



TO: District Attorney Maggie Fleming  
FROM: Deputy District Attorney Adrian Kamada  
RE: **People v. Ryan Tanner (CR2000814, CR2000969)**  
DATE: March 3, 2020

## **I. INTRODUCTION**

We have filed two separate criminal cases against Ryan Tanner (CR2000814, CR2000969). These cases are based on three different investigations from the Humboldt County Sheriff Office (HCSO) (HCSO # 201901668, 20200806, and 202000900). Below are the pertinent facts from these investigations based on the reports and information we have as of March 3, 2020.

## **II. STATEMENT OF FACTS**

### **A. March 2019: Tanner Assaults Devin Stebbins with Deadly Weapons, and False Imprisons him at Tanner's Property**

In late March 2019, Devin Stebbins, goes to work for Tanner on Tanner's Property doing various jobs involving cannabis cultivation. Chris Champagne connects Stebbins with the job. Tanner effectively held Stebbins captative on the Tanner Property for two and a half weeks. During that time, Tanner threatened to kill Stebbins daily.

In one specific incident, Tanner points a sawed-off shotgun at him, and asks him if he is ready to die; stating that he is dead, and nobody is going to find him. Stebbins describes the shotgun as a black pump-action shotgun with the barrel cut off behind the magazine tube.

In a second incident, Tanner, on the porch of his residence, points a rifle at Stebbins at close range, stating, *"look into my eyes so I can kill you, and that I am not going to kill you unless you look into my eyes."* Stebbins refuses to look into Tanner's eyes, and Tanner eventually releases him.

In a third incident, Tanner locks Stebbins inside a cannabis grow room for three days. When Tanner returns, he attempts to strike Stebbins with a samurai sword and threatens to kill him. Tanner asks if Stebbins is ready to

die. Tanner then beats Stebbins with his fists, and strangles him with both hands around his neck, until he started to lose consciousness. Once released, Tanner kicks Stebbins in the head causing him to chip a tooth.

In a fourth incident, Stebbins contacts his mother by phone, and tells her he is going to tell Tanner that he wants to leave. When Stebbins tells Tanner, he grabs a hammer and attempts striking him multiple times. Tanner then makes Stebbins to call his mother and tell him he is okay. Tanner then threatens to kill Stebbins, and his "bitch mother." At some point, Tanner takes Stebbins phone so he cannot call his mother.

Tanner told Stebbins multiple times that he was going to skin him alive and make him walk into a fire. Tanner would also taunt Stebbins to run away, which Stebbins believed Tanner wanted him to run so he could catch him and kill him. Tanner told Stebbins he needed cut firewood, and to keep fixing the saw and cutting firewood "until that shit cuts your neck open." When Vanessa Womack came to the Tanner Property, Stebbins asked for a ride, and got in her car. Tanner "flipped out" because Stebbins was leaving and would not even exit the car to gather his belongings. Womack drives Stebbins to his grandmother's house.

Stebbins describes Tanner as going from rationale, to irrational and violent. Stebbins states that Tanner had an "fetish or weird obsession with bones," including having a skeleton of a bird in a cage with a cross on the top that Tanner treated as a pet. *Stebbins stated that he saw burnt patterns of stars in the yard with food stacked in the middle, and an area containing woman's purses, clothes and jewelry in a pattern in the yard. Stebbins also stated that there was a shallow grave dug behind Tanner's house with a tarp over a dirt mound and a shovel lying nearby. Stebbins stated that he also saw a shallow cave dug into the hillside by the garden area, where he observed Tanner spending time appearing to worship*, but that Stebbins did not investigate further.

#### **B. February 7, 2020: Tanner Carjacks, and Burglarizes Neighbors**

On the evening of February 7, 2020, Kirk, Kondos, and Champagne are working in the garage at 910 Powell Creek Rd. Tanner arrives in his white pickup truck wearing a bandana over his nose, and mouth. Tanner accuses Kirk of stealing his property from Tanner's property, and Kirk replies that he was not on his property and does don't want any trouble. Tanner then barged into their residence without permission. Kirk enters the residence a few moments after Tanner and observes a handgrip of a revolver pistol in Tanner's right pocket. Tanner told Kondos, "I'm taking the 4 Runner out there, and you are going to give me the keys," while Tanner was clicking the pistol's hammer back and forth. Kirk stated, "[he] was not going to get shot over a truck, so just take it." Tanner states "he had two days, then he was going to return and shoot them."

Tanner tells Champagne he needed to drive the 4-Runner or he would "beat his ass." Champagne exits the house, gets into the 4-Runner, and drives towards Tanner's property. Tanner then yells at Kondos to "give me all your money out of your pockets," and Kondos replies he has none. Tanner then orders Kondos to open the

safe in the residence, but Kondos states he does not have the combination. Tanner tells Kondos he has 48-hours to get him the money, or he was going to kill him.

### **C. February 10, 2020: Tanner Assaults Neighbors and Visitors with AK-47**

On 2/10/20, at about 9:30pm, Kondos and Pierce are working on their driveway when they see two CHP police cars pursuing a motorcycle pass by them. Later, CHP contacts Kondos to pick up a friend's (Leroy) motorcycle, because the motorcycle had been left on scene, which is at the adjacent parcel. Kondos and Kirk go to retrieve the motorcycle, and when they arrive Tanner, driving a white Chevy truck, pulls behind them in a manner that blocks the entire road. When Kirk exits the vehicle, Tanner confronts him asking "why he was bringing the cops out here." Tanner further states "You brought them out to rob me."

Tanner then retrieves an AK-47 rifle from his truck, approaches Kirk and Tanner, and from about 10-feet away points the gun at them. While pointing the AK-47, Tanner yelled, repeatedly, word to the effect of "Do you want to live or die?". Tanner tells them that they are stealing from him, and to leave the motorcycle. Tanner tells them if they called the cops, then he would kill them both.

Tanner kept the road blocked, preventing them from leaving, for about an hour. However, about 30 minutes in, Tanner allows Kirk to retrieve the motorcycle, and leave, but states he is not finished speaking to Kondos.

As Kirk rides away on the motorcycle, Tanner states, "You better get out of here, before I change my mind," Tanner then approaches Kondos, who is back in his vehicle, again with his AK-47, and starts again with inquiry on whether Kondos wanted to live. Kondos describes Tanner as fidgety, and aggressive demeanor. Tanner looked over his shoulder, and talked to himself, "yeah your right, yeah I probably should." And then tells Kondos that "they say I should kill you." Tanner stated that Kondos owed him \$7000, because Tanner's friend Alex owed him \$7000, and he was holding him accountable. After 20-30 minutes, Tanner made Kondos promise to pay that debt, and not call law enforcement. Tanner then moves his truck, stating, "I'm making a mistake of not killing you right now." Kondos leaves.

On 2/10/2020, at about 2:30p, Kirk reported the incident to HCSO Deputy Morgan Deards (20200806) and provided the above-stated information. Kirk explained that Tanner is erratic, and not safe to be around. *Kirk stated that he is in fear for his life, and that Tanner is going to him or someone else if nothing is done about it.* Kirk stated that he knows Tanner has a .38 revolver, a 12-gauge shotgun, and a fully automatic AK-47 rifle, which he hears Tanner "shooting the gun on full auto every night." Kirk explained that Tanner is dangerous and would possibly shoot anyone he saw coming onto his property. Kirk stated that the entire community is scared

of Tanner and did not want his report made known to Tanner until he was arrested. Both Kondos, and Kirk statements on this incident are consistent on essential facts.

(HCSO 202000900). Also on 2/10/20, Warren Smith and Stephany Bryan drive Jason Garrett and Natalie Pierce to Pierce's motorhome truck that converted from a bread truck, which is located at the intersection of Powell Creek Road and Blue Slide Road in the Ettersburg area. They arrive at around 9-10pm and cook food. Smith and Bryan stay for up to an hour, then drive only about 200-feet passed Pierce's truck near a driveway, where they have sex and fall asleep in the car.

Tanner wakes them up by pounding on the window of their car. Tanner is holding an AK-47 under his arm, and yells, "why the fuck are you parked in my driveway?" Tanner opens the rear side door, but Smith closes it, this repeats, and Smith is able to lock the door. Bryan jumps in the drive seat and starts the car and turning it around. Bryan explains to Tanner that they drove Pierce to her truck. Tanner replied that they must be "shooting drugs," and told them "you need to get the fuck out of here."

Bryan and Smith drive towards Pierce's truck but decide not to stop when they then see a large truck right behind them with its high beams on and honking the horn. The truck follows them all the way to Bricelandthorn Road, tailgating, honking, and driving erratically. As they turned onto Bricelandthorn Road, Tanner yells, "*Don't come back or I will bury you like the rest of them.*" Both Bryan's and Smith's statements to Deputy Esget are consistent.

#### **D. February 12-13, 2020: Tanner Murders Jason Garrett, Assaults of Others, Sets Fire to Vehicle, and Cabin**

On February 12, 2020, Champagne drove the stolen 4-Runner to Tanner's property. On the way, he saw Jason Garrett, and Natalie Pierce near her truck. He gave them an air compressor to use on her truck's flat tires. When he arrived at Tanner's to return the 4-Runner, Tanner forced him to stay and trim cannabis. Later that night or early morning of the 13th, Champagne and Tanner are driving into town in Tanner's father's white-colored Chevy 1500, and come across Garrett near Pierce's truck.

Tanner tells Champagne that he knew that Garrett is not the guy who ripped him off, but they should kill him anyway. Tanner pulls out his AK-47 automatic rifle and threatens to shoot both Champagne and Garrett if Champagne does not burn the front Pierce's truck. Champagne sets the front of the truck on fire, and Tanner

sets a fire in the back of the truck. Tanner then forces Garrett, and his dog, into Tanner's truck bed. They drive to a cabin near Pat Tanner's (Δ's dad) residence, and Tanner forces them out. Garrett states that "I didn't do anything...I don't want to die..." Tanner then states that Garrett is looking at him wrong, and then he slashes Garrett's throat with a knife, but then gives him duct tape to put on the bleeding wound. Tanner tells them both to get back into the truck, and they drive to Tanner's residence, where Robert Norris is present.

Tanner tells Garrett to stay with Norris at his residence, while Tanner and Champagne look for Natalie Pierce, the woman who owns the truck he set on fire. Tanner and Champagne go back to that truck, which is still burning, and find Pierce present attempting to fight the blaze with a fire extinguisher. Tanner tells Pierce to come to the front of his truck, so they would be illuminated by the headlights. Pierce asks where Garrett is, and Tanner replies that he is missing, and that she will be missing too if she doesn't talk to him. When she does, Tanner pulls out an AK-47 rifle, calls her various insults, and threatens to shoot her, because she was on Tanner's property. *Tanner tells Pierce, "Look into my eyes when I shoot you."* Tanner continued to threaten and holds Pierce for approximately four hours. (apx. 4am 12/13/20). Eventually, Tanner tries to get Champagne out of the truck to get him to help get Pierce into the truck, which at that time Pierce escapes on foot.

Next, Tanner and Champagne drive back to Tanner's residence, where Tanner interrogates Garrett. Tanner tells Garrett and Champagne to get into his truck again, or he would shoot both of them. They drive back to the cabin near Pat Tanner's residence and go inside. Tanner tells Garrett to get into the bathtub and told Champagne to hold up plastic. Tanner fires a single shot from his AK-47 into Garrett's head killing him. Tanner and Champagne put Garrett's body in plastic and tarp and put him in the truck. (apx. about 5am).

They drive back onto Tanner's property, to the top of a hill where there is a water tank. Tanner forces Champagne to move release the water from the tank, move the tank, and dig a grave. Tanner leaves for a period of time and tells Champagne if the hole is not done when he gets back, he will shoot him. When Tanner returns the hole is not finished, and Tanner "flips out," and finishes digging the hole himself. Tanner then tells Champagne to put Garrett's body in the grave, and bury him under the dirt, and cover with the water tank. At around noon, Champagne goes back to Tanner's residence, and tells him he has finished his task, but Tanner would not give him the gate combination so that he could leave. Champagne stays at Tanner's residence through the night.

The following morning, Tanner makes Champagne and Norris string barbed wire through the woods of his property. At some point, Champagne is stuck in the head but doesn't know by what or who. Around 2p, Tanner became distracted looking for cops in the woods, Champagne goes to the Kondos

and Kirk residence and ask for a ride to his mother's (V. Womack) house in Briceland. According to Kirk, Champagne showed up at his residence, and stated that Garrett had "been held hostage for the last three days and is dead." Champagne frantically explained that Tanner "was going crazy and was going to kill someone." (Champagne's statement differs). Kirk gave Champagne a ride to Womack's residence.

On February 15, 2020, at 2:05p, Kirk came into the HCSO Garberville substation at reported that a possible hostage or murder had taken place at Tanner's property.

On February 16, 2020, Tanner shows up the Womack's residence later and throws noose on his lap and tells him "thanks snitch." Later in the evening of February 16, 2020, Kondos and Champagne go to HCSO Garberville substation, and Champagne tells Deputy Pryor what occurred.

#### **E. HCSO Apprehends of Tanner and Search Warrant at Tanner's Property**

On February 17, 2020, at 1pm, HCSO SWAT arrived at Tanner's property, but no persons are present. On the way, Deputy Crotty saw Pierce standing on the side of Briceland Road. Deputy Crotty approached he, and Pierce began making nonsensical statements at yelling "Jason's dead." Pierce exhibited signs of being under the influence of a controlled substance (rigid movements, fast, loud speech). At 7:20p, HCSO SWAT, upon a tip, responds to Womack's residence in Briceland. Tanner is in a neighboring house and he surrenders and is arrested.

During the search warrant service, HCSO finds Garrett's body in the precise location that Champagne described. Officers also locate Pierce's burned converted motorhome, and the cabin. On the following day, the Arson Task Force responded, and during that an investigation a casing consistent with an AK-47 ammunition is found in the burnt rumble near the bathtub.

On February 18, 2020, Fortuna Police Department recovered an AK-47 style rifle from Recology. The Recology worker who reported it, stated that there is no way to determine where the rifle came from as the collected garbage throughout Humboldt County, but garbage truck picked up from the Shelter Cove area on February 14, and 17. (the AK-47 does not match Champagne's description of the firearm, but will be sent to DOJ for testing).

On February 22, 2020, forensic pathologist Dr. Mark Super conducted an autopsy of Garrett's body. Dr. Super determined the cause of Garrett's death a gunshot wound to the head.

## F. Rumors of Tanner Killing Other People

According to Deputy Pryor, a couple years ago, HCSO received reports of Tanner holding a female captive on his property. Deputy Pryor responded to Tanner's property and found Heidi Curtis, who was disheveled and frantically urged for an escort off the property. She refused to discuss when she had been through, and adamantly did not wish to pursue charges. She had been there for approximately 45 days.

On February 19, 2020, Inv. Taylor interviews Matthew Dowd, who is Tanner's uncle, on the phone. Dowd provided Inv. Taylor with some background information regarding Tanner's erratic and violent behavior. Dowd stated that he heard "through the grapevine," that Tanner had killed multiple people.

On February 20, 2020, I ran into Deputy Chad Crotty, who told me that he received information through local citizen informants from Southern Humboldt sources that Tanner had killed and buried about 3 or 4 women, described a "trimmigrants," on his property. The information is second or third hand, but Deputy Crotty was trying planned on following up in attempt to gather more information. A couple days later, Inv. Taylor and Sgt. Brian Taylor, came to my office, and we briefly discussed Deputy Crotty's background investigation.

A few days later, Inv. Taylor and I briefly discussed the idea of running a cadaver dog on the property, but there was concern they did not have the probable cause. I asked Inv. J. Taylor about Stebbins's statement regarding woman's items in a laid out in ceremonial fashion, and Tanner appearing to worship a cave site he dug on the property. Inv. Taylor was unaware, because she had not read Deputy Pryor's report.

On late Friday (2/28/20), I did not hear back from anyone regarding my request to track down the illegal sawed-off shotgun. This caused me concern regarding any effort to do so. Furthermore, I believed with the above-stated facts regarding were sufficient to establish probable cause to obtain a search warrant run a cadaver dog on the Tanner property so long as we could connect with a little more specific information.

On Saturday February 29, 2020, I called Deputy Crotty to clarify what specifically was the information regarding Tanner killing trimmigrant woman and burying them on the property. He relayed to me that two citizen informants had provided him with second-to-third hand information that pointed to Tanner killing woman on the property. I asked if either of the informants would be willing to talk with me and provide my cell phone number to pass along in case they wish to do so. About an hour later I received a phone call from a Southern Humboldt phone number.

The person on the other line told me [REDACTED] was a local [REDACTED] area, and that the information [REDACTED] had was second-hand. [REDACTED] told me that he wished to remain anonymous beyond me, and Dep. Crotty (from hereon referred to as "CP"). CI stated that about ten days ago, an individual confided in [REDACTED] that [REDACTED] was friends with Tanner. The CI stated that the individual would never come forward to any law enforcement out of fear

being labeled a “snitch,” and fearing retaliation from Tanner. The CI described the individual as a person with no criminal record, but was a drug user, which is what common bond between the individual and Tanner.

The CI stated that the individual did not work with Tanner, but only hung-out with him and used drugs, primarily methamphetamine. The CI said that according to the unnamed individual, that he was with two other people that he described as friends/associates of Tanner, and those two were discussing how Tanner had killed a French woman that had gone to Tanner’s property to trim cannabis. They stated that he buried her on the property. The CI explained that the individual explained this conversation occurred within the last two years.

The CI explained [REDACTED] did not know any specific information but had known Tanner had a violent reputation in the community, including going to the local bar in Shelter Cove, and starting fights with others, that “did not end well for the other person.” The CI reiterated how [REDACTED] wanted to remain anonymous, and I assured him because the information was not direct knowledge, that [REDACTED] would not need to be named in any report, but the information was still valuable as an investigative lead. After our phone conversation, Deputy Crotty text me stated the CI wished to remain confidential. And I texted him back not to worry.

Deputy Crotty also mentioned that Deputy Pryor had a signed search warrant for Tanner Property that he planned to serve the following day for weapons, including buried weapons. I asked him to pass my contact to Deputy Pryor and to have him give me a call.

## **G. DDA Kamada Requests in Investigation**

### **1. Request to Seize Vanessa Womack’s Phone**

I requested that HCSO seize Womack’s phone because it could contain evidence considering that she is dating Defendant Tanner, and her son, Champagne, is the central witness. As far as I know, no effort has been made in this respect.

### **2. Request to Make Effort to Find Sawed-off Shotgun Used to Assault Stebbins**

On Friday February 28, 2020, I received a search warrant for review from Jennifer Taylor, the assigned primary investigator in the murder case against Tanner (CR2000814). The search warrant was for Tanner’s property, specifically personal clothing items, that had been booked as safekeeping, and not as evidence. I asked Inv. J. Taylor to come to my office so we could discuss how the probable cause statement could be improved.



After meeting and discussing my recommendations, Inv. Taylor mentioned that the black sawed-off shotgun that officers observed during the 12/17/20 search warrant at Tanner's property was not collected. She further told me that Dep. Justin Pryor had requested that the gun be seized; however, a supervising CID investigator, Sgt. Brain Taylor, told them not to collect it, because "it was not part of the homicide case."

With that information, I briefly discussed the issue with DA Fleming, and followed her direction to email SDAI Steven Dunn to contact HCSO to inquire to how an illegal gun could be left on the counter of a crime scene in which we are charging Tanner for using an AK-47 to shoot another human being in the head. Moreover, the sawed-off shotgun matched the description of firearm used in the assault of Stebbins at Tanner's property in late March 2019.

In my email, I stated that they (HCSO) needed to find that gun, and that it was unlikely it was still at Tanner's residence, and they should contact Vanessa Womack (defendant's girlfriend), Chris Champagne (eye-witness to the murder of Garrett), and the neighbors, all of whom had regular access to Tanner's property. (I did not believe the sawed-off shotgun would no longer be at Tanner's residence because Inv. Taylor told me that people had been "looting" the residence since Tanner was taken into custody, and DAI Inv. Marvin Kirkpatrick told me that he had been monitoring Tanner's jail calls, and V. Womack stated that people had been taking things from the residence).

### **3. Request to Join Sunday 03/01/2020 Search Warrant Service at Tanner Property**

Later on Saturday, I received a call from Dep. Pryor, who told me that Sgt. B. Taylor told him that he had to serve a search warrant for weapons on Tanner's property this weekend. I asked Dep. Pryor who was going with him, and he stated his partner (Dep. Esget), and that Sgt. Conan Moore was coming to open the safe in Tanner's residence that had not been opened during the search warrant on 2/17-2/18. I asked if anyone from CID was coming, and Dep. Pryor said "no." I asked if it was okay if I came along on the search warrant service, and that I would try to bring DAI Kirkpatrick along. Dep. Pryor agreed.

Dep. Pryor also mentioned that he was trying to bring the victim, Stebbins, along to walk the property and show where events occurred during when he was held captive on the Tanner property.

I contacted DAI Kirkpatrick to see if he was available to go on the search warrant if I decided to go, but stated I was not sure if I was going to go, it depended on whether the victim (Stebbins) was going. Dep. Pryor later confirmed that Stebbins would be there, so I contacted DAI Kirkpatrick and stated I needed to go to get a sense of the witness for prosecution. I wanted to get a better understanding

of Tanner's property, and where the specific assaults, and false imprisonments events occurred. We agreed to meet at 6:30am at the courthouse to drive down to the HCSO Garberville substation to meet Dep. Pryor and the two other deputies to serve the search warrant. DAI Kirkpatrick mentioned that a metal detector might be useful when searching for buried weapons on a large rural property.

I then contacted Sgt. Moore to see if he a metal detector, and he stated CID had one. I also asked Sgt. Moore if he knew about a getting a cadaver dog that we could run on the property, because it was worth it if we were going to go all the way out to Tanner's property to look for guns. Sgt. Moore stated that a citizen that is part of Sheriff's Posse had a registered cadaver dog. A short time later, Sgt. Moore text me that the cadaver dog would also be at the Garberville substation at 8am.

I then contacted HCSO Evidence Technician Andrew Campbell to see if DAI Kirkpatrick could borrow the CID's metal detector and explained the purpose of going back out to Tanner's property for weapons, including buried weapons. I made an offhand comment that if ET Campbell wanted to join, that would be welcomed. ET Campbell said he would call be back in 5 minutes (he called me 1 ½ hours later stating that he was directed he could not help, but they may try to do move the search warrant to Tuesday).

DA Chief Inv. Wayne Cox then contacted me, and we discussed the situation briefly. He told me that HCSO Lt. Sam Williams would be in contact with me regarding the search warrant service at Tanner's residence tomorrow.

Lt. Williams stated that the only purpose of the Tanner search warrant for 03/01/2020 was to go into Tanner's house to search for the sawed-off shotgun, and that no metal detectors, or cadaver dogs were going to be used in the service.

I explained some of the above-stated facts regarding Tanner, and that I believed that they had probable cause to use a cadaver dog on the property only if that investigators read the related reports. Lt. Williams reiterated that the purpose of the search warrant was to look for the shotgun they left on the counter. I told him that leaving an illegal firearm was a mistake and expressed my concern regarding the decision to leave a sawed-off shotgun on Tanner's property. Lt. Williams explained that "they were to investigate a homicide," and that it was "not part of that case," and that the shotgun was "old and taped together." I asked why you would ever leave a firearm at any crime scene, let alone in a case where the defendant used a firearm to shoot another person in the head. I asked if he had observed a pound of cocaine in the house would they leave that too as being "unrelated." I asked what would have happen if Tanner posted bail and came home to his shotgun on the counter. I explained that this is going to be a concern for a jury and goes to the overall credibility of the investigation.

I stated that I believed that the search warrant for the purpose of retrieving the shotgun was simply to say that they tried, because his department knows that the shotgun is unlikely there still, and that if they are going out to Tanner's they should use a metal detector for other weapons, and use the opportunity to use a cadaver dog that is ready to go. Lt. Williams explained that probable cause to use the cadaver dog would require having a witness coming forward with essentially first-hand information of Tanner burying a body on the property. I told him I disagreed, and that the chances of getting that information from such a situated person were very unlikely.

Lt. Williams further stated that if we use a cadaver dog, and nothing comes up, it would "be a problem" if in the future a witness does come forward, and then investigators wanted to use a cadaver dog at a later time. I replied that had if they obtained such additional specific information, the fact that a cadaver dog did not hit previously would not be an issue whatsoever. Lt. Williams stated they did not want to serve multiple warrants at Tanner's property, and it was already "looked bad" that they had to go back up to the property.

Lt. Williams further stated that "it did not sit well with [him]" that I was trying to use a search warrant intended to find the firearm they left behind, to use a cadaver dog, or metal detector to look for bodies.

In response, I first reiterated that if they read one another's reports, that they could establish probable cause for buried bodies. Second, that the search warrant HCSO obtained had allowed for digging for buried weapons, so a metal detector was probably a good idea. Third, even if the metal detector resulted in finding human remains, the current warrant allowed them to legally be there, and to dig, and so there would not be an issue. Fourth, even if they did not have a warrant, the places searching are open fields, and Tanner had little expectation of privacy in such areas – so long as they didn't go within any structures, or its curtilage.

Lt. Williams explained that they do things a certain way and did not care about "technicalities." I explained that I am a major advocate of person's Fourth Amendment rights and would not do something I believe violated anyone's rights. I further explained that I am the attorney that will be defending any search related issues in this case in court, and part of my job is to advise law enforcement on these issues.

Lt. Williams told me that he did not like the way I was speaking to him. Lt. Williams stated he did not like that I contacted individual deputies, and to follow the chain-of-command. I explained that my chain-of-command is DA Fleming, and that the individuals I contacted are witnesses in the case I am prosecuting.

Lt. Williams stated that we (DA's office) have our own authority and could do a search of Tanner's property ourselves. I replied "Fine, I will write the warrant tonight." Lt. Williams stated that "you can bring your own investigators," because we "none of our people are going to assist you, or provide access to metal detectors, or dogs."

I asked Lt. Williams to confirm that the patrol deputies are still planning on the serving the warrant at Tanner's property tomorrow morning and he stated yes, and I replied, "okay that is all I need to know at this point." Our conversation then ended.

I began drafting a search warrant to include the use of cadaver dog on Tanner's property. However, I understood that Lt. Williams was going to cancel the cadaver dog, so did not seek the search warrant brought before a judge. I did not believe there was a rush, only that if we are going all the way out to the Tanner Property, we may as well make an effort to do further investigation.

#### **4. Search Warrant Service at Tanner Property on March 1, 2020**

On Sunday March 1, 2020, DAI Kirkpatrick and I met Dep. Pryor, Dep. Hal Esget, and Sgt. Dep. Moore at the Garberville substation. Dep. Pryor brought along D. Stebbins, and after briefing we drove out to Tanner's property. At Tanner's property, many items that were on the property on February 17-18 were no longer present, including, but not limited to, large generators, 4-wheelers, and the black sawed-off shotgun that had been on the kitchen counter.

While Sgt. Moore opened Tanner's safe, I walked with Dep. Pryor and D. Stebbins, as D. Stebbins walked through the events of his captivity. D. Stebbins stated he wanted to take us to water tank on the property. D. Stebbins told me that when Champagne had connected him with the job at Tanner's that *Champagne stated that "he and Tanner rape and kill girls on this property."* Because I did not believe Dep. Pryor heard the statement, I asked D. Stebbins to tell Dep. Pryor what he just told me regarding Champagne's statement. D. Stebbins told Dep. Pryor that he had forgot to tell him about this and repeated what he told me. D. Stebbins added that Tanner became oddly defensive regarding Champagne's statement, stating that they rape and kill woman there. D. Stebbins stated he believed that Champagne was just trying to scare him, but after what he experiences during the two-and-half-weeks at Tanner's property he absolutely believed it.

Sgt. Moore successfully opened the safe and told me that were a bunch of random items locked inside it, but no firearms. He and the other deputies placed the items in a tote. I briefly looked in the tote with Sgt. Moore, and observed, to name a few items, two or three pairs of woman's underpants, a box of with numerous SDS cards (digital data storing devices), handwritten notes, and a closed plastic bag with two napkins in it, and another closed plastic bag with a tied plastic glove in it.

Because the search warrant was for firearms, and other weapons, Dep. Pryor stated that he planned to put these items in safekeeping considering that people had already taken items from Tanner's place, and that these items are likely important to Tanner since they were in his locked safe. Also, it appeared someone had tried to get into the safe since the Feb. 17-18 search warrant, because the safe was now laying on its side.

#### **5. Request to Seize GoPro and Cellular Phone from Seize**

On Monday March 3, 2020, at my request, SDAI Dunn requested that HCSO get a search warrant to seize the GoPro and cell phone belonging to Defendant Tanner that were placed in safekeeping before it is released. I have heard no response.