) **1999** (40 hours)
23. Domestic Violence Prosecution (San Francisco) **1999** (40 hours)
24. Light/Sound Diversionary Devices (Pelican Bay State Prison) **1999** (4 hours)
25. Search Warrants A to Z (CNOA) **1999** (8 hours)
26. Narcotic Street Development (CNOA) **1999** (8 hours)
27. Risk Management (CHP) **2000** (8 hours)
28. Sexual Assault for First Responders (San Diego Training Center) **2000** (8 hours)
29. Child Forensic Interview Techniques (C.A.S.T.) **2000** (24 hours)
30. Child Abuse & Sexual Assault Investigations/ First Responders (HCDA) **2001** (8 hours)

31. Rave Culture (CNOA) **2001** (8 hours)

STATEMENT OF EXPERTISE

KEVIN D. STONEBARGER

32. Chemical Agents Instructor (Napa Valley Training Center) **2001** (32 hours)
33. Sexual Assault Investigator (San Jose State University) **2001** (36 hours)
34. Radar Operator's Course (Eureka Police Department) **2002** (24 hours)
35. Force Options Simulator Instructor (West Covina PD) **2003** (40 hours)
36. Drug Screening (Department of Justice) **2003** (8 hours)
37. Advanced Interactive Systems Instructor Course (AIS) **2003** (16 hours)
38. E-PAS Certification (Department of Justice) **2003** (4 hours)
39. Glock Armorer (Glock, Inc.) **2003** (8 hours)
40. M26/X26 Taser Instructor (Taser International) **2003** (12 hours)
41. Field Training Officer (Sacramento County Sheriff) **2004** (40 hours)
42. "Stop Teaching our Kids to Kill" (Lt. Colonel David Grossman) **2005** (8 hours)
43. Homicide Investigation (Sacramento County Sheriff) **2005** (40 hours)
44. Scenario Management (POST) **2006** (24 hours)
45. Canine Handler Update (Adlerhorst Kennels) **2006** (24 hours)
46. Patrol Rifle Instructor (Alameda County Sheriff) **2006** (40 hours)
47. Taser Instructor Update (Taser International) **2006** (16 hours)
48. Instructor Development (Napa Valley College) **2006** (40 hours)
49. Canine Program Management (CPOA) **2007** (24 hours)
50. Assertive Supervision (Davis PD) **2007** (24 hours)
51. Master Simulator Instructor (TI Training) **2009** (24 hours)
52. ATV Operator Course (Humboldt County Sheriff's Office) **2009** (8 hours)
53. CIT Training (Humboldt County Mental Health) **2010** (32 hours)
54. Low Light Entry Training (Eureka PD) **2011** (10 hours)
55. Indoor Marijuana Grow Site Safety (DOJ) **2011** (24 hours)
56. Narcotics Investigations (DOJ) **2012** (80 hours)

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

PROOF OF SERVICE

I, Teresa Cote', declare that I am employed by Peter E. Martin, A Law Corporation, whose address is 917 Third Street, Eureka, California 95501. I am over the age of eighteen (18) years and am not a party to this action.


On January 15, 2014, I served the following document:

**DECLARATION OF KEVIN STONEBARGER IN OPPOSITION TO
MOTION FOR SUMMARY JUDGMENT/SUMMARY ADJUDICATION**

[X] BY HAND DELIVERY: By Personally delivering a true copy thereof to the party(ies) and at the address(es) as set forth below:

Nancy K. Delaney
MITCHELL, BRISSO, DELANEY & VRIEZE
Attorneys at Law
814 Seventh Street
Eureka, California 95502

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed at Eureka, California on January 15, 2014.



Teresa Cote'