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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

IN AND FOR THE FIFTH APPELLATE DISTRICT

DOUGLAS R. STANKEWITZ,

Petitioner,

On Habeas Corpus.

Court of Appeal No. _____

PETITION FOR WRIT OF HABEAS CORPUS

Related Appeal Pending – LWOP SENTENCE
No. F079560

(Fresno County Superior Court Case #
CF78227015)

PETITION FOR WRIT OF HABEAS CORPUS
EXHIBITS

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CHRISTENSEN - LEAN - DET DIV 78-18 2-10-78

FROM CLET3:

CA030000.PP;SER/146425.
DATA ON AFS FILE.

*STOLEN-CONFIRM WITH ORIGINATING AGENCY.

SER/146425.MAK/TIA.CAL/25.TYP/PA.DOT/060773.FCN/430731581714.
ORI/CA0340400.DCA/7317877.

MIS/6 SHOT.

*DROS

SER/146425.MAK/TIA.CAL/25.TYP/PA.DOT/052673.FCN/475731700759.
NAM/CROW PAT L.ADR/347S SAN JOAQUIN ST.DOB/021936.

ORI/CA0390500.DCA/E512286.

MIS/FIE CORP TITAN E27B.CII/002806089.
END GUN.

SACRAMENTO PD STOLEN 6-7-73, CS#7317377

STOCKTON PD -DEALER REPORT OF SALE TO CROW, PAT L, 347 S. SAN JOAQUIN,
STOCKTON, CS# E512286,

1
2 IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA
3 FIFTH APPELLATE DISTRICT, DIVISION NUMBER _____

4 In Re DOUGLAS R. STANKEWITZ,

5 Petitioner,

6
7 On Habeas Corpus,
8
9

Court of Appeal No. _____

ON HABEAS CORPUS, COURT OF

APPEAL NO. _____

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17 DOUGLAS R. STANKEWITZ

18
19 **DECLARATION OF ROGER CLARK**

20 I, Roger Clark, declare under penalty of perjury the following, except as to those items
21 below which I indicate to be based on information and belief. If called to testify, I would testify
22 as follows:

23 1. I have been retained as a police practices expert in the above-entitled case.

24 2. I have the following relevant experience and education:

25 Police Procedures Consultant (self-employed) – 25 years:

26 I have been certified by Federal and State Courts. I have consulted in approximately 1950
27 cases thus far since my retirement from the Los Angeles County Sheriff's Department. I have
28 testified as an expert on use of force, jail procedures and jail administration, investigations, police
procedures, police tactics, investigative procedures, shooting scene reconstruction, and police

ON HABEAS CORPUS, COURT OF APPEAL NO. _____ - 1

1 administration in Arizona State Courts, California State Courts, Washington State Courts and
2 Federal Courts in Arizona, California, Colorado, Florida, Illinois, Indiana, Louisiana, Missouri,
3 Nevada, Ohio, Oregon, Pennsylvania, Texas, Utah, Washington, New Mexico, New York and
4 Wisconsin.

5 Los Angeles County Sheriff's Department – 27 years 4 months:

6 Note: When I retired from LACSD in 1993, the Department had 7,000 sworn and 3,000
7 civilian personnel and a daily County Jail inmate population of 23,000. During my 27 years of
8 active service, I was a Line Detective for two years and a Detective Bureau Commander for eight
9 years.

10 Service as a Lieutenant (15 years, 0 Months)

11 Service as a Sergeant (6 Years, 4 Months)

12 Service as a Deputy (6 Years, 0 Months)

13 I have the following DEGREES AND CERTIFICATION:

14 P.O.S.T. Command College (Class #5) POST 1988

15 Management Certification POST 1980

16 Advanced Certification POST 1975

17 Associate of Science Degree Chaffey College 1971

18 3. I have recently testified as an expert witness in the following wrongful conviction cases:
19 Mullen, Herrera v. City of Brea and Vargas v. City of Los Angeles.

20 4. I have recently served as an expert in the following notable cases:

21 2015 Ohio (Cleveland) Opinion & Testimony for Grand Jury – Shooting death of Tamir Rice.

22 2015 Delaware A.G. Written Opinion regarding the shooting death of Jeremy McDole.

23 2017 New York DOJ Written Opinion regarding the death of Eric Garner (US AG)

24 2018 California D.A. Written Opinion regarding San Jose PD Lt. Richard Weger for Santa Clara
25 County DA.

26 2018 New Mexico Written Opinion for New Mexico AG regarding the shooting death of
27 Teresa Anaya – and requested training opinions.

28 2018 Virginia Report and Trial Testimony regarding Estate of Kager – a shooting death

ON HABEAS CORPUS, COURT OF APPEAL NO. _____ - 2

RAC

1 by City of Virginia Beach SWAT.

2 4. This case involves the murder of Ms. Theresa Graybeal (Ms. Graybeal) who was allegedly
3 kidnapped in Modesto, California and shot to death in the City of Fresno on February 8, 1978.
4 The homicide was investigated under Case File No. 78-5819. The investigation eventually
5 connected five suspects to the crime:

- 6 - Douglas Stankewitz (age 19)
- 7 - Billy Brown (age 14)
- 8 - Marlin Lewis (age 22)
- 9 - Tina Topping (age 19)
- 10 - Christina Menchaca (age 25)

11 5. As a result of the statements given during intense interrogation, Billy Brown provided
12 specific details regarding the homicide. His statements and trial testimony categorically
13 implicated Mr. Stankewitz as the sole person who shot Ms. Graybeal. Consequently, Mr.
14 Stankewitz was convicted and sentenced to death. Mr. Stankewitz was re-tried in 1983 and once
15 again convicted and sentenced to death.

16 6. It is uncontested (and a key factor in any evaluation of this case) that Billy Brown's
17 testimony during both trials was the key factor resulting in Mr. Stankewitz' conviction (and death
18 sentence). At both trials, Billy Brown gave specific details regarding how Mr. Stankewitz shot
19 Ms. Graybeal. In my opinion, Billy Brown's account does not match the obvious physical facts.
20 Additionally, it must be noted that Billy Brown recanted his testimony in 1993. In 2012, Mr.
21 Stankewitz' penalty phase was reversed. On May 1, 2019, Mr. Stankewitz was re-sentenced to
22 life without the possibility of parole. I have been retained to give opinions regarding the police
23 practices in this case.

24 7. Accordingly, I have been provided the opportunity to examine the case with fresh eyes.
25 Almost immediately during my review process, it became apparent to me that the physical
26 evidence did not appear to support the case that was presented to the jury by the Prosecution
27 during Mr. Stankewitz' trials. Then, upon request, on March 21, 2019, I was provided the
28 opportunity to actually view and handle all of the physical evidence located at the Fresno Sheriff's

1 office and the Fresno County Superior Court with a defense forensic expert, Chris Coleman. I
2 can provide a list of the evidence and photographs examined.

3 8. Upon viewing the evidence, I determined that the evidence was not kept according to
4 acceptable standards. I see the following problems:

5 A. Key Evidence was mishandled and has disappeared. Some evidence appeared to
6 have been inappropriately handled in violation of basic rules of evidence, assessment and
7 accountability.

8 B. Some key items of documented evidence are now missing. For example, the jacket
9 belonging to one of the co-defendants, Marlin Lewis, was apparently taken from evidence
10 (it was documented and photographed) and not returned. In my opinion, such evidence
11 should not have been removed and indicates a specific intent to remove evidence. This
12 indicates that serious misconduct occurred in this case because Detective Boudreau
13 initialed the property card and may have removed the jacket. Evidence should not leave
14 the building. Based on the extensive misconduct that occurred in this case, Detective
15 Boudreau probably took Marlin Lewis' jacket because he saw the victim's blood on it and
16 realized that it was exculpatory for Stankewitz.

17 C. When evidence is taken out, a report must be written which explains the purpose
18 for which it is being taken. It should also be recorded when it is returned. Additionally,
19 the property custodian must inspect and track the evidence to be sure that it is returned in
20 the same condition as when it left. As is their duty, the Prosecution failed to safeguard
21 crucial evidence. These procedures were not followed in this case.

22 9. I have reviewed the police reports regarding the gun referenced in the Stankewitz Petition
23 for Writ of Habeas Corpus.

24 The Prosecution stated that one gun was used in two episodes, the Graybeal murder and
25 the Meras attempted murder. However, the evidence shows that there were two different guns
26 used in the crimes. In evidence, the Sheriff's Department labeled shell casings as a .22 caliber
27 (which are rim-fire cartridges) yet when I examined them, .25 shell casings (which are center-
28 fire cartridges) were in their place.

1 10. Furthermore, the serial number of the alleged murder weapon appears as recovered on 6-
2 7-1973, five years before the 1978 Graybeal case. I have reviewed a recovery report that
3 documented the gun was recovered in Sacramento in 6-7-1973. For some yet unknown reason,
4 the recovery was reported to the Internal Affairs unit rather than their detective bureau. (See
5 attached trace recovery report). Also, Detective Lean's initials (T L III) and date are inscribed
6 on the holster recovered with the murder weapon, and one date is 7-25-1973, approximately two
7 months subsequent to the gun being recovered, and approximately five years previous to the
8 1978 Graybeal murder. Police procedure required that Lean inscribe his initials (T L III) and
9 date on the holster when he recovered the holster from whatever case in which it was involved.
10 The gun and the holster are alleged to have been recovered during the Graybeal investigation
11 and linked to Stankewitz; however, no date or other form of standard evidence tracking was used
12 by police in 1978. This indicates the possibility of a 'throwaway' (a firearm held by police for
13 the purpose of framing an innocent person for a shooting) which was planted to satisfy the case
14 against Stankewitz, when it was already actually in the possession of the FPD or FCSD, before
15 listed as evidence in the Graybeal case.

16 11. Although the Graybeal death certificate states that she was shot with a .25 caliber, there
17 are no reports stating that testing was done to verify this.

18 12. Billy Brown, the main witness against Stankewitz, stated that Graybeal was shot in the
19 back of the head. However, the entry wounds on forensic diagrams puts the shooter to her right
20 and sharply below her. According to documented reports, Miss Graybeal was 5'2.5" and
21 Stankewitz was 6'1", indicating a very awkward and therefore unlikely shooting stance by
22 Stankewitz and more likely by a shorter person, including one of the co-defendants Brown (5'6"),
23 Lewis (5'3"), Menchaca (5'1") and Topping (5'1"). The autopsy photos show that the bullet
24 entered under Graybeal's right ear and exited through her left temple. The bullet trajectory was
25 front to rear, not rear to front. The Prosecution should have understood the obvious discrepancy
26 between how Brown said the bullet entered Graybeal and the trajectory of the bullet that went
27 through her head at a significantly different angle. Based on second trial testimony of Dr. T. C.
28 Nelson, who performed the autopsy, the second trial testimony of Criminologist Deputy Preheim,

1 and the autopsy report, the Prosecution knew that the victim was shot on the right side of the
2 head or neck, which contradicted Brown's testimony. Billy Brown's versions of events do not
3 match the physical evidence. Given these facts, the shooting theory presented to the jury by the
4 Prosecution could not be true.

5 13. There have been significant advancements in scientific analysis 1978 and 1983. These
6 included techniques of blood analysis, microscopic analysis and chemical analysis. In my
7 opinion, the clothing evidence should have been tested prior to the Defendant's 1983 re-trial. If
8 the stains on Lewis, Topping and Menchaca's clothing are in fact blood, they were probably
9 holding her when she was shot.

10 14. Investigation Bureau Deputy Preheim testified that the victim's body was in a dirt area
11 CT at 190 - 191, lines 22 -1. However, the Prosecution failed to examine or test victim's shoe
12 bottoms to see whether she was standing where her body was found. In my examination of the
13 crime scene photos and the bottom of the victim's shoes, I did not see any dirt or sand. A shoe
14 inspection done at the time of the investigation, could have impeached Billy Brown's testimony.

15 15. All of the Defendant's clothing should have been tested prior to second trial. Proper police
16 procedures were not followed in the keeping of evidence, maintenance of evidence room,
17 determination of location of victim's body and murder location. Physical evidence does not
18 match to Prosecution theory of the case and therefore the jury was given false facts to consider
19 when deciding the facts. Accordingly, crucial evidence was withheld from the jury.

20 16. Additionally, the Prosecution never tested the car for blood, gun shot residue, or the bullet;
21 these tests were standard procedure at the time of the incident and could have been exonerating
22 to Stankewitz. The car was returned to victim's family on 2-10-78, 2 days after the crimes,
23 without giving the defense the opportunity to inspect it or test it for evidence.

24 I declare under penalty of perjury that the foregoing is true and correct to the best of my
25 knowledge. Executed in Santee, California on December 4, 2019.

26
27 
28 _____
ROGER A. CLARK

RAC



FRESNO POLICE DEPARTMENT

STANDING ORDER NO. 3.8.12

Chapter: Specific Incident Procedures

Topic: Evidence Handling & Property Booking

Effective Date: May 30, 2003

Supersedes Order(s): 3.8.12
Previously issued: July 30, 2001

Chief of Police

PROCEDURES:

01.00 Property/Evidence Transportation

01.01 General Requirements

Members shall transport property and evidence in their assigned vehicles whenever possible.

A CSO pickup or a patrol wagon shall be requested when an item is too large for a car. **When an item is too large or too heavy for a CSO pickup or a patrol wagon, the member shall notify his/her supervisor who will coordinate with Property and Evidence Control Section (PECS) Personnel to arrange transportation.**

All property and evidence shall be booked by the end of the responsible members' shift.

Members shall indicate the disposition of all evidence in their report of the incident.

Property or evidence shall not be stored in a member's desk, locker, vehicle, or any other container at any time.

01.02 Flammable Materials

When flammable or volatile material evidence from an arson or related crime needs to be booked as evidence, the FFD Arson Investigator at the scene shall be responsible for the booking of these materials at the FFD Property and Evidence Storage Facility.

When an FFD Arson Investigator is not available, FFD shall be requested, via ComCen, to collect and book the evidence.

02.00 Dangerous/Unstable or Hazardous Materials

Dangerous and/or unstable substances shall not be booked into standard evidence storage lockers. All such property will be collected at the scene by FFD personnel for booking into their evidence storage facility.

Hazardous materials shall not be booked into PECS. A hazardous materials team (i.e., FFD) shall be called to handle the proper collection and/or disposal of all hazardous materials.

Dynamite, military explosives, etc., will be handled by the E.O.D. Team. Refer to S.O. 3.4.19.

Paint, glue, and ammunition (.50 caliber and smaller) shall be booked into evidence lockers.

Legal fireworks (Safe and Sane) that are booked into PECS and which do not have evidentiary value shall be transported to the Fire Marshall for destruction on the next business day by an EOD technician. Legal fireworks that are booked into PECS which do have evidentiary value shall be transported to the FPD explosives magazine on the next business day by an EOD technician. Illegal or homemade fireworks shall not be booked into PECS. An EOD technician shall respond to the scene to take custody of all illegal fireworks. The EOD technician shall transport the illegal fireworks to the explosives magazine to be retained as evidence or held for destruction.

03.00 Evidence Storage Locations

Property/evidence storage and [REDACTED] and at the Central, Southeast, Northeast and Northwest district stations.

All members are responsible for locking evidence storage facility lockers and doors after booking property/evidence.

04.00 Packaging Property/Evidence

04.01 Containers

Boxes, envelopes, hang tags, labels, tape and string are provided at all property booking stations. Members booking property or evidence shall package items in envelopes, boxes, or other designated containers using the smallest container available which will hold the item(s). All envelopes shall be sealed with transparent or evidence tape. Boxes shall be secured with tape so that the flaps do not open. All seals shall be initialed and dated by the booking member. Envelopes and boxes shall then be placed in an [REDACTED]. All evidence booked in envelopes will be placed in [REDACTED]. Larger items and evidence booked in boxes will be [REDACTED].

04.02 Large Items

Items which are too large for storage in [REDACTED]

Large items booked at the [REDACTED]. The designated copies of the PER shall be [REDACTED] with a note attached which describes where the property is stored.

04.03 Property Tags & Labels

All containers of property or evidence, except for the pre-printed money envelope, shall have a property label attached. When a box is used, the label shall be attached to the smaller end panel. Items which do not fit into a container shall have a hang tag or label attached. All blank envelopes shall have a property label attached. The only pre-printed envelopes are the money envelopes. They are to be used for money only and shall be completed with all applicable information.

The labels are generated from the information typed on the PER in the "Property Room Inventory Management User System" (PRIMUS) booking system. The item numbers on the label should match the item numbers on the PER which are contained in the envelope/box or hang tag.

Hand written forms will be available for instances when the PRIMUS system is not functioning. The information will be inputted into the system when it becomes functional.

04.04 Marking of Property and Evidence

Members shall mark all items of property and evidence with their initials and, where space permits, the date the item was booked.

When possible, members shall apply the required evidence markings in a location and manner which does not outwardly damage or disfigure the item. Markings shall not be placed in any place which would in any way alter or damage the evidentiary or real value of an item.

Exceptions:

- (a) Very small items need not be marked individually but shall be identified by marking their containers;
- (b) Large quantities of like items need not be marked individually. It is necessary to mark only a representative sample of such items; and
- (c) Items which can be identified by serial numbers and/or unique identifying markings need not be marked as described above. In such cases, the number or unique marking shall be clearly listed on the PER and property label.

04.05 Preserving Minute Evidence

Small pieces of evidence, such as fingernail scrapings, hair, paint scrapings, etc., shall be placed in an envelope, glass vial or other suitable container and placed in a properly labeled evidence envelope. When minute evidence samples are placed in the 2½" x 4¼" or 3" x 5½" envelopes, those envelopes shall then be placed in a larger 5" x 7½" clasp envelope before being placed [REDACTED].

04.06 Bicycles

Bicycles shall be placed in the [REDACTED]. A property

hang tag shall be completed and tied to the handle bar of the bicycle.

One PER shall be completed for each bicycle. The serial number, owner applied number, or the license number shall be included on the PER. The PER shall be rolled up and secured between the spokes of the front wheel.

04.07 Vendor Carts

When storing a vendor cart, the storing member shall:

- (a) Contact COMCEN who shall contact Malibu Towing Company to respond to the member's location and store the cart;
- (b) Complete a VIR for the stored cart; and
- (c) Advise the vendor cart operator that their cart may be released by contacting a district investigator from the district where the cart was seized.

05.00 Property/Evidence Report (PER)

When property or evidence is booked, a PER shall be completed. The information will be typed into the PRIMUS booking system and the PER will be printed from that system.

The PER shall not be placed inside an evidence container or taped or tied to the container item. The original PER shall be placed [REDACTED] with the item. When property is stored in any place other than inside an [REDACTED], the PER shall be placed in [REDACTED] with a note attached which describes the location of the property.

The copy of the PER may be retained by the booking member or used as a citizen receipt.

It is not necessary to duplicate information contained on the PER in a police report. Instead, members may write the words "See PER" under the "Evidence Booked" heading of the narrative of the report.

Completion of a separate page of the PER is required when booking the following types of property:

- (a) Money (U.S. only);
- (b) Narcotics;
- (c) Bicycles;
- (d) Firearms and their associated equipment (i.e., ammunition, holster and case). Each firearm and its associated equipment requires a new page on the PER (i.e., two firearms with associated equipment requires two separate pages on the PER);
- (e) Video Tape evidence (refer to S.O. 3.4.9);
- (f) Blood/urine samples for drug analysis (refer to S.O. 3.5.1 section 02.00);
- (g) Blood/urine samples for alcohol analysis (refer to S.O. 3.8.12 section 09.02);
- (h) Blood samples for evidence comparison purposes (refer to S.O. 3.8.12 section 12.00); and
- (i) Wet articles which must be dried.

Additional pages on the PER's shall be completed for any other property being booked under the same case number.

06.00 Found Property

Members shall indicate on the PER any information identifying the owner on Found Property to allow notification by PECS. Identifying information may include name, driver's license number, social security number, etc.

Found property shall be packaged separately from evidence.

06.01 Stolen Property Check

Prior to reporting any property with serial or identification numbers as "found," members shall initiate a check into the stolen property system of CLETS and DMV (when an owner applied number resembles a CDL number). Items that have been checked for stolen status and determined to be clear may then be booked as "Found Property."

06.02 Citizen Claims for Found Property

Members shall inform the RP that they must submit a written claim to the Department when they want to claim an item which has been booked as found property. The claim letter must contain the case number under which the property is booked, the date the property was booked, a brief statement that the RP wishes to claim the property, and the type of property claimed. The claim letter should be addressed to the supervisor of the PECS and must be submitted within the following time limits:

- Personal items: 30 days from the booking date.
- Bicycles: 60 days from the booking date.
- All other property: 90 days from the booking date.

Personal items include cosmetics, clothing, and other personal use items.

Firearms and other legal weapons may be claimed, but they will not be released until a background check on the finder has been completed. Ammunition, contraband, etc. will not be released to the finder.

07.00 Property Held for Safekeeping

When members come into possession of property which cannot be returned safely to the rightful owner, the member shall book the property for safekeeping. The member shall advise the person from whom the property is obtained that the property will be held for safekeeping by the PECS for no longer than sixty days. If the rightful owner of the property does not claim the property within the sixty days, it will be auctioned or destroyed consistent with the law.

When members take or receive property for safekeeping, they shall give the person a Fresno Police Department Property For Safekeeping - Receipt. This receipt has instructions notifying the person about the requirement to pick-up the property within sixty days. The person may also authorize another to pick-up the property in their place. The receipt also gives the person, if incarcerated, an additional ten month extension in which to make arrangements for the disposition of the property. In this case, the person must make a written request to the Department, addressed to the supervisor of the PECS, in order for an extension to be granted.

08.00 Narcotics Evidence

Narcotic evidence is divided into two categories.

- (a) Narcotic evidence which has no evidentiary value and does not require analysis; and
- (b) Narcotic evidence which has evidentiary value and requires immediate analysis.

When narcotics from both categories are seized together, they shall be booked separately according to the guidelines listed below.

08.01 Evidentiary Narcotics

Narcotics that have evidentiary value require immediate analysis. Immediate analysis is required when a suspect is in custody on charges related to the narcotics being booked, a citation has been issued, or a known suspect is at large for whom an arrest warrant will be sought.

08.02 Non-Evidentiary

Narcotics that have no evidentiary value, such as found narcotics or narcotics that are not related to pending charges against a suspect, will not be analyzed.

08.03 Packaging Narcotics

All narcotics seized shall be booked into [REDACTED] using the following form and envelopes:

- (a) PER; and
- (b) DOJ Controlled Substance Evidence Envelope.

Members shall provide all information requested on the forms and envelopes and, in the case of non-evidentiary narcotics, the member shall write "No Test Needed" in the description portion of the PER.

Except as provided in 09.00, members booking narcotics for analysis shall place the evidence inside the completed DOJ Controlled Substance Evidence Envelope and seal the flap of the envelope with tape to prevent tampering and the loss of evidence. Members shall sign or initial over the seal in letters large enough to extend beyond the edge of the flap so that booking members can determine if the seal has been broken.

When the items booked are very small or are powdery and subject to leaking through the envelope or their own containers, members may put them in smaller envelopes, KAPAK pouches, or other suitable containers before putting them in the DOJ envelope.

When different types of narcotics are seized under the same case and are all to be analyzed, or when narcotics are seized from different suspects under the same case and are to be analyzed, booking members shall put the different types of narcotics and/or narcotics seized from different suspects into separate KAPAK pouches labeled with appropriate identifying information, before putting all the evidence into the DOJ envelope.

Once all forms are completed and the evidence is sealed in the DOJ envelope, the DOJ envelope and the PER shall [REDACTED] in the [REDACTED].

08.04 Narcotics Analysis and Storage

It is the responsibility of CLO/PLO drug analysis CSO's or the Narcotics Section personnel to remove and forward all booked evidentiary narcotics for analysis. After the analysis, the CLO/PLO drug analysis CSO's or the Narcotics Section personnel shall return the evidence to the [REDACTED]. All non-evidentiary narcotics shall be removed from [REDACTED].

08.05 Narcotics Evidence Viewing Procedures

All requests to view narcotic evidence will be handled by CLO/PLO drug analysis CSO's or the Narcotics Section personnel who will arrange with the PECS to have the evidence retrieved from storage.

09.00 Special Procedures

09.01 PCP, Cocaine, LSD, Methamphetamine, and Other Synthetic Drugs

Once seized, PCP/LSD should be transported to HQ and booked immediately. Members should wear gloves to avoid direct contact with the PCP/LSD and should wash their hands thoroughly with soap and water after handling anything containing PCP/LSD. PCP/LSD should be transported either in the trunk of the vehicle or, when carried in the passenger compartment, with windows down to provide adequate ventilation. When PCP is spilled onto clothing (including shoes), the clothing must be removed immediately and will need to be discarded. Neither laundering nor dry cleaning will make the clothing safe to wear.

PCP/LSD shall not be brought into HQ before it is properly packaged to avoid spillage, breakage, and/or exposure to fumes. A heat sealer, and KAPAK pouches are stored in the property cage for this purpose. PCP/LSD in solid form need only be heat sealed in a KAPAK pouch before booking. PCP in liquid form should be placed in a capped bottle or jar. It may remain in its original container, if safe, or put into a jar available in the IB. The capped bottle or jar shall then be heat sealed in a KAPAK pouch. Once properly packaged, PCP/LSD evidence is to be booked the same as regular drug evidence.

Cocaine, Methamphetamine and other synthetic drugs shall first be heat sealed in KAPAK pouches prior to being booked the same as regular drug evidence.

09.02 Blood and Urine Evidence Samples to be Analyzed for Drugs

Blood or urine samples which are to be analyzed for drugs, or a combination of drugs and alcohol, are to be booked into the PECS. All such samples shall be booked as follows:

- (a) Blood samples from the same subject shall be enclosed in the same blood sample envelope. When more than one vial is

- enclosed, measures are to be taken in packaging (e.g., wrapping the vials with gauze and taping them together, etc.) to prevent breakage;
- (b) The blood/urine envelope headings shall be modified from "Sample for Alcohol Analysis" to "Sample for Drug (or Drugs and Alcohol) Analysis";
 - (c) All urine samples will be closed securely and sealed with the attached evidence tape and placed in the Urine Sample Envelope. Any blood samples (in the appropriate envelope) from the same suspect, may be included in the larger urine envelope with the proper heading modification "Urine and Blood Sample for Drug (or Drugs and Alcohol) Analysis";
 - (d) All blood and/or urine samples to be analyzed for alcohol, drugs, or drugs and alcohol shall be deposited into the [REDACTED]. Blood or urine samples are never to be deposited in the [REDACTED].
 - (e) A PER shall accompany all blood/urine samples [REDACTED] but shall not be placed in the sealed sample envelope;
 - (f) In cases with multiple suspects, evidence from each suspect shall be packaged and labeled separately from all other suspects. Each suspect's sample shall be listed as a separate item on the PER with the suspect's name listed in the "Description" column; and
 - (g) Members are to ensure that the suspects names match on the PER and sample envelopes.

09.03 Blood Samples for Comparison Purposes

Blood collected from a suspect for evidence comparison purposes shall be booked into [REDACTED]. A PER is to be completed and placed with the blood vial envelope in the refrigerator. Any blood sample drawn for drug and/or alcohol analysis shall be booked separately from the comparison sample as contained in 09.02.

09.04 Large Quantities of Narcotics

When the quantity of narcotics seized is so large that it will not fit into a DOJ envelope, a representative sample of the substance shall be booked for analysis using the DOJ envelope. A separate page shall also be completed on the PER. The remainder should be booked in [REDACTED] using standard evidence containers along with the separate page on the PER. When this procedure is followed, a note shall be left with the sample booked for analysis advising Narcotics Section personnel that more narcotic evidence from the same seizure was booked into regular lockers. A DOJ envelope may be taped to the box so the weight and quantity can be listed.

Large quantities of narcotics shall be booked by at least two members. Both members shall sign the PER and DOJ envelope.

09.05 Marijuana and Opium Plants

When marijuana or opium plants are booked, members shall complete the DOJ envelope and a PER. The marijuana or opium plant(s) shall then be booked into the [REDACTED].

Members who have received DOJ authorized training shall perform their own presumptive tests on marijuana or opium plant(s) that they seize. The results shall be recorded on a Presumptive Analysis Report and attached to the back of the DOJ envelope. The DOJ envelope with a PER shall be placed in [REDACTED].

When booking fresh, green plants or wet marijuana, the plants shall be placed in a box with the top left open. When fresh and/or green plants are booked, a sample shall be booked into the narcotics locker in a DOJ envelope. Once the plants have dried, PECS personnel shall then seal the box for storage. In the event PECS is closed, IB personnel will temporarily store the plants until PECS personnel take custody of the evidence on the next working day.

09.06 Paint & Glue Evidence

Evidence of possession or use of paint, glue or other prohibited substances (PC 381), (e.g., paint rags, plastic bags, etc.) is not subject to immediate lab analysis, nor to presumptive tests. All paint or glue saturated materials shall be placed in sealable metal containers available in the PECS. When all of the material will not fit, a representative sample (preferably wet) shall be placed in the container and booked. The remainder shall be placed in a heat sealed envelope, then put in a standard booking envelope. The metal container shall be identified with a standard property label. This material shall be deposited into [REDACTED] only. The booking of this type of evidence does not require completion of the DOJ envelope.

10.00 Narcotics Paraphernalia

Narcotics paraphernalia booked as evidence for paraphernalia charges (HS 11364, BP 4140) is not subjected to analysis. This evidence shall be booked in standard envelopes and placed in [REDACTED].

Narcotics paraphernalia, other than syringes, booked as evidence of possession of controlled substances charges (based on a usable quantity of narcotic) is subject to immediate analysis and shall be booked into [REDACTED]. When the material to be analyzed is in liquid form, it must be put in a sealed container prior to booking to avoid leakage.

11.00 Hypodermic Syringes and Needles

11.01 Booking and Analysis of Syringe Contents

In the absence of an exceptional circumstance (e.g., incidents involving the death or imminent death of a person) members shall not book hypodermic syringes and/or needles for analysis of contents. Syringes booked under an exceptional circumstance shall be handled according to S.O. 3.8.7 and secured in protective syringe containers provided by the Department. The container(s) shall be placed in an appropriate envelope and then booked into [REDACTED] using standard booking forms.

Special arrangements shall be made by the Narcotics Section, upon receipt of a special request, for the contents of syringes involved in exceptional cases to be transferred into containers suitable for delivery to, and analysis by, the DOJ laboratory.

11.02 Syringes and Other Paraphernalia

In narcotics paraphernalia cases (HS 11364, BP 4140), in which the syringe itself (rather than its contents) is physical evidence of the offense, the syringe shall be booked in a protective syringe container as outlined in 11.01. Other contents of "hype kits" shall be booked [REDACTED].

11.03 Disposal of Syringes and Needles

When syringes and needles are not needed as evidence in a criminal prosecution, they shall be disposed of in "Sharps containers" located in all district stations, and the PECS booking area. PECS personnel are responsible for the proper disposal of full containers.

12.00 Firearms

12.01 Teletype Inquiry

Members booking a firearm shall check it through CLETS and NCIC for stops and registration information. A printout of the inquiry shall be attached to the report of the incident prepared by the booking member. When CLETS and/or NCIC are down, a Teletype Message Form shall be completed and forwarded to Teletype to be run when the system is accessible. The results of the inquiry shall be forwarded by the Teletype operator to the investigative unit that has follow-up responsibility for the case.

12.02 Teletype Entry

A member booking a firearm into PECS shall complete a Teletype Message Form, which must be submitted on the date the firearm is booked.

The entry may be made via the telephone instead of completing the teletype form. In this case, the name of the teletype operator making the entry must be included in the report of the incident. Upon completion of the entry, the teletype operator shall forward a copy of the teletype entry to the firearms clerk in CAPERS.

The Teletype Message Form contains sections that are to be completed for "Crime Guns" only. A "Crime Gun" is a firearm that was used in a crime, suspected of being used in a crime, and/or illegally possessed.

When a Teletype Message Form is completed for a "Crime Gun," the "Mandatory Information For All Guns" section and the "Crime Gun Only" sections shall both be completed in addition to the other required information on the form.

When a Teletype Message Form is completed for a gun that does not meet the criteria of a "Crime Gun," the "Mandatory Information For All Guns" section shall be completed in addition to the other required information on the form.

12.03 Rap Sheet Submission

When a suspect is placed into custody for a firearms violation, a criminal history printout (rap sheet) of the suspect shall be submitted with the report of the incident. The charges on which the subject is booked shall be based upon any prior convictions discovered on the rap sheet.

12.04 Booking

The firearm shall be unloaded prior to placing it in an evidence locker. The firearm shall not be concealed or packaged but shall be placed in the locker in plain view. Rifles and shotguns booked with a gun case shall be removed from the case, and booked as separate items on the PER. The firearm shall be labeled with a completed property tag. The tag shall be attached with the string tied tightly to the trigger guard so that it does not dangle loosely.

When the firearm has a magazine or clip, the magazine or clip shall be unloaded and placed back into the firearm prior to being booked.

Exceptions:

- (a) When a firearm must be booked in a loaded condition (e.g., jammed weapons), or if the booking member is unable to determine if it is loaded, on duty PECS personnel shall be notified that it is loaded and/or possibly loaded when it is booked. When PECS personnel are not on duty, a memo shall be attached to the outside of the evidence locker in which the firearm is placed. The memo shall detail the condition of the loaded firearm including whether or not it is jammed. PECS personnel shall not attempt to unload the weapon. They shall contact a Department armor and make arrangements for him/her to clear the weapon prior to it being processed for storage; or
- (b) When a firearm is collected as evidence or is contaminated with bio-hazard material (e.g., bodily fluids), the booking member shall complete a PER and leave the firearm and the PER at the IDS for drying. Once the bio-hazard material on the firearm has dried, the IB Technician will package the firearm, mark it as a possible bio-hazard, book it [REDACTED], and write a follow-up report.

A firearm and associated equipment (i.e., ammunition, holster, and case), shall be booked together on one page of the PER. Other property/evidence not associated with the firearm shall be listed on an additional page of the PER. When more than one firearm is to be booked, a separate page of the PER is required for each firearm and its associated equipment.

12.05 Disposition

All firearm dispositions will be coordinated by the CIB firearms clerk. Prior to release, an Authorization for Release Form shall be signed by the CIB Commander or a designee.

Ammunition that is booked with a weapon shall not be released the same day the weapon is released. The owner can return the next business day to claim the ammunition.

13.00 Motor Vehicles

Small motor vehicles such as minibikes, mopeds, go-carts, etc., may be booked [REDACTED] rather than having them towed and impounded. Motorcycles, parts, and accessories may also be [REDACTED]. When these items are booked, they shall be [REDACTED] with a hang tag attached and a completed PER. Vehicles or vehicle parts which leak oil or which are otherwise [REDACTED] for storage indoors shall be impounded by tow truck. In determining whether to impound or book a vehicle, the size of the vehicle will be the primary consideration. When the vehicle and/or part can be placed into a vehicle by one person, it may generally be suitable for booking into the PECS.

14.00 Sharp Objects

Sharp or pointed objects shall be carefully wrapped with a piece of cardboard or paper envelope to ensure safe handling. The object shall then be placed in a sturdy container clearly marked as containing sharp objects.

15.00 Open Containers of Liquid

Containers of liquid which have no lids shall be sealed when possible, or the contents shall be transferred to a sealable container available in the PECS. Liquids sealed in their original containers shall be packaged so as to prevent spillage if they are knocked over. Liquids may be placed into a KAPAK pouch and heat sealed.

16.00 Wet Articles

When members possess articles which must be dried prior to booking, a separate PER shall be completed for the wet item(s). The item(s) shall be delivered to an IB technician who [REDACTED] when dry.

17.00 Bloody Objects

Members shall use cardboard, paper, or similar porous material to securely package any bloody object being booked into evidence. Members shall note the presence of blood in the description section of the PER. Wrapping materials can be obtained from the IB. The container shall be clearly marked with bio-hazard material labels.

18.00 Money

Money (U.S. currency and/or coin) shall be packaged separately from all other property being booked under the same case. It shall be placed in a pre-printed money envelope. When the quantity of bills or coins is too bulky to fit into a money envelope, a larger envelope or a box may be used with a money envelope taped to the outside.

The booking of money shall be done using the "Two Person Rule" where the money is counted and witnessed by two members prior to placing the money in the pre-printed money envelope.

The pre-printed money envelope shall be completed with the number of bills or coins in the left hand column, with the sub-totals for the bills and the coins and the total of the bills and coins. The booking members shall provide their name, badge number and date on the lines provided on the flap which shall then be closed and covered with transparent tape. The PRIMUS booking label shall be placed on the back side of the pre-printed envelope.

All money envelopes shall be listed as an individual item, indicating the total amount per envelope in the "Cash" box and in the "description" portion of the PER. Money envelopes shall be placed in the [REDACTED] [REDACTED]

Money will be held in the [REDACTED]. After six months, the money will be deposited into the Trust Fund account through City of Fresno Finance.

Exceptions: Money in the following categories will not be deposited into the Trust Fund account:

- (a) Money that has been processed and from which fingerprints were lifted;
- (b) Money that has DNA evidence;
- (c) "Bait Money": recorded, serialized bills, or bills containing a tracking device which were collected during a robbery investigation;
- (d) Money specifically requested to be left in the vault by the case investigator;
- (e) Money collected in PC 187 cases; and
- (f) Collectible coins.

Collectible coins, as identified by the owner due to their increased value, shall be booked as property, not as money.

Example: Coins mounted in books, stored in containers, etc.

When money is booked under the above exceptions, members shall write "Do Not Deposit" and a brief reason (e.g., "DNA," "Bait Money," etc.) in the description section of the PER.

19.00 Perishable Items

When stolen perishable items, such as food or beverages, have been recovered and a victim can be identified, the items shall be photographed and returned to the victim. Perishable items shall not be booked.

Exception:

If food or beverage samples need to be taken for contamination/poison analysis, packages should be clearly marked and stored [REDACTED]. Once an analysis has been completed, the samples shall be disposed.

20.00 Evidence to Court

When members anticipate appearing in a court proceeding where booked evidence may be required, members or CLO shall attempt to notify the PECS in advance to accommodate the retrieval of any evidence which is not [REDACTED].

When receiving narcotics from the Property and Evidence control section, all members checking out narcotics for court will be required to show their subpoena to the Property and Evidence Technician.

At the time evidence is removed from the [REDACTED] for court, all members shall procure a Receipt of Evidence Form in addition to signing for the evidence. When the evidence is left in court, the form must be completed by the member and signed by whomever takes custody of the evidence (i.e., the Deputy DA or the Court Clerk). The completed form shall be returned to the PECS. When evidence is listed on the Receipt of Evidence Form, the description should be the same as it appears on the corresponding PER.

All evidence not used in court shall be returned to the PECS immediately after the completion of the court hearing or at the time the member is advised the evidence will not be used. When the PECS is closed, members shall place the returned evidence [REDACTED] with the Receipt of Evidence Form and a memo stating that the property is being returned from court.

21.00 Unidentified Property

Property in the custody of the PECS supervisor that cannot be identified or is unclaimed by the owner shall be disposed of as provided for in PC 12028 and MC 3-304 through 305.

22.00 Sale of Property

Members may not bid on or purchase any item that has been in the possession or control of the Property and Evidence Control Section.

Exceptions: This does not prohibit members from purchasing property legally sold or auctioned by other City divisions provided the member has not had control over or participated in the decision that the property was surplus and could be sold.

23.00 Release of Property

When authorizing the release of property, members shall advise the party to contact the PECS to make an appointment to pick-up their property. When property is stored at a storage location away from HQ, 24 hours advance notice is required to retrieve the property.

When a victim is notified that their stolen property has been recovered they shall be provided with the case number. They shall also be informed that due to investigative requirements the property may not be immediately available for release.

24.00 Request for DOJ Analysis

Members wishing to have a DOJ laboratory examination of any item of evidence shall complete a DOJ Bureau of Forensic Services Form (BFS-4), and submit it to the IB, along with a copy of the original case report. IB personnel shall then [REDACTED] transport same to the DOJ Regional Laboratory for analysis. When a case is assigned for follow-up investigation, only the assigned investigator or his/her designee shall request a DOJ examination.

25.00 Evidence Requiring Special Processing

Members who wish to have an item of evidence processed in a special manner (e.g., chemical processing for latent prints, number restoration, etc.) shall:

- (1) Deliver the item(s), the completed PER, any packaging container(s), and label(s) to the IB; and

- (2) Complete a Request for Identification Services Form specifying the type of processing requested.

When IB personnel are unavailable, or when there is insufficient temporary storage space for the evidence, members shall book the item [REDACTED] with a copy of the completed request form and forward the original request form to the IB.

The IB member who conducts the processing shall prepare a FR describing the results of the processing and the disposition of the evidence.

26.00 Right of Refusal for Booked Property/Evidence

PECS will refuse incorrectly booked property/evidence. When property/evidence is booked incorrectly, the PECS supervisor shall be notified and, depending on the severity of the error(s), the following actions shall occur:

- (1) When the property is still at the district station, it shall be left with the day shift supervisor to have the corrections made and re-booked. When a day shift supervisor is not available, the items will be brought [REDACTED] or
- (2) When the property [REDACTED], the booking member's bureau supervisor shall be contacted. When the officer is no longer on duty, a day shift member shall be sent to immediately correct the problem.

REFERENCE ORDERS:

- 3.4.2 Crime Scene Investigation
- 3.4.19 Explosives and Bomb Threats
- 3.5.1 Drug Influence Cases
- 3.6.3 Driving Under the Influence
- 3.8.16 Explosives Ordnance Disposal Procedures

Confidential
Document
Fresno Police Department
Released To: Athlete n Abdu

November 28, 2019

Fresno County Sheriff's Office
P.O. Box 1788
Fresno, CA 93717

Re: Access to Public Records

TO WHOM IT MAY CONCERN:

This letter is to request access to records in your possession for the purpose of inspection and copying pursuant to the California Public Records Act (Government Code Section 6250 *et seq.*).

The information I seek to inspect is as follows:

1. any and all training manuals or instructions; policies; protocol; memoranda; bulletins; notices; or procedures, however described, regarding departmental processing, storage, retention of evidence in effect from 1972 - present, including any information related to whether officers mark or initial evidence, by law enforcement agents in the course of their employment.
2. any and all training manuals or instructions; policies; protocol; memoranda; bulletins; notices; or procedures, however described, regarding procedures for arrest and interrogation of suspects in effect from 1972 - present by law enforcement agents in the course of their employment.
3. any and all training manuals or instructions; policies; protocol; memoranda; bulletins; notices; or procedures, however described, regarding procedures for homicide investigations. in effect from 1972 - present by law enforcement agents in the course of their employment.
4. any and all policies on recorded interviews. in effect from 1972 - present by law enforcement agents in the course of their employment.
5. any and all policies on witness statements. in effect from 1972 - present by law enforcement agents in the course of their employment.

This request reasonably describes identifiable records or information produced therefrom, and I believe that no express provisions of law exempt the records from disclosure. Pursuant to Government Code Section 6253(b), I ask that you make the record(s) "promptly available," for inspection and copying, based on my payment of "fees covering direct costs of duplication, or statutory fee, if applicable." Accordingly, I hereby authorize up to \$50 for reasonable fees and kindly request that you mail the documents to my law offices at 2171 Francisco Blvd. E, Suite D, San Rafael, CA 94901 (or notify me as to any costs so I may arrange for payment or viewing and copying).

Fresno County Sheriff's Office
Public Records Act Request
12-7-2019
Page 2

If a portion of the information I have requested is exempt from disclosure by express provisions of law, Government Code Section 6253(a) additionally requires segregation and deletion of that material in order that the remainder of the information may be released. If you determine that an express provision of law exists to exempt from disclosure all or a portion of the material I have requested, Government Code Section 6253(c) requires signed notification to me citing the legal authorities upon which you rely and of the reasons for the determination, not later than 10 days from your receipt of this request.

Government Code Section 6253(d) prohibits the use of the 10-day period, or any provisions of the Public Records Act "to delay access for purposes of inspecting public records."

To expedite compliance, I am sending a copy of this request to the office of your legal adviser.

If I can provide any clarification that will help expedite your attention to my request, please contact me at 415-457-8936 or Alexandraatty@wealthplusinc.com.

Thank you for your time.

Very truly yours,

/s/

Alexandra Cock

cc: Daniel C. Cederborg
Fresno County Counsel
2220 Tulare St. Fifth Floor
Fresno, CA 93721

Alexandra Cock
Attorney
Washington Bar #11775
2171 Francisco Blvd. E., Suite D
San Rafael, CA 94901
(415) 457-8936

TRANSCRIPT OF DET. LEAN INTERVIEW

Subject: Thomas Lean
Case: People v. Douglas Stankewitz
Date: March 27, 2020
Age: 74
Occupation: Retired sheriff detective
Residence: Fresno County
Relation to defendant: One of two lead investigators of the case

Jonah Owen Lamb
415-302-7416
P.O. Box 31981
Oakland, CA 94604
P.I License # 18434

IN-PERSON INTERVIEW CONDUCTED Feb. 7, 2020:

Lamb: Can you tell me what you remember about the case and how you got involved?

Lean: Long time ago. As I remember, my partner was Art Christiansen and I think we were notified by the Fresno Police Department. There had been a robbery in either Modesto or Merced. And a young lady was kidnapped, brought to Calwa area and Douglas and a couple other associates - Douglas pulled the trigger on her, shot her in the head as she stood on the corner. Fresno Police department got involved, I think they even made the arrest if I recall correctly. But because the murder took place in the county in Calwa, it got turned over to us.

Lamb: Where you the lead detective on the case?

Lean: I can't remember. Either Art or I was.

Lamb: And he was your partner?

Lean: Yes, he's deceased.

Lamb: Was there a detective Moon involved?

Lean: Oliver Moon, he could have been I don't remember.

Lamb: So you worked the case after the PD handed it over.

Lean: They kinda basically handed it over, as far as I remember. We interviewed Douglas and the others, the co-conspirators.

Lamb: Marlon Lewis and two women?

Lean: There was a young boy too. There were like three or four of them. It was my understanding that they were without a ride and they and they sort of ended up kidnapping her for the car.

Lamb: According to the transcripts, it said you guys did follow up interviews with all the co-defends and that includes Stankewitz. Did you typically record them?

Lean: We would have recorded them.

Lamb: There was an ADA who prosecuted the case, I butcher the name every time I say it: Ardaiz

Lean: James Ardaiz

Lamb: He's a judge now, I know that. Do you remember if he was involved in the investigation at any point? Or how that would work?

Lean: I don't remember. Other than him being involved in the prosecution, and we turned all our information over to him. But I don't remember him being actively involved in it as far as going out on follow-ups. I know he did on other cases. But I don't remember, it's been, it's too long ago.

Lamb: I think you testified in part of one of the trials, but not that much. Do you remember why you – I figured you and your partner were the main detectives – why you didn't testify that much verses your partner.

Lean: We used to exchange the position of being the lead investigator that would sit with the district attorney. And we would, if they needed some prepping or something on a certain area, or something that he or she had asked during the investigation, during the court trial we would be there to help.

Lamb: Do you remember if that was you in this case?

Lean: I don't, I don't. I want to say I was, at least during one. I think we had two death penalty retrials, if I remember.

Lamb: So you were involved in some but not all?

Lean: Yes.

Lamb: A couple documents I want to show you to see if you can recognize a signature, but we can get to that later. Just going through my notes, sorry for my slowness. There was an earlier robbery that was kinda linked to the case that these guys were involved in right. Where they had like robbed a farm worker that same day or something. Do you remember that? Meras I think was the guy's name.

Lean: Vaguely. I don't remember. Very, very, vague. There was something about a check that showed up somewhere along the line.

Lamb: A payroll check, right. I was reading some of the transcripts of the trial and the prosecutor was linking, kinda saying that this earlier robbery shows that they were, you know, on a tear and they were doing stuff the whole way through. I know that happened, that robbery I think was in Manteca before they got to Fresno so I know you wouldn't be involved in that. But that doesn't ring any bells?

People v. Stankewitz
Lean Interview Transcript
March 27, 2020

Lean: I'm sorry it doesn't; I know there was something over but I can't say specifically.

Lamb: Do you remember where, when did they find the gun, do you recall?

Lean: No I cannot.

Lamb: Do you remember if they found it on Stankewitz or they found it in a house or...

Lean: I don't, I'm sorry.

Lamb: Let me just show you this document see if you can recognize this signature. You signed this, it's a request for review? This is document 292 of the Fresno County Sheriff's Department. And there are two items listed on it. They are shell casing; I think it's a comparison. And the investigating officer, let me take a look, right there it says I think your name and your partners, just to make sure.

Lean: T. Lean and, let me get my glasses. I don't think that's Christensen. His first name is Art. That's probably Art Christensen.

Lamb: But that's your signature next to it yeah?

Lean: Yeah, that's me.

Lamb: The question we have, do we know what this means and do you know who signed it?

Lean: Negative...um. We used to have a criminologist back then who was named Andrea Vanderverdebont.

Lamb: Do you recognize what their document is?

Lean: Well, it's got all the criminal charges. It's hard to read. It's got a case number.

Lamb: The part that I can read...they compared shell casings not just from the scene of the crime, to make sure the pistol that they found later had fired at the scene, with an earlier incident.

Lean: I can't recall, other than my signature.

Lamb: Do you remember, did you know the Stankewitzes?

Lean: They had a reputation in the community. I think there were several, 11 children by five different moms and several of them had gone to prison. So they were known in the law enforcement community.

Lamb: Speaking of the pistol involved, do you remember what type of pistol was involved? It was a Titan.

Lean: I think it was a small caliber.is

Lamb: I'm going to have you look at this document, which is a trace serial number report on the pistol involved. I think, I'm not used to looking at these things, but we think it says, and I may be wrong, that this gun had been stolen out of Sacramento some years before and take a look. How long were you with the sheriff here?

Lean: 31 years

Lamb: When'd you start? Was it your first law enforcement gig?

Lean: I started in 1967. I started right out of college. I was 21 years old.

Lamb: So this pistol and the trace report, did you ever have a pistol like this, years before, that was stolen?

Lean: No I don't recall, no. I can't, like I say if it was 10 years ago.

Lamb: And the trace document, does it ring any bells? I'm sure you're more used to reading these than I am.

Lean: Um, I'm not sure, this is a CLETS document. It's a computerized document it comes out of the computer. It's a statewide document.

Lamb: Do you know what this one is referring to? I see your name on the top, which I'm thinking, did you request the report or is this a report...

Lean: We probably did, this came out of San Joaquin County; .25 caliber. I was right about the small caliber. No, I don't. Sacramento PD stolen back in 73. Says Stockton PD report of sale. I'm thinking it was probably a stolen gun.

Lamb: The case that was found with the gun, a leather case. They said I had initials on it that were --again apologies for asking the question, but um that's what I'm here to do- that had your initials on it.

Lean: I can't recall do that. If my initials were on there then I collected it somewhere, but I don't recall.

Lamb: Do you remember any evidence go missing that was pertinent to the case, like her watch that disappeared?

Lean: I don't recall.

Lamb: And you don't remember in terms of a check mentioned. Do you remember how they found the check or where?

Lean: The district attorney asked me this a year or so ago right when Douglas was up for review. And I couldn't recall for her either. We had a lot of cases back then. Sometimes just in the county alone we had 75 murders. At this point in my life a lot of them run together.

Lamb: Did you have procedure for confidential informants? Did you have confidential informants?

Lean: We did not in our crimes against person detail, our narcotics people and our vice people did have confidential informants but I don't know. I didn't ever have one in homicides that I recall.

Lamb: and in terms of the robbery, you didn't do any investigation related to that at all?

Lean: No, no. That was another county.

Lamb: Anything else with this case that rings any bells? Did you go to the scene of the killing?

Lean: Yes. It was right on the corner down there on like 10th in Calwa.

Lamb: Do you remember any blood splattered clothes or a watch or some hair go missing?

Lean: No, I don't recall any of that.

Lamb: and you said the interviews were recorded.

Lean: Yes. As I recall we recorded everything,

Lamb: Do you know where the interviews took place?

Lean: In our office, our detective office. We didn't have an interview room at that time.

Lamb: Did you meet with Ardaiz before the trial and in any way coordinate the case?

Lean: Yes, I'm sure we did. We always did. We always had a sit down. We may have done more than that. Jim may have come over to the office and sat down with us.

Lamb: How early does that happen in the investigation?

Lean: You know it just depends on their availability. And if we had any legal questions regarding search and seizure.

Lamb: And since you had all the co-defendants and everybody within hours of the crime, do you recall him coming in at an early stage then to talk to you guys?

Lean: I can't recall. There was cases where he did; he actually was out in the field with us when we were looking for suspects he would actually come to the field and help us. He would write search warrants in the field for us.

Lamb: But in this case you don't recall?

Lean: I don't recall, I don't.

Lamb: You don't know anyone named Jesus Meras? It doesn't ring any bells?

Lean: No I don't recall that name.

Lamb: He was the victim allegedly of that robbery that happened...

Lean: Somewhere along the line.

Lamb: ...before Fresno. The DA made an argument that the same gun was used in that robbery and there were three shots fired and there were shells that were found. And the murder weapon were the same. Do you remember anything connecting those things?

Lean: Sorry.

Lamb: would you be willing to sign a declaration ageing to all the things you've said?

Lean: Why are we doing all of this?

Lamb: I'm doing it for them because they want, this is part of their habeas filings, just trying to see what's there. They're trying to go over the case and see what's there.

Lean: He was sentenced to life without, so are they trying to get him...a possibility? I would think so. I would think that would be coming.

Lamb: I think so. I've just started on the case so I'm not strategic, I'm more tactical, coming down and talking to folks. Can I have your phone number and give you a call?

Lean: Sure.

END

REQUEST FOR EVIDENCE EXAMINATION

PLEASE TYPE OR PRINT

DATE 2-10-78
TIME 1954

CRIME CLASSIFICATION PC187, 207, 211, CV10851
VICTIM (Suspect) T. Gray Bear
I.D. OFFICER _____

DATE COMMITTED 2-8-78
CASE NO. 78-1809

ITEM NO.	DESCRIBE EACH ITEM OF EVIDENCE TO BE EXAMINED
(1)	TITAN 25 cal. Automatic, Ser # Removed
(2)	Expanded 25 cal shell casing found + scene

TYPE OF TESTS, ANALYSIS, OR EXAMINATION REQUESTED

Compare Ballistically for match.

INVESTIGATING OFFICER T. Loan
AGENCY FSP

FOR LABORATORY USE ONLY

EXAMINATION RESULTS

The 25 cal case found at the scene was compared to test fired bullets from the TITAN pistol, # 146425. Comparison of the impression marks left by the firing pin and extractor shows that the cartridge case was fired from the TITAN pistol.

2-11-78

EXAMINER'S SIGNATURE: Allen J. Anderson

FRESNO COUNTY SHERIFF'S DEPARTMENT
REQUEST FOR EVIDENCE EXAMINATION

2002

PLEASE TYPE OR PRINT

FILE CLASSIFICATION 77-1709 / 77-1705 DATE COMMITTED 2-2-78
OFFICE 77-1709 / 77-1705 CASE NO. 77-1709 / 77-1705

ITEM NO.	DESCRIBE EACH ITEM OF EVIDENCE TO BE EXAMINED
(1)	Expanding shell casing Found ^{Nov 2} <u>77-1709</u> ^{Nov 2} <u>77-1705</u>
(2)	Expanding shell casing Recovered <u>2-2-78</u> <u>77-1709</u>

TYPE OF TESTS, ANALYSIS, OR EXAMINATION REQUESTED
Compare items 1 + 2 to see if they match

INVESTIGATING OFFICER T. W. [Signature]
AGENCY 770

FOR LABORATORY USE ONLY

EXAMINATION RESULTS
NEG
10-20
[Signature]

EXAMINER'S SIGNATURE

001827

STATE DEPARTMENT OF JUSTICE
 BUREAU OF CRIMINAL IDENTIFICATION AND INVESTIGATION

A. L. CUFFEY, Chief of Bureau

P. O. Box 1859, Sacramento, California

CASE NO.

78-1809

CRIME REPORT
 FRESNO COUNTY SHERIFF'S DEPARTMENT

2. CODE SECTION PC187,207,211,cvcl		3. CRIME Auto theft 0851 Murder, kidnap, robbery		4. CLASSIFICATION Parking lot, rural roadway		5. REPORT AREA	
6. DATE AND TIME OCCURRED - DAY 2-8-78-1600thru1930hrs wed.			7. DATE AND TIME REPORTED 2-8-78-2119hrs			8. LOCATION OF OCCURRENCE Modesto & Vine & 10th calwa.	
9. VICTIM'S NAME LAST, FIRST, MIDDLE (FIRM IF BUSINESS) Greybeal, Theresa				10. RESIDENCE ADDRESS [REDACTED], Modesto		11. RES. PHONE	
12. OCCUPATION		13. RACE - SEX cauc F	14. AGE 22	15. DOB [REDACTED]	16. BUSINESS ADDRESS (SCHOOL IF JUVENILE)		17. BUS. PHONE
CODES FOR BOXES 20 AND 30 V=VICTIM W=WITNESS P=PARENT RP=REPORTING PARTY DC=DISCOVERED CRIME							
19. NAME - LAST, FIRST, MIDDLE Polaski, Jerald				20. CODE R/P	21. RESIDENCE ADDRESS [REDACTED], Modesto		
23. OCCUPATION		24. RACE - SEX Cauc M	25. AGE	26. DOB	27. BUSINESS ADDRESS (SCHOOL IF JUVENILE)		28. BUSINESS PHONE
29. NAME - LAST, FIRST, MIDDLE				30. CODE	31. RESIDENCE ADDRESS		32. RESIDENCE PHONE
33. OCCUPATION		34. RACE - SEX	35. AGE	36. DOB	37. BUSINESS ADDRESS (SCHOOL IF JUVENILE)		38. BUSINESS PHONE

MODUS OPERANDI (SEE INSTRUCTIONS)

39. DESCRIBE CHARACTERISTICS OF PREMISES, AND AREA WHERE OFFENSE OCCURRED
 parking lot, shopping center, to rural residential roadway, unincorp. area

40. DESCRIBE BRIEFLY HOW OFFENSE WAS COMMITTED.
 Victim was kidnapped at gun point from shopping center parking lot, driven to fresno by suspect and shot to death near rural roadway.

41. DESCRIBE WEAPON, INSTRUMENT, EQUIPMENT, TRICK, DEVICE OR FORCE USED
 25 cal automatic

42. MOTIVE - TYPE OF PROPERTY TAKEN OR OTHER REASON FOR OFFENSE
 kidnapped for vehicle, monetary gain, shot to death for unk. reason

43. ESTIMATED LOSS VALUE AND/OR EXTENT OF INJURIES - MINOR, MAJOR
 Major-Deceased

44. WHAT DID SUSPECT/S SAY - NOTE PECULIARITIES
 Unk

45. VICTIM'S ACTIVITY JUST PRIOR TO AND/OR DURING OFFENSE
 getting into private vehicle after shopping.

46. TRADEMARK - OTHER DISTINCTIVE ACTION OF SUSPECT/S
 Suspects kidnap victim from shopping area during daylight hours

47. VEHICLE USED - LICENSE NO. - ID NO. - YEAR - MAKE - MODEL - COLORS (OTHER IDENTIFYING CHARACTERISTICS)
 cougar over maroon calif

48. SUSPECT NO. 1 (LAST, FIRST, MIDDLE) Stankewitz, Douglas Ray				49. RACE - SEX Ind M	50. AGE 21	51. HT. 6-1	52. WT. 170	53. HAIR Brn	54. EYES Brn	55. D.N. OR DOB [REDACTED]	56. ARRESTED YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>
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57. ADDRESS, CLOTHING AND OTHER IDENTIFYING MARKS OR CHARACTERISTICS				59. RACE - SEX Ind M	60. AGE 22	61. HT. 5-3	62. WT. 120	63. HAIR Brn	64. EYES Brn	65. ID NO. OR DOB [REDACTED]	66. ARRESTED YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>
--	--	--	--	-------------------------	---------------	----------------	----------------	-----------------	-----------------	---------------------------------	---

58. SUSPECT NO. 2 (LAST, FIRST, MIDDLE) Lewis, Marlin Edwin				59. RACE - SEX Ind M	60. AGE 22	61. HT. 5-3	62. WT. 120	63. HAIR Brn	64. EYES Brn	65. ID NO. OR DOB [REDACTED]	66. ARRESTED YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>
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67. ADDRESS, CLOTHING AND OTHER IDENTIFYING MARKS OR CHARACTERISTICS

REPORTING OFFICERS Lean / Christensen		RECORDING OFFICER Lean		TYPED BY	DATE AND TIME	ROUTED BY
--	--	---------------------------	--	----------	---------------	-----------

FURTHER ACTION YES NO

COPIES TO:

- DETECTIVE C11
- JUVENILE PATROL
- DIST. ATTN OTHER
- SO./P.D. OTHER

REVIEWED BY *Allen's office* DATE

FRESNO COUNTY SHERIFF'S DEPARTMENT
Fresno, California

69. CASE NO.

78-1809

DATE _____

70. CODE SECTION	71. CRIME	72. CLASSIFICATION		
73. VICTIM'S NAME - LAST, FIRST, MIDDLE (FIRM IF BUS.)		74. ADDRESS	BUSINESS	75. PHONE

Suspects cont.

Suspect #3-Christina Menchaca, M.F.A., 25yrs, DOB [REDACTED] In Custody

Suspect #4-Topping, Teena Elaine I.F.A., 19yrs, D.O.B. [REDACTED] In Custody

Suspect #5-Brown, Billy Bob I.M.J., 14yrs, D.O.B. [REDACTED] In Custody

REPORTING OFFICERS	RECORDING OFFICER Lean	TYPED BY	DATE AND TIME	ROUTED BY
FURTHER ACTION <input type="checkbox"/> YES <input type="checkbox"/> NO COPIES TO: <input type="checkbox"/> DETECTIVE <input type="checkbox"/> CII <input type="checkbox"/> JUVENILE <input type="checkbox"/> PATROL <input type="checkbox"/> DIST. ATTNY. <input type="checkbox"/> OTHER <input type="checkbox"/> S.O./P.D. <input type="checkbox"/> _____ <input type="checkbox"/> _____ <input type="checkbox"/> _____	REVIEWED BY _____			DATE _____

NO 1205

File

DEPARTMENT OF JUSTICE
BUREAU OF CRIMINAL IDENTIFICATION AND INVESTIGATION

A. L. COPPEY, Chief of Bureau
P. O. Box 1859, Sacramento, California

1. CASE NO.

78-1809

CRIME REPORT
FRESNO COUNTY SHERIFF'S DEPARTMENT

See 78-39-26MB

1000

2. CODE SECTION PC187,207,211,cvc10851		3. CRIME Auto theft Murder, kidnap, robbery		4. CLASSIFICATION Parking lot, rural roadway		5. REPORT AREA	
6. DATE AND TIME OCCURRED - DAY 2-8-78-1600thru1930hrs wed.			7. DATE AND TIME REPORTED 2-8-78-2119hrs		8. LOCATION OF OCCURRENCE Modesto & Vine & 10th calwa.		
9. VICTIM'S NAME LAST, FIRST, MIDDLE (FIRM IF BUSINESS) Greybeal, Theresa				10. RESIDENCE ADDRESS [Redacted] Modesto		11. RES. PHONE	
12. OCCUPATION		13. RACE - SEX cauc F	14. AGE 22	15. DOB [Redacted]	16. BUSINESS ADDRESS (SCHOOL IF JUVENILE)		17. BUS. PHONE
CODES FOR BOXES 20 AND 30 V=VICTIM W=WITNESS P=PARENT RP=REPORTING PARTY OC=DISCOVERED CRIME							
19. NAME - LAST, FIRST, MIDDLE Polaski, Jerald				20. CODE R/P	21. [Redacted]		18. CHECK IF MORE NAMES IN CONTINUATION <input type="checkbox"/>
23. OCCUPATION		24. RACE - SEX Cauc M	25. AGE	26. DOB	27. BUSINESS ADDRESS (SCHOOL IF JUVENILE)		22. RESIDENCE PHONE [Redacted]
29. NAME - LAST, FIRST, MIDDLE				30. CODE	31. RESIDENCE ADDRESS		28. BUSINESS PHONE
33. OCCUPATION		34. RACE - SEX	35. AGE	36. DOB	37. BUSINESS ADDRESS (SCHOOL IF JUVENILE)		32. RESIDENCE PHONE
					38. BUSINESS PHONE		

MODUS OPERANDI (SEE INSTRUCTIONS)

39. DESCRIBE CHARACTERISTICS OF PREMISES, AND AREA WHERE OFFENSE OCCURRED
Parking lot, shopping center, to rural residential roadway, unincorp. area

40. DESCRIBE BRIEFLY HOW OFFENSE WAS COMMITTED.
Victim was kidnapped at gun point from shopping center parking lot, driven to Fresno by suspect and shot to death near rural roadway.

41. DESCRIBE WEAPON, INSTRUMENT, EQUIPMENT, TRICK, DEVICE OR FORCE USED
25 cal automatic

42. MOTIVE - TYPE OF PROPERTY TAKEN OR OTHER REASON FOR OFFENSE
kidnapped for vehicle, monetary gain, shot to death for unk. reason

43. ESTIMATED LOSS VALUE AND/OR EXTENT OF INJURIES - MINOR, MAJOR
Major-Deceased

44. WHAT DID SUSPECT/S SAY - NOTE PECULIARITIES
Unk

45. VICTIM'S ACTIVITY JUST PRIOR TO AND/OR DURING OFFENSE
getting into private vehicle after shopping.

46. TRADEMARK - OTHER DISTINCTIVE ACTION OF SUSPECT/S
Suspects kidnap victim from shopping area during daylight hours

47. VEHICLE USED - LICENSE NO. - ID NO. - YEAR - MAKE - MODEL - COLORS (OTHER IDENTIFYING CHARACTERISTICS)
1971 merc. cougar, white over maroon calif. lic# [Redacted]

48. SUSPECT NO. 1 (LAST, FIRST, MIDDLE) Stankewitz, Douglas Ray				49. RACE - SEX Ind M	50. AGE 21	51. HT. 6-1	52. WT. 170	53. HAIR Brn	54. EYES Brn	55. ID NO. OR DOB 5-31-56	56. ARRESTED YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>
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57. ADDRESS, CLOTHING AND OTHER IDENTIFYING MARKS OR CHARACTERISTICS

58. SUSPECT NO. 2 (LAST, FIRST, MIDDLE) Lewis, Marlin Edwin				59. RACE - SEX Ind M	60. AGE 22	61. HT. 5-3	62. WT. 120	63. HAIR Brn	64. EYES Brn	65. ID NO. OR DOB [Redacted]	66. ARRESTED YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>
--	--	--	--	-------------------------	---------------	----------------	----------------	-----------------	-----------------	---------------------------------	---

67. ADDRESS, CLOTHING AND OTHER IDENTIFYING MARKS OR CHARACTERISTICS

REPORTING OFFICERS Lean / Christensen		RECORDING OFFICER Lean		TYPED BY [Redacted]		DATE AND TIME NOV 1 1978		ROUTED BY [Redacted]	
--	--	---------------------------	--	------------------------	--	-----------------------------	--	-------------------------	--

FURTHER ACTION <input type="checkbox"/> YES <input type="checkbox"/> NO		COPIES TO:		<input type="checkbox"/> DETECTIVE	<input type="checkbox"/> CII	<input type="checkbox"/> JUVENILE	<input type="checkbox"/> PATROL	<input type="checkbox"/> DIST. ATTNY	<input type="checkbox"/> OTHER	<input type="checkbox"/> SQ./P.D.	<input type="checkbox"/> OTHER
REVIEWED BY										DATE	

This copy was prepared by the Fresno Sheriff's Dept. and may not be released to any unauthorized person.

FRESNO COUNTY SHERIFF'S DEPARTMENT
Fresno, California

69. CASE NO.

78-1809

DATE _____

70. CODE SECTION

71. CRIME

72. CLASSIFICATION

73. VICTIM'S NAME - LAST, FIRST, MIDDLE (FIRM IF BUS.)

74. ADDRESS

RESIDENCE

BUSINESS

75. PHONE

Suspects cont.

Suspect #3-Christina Menchaca, M.F.A., 25yrs, DOB [REDACTED] In Custody

Suspect #4-Topping, Teena Elaine I.F.A., 19yrs, D.O.B. [REDACTED] In Custody

Suspect #5-Brown, Billy Bob I.M.J., 14yrs, D.O.B. [REDACTED] In Custody

REPORTING OFFICERS

RECORDING OFFICER

Lean

TYPED BY

DATE AND TIME

ROUTED BY

FURTHER ACTION

YES
 NO

COPIES TO:

DETECTIVE

CII

JUVENILE

PATROL

DIST. ATTN.

OTHER _____

SO./P.D.

OTHER _____

REVIEWED BY

2

DATE

Homicide

Case #: 78-1109

City & Address: Modesto

Victim: Teresa Greybeal

Date: 3-8-78

Offense: PC 187 / 207 / 10051

Suspect: Stankwitz, Menthoca

Page: 18

Remarks: FRO turned items over to Det. Lee

Officer: Chris / Leo

PROPERTY DESCRIPTION	OUT BY	RET. BY	LOCATION
1- wire colored women's sweater			
1- contents from Center Console			
1- contents from glove box			
1- carton Virginia Slims minus 3 pkts			
1 carton Camels			
1 carton Camels minus 1 pk			
1 carton Camels			
1 Pepsi can empty			
1 Black leather Belt-green stone			
1 letter in Spanish to Volante Condero			
1 pair Sun glasses			
1 pink Hair Brush			
1 BLK Hair Brush			
1 Envelope add to V. Condero			

Rec'd By: _____ City & Address: _____ Release Authorized By: _____

Date: _____ Lic. # _____ Released By: _____ Date: _____

FRESNO COUNTY SHERIFF'S DEPT. -- PROPERTY RECORD

FRESNO COUNTY SHERIFF'S DEPARTMENT
Fresno, California

69. CASE NO.

78-5819

78-39-26

-1-

DATE _____

70. CODE SECTION

71. CRIME

72. CLASSIFICATION

73. VICTIM'S NAME - LAST, FIRST, MIDDLE (FIRM IF BUS.)

74. ADDRESS

RESIDENCE

BUSINESS

75. PHONE

(Tape started in middle of conversation)

SNOW: talked to the other night and I don't care where this thing actually occurred out in the county. that he arrested for ah these two gentlemen where working on the case this Tom LEAN, from Sheriff's Office and ARDIAZ from the District Attorney's Office. Ah we went over this thing briefly and we talked to some other people since this thing has happened and ah some other facts have come up ah the like that I wasn't aware of, when I talked to you the other night. THE as I explained to you the other night I, I think it was pretty clear in my mind you weren't the one that pulled it the trigger on this thing but ah you were involved in and a suspect because you were there and participated in a earlier, ah when it started in Modesto.

The what were since we have talked to some other people and some other information has come up, I like to point some of these things out to you, you can either confirm or deny it, and ah before we talk or ask any other questionson this I'm going to read you your rights to you again, make sure you understand them, okay? Ah, I'll read those from of the card, or this thing, these are the same rights I read to you to the other day when I talked to you. You have the right to remain silent, and anything you say can and will be used against you in a court of law, you have the right to talk to a lawyer and have him present with you while your being questioned, and if you can not afford to have a lawyer, one will be appointed to represent

REPORTING OFFICERS

SNOW/LEAN/ARDIAZ

RECORDING OFFICER

TYPED BY

Is

DATE AND TIME

2-11-78

ROUTED BY

FURTHER ACTION YES NO

COPIES TO:

DETECTIVE

CII

JUVENILE

PATROL

DIST. ATTNY.

OTHER

SO./P.D.

OTHER

REVIEWED BY

DATE

FRESNO COUNTY SHERIFF'S DEPARTMENT
Fresno, California

69. CASE NO.

78-1809

DATE 2-11-78 Interview with Billy Brown

-1-

70. CODE SECTION	71. CRIME	72. CLASSIFICATION		
73. VICTIM'S NAME - LAST, FIRST, MIDDLE (FIRM IF BUS.)		74. ADDRESS	RESIDENCE	BUSINESS
				75. PHONE

Q: Okay Billy what we've done is we've turned on a tape recorder so we can record the conversation and I'm sure you recall talking to a Detective Snow?
A: Yeah

Q: Okay he had a tape recorder on.
Q: Billy, uh I'm gonna ask the officers to read you your rights again and uh uh, Officer Christensen and Lean.

Q: Billy this is in regards to uh a situation that developed out in Modesto and ended up here in Calowa and uh theres some information that uhm we'd like to clarify before we go ahead, hu, we wanta advise you of your rights, you have the right to remain silent, anything you say can and will be used against you in a court of law. You have the right to talk to a lawyer and have him present with you while your being questioned. If you cannot afford to hire a lawyer one will be appointed to represent you before any questioning if you wish. You can decide at any time to exercise these rights and not answer any questions or make any statements. Do you understand each of the rights I have explained to you?

A: Yes
Q: Uh having these rights in mind do you wish to talk to us now?
A: Yes

Q: Okay, Billy, I wanta ask you a few questions, and you, you when you talked to Detective Snow here today you gave a pretty detailed statement but theres

REPORTING OFFICERS <u>Christensen/Lean/Ardiaz</u>		RECORDING OFFICER	TYPED BY: <u>Dlc</u>	DATE AND TIME TESTED: <u>2-14-78</u>	ROUTED BY
FURTHER ACTION	COPIES TO:	for the official use of:			
<input type="checkbox"/> YES	<input type="checkbox"/> DETECTIVE	Name:			
<input type="checkbox"/> NO	<input type="checkbox"/> JUVENILE	Agency:			
	<input type="checkbox"/> DIST. ATTNY	REVIEWED BY:			
	<input type="checkbox"/> SO./P.D.	DATE:			
	<input type="checkbox"/> OTHER	Persons,			

FRESNO COUNTY SHERIFF'S DEPARTMENT
Fresno, California

78-39-26MR

69. CASE NO.
78-1809/FSO
78-5819/FPD

-1-

70. CODE SECTION	71. CRIME	72. CLASSIFICATION		
73. VICTIM'S NAME - LAST, FIRST, MIDDLE (FIRM IF BUS.)		74. ADDRESS	RESIDENCE	BUSINESS
		75. PHONE		

SNOW: CHRIS we talked the other night when we was a, briefly, this is Tom Leen, he's working on this case also, a Detective from the Sheriff's Office and since this thing occur out in the County that the reason he working on it also. A since I talked to you last time I've talked with a number of other individuals. There's some other information that we've got that a, I'd like to let you know about. In fact, some of them we got questions about.

MENCHACA: I'll do whatever I can, to help you out, I'll do whatever I can.

SNOW: Ok. Well, maybe you can clear up some of these thing. like I say I don't think that you're the one that did the trigger for the

MENCHACA: Yeah.

SNOW: this thing, ok, but you became a suspect because you happened to be there at the time that this thing went down.

MENCHACA: Like I say, I was at the wrong place at the wrong time, and I didn't know these people or anything.

SNOW: What I would like to do, like I say we do have some extra information and we've talked to people and everything has come to light and we want to go over some of these things and I got some question to ask you about them. It involves this killing of this gal. What I'm going to do is read your rights to you first of all. We are required to do that and the same rights that I read

REPORTING OFFICERS Snow/Lean/Ardaiz		RECORDING OFFICER	TYPED BY lg	DATE AND TIME 2-12-78 2115	ROUTED BY
FURTHER ACTION	COPIES TO:	2-16-78 REVIEWED BY: <i>Ardaiz office</i> DATE...			
<input type="checkbox"/> YES	<input type="checkbox"/> DETECTIVE	<input type="checkbox"/> GII			
<input type="checkbox"/> NO	<input type="checkbox"/> JUVENILE	<input type="checkbox"/> PATROL			
	<input type="checkbox"/> DIST. ATTNY.	<input type="checkbox"/> OTHER			
	<input type="checkbox"/> S.O./P.D.	<input type="checkbox"/> OTHER			

FRESNO COUNTY SHERIFF'S DEPARTMENT
Fresno, California

69. CASE NO.

78-1809

-19-

FPD# 78-5819

70. CODE SECTION PC 187	71. CRIME	72. CLASSIFICATION		
73. VICTIM'S NAME - LAST, FIRST, MIDDLE (FIRM IF BUS.) GREYBEAL, Theresa		74. ADDRESS	RESIDENCE	BUSINESS 75. PHONE

herion for you in the bar there?

TOPPING: No she didn't.

SNOW: Did you go back over there to the Olympia Motel and to shoot up or to use narcotics?

TOPPING: Heck ya are you kidding she was around the pigs, everybody knows that.

SNOW: It's an everyday occurrence around there.

TOPPING: Not when the cops lay around as thick as they were that night.

SNOW: Who got out of the car when you, after you left the bar you went over to this hotel, stopped there Chris went upstairs and you say you waited in the corridor, did any of the guys get out of the car?

TOPPING: No

SNOW: Did they, did all the guys including ah Doug and ah Marlin and Bobby stay with this, Billie I mean stay with this . . .

TOPPING: Billie

SNOW: ah girl with the long red hair in the car?

TOPPING: Uh uh

SNOW: They stayed in the car?

TOPPING: They all waited in the car.

SNOW: Did any of them get out and come up with you?

TOPPING: No

REPORTING OFFICERS SNOW/LEAN/ARDAIZ		RECORDING OFFICER	TYPED BY ljm	DATE AND TIME 2-12-78 1030	ROUTED BY
FURTHER ACTION <input type="checkbox"/> YES <input type="checkbox"/> NO	COPIES TO: <input type="checkbox"/> DETECTIVE <input type="checkbox"/> JUVENILE <input type="checkbox"/> DIST. ATTY. <input type="checkbox"/> SO./PD.	<input type="checkbox"/> CII <input type="checkbox"/> PATROL <input type="checkbox"/> OTHER	REVIEWED BY		DATE

Petition for Writ of Habeas Corpus - EXHIBITS

DATE 2-9-78

CASE NO. 78-5819

VICTIMS NAME GRIMALDI, Theresa

OFFICER J. Bonesteel

ADDRESS _____ ZIP _____

OFFENSE associat PSC-187/10857

PERSONS ARRESTED _____

ADDRESS _____

ZIP _____

Article	BIN NO
1. (1) bullet 25 cal auto round serial number removed	
2. (1) w-w 25 cal auto round from chamber of weapon	
3. (1) magazine with 2 W-W 25 cal auto rounds from weapon	
4. (1) black leather holster for weapon	
5. (1) hunting knife and leather sheath "SANTARI HUNTER" w/bone handle 10 3/4" over all len th 6" blade	
6. (1) PEPPI can (empty)	
7. (1) open pack Virginia Slims	
N/8. (1) pr. sun glasses luered plastic frames	
R/9. (1) pink hair brush	
R/10. (1) blk hair brush	
A/11. (1) envelope addressed to Valente Condero 3761 S. Goldmrod, Norman	
R/12. (1) red bandana	
R/13. (1) LEVI type jacket size "M"	
R/14. (1) button with question mark and "WHATS IN A NAME" on same	

205

M/15. (1) carton Virginia Slims (3 packs missing)	
R/16. (1) carton Camels sealed	
R/17. (1) carton Camels 1 pack missing	
A/18. (1) carton Camels sealed	
R/19. (1) PEPPI can empty	
R/20. (1) black leather belt with silver buckle with green stone	
7/21. (1) letter in spanish addressed to Valente Condero	
M/22. (1) pack Camels	
R/23. (1) brn leather wallet cont: \$8.00 in \$1.00 bills photo of Michael Hernandez with 2 papers (no ID)	
R/24. (1) brown hair brush	
A/25. (1) wine colored womans sweater	
R/26. contents from center console	
R/27. contents from glove box	
R/28. NEUTRON KIT ON THE HANDS OF LEWIS, Martin	
A/29. NEUTRON KIT on the hands of STANKWITZ, Douglas	
R/30. NEUTRON KIT on the hands of POPPING, Teena	
R/31. NEUTRON KIT on the hands of MENCHACA, Christa	

44-1-1-R

POLICE DEPARTMENT
PROPERTY/EVIDENCE REPORT

50

DATE 2-9-78 CASE NO. 78-5819

VICTIMS NAME GRBYLAL, Theresa OFFICER J. Bonesteel

ADDRESS _____ ZIP _____ OFFENSE assist FSO-187/10851

PERSONS ARRESTED _____

ADDRESS _____ ZIP _____

Article	BIN NO.	Date Out	Taken Out By	Returned	Remarks
1. (1) TITAN 25 cal automatic serial number removed	155				
2. (1) w-w 25 cal auto round from chamber of weapon	SEARCH CASE				
3. (1) magazine with 2 W-W 25 cal auto rounds from weapon					
4. (1) black leather holster for weapon					
5. (1) hunting knife and leather sheath "SAFARI HUNTER" w/bone handle 10 3/4" over all length 6" blade					
6. (1) PEPSI can (empty)					
7. (1) open pack Virginia Slims					

I AM THE LAWFUL & RIGHTFUL OWNER OF THE PROPERTY DESCRIBED ABOVE
I DO HEREBY CERTIFY UNDER PENALTY OF PERJURY THAT THE FOREGOING INFORMATION IS TRUE AND CORRECT.

NAME _____ ADDRESS _____ DATE _____
WITNESSED _____ DATE _____

WAIVER: I, THE UNDERSIGNED RELINQUISH ANY & ALL CLAIM TO THE ABOVE LISTED PROPERTY:
NAME _____ ADDRESS _____ DATE _____
WITNESSED _____ DATE _____

8-245

()

POLICE DEPARTMENT

()

8-30

PROPERTY/EVIDENCE REPORT

DATE 2-9-78

CASE NO. 78-5819

VICTIMS NAME GREENEAL, Theresa

OFFICER J. Bonesteel

ADDRESS _____ ZIP _____

OFFENSE assist FSO-187/10851

PERSONS ARRESTED _____

ADDRESS _____ ZIP _____

Article	BIN NO.	Date Out	Taken Out By	Returned	Remarks
1/8. (1) pr. sun glasses luc&red plastic frames	<i>Small Case</i>				
2/9. (1) pink hair brush					
8/10. (1) blk hair brush					
4/11. (1) envelope addressed to Valente Condero 3761 S. Goldenrod, Kerman					
5/12. (1) red bandana					
5/13. (1) LEVI type jacket size "M"					
7/14. (1) button with question mark and "WHAT'S IN A NAME" on same					

I AM THE LAWFUL & RIGHTFUL OWNER OF THE PROPERTY DESCRIBED ABOVE

I DO HEREBY CERTIFY UNDER PENALTY OF PERJURY THAT THE FOREGOING INFORMATION IS TRUE AND CORRECT.

NAME _____ ADDRESS _____ DATE _____

WITNESSED _____ DATE _____

WAIVER: I, THE UNDERSIGNED RELINQUISH ANY & ALL CLAIM TO THE ABOVE LISTED PROPERTY:

NAME _____ ADDRESS _____ DATE _____

WITNESSED _____ DATE _____

385



POLICE DEPARTMENT



4-38

PROPERTY/EVIDENCE REPORT

DATE 2-9-78

CASE NO. 78-5819

VICTIMS NAME GREYBEAL, Theresa

OFFICER J. Bonesteel

ADDRESS _____ ZIP _____

OFFENSE assist FSO-107/10851

PERSONS ARRESTED _____

ADDRESS _____ ZIP _____

Article	BIN NO.	Date Out	Taken Out By	Returned	Remarks
1/15. (1) carton Virginia Slims (3 packs missing)	<i>Small Case</i>				
2/16. (1) carton Camels sealed					
3/17. (1) carton Camels 1 pack missing					
4/18. (1) carton Camels sealed					
5/19. (1) PEPSI can empty					
6/20. (1) black leather belt with silver buckle with green stone					
7/21. (1) letter in spanish addressed to Valente Condoro					

I AM THE LAWFUL & RIGHTFUL OWNER OF THE PROPERTY DESCRIBED ABOVE

I DO HEREBY CERTIFY UNDER PENALTY OF PERJURY THAT THE FOREGOING INFORMATION IS TRUE AND CORRECT.

NAME _____ ADDRESS _____ DATE _____

WITNESSED _____ DATE _____

WAIVER: I, THE UNDERSIGNED RELINQUISH ANY & ALL CLAIM TO THE ABOVE LISTED PROPERTY:

NAME _____ ADDRESS _____ DATE _____

WITNESSED _____ DATE _____

FRESNO
POLICE DEPARTMENT

PROPERTY/EVIDENCE REPORT

DATE 2-9-78

CASE NO. 78-5819

VICTIMS NAME GREYDEAL, Theresa

OFFICER J. Bonesteel

ADDRESS _____ ZIP _____

OFFENSE Assist FSO/187/10851

PERSONS ARRESTED _____

ADDRESS _____ ZIP _____

Article	BIN NO.	Date Out	Taken Out By	Returned	Remarks
1/22. (1) pack Camels	<i>SMK</i> <i>CASE</i>				
2/23. (1) brn leather wallet cont: \$8.00 in \$1.00 bills photo of Michael Hernandez misc papers (no ID)					
3/24. (1) brown hair brush					
4/25. (1) wine colored womans sweater					
5/26. contents from center console					
6/27. contents from glove box					
7/28. NEUTRON KIT ON THE HANDS OF LEWIS, Marlin					

I AM THE LAWFUL & RIGHTFUL OWNER OF THE PROPERTY DESCRIBED ABOVE

I DO HEREBY CERTIFY UNDER PENALTY OF PERJURY THAT THE FOREGOING INFORMATION IS TRUE AND CORRECT.

NAME _____ ADDRESS _____ DATE _____

WITNESSED _____ DATE _____

WAIVER: I, THE UNDERSIGNED RELINQUISH ANY & ALL CLAIM TO THE ABOVE LISTED PROPERTY:

NAME _____ ADDRESS _____ DATE _____

WITNESSED _____ DATE _____

2565

FRESNO POLICE DEPARTMENT

4-38

PROPERTY/EVIDENCE REPORT

DATE 2-9-78

CASE NO. 78-5619

VICTIMS NAME GREYBEAL, Theresa

OFFICER J. Bonesteel

ADDRESS _____ ZIP _____

OFFENSE ASSIST FSO PC 187/VC 10851

PERSONS ARRESTED _____

ADDRESS _____ ZIP _____

Article	BIN NO.	Date Out	Taken Out By	Returned	Remarks
1/29. NEUTRON KIT on the hands of STANKWITZ, Douglas	<i>Smok</i> <i>CA02</i>				
2/30. NEUTRON KIT on the hands of TOPPING, Teena					
3/31. NEUTRON KIT on the hands of MENCHACA, Christina					
4.					
5.					
6.					
7.					

I AM THE LAWFUL & RIGHTFUL OWNER OF THE PROPERTY DESCRIBED ABOVE

I DO HEREBY CERTIFY UNDER PENALTY OF PERJURY THAT THE FOREGOING INFORMATION IS TRUE AND CORRECT.

NAME _____ ADDRESS _____ DATE _____

WITNESSED _____ DATE _____

WAIVER: I, THE UNDERSIGNED RELINQUISH ANY & ALL CLAIM TO THE ABOVE LISTED PROPERTY:

NAME _____ ADDRESS _____ DATE _____

WITNESSED _____ DATE _____

Q-38

MEMPHIS POLICE DEPARTMENT PROPERTY/EVIDENCE REPORT

Q-38

DATE 2-9-78

CASE NO. 78-5819

VICTIMS NAME MEXICAL, Theresa

OFFICER J. Bonesteel

ADDRESS ZIP

OFFENSE assist FSO-187/10651

PERSONS ARRESTED

ADDRESS

Article	BIN NO.	Date	OK TO RELEASE	Remarks
1 (1) TITAN 25 cal automatic serial number removed # 146425		2-11-78	2-9-78	DR 2178 No. Determined to be 146425
2 (1) W-W 25 cal auto rounds from chamber of weapon				65 evidence in this case to Det. T. Lean FSD
3 (1) magazine with 2 W-W 25 cal auto rounds from weapon		2-10-78		OK to Release all evidence in this case to Det. T. Lean FSD
4 (1) black leather holster for weapon				3-8-78
5 (1) folding knife and leather sheath "S. & W. Co. Inc." w/ one hole 10 3/4" over all length 6" blade				
6 (1) .38 cal gun (empty)				

I AM THE LAWFUL & RIGHTFUL OWNER OF THE PROPERTY DESCRIBED ABOVE
I DO HEREBY CERTIFY UNDER PENALTY OF PERJURY THAT THE FOREGOING INFORMATION IS TRUE AND CORRECT.

NAME ADDRESS DATE
WITNESSED DATE
WAIVER THE UNDERSIGNED RELINQUISH ANY & ALL CLAIM TO THE ABOVE LISTED PROPERTY
NAME ADDRESS DATE
WITNESSED DATE

ORIGINAL RECORDS DIVISION

Q285

FRESNO POLICE DEPARTMENT

Q-38

PROPERTY/EVIDENCE REPORT

DATE 2-9-78

CASE NO. 78-5019

VICTIMS NAME G. LYNNAL, Theresa

OFFICER J. Bonosteel

ADDRESS ZIP

OFFENSE assist FSO-107/10051

PERSONS ARRESTED

ADDRESS ZIP

Article	BIN NO.	Date Out	Taken Out By	Returned	Remarks
9/8. (1) pr. sun glasses w/ red plastic frames	x	2/2/78	x		Court
9/9. (1) pink hair brush					J. W. Bonosteel 3-8-78 681#
9/10. (1) blk hair brush		3/8/78	x	Att. J. FSD	
9/11. (1) envelope addressed to Valente [redacted]					
9/12. (1) red bandana	+	2/3/78	x	Att. J. FSD	Court
9/13. (1) [redacted]		3/8/78	x	Att. J. FSD	
9/14. (1) [redacted]					

I AM THE LAWFUL & RIGHTFUL OWNER OF THE PROPERTY DESCRIBED ABOVE

I DO HEREBY CERTIFY UNDER PENALTY OF PERJURY THAT THE FOREGOING INFORMATION IS TRUE AND CORRECT

NAME ADDRESS DATE

WITNESSED DATE

WAIVER: I THE UNDERSIGNED RELINQUISH ANY & ALL CLAIM TO THE ABOVE LISTED PROPERTY

NAME ADDRESS DATE

WITNESSED DATE

ORIGINAL RECORDS DIVISION

269

Q385

FRESNO POLICE DEPARTMENT PROPERTY/EVIDENCE REPORT

Q 38+39

DATE 2-9-78 CASE NO. 78-5819
VICTIMS NAME GREYNEAL, Theresa OFFICER J. Bonesteel
ADDRESS ZIP OFFENSE a list F80-167/10051

PERSONS ARRESTED
ADDRESS ZIP

Table with columns: Article, BIN NO., Date Out, Taken Out By, Returned, Remarks. Contains handwritten entries for Virginia Slims, Camels, and leather belt.

OF to Release
J.W. Brown #189
3-8-78

Court

3-8-78 x Det. T. ... FSD

I AM THE LAWFUL & RIGHTFUL OWNER OF THE PROPERTY DESCRIBED ABOVE
I DO HEREBY CERTIFY UNDER PENALTY OF PERJURY THAT THE FOREGOING INFORMATION IS TRUE AND CORRECT.

NAME ADDRESS DATE
WITNESSED DATE
WAIVER: I, THE UNDERSIGNED RELINQUISH ANY & ALL CLAIM TO THE ABOVE LISTED PROPERTY.
NAME ADDRESS DATE
WITNESSED DATE

ORIGINAL RECORDS DIVISION

2485

FRENO POLICE DEPARTMENT

Q38

PROPERTY/EVIDENCE REPORT

DATE 1-9-78

CASE NO. 78-5619

VICTIMS NAME GIMBEAL, Theresa

OFFICER J. Bone teel

ADDRESS _____ ZIP _____

OFFENSE Assist F80/187/10851

PERSONS ARRESTED _____

ADDRESS _____ ZIP _____

Article	BIN NO.	Date Out	Taken Out By	Returned	Remarks
A/22. (1) pack Camels	Smith Calkie				
A/23. (1) brown leather wallet cont: \$2.00 in \$1.00 bills photo of Michael Hernandez misc papers (no ID)					OK to Release J.W. Brown 3-8-78 199
A/24. (1) brown hair brush					
A/25. (1) white colored women's sweater		3/8/78	Det. T. L. FSD.		
A/26. contents from center console					
A/27. contents from glove box					
A/28. contents from glove box, Berlin					

I AM THE LAWFUL & RIGHTFUL OWNER OF THE PROPERTY DESCRIBED ABOVE

I DO HEREBY CERTIFY UNDER PENALTY OF PERJURY THAT THE FOREGOING INFORMATION IS TRUE AND CORRECT

NAME _____ ADDRESS _____ DATE _____

WITNESSED _____ DATE _____

WAIVER: I, THE UNDERSIGNED RELINQUISH ANY & ALL CLAIM TO THE ABOVE LISTED PROPERTY

NAME _____ ADDRESS _____ DATE _____

WITNESSED _____ DATE _____

ORIGINAL RECORDS DIVISION

271

2565

FRESNO POLICE DEPARTMENT PROPERTY/EVIDENCE REPORT

539

DATE 2-9-78 CASE NO. 78-5819
VICTIMS NAME GRENDEL, Theresa OFFICER J. Honsteel
ADDRESS ZIP OFFENSE PC 107/VC 10851
PERSONS ARRESTED
ADDRESS ZIP

Table with columns: Article, BIN NO., Date Out, Taken Out By, Returned, Remarks. Contains entries for 'NEUTRON KIT' on the hands of STANKWITZ, Douglas; BOERING, Teresa; and EMACK, Christina. Includes handwritten notes like '3/8/78 at T.J. FSD' and a large circled '2'.

I AM THE LAWFUL & RIGHTFUL OWNER OF THE PROPERTY DESCRIBED ABOVE
I DO HEREBY CERTIFY UNDER PENALTY OF PERJURY THAT THE FOREGOING INFORMATION IS TRUE AND CORRECT
NAME ADDRESS DATE
WITNESSED DATE
WAIVER: I, THE UNDERSIGNED RELINQUISH ANY & ALL CLAIM TO THE ABOVE LISTED PROPERTY
NAME ADDRESS DATE
WITNESSED DATE

ORIGINAL RECORDS DIVISION

**FREED.
POLICE DEPARTMENT**

PROPERTY/EVIDENCE REPORT

74

DATE 2-10-78

CASE NO. 78-5819

VICTIMS NAME GREY REAL, TERESA

OFFICER R. Wells ²⁰⁰ / T. Moore ²⁵⁸

ADDRESS UNK

ZIP _____

OFFENSE PL-187

PERSONS ARRESTED NONE

ADDRESS _____

ZIP _____

Article	BIN NO.	Date Out	Taken Out By	Returned	Remarks
1 ONE TIMEX LADY'S WRIST WATCH, SILVER BAND, RECTANGULAR FACE (WFD)	51	3/8/78	ART. T. J. FSD		OK to 9-16-80 B. Brown R. Moore
2.					
3.					
4.					
5.					
6.					
7.					

I AM THE LAWFUL & RIGHTFUL OWNER OF THE PROPERTY DESCRIBED ABOVE

I DO HEREBY CERTIFY UNDER PENALTY OF PERJURY THAT THE FOREGOING INFORMATION IS TRUE AND CORRECT

NAME _____ ADDRESS _____ DATE _____

WITNESSED _____ DATE _____

WAIVER I, THE UNDERSIGNED RELINQUISH ANY & ALL CLAIM TO THE ABOVE LISTED PROPERTY

NAME _____ ADDRESS _____ DATE _____

WITNESSED _____ DATE _____

ORIGINAL RECORDS DIVISION

FRESNO
POLICE DEPARTMENT

241

PROPERTY/EVIDENCE REPORT

DATE 2-11-78

CASE NO. 78-5819

VICTIMS NAME GREY BEAL, TERESA

OFFICER WEBB ²⁰⁰ DAVIS ²⁰⁵

ADDRESS _____ ZIP _____

OFFENSE ASST FSO (PC 187)

PERSONS ARRESTED STANKWITZ, DOUGLAS RAYMOND

ADDRESS _____ ZIP _____

Article	BIN NO.	Date Out	Taken Out By	Returned	Remarks
1 ONE HELIXES LADY'S EAR RING SILVER BAND, 21 SEWEL	24	2-28-78	K. J. Snow		To Court FSD 2/24/78
2 ONE MASTER KEY					
3 TWO LAMINATED PAD- LOCK KEYS					
4 ONE HURD LOCK KEY					
5 ONE BEBBS NECKLACE AND MEDALLION.					
6 ONE KEY HOLDER + NAIL BITTER WITH "ALLEN C. HARVE GARAGE, INC" ON FACE					
7 ONE BOTTLE OF STAZ COLOGNE	3/8/78	3/8/78	Det. T. L. FSD.		OK to Release J. W. Brown 3-8-78 189
8 ONE CAPITOL 8 TRACK TAPE CASSETTE					
9 BOTTLE OF METHAMPHETAMINE					
10 " " ANACONDA					
11 ONE RED DECORATIVE STEM WITH RIBBON PRINTED "YOU'RE MY SWEET HEART"					
12 ONE TOPGUISSE LADY'S RING SILVER BAND & 5 1/2 STONES					

I AM THE LAWFUL & RIGHTFUL OWNER OF THE PROPERTY DESCRIBED ABOVE

I DO HEREBY CERTIFY UNDER PENALTY OF PERJURY THAT THE FOREGOING INFORMATION IS TRUE AND CORRECT.

NAME _____ ADDRESS _____ DATE _____

WITNESSED _____ DATE _____

WAIVER: I, THE UNDERSIGNED RELINQUISH ANY & ALL CLAIM TO THE ABOVE LISTED PROPERTY

NAME _____ ADDRESS _____ DATE _____

WITNESSED _____ DATE _____

ORIGINAL RECORDS DIVISION

FOLLOW-UP REPORT

1229 Date of this report 2-9-78		Type of Original Report ASSIST FSO (PC 187,CVC 10851)			Case No. 78-5819	
Date crime occurred 2-9-78		Location of occurrence =			Reporting Division IB	
Victim (as listed on orig. report) GREYBEAL, Theresa,		List connecting property report(s) by type and Case No.				
Persons interviewed (not on orig. report)		Race - Sex - Age		Residence Address		Res. Phone
1.						
2.						
3.						
4.						
5.						
Persons arrested		Race - Sex - Age		Filed on?	Charge	Date
1. LEWIS, Marlin Indian MA						
2. TOPPENG, Teena, Indian FA						
3. MENCHACA, Cristina, Indian FA						
4. STANKEWITZ, Douglas, Indian MA						
5.						
<input checked="" type="checkbox"/> Cleared		<input type="checkbox"/> Closed		<input type="checkbox"/> Incorrectly classified - change to:		<input type="checkbox"/> Unfounded
						<input type="checkbox"/> Continued

(1) Explain investigation progress and status. (2) When victim and/or witnesses listed in crime report have not been interviewed, give reason. (3) If all or no property recovered so state. If partial recovery, list property recovered, description and value as it appears on original stolen or lost report.

2-9-78, 0050hrs contacted by off CALLAHAN in the IB who advised RO that a 1971 Mercury Cougar, Cal lic 429DAY was being towed to the IB to be processed Off CALLAHAN advised that the veh had been involved in a PC 187 in which the body had ~~been~~ not been loc.

Upon arr of the veh, RO took 35mm cover shots of the veh for ID purposes. Photos of the interior of the veh were taken & these photos will show the evidence booked as listed below.

(2) Weapons were recovered from the veh. A Hunting knife, described below, as item #5 was recovered from under the front left front seat of the veh & a 25 caliber automatic pistol described as item #1 below was recovered from the under the same seat. The pistol could be seen from the rear seat area. Upon checking this weapon, RO noted that there was (1) round in the chamber, (2) rounds in the magazine, that the hammer was in the furthest back position, & that the weapon was on safe. The items of evidence were collected & packaged as to their loc in the veh as which they were found. Items #1-8 were recovered from under the left front seat, items 9-14 were recovered from the right front floorboard, items #15-17 were recovered from the right rear floorboard, item #18 was recovered from under the right front seat, items 19 & 20 were recovered from the left rear floorboard, items 21-23 were recovered from the top of the center console, items 24 & 25 were recovered from the ledge by the rear window, item #26 was recovered from the center console & item #27 was recovered from the glove box.

RO determined tht the veh was too wet to process for latent fingerprints at this time, however items recovered were dusted. The items dusted were as follows.

If additional space is required, use Continuation Report, Form 3-C		Time Called In 0550hrs	Time Typed 0720hrs	By RH	TOTAL VALUE \$
Supervisor Sgt. GARNSEY	Officer(s) Reporting BONESTEEL 173	Coded By		Filed By	
Approving Sgt.	Review Sgt.	Xeroxed By		Total Copies	

FORM 3.10

FOLLOW-UP REPORT

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FRESNO POLICE DEPARTMENT
CONTINUATION REPORT

Page Number

2

Case No
78-5819

2-9-78

GREYBEAL, Theresa, Kay

ASSIST PSG(PC 187,
CVC 10851)

Items #1,3,5,6,7,8,9,10,15,16,17,18,19,20 & 22. RO was able to lift smudges & smears but no prints of any comparison value.

At the request of det L. BROWN & G. SNOW, RO swabbed the hands of the 4 suspects using the q-tips supplied in the neutron activation analyses kit. In each case a control swab was taken & then both hands were swabbed. The hands of Marlin LEWIS were swabbed at ~~1345~~ 0345hrs. The hands of Teena TOPPING was swabbed at 0355hrs. The hands of Christina MENCHADA were swabbed at 0405hrs, & the hands of Douglas STANKEWITZ were swabbed at 0410hrs. Each of the suspects with the exception of STANKEWITZ stated they had not washed their hands this eve. STANKEWITZ stated that he had washed his hands at approx 2300hrs.

The above described veh remained at the IB until arrangements were made by the SO to pick up same. The veh was then towed from the IB for storage by the PCSO.

LATENT EVIDENCE RETAINED: NONE

PHOTOGRAPHIC EVIDENCE: 35 mm color photos of veh & contents.

PHYSICAL EVIDENCE:

1. (1) TITAN 25 caliber automatic pistol. Serial number removed.
2. (1) W-W 25 caliber automatic bullet from the chamber of the weapon.
3. (1) magazine with (2) W-W 25 caliber automatic bullets from the weapon.
4. (1) black leather holster for weapon.
5. (1) hunting knife & leather sheath, SAFARI HUNTER brand with bone handle; 10 3/4 inches overall length, 6 inch blade length.
6. (1) Pepsi can (empty)
7. (1) open pack Virginia Slims Cigarettes.
8. (1) pr of sunglasses, blu & red plastic frames.
9. (1) pink hairbrush.
10. (1) black hairbrush.
11. (1) envelope addressed to Valente CONDERO; 3761 S Goldenrod, Kerman.
12. (1) red bandanna
13. (1) Levis type jacket, size medium.
14. (1) button with question mark & (Whats in a Name) on same.
15. (1) carton Virginia Slims cigarettes, 3 packs missing.

CONTINUATION REPORT

FRESNO POLICE DEPARTMENT
CONTINUATION REPORT

Page Number

2

Case No.
78-5819

2-9-78

GREYBEAL, Theresa, Kay

ASSIST FSO (PC 187,
CVC 10851)

Items #1,3,5,6,7,8,9,10,15,16,17,18,19,20 & 22. RO was able to lift smudges & smears but no prints of any comparison value.

At the request of det L. BROWN & G. SNOW, RO swabbed the hands of the 4 suspects using the q-tips supplied in the neutron activation analyses kit. In each case a control swab was taken & then both hands were swabbed. The hands of Marlin LEWIS were swabbed at ~~1245~~ 0345hrs. The hands of Teena TOPPING was swabbed at 0355hrs. The hands of Christina MENCHADA were swabbed at 0405hrs, & the hands of Douglas STANKEWITZ were swabbed at 0410hrs. Each of the suspects with the exception of STANKEWITZ stated they had not washed their hands this eve. STANKEWITZ stated that he had washed his hands at approx 2300hrs.

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PHOTOGRAPHIC EVIDENCE: 35 mm color photos of veh & contents.

PHYSICAL EVIDENCE:

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4. (1) black leather holster for weapon.
5. (1) hunting knife & leather sheath, SAFARI HUNTER brand with bone handle; 10 3/4 inches overall length, 6 inch blade length.
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7. (1) open pack Virginia Slims Cigarettes.
8. (1) pr of sunglasses, blu & red plastic frames.
9. (1) pink hairbrush.
10. (1) black hairbrush.
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12. (1) red bandanna
13. (1) Levis type jacket, size medium.
14. (1) button with question mark & (Whats in a Name) on same.
15. (1) carton Virginia Slims cigarettes, 3 packs missing.

~~147~~ 147A

FRESNO POLICE DEPARTMENT
CONTINUATION REPORT

* Page Number

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Case No.
78-5819

2-9-78

GRAYBEAL, Theresa, Kay

ASSIST FSO (PC 187
CVC 10851)

16. (1) carton Camels cigarettes; sealed.
17. (1) carton Camels, 1 pack missing.
18. (1) carton Camels, sealed.
19. (1) Pepsi can empty.
20. (1) Black leather belt with silver buckle with green stone.
21. (1) letter in Spanish addressed to Valente CONDERO; 3761 S Goldenrod, Kerman.
22. (1) pack Camel cigarettes.
23. (1) brown leather wallet containing:
 - A. \$8.00 in one dollar bills.
 - B. Photo of Michael HERNANDEZ
 - C. Misc papers (No ID)
24. (1) brown hairbrush.
25. (1) wine colored womans sweater.
26. Contents from center console.
27. Contents from glove box.
28. Neutron kit on the hands of LEWIS, Marlin.
29. Neutron kit on the hands of STANKEWITZ, Douglas.
30. Neutron kit on the hands of TOPPING, Teena.
31. Neutron kit on the hands of MENCHADA, Christina.

Sgt GARNSEY
BONESTEEL 173
RH/0550hrs

1476

WEAPON DISPOSITION

CASE NO: 78-5819

CASE TITLE: PC 187

OCCURRED ON: 2-8-78

WEAPON: Titan .25 Ca . automatic handgun, Serial #146425

OWNER: In possession Douglas Starkewitz

PERSON REQUESTING: FSO Detective T. Lean

DATE TELETYPE SENT: AFS _____ CII _____

AFS SHOWS REGISTERED OWNER AS: Unknown

CII SHOWS: NO FELONY CONVICTION FOLLOW-UP MADE
 FELONY CONVICTION

SYNOPSIS OF CASE:

The above weapon was used in a PC 187 authority FSO. On 2-10-78 Detective L. Brown was contacted by Detective T. Lean of the FSO requesting release of weapon to them for prosecution of their case. R O received permission from Capt. Mockalis and weapon was turned over to FSO Detective T. Lean. Our department has no interest in the weapon at the present time.

COURT ORDER DESTROY
 COURT ORDER RELEASE TO: _____
 WEAPON CLEAR FOR RELEASE TO: FSO Detective T. Lean
 OTHER (EXPLAIN): _____

FROM: OFFICER D. W. Brown #189 SUPERVISOR: E T Mockalis

E. T. Mockalis, Captain

DATE: 2-10-78 DATE APPROVED: 2-14-78

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REQUEST FOR EVIDENCE EXAMINATION

PLEASE TYPE OR PRINT

DATE 2-10-78
TIME 1954

CRIME CLASSIFICATION PC187, 207, 211, CV10851
VICTIM (Suspect) T. Gray Bear
I.D. OFFICER

DATE COMMITTED 2-8-78
CASE NO. 78-1809

ITEM NO.	DESCRIBE EACH ITEM OF EVIDENCE TO BE EXAMINED
(1)	TITAN 25 cal. Automatic, Ser # Removed
(2)	Expanded 25 cal shell casing found + scene

TYPE OF TESTS, ANALYSIS, OR EXAMINATION REQUESTED

Compare Ballistically for match.

INVESTIGATING OFFICER T. Lion
AGENCY FSP

FOR LABORATORY USE ONLY

EXAMINATION RESULTS

The 25 cal case found at the scene was compared to test fired bullets from the TITAN pistol, # 146425. Comparison of the impression marks left by the firing pin and extractor shows that the cartridge case was fired from the TITAN pistol.
2-11-78

EXAMINER'S SIGNATURE: Allen J. Anderson

FRESNO COUNTY SHERIFF'S DEPARTMENT
REQUEST FOR EVIDENCE EXAMINATION

NO. 749
DATE 4/10/78
TIME 11:45 AM

PLEASE TYPE OR PRINT

CRIME CLASSIFICATION

VICTIM (Suspect)

I.D. OFFICER

187
Douglas Stankevitz

DATE COMMITTED

CASE NO.

28-1809

ITEM NO.	DESCRIBE EACH ITEM OF EVIDENCE TO BE EXAMINED
	- one .25 cal auto taken from suspect

TYPE OF TESTS, ANALYSIS, OR EXAMINATION REQUESTED

Powder Burn Test to determine distance gun fired - compare w/ photo this case

INVESTIGATING OFFICER
AGENCY

James A. [Signature]
Chief Deputy DA

FOR LABORATORY USE ONLY

EXAMINATION RESULTS

Following test firing of the Titan, 25 cal. pistol, serial # 146425 the stippling patterns obtained were compared to a scale photograph of the pattern on Teresa Graybeal's face. The shot was fired at a distance of 6 inches to 12 inches.
6-14-78

EXAMINER'S SIGNATURE:

[Signature]

1229 Date & Time Reported to P. D. 2-8-78, 2304hrs		Type: (Stolen or Embezzled) STOLEN VEH. (OUT OF TOWN)		Case No. 78-5819	
Date and time occurred** 2-8-78, 1700-2304hrs		Location of occurrence** Modesto California		Reporting Division** B/01	
Present Owner (or Firm name) PAWLOWSKI, Gerald, Charles		Res. Address (or Bus. Address) [REDACTED]		Res. Phone unk	
Person last driving vehicle unk		Residence Address [REDACTED]		Bus. Phone	
Person reporting occurrence to P. D. RO		Residence Address		Res. Phone	
Legal Owner PAWLOWSKI, Gerald, Charles		Res. Address (If individual) [REDACTED]		Bus. Address (If firm)	
Witnesses: Name Race - Sex - Age 1 N/A		Residence Address		Res. Phone	
Type of premises (location of vehicle) City street		Year Make 1971 Mercury Cougar, 2dr		Color or color combination White over Burgundy	
License No. State Year [REDACTED] California 79		Motor No. [REDACTED]		Ignition locked? Yes	
Recovered and/or Impounded Vehicles: Describe condition only (include evidence of stripping, tampering, etc.) Accessories (See inventory report form)				Doors locked? NO	
If impounded, give reason Involved in PC 187 (Homicide)		Available for release? (If not, explain) NO (Involved in Homicide)		Keys in vehicle? YES	
Disposition of vehicle (If impounded, name and location of garage) In cust FSO basement garage		Location of theft & type of premises Modesto California, nfi		Regis. in vehicle? UNK	
If recovered vehicle, date & time of theft 2-8-78, 1700hrs		Identify suspects by number, give name - address - sex - race - age - height - weight - hair - eyes - compl. - clothing (See Body of Report)		Reporting Division FIELD	

(1) Circumstances surrounding occurrence(s). (2) Stolen Vehicles - (describe any property in vehicle at time of theft which suspect might pawn or sell.)
 (3) Impounded vehicles - (describe any physical evidence that may connect vehicle with a crime).

(See body of Report)

RELEASE AND WAIVER

Know all men by these presents: That I, _____ of the city of _____ County of _____, State of California, do by these presents, for myself, my heirs, executors, administrators or assigns, release each, every and all duly appointed Peace Officers of any city, county or city and county of the State of California, or of the California Highway Patrol of the State of California, from any claim, action, demands, dues, sums of money, controversies, trespasses, judgments, executions, claims and demands whatsoever, in law or in equity. I ever had or now have or which I, or my heirs, executors, administrators or assigns, hereafter can, shall or may have against any Peace Officer or Peace Officers, for, upon or by reason of any matter, cause, or thing whatsoever, as a result of said Peace Officer or Peace Officers recovering, holding, storing, or conveying, the above described vehicle, which I have this day reported as stolen and which is now out of my possession. This release and waiver will remain in effect until such time as above described vehicle shall be recovered and again be in my possession.

SIGNATURE OF PERSON MAKING REPORT

** If a stolen and recovered are incorporated in one report, enter data pertaining to the recovery.
 If additional space is required, use Continuation Report, Form 3.C

Supervisor Approving LT LARGE	Officer(s) Reporting J. CALLAHAN 386/RODRIGUEZ 342	B. C. No.	Date	A. P. B. No.	Date
		Indexed	Checked		

STOLEN VEHICLE REPORT

FRESNO POLICE DEPARTMENT
CONTINUATION REPORT

Page Number

2

Case No.

78-5819

2-8-78

(Owner) PAWLOWSKI, Gerald, Charles

STOLEN VEH

VICTIM:

GREYBEAL, Theresa, Kay, WFA21, CDL: [REDACTED]
[REDACTED] St, Modesto Cal. 5-6, 135, brn/red
(Deceased)

REFERENCE CASES:

#1: Modesto PD, Case number 78-06706
#2: FPD Standard Crime Report number 78-5819

SUSPECTS:

TOPPING, ~~ZZA~~ Teena, Elaine, Indian FA, 19yrs,
[REDACTED], SSN: [REDACTED], Resides at [REDACTED]
[REDACTED], Cal. 5-1, 130, brn/brn,
blu levis, pink sweater, brn thongs, IN cust
FCJ, PC 187, PC 211, PC 207, CVC 20851.

SUSPECT #2:

STANKEWITZ, Douglas, Raymond, Indian MA21, [REDACTED]
resides at 4th & Auburn, Clovis, Cal. 6-1, 190,
brn/brn, Blu cords, white sleeveless t-shirt, blk &
white shoes, In Cust FCJ, PC 187, PC 211, PC 207,
CVC 10851.

SUSPECT #3:

LEWIS, Marlin, Edwin, Indian MA, 22, 3-8-55,
SSN: [REDACTED], Resides at 1410 #F/3rd st, Sacramento
Calif. 5-3, 122, brn/blk, wearing blu levis, blu
cloth jacket, blu t-shirt, tan suede shoes, In cust
FCJ, PC 187, PC 211, PC 207, CVC 10851.

SUSPECT #4:

MENCHASE, Christina, Garcia, AKA: Chris, MFA25,
[REDACTED] Resides at [REDACTED] Cal. 5-1,
135, brn/blk, wearing rust pants, rust & tan sweater,
brn sandals, In cust FCJ, PC 187, CVC 10851.

SUSPECT #5:

BROWN, Billy, Willis, Indian MJ14, [REDACTED]
[REDACTED], Cal. 5-6, 129, brn/blk, Blu levis,
gold shortsleeve shirt, In custody (See FSO Report for
disposition)

WITNESSES:

GONZALES, Resendo, Viva, MMA48, 3-5-29, [REDACTED]
[REDACTED] employed as Security [REDACTED]
[REDACTED] st, Bus Dr: [REDACTED], Night
Security, Olympic Hotel [REDACTED]

WITNESS #2:

HERNANDEZ, Patricia, mmn, [REDACTED]
[REDACTED] brn, wearing brn
shoes, brn pants, blu sweatshirt, ylw blouse.

ASSISTING OFFICERS:

#1: R.H. RODRIGUEZ #342
#2: Sgt Ron DOWNS #54
#3: Det G. SNOW #207
#4: Det L. BROWN #189
#5: W. MC DANIEL: FSO

CONTINUATION REPORT

2-8-78

(OWNER) PAWLOWSKI, Gerald, Charles

stolen VEH

TOW SERVICE:

MEL West Towing, [REDACTED],
[REDACTED] towed to FPD for processing, later
transported to FSO garage for safekeeping.

2-8-78, ²²³⁰ 2304hrs, Detailed to the area of 310 S 'G' st to meet with deputy Willie McDANIEL of the FSO re a poss 187 vict. 2035hrs, contacted det MC DANIEL who advised RO that he had a witness/susp with him who had witnessed a homicide earlier this date. He stated that the witness advised him that the homicide had taken place within a 3blk radius of the downtown china town area of Fresno. At this time McDANIELS requested our assistance in checking the area for the remains of the deceased. MC DANIELS explained to ROs that the area details of the area that we should be looking for would be a rail searching in would be near railroad tracks, however with some residential dwellings nearby. At this time ROs began searching the SP RR tracks from Fresno S/B to Church for the deceased.

MC DANIELS informed ROs that the deceased was poss a WF, with red hair wearing blu clothing, nfd. ROs assisted det MC DANIEL & his witr- susp for approx 30min covering several areas in the downtown chinatown area that met the description given by the susp.

After a 30min search, ROs stopped & recontacted det MC DANIELS & the witr/susp BROWN & it was agreed tht all should return to the area of the Olympic Hotel at 1435 Kern st where they had originally left frm. ROs proceeded back to the area & upon arr in the area of [REDACTED] while W/B on Kern st, RO noted what appeared to be 2 MFs standing in the doorway of the Olympic hotel. Upon passing by, one of the MF subjects ran upstairs & the other ran across the street to a veh. At this time MC DANIELS noticed to ROs tht rolled down his window & advised ROs that those females were poss involved in the homicide & requested that we stop them. At this time ROs made a U-turn in the middle of the 1400 blk of Kern & proceeded E/B & positioned themselves behind the veh that the MF subj had gotten into, this being the above listed 1971 Mercury Cougar. At tht

ROs effected a fel car stop & removed the susps in the following order; from the right front passenger seat came susp STANKWITZ, From the right rear passage seat came susp TOPPING, From the left rear passenger seat came susp LEWIS. All of the subjects were at this time taken out of the veh & placed into custody. At tht

At this time, it should be noted that ROs recognized the veh as one being BC earlier in the shift as a poss missing person in veh.

RO was contacted at this time by security off GONZALES who advised RO that he is a night watchman at the Olympic Hotel, [REDACTED] Kern st. GONZALES stated that the other female had run upstairs & into room #5 of the hotel. At this time RO proceeded into the Olympic Hotel & went to the 2nd floor into the area in which room #5 was. At this time RO knocked on the door accompanied by the security g & the door was open by witr HERNADEZ. At this time RO noted the MF later IDE

FRESNO POLICE DEPARTMENT
CONTINUATION REPORT

Page Number

4

Case No.

78-5819

2-8-78

(OWNER) PAWLOWSKI, Gerald, Charles

Stolen VEH

as Christina MENCHACA laying on the bed & recognized her as being the from the clothing as being the MF that had ran into the motel upon ROs arr. This was further confirmed by GONZALES who stated that she had run past him & into the room. At this time MENCHACA was also taken into custody.

RO questioned GONZALES further re the incident & stated that he had been standing in the doorway at approx the 4th or 5th step up & had observed the 2 female walk into the doorway of the Motel. He stated that they stopped & talked for a minute & he asked them if they lived there. GONZALES stated that MENCHACA stated she lived in room #5. GONZALES stated at this time, ROs veh past by & that the susp later IDed as MENCHACA ran upstairs to room #5 & that the 2nd girl was being susp TOPPING ran back across the street & got into the veh prior to ROs stopping them.

RO contacted Patricia HERNANDEZ in rm #5 asking her when the MF had arr. HERNANDEZ stated that she had just just run into the rm a few min before & related the following info, HERNANDEZ stated that MENCHACA had said to her that they had just killed a girl for her money & that her car was across the street from the Olympic Hotel. At this time HERNANDEZ further advised RO that a knife & a gun were still in the veh at this time, RO advised off RODRIGUEZ that there was still poss a weapon outstanding in the veh. HERNANDEZ further advised RO that the MENCHACA had told her that the body was either in Calwa or Malaga, she couldn't remember which. At this time HERNANDEZ was released pending further investigation.

All suspects transported to FPD for booking prior to being lodged in FCJ.

Upon arr at the PD, RO contacted det SNOW, det BROWN & advised them of the circumstances surrounding the case at which time they began a separate investigation.

Off RODRIGUEZ advised RO that upon checking the interior of the veh, that he opened the drivers door & observed what appeared to be a 25 automatic revolver to be lying on the floor just under the partially concealed by the drivers seat also laying next to the gun was a black holster with a metal belt clip. ROs could not remove the gun observed leaving this for the IB to handle. (See IB follow-up)

ROs then continued search for poss vict in this case & was later advised by det SNOW that the body might poss be in the Calwa area. Det SNOW & BROWN & ROs along with Sgt DOWNS proceeded to the Calwa area to begin checking for the poss vict. Victims body was recovered at the corner of 10th & Vine at approx 0123hrs, 2-9-78. (See DET SNOWs Standard Crime Report form same case number)

ROs then requested the SO respond to the loc as it was in the county & were released at the scene by FSO Sgt GADDY.

LT LARGE

CALLAHAN 386/RODRIGUEZ 342

CONTINUATION REPORT

0402/RH

FOLLOW-UP REPORT

1228/HOT		Type of Original Report (PC 187)	Case No.
2-15-78		STOLEN VEHICLE RECOVERED	78-5819
2-8-78		Location of occurrence	Reporting Division
		Tenth & Vine	Patrol
GREYBEAL, Theresa Kay		Last connecting property reported by type and Case No.	
Race Sex Age		FSO 78-1879 & Modesto PD 78-06706	
Personal information from prior report		Residence Address	
Name arrested		Date	Court Date
POPPING, Teena Elaine IFA-19			
STANKWITZ, Douglas Raymond IMA-21			
LEWIS, Marlin Edwin IMA-22			
MENCHACA, Christina Garcia MFA-25			
BROWN, Billy Willis MMJ-14			

ASSISTING OFFICER:

- #1 SGT R. DOWNS, 54
- #2 CASE/232
- #3 DANISI/371
- #4 MATULICH/411

2-18-78 at approx 2220 hrs, Wednesday

RO along with Officer J. CALLAHAN, badge number 386, were working uniform patrol on the westside area, when dtld to the area of 300 S. G street to await the arrival of a FSO deputy who had information on a poss 187 vict.

FSO DET W. McDaniel, arrived at approx 2235 hrs and in his company was the susp #1, Billy BROWN. ROs obtained information that the body of the vict was possibly located in the area of [redacted] street and a search was started. ROs followed directions provided by the susp #5, BROWN, however, were unable to locate the vict's body. ROs feeling that the search could be expedited if the susp BROWN will return to the area of the Olympic Hotel, 1435 Kern, where he remembered being earlier.

ROs along with DET MCDANIEL, and the susp BROWN, drove to Kern & S street, proceeding w/b in front of the Olympic Hotel. ROs at this time observed two females later IDed as the susp #1, POPPING & susp #4, MENCHACA, standing

1945 hrs	0300 hrs	rad	TOTAL VALUE \$
LT PESOLA	CALLAHAN/386 & RODRIGUEZ/342		

FOLLOW-UP REPORT

(PC 187)

7-15-78

GREYBEAL, Therese Kay STOLEN VEH RECOVERED

in front of the Olympic Hotel. ROs and DET Mc DANIEL, continued w/b at which time DET Mc DANIEL advised by voice that the two females in front of the hotel were wits to the PC 187.

Officer CALLAHAN turned RO's patrol veh proceeding e/b on Kern. ROs then observed the veh described in a broadcast, made by FPD dispatcher as belonging to a missing person from Modesto, poss PC 187 vict, parked against the south curb of Kern, west of F street, facing eastbound. The veh was described in the prior broadcast as a 1971 mer cougar, white over burgundy, Calif lic 429DAY. Officer CALLAHAN at this time positioned RO's patrol veh approx 15 ft behind the susp veh, off set to the left. ROs observed three persons inside the veh, two in the rear seat area and one in the right front passenger area.

PO RODRIGUEZ positioned himself on the sidewalk area, approx 15 ft and to the right side of susp veh to provide cover. Officer CALLAHAN positioned himself to the left of RO's veh, then made a radio broadcast as regarding the stop and requesting assistance. Officer RODRIGUEZ remained in his position while officer CALLAHAN utilized the P.A. system in RO's vehicle to order occupants of the veh to place their hands in plain view, all three occupants were observed to immediately comply with officer CALLAHAN'S orders. Officer CALLAHAN then ordered the passenger in the right front seat to open the door and get out with his hands raised. (Assisting officer later arriving at this time.) PO observed the 1st person to exit the veh, to be a male, later filed as susp STANKWITZ. Susp STANKWITZ, after exiting the veh, from the right passenger door was ordered to turn around with his back to PO RODRIGUEZ. STANKWITZ immediately turned around as ordered. STANKWITZ was then ordered to walk backwards, (approx 6 steps) stop, kneel down, cross his feet, place his hands behind his head, interlacing his fingers in his hair. STANKWITZ complied with each command given by officer CALLAHAN and only had to yell once on each movement. PO observed STANKWITZ to have no difficulty in exiting the veh, turning around when ordered without difficulty and walked backward with ease in a straight line. No unusual actions were observed made by STANKWITZ. STANKWITZ was then ordered to remain in this position as the 2nd susp was ordered from the veh. The 2nd susp, later filed as susp PERRIN, was ordered to exit the right rear door of the veh. Officer CALLAHAN then gave the same commands to PERRIN as were given to STANKWITZ. PERRIN complied with each command and had no difficulty or unusual actions. Susp PERRIN was ordered to remain in this position while the 3rd susp was removed.

The 3rd susp in the veh exited from the left rear area through the right passenger door. This susp was later filed as Verlin LEWIS. LEWIS was ordered to exit in the same manner as the 1st two susps and ordered to make the same turning movements and positioned himself in the same manner as the other susp. LEWIS turned and walked without difficulty and no unusual movements or actions were observed.

GREYBEAL, Theresa May

STG VEH RECORD 211

At the orders of officer CALLAHAN, assisting officer D. CASE, was told to handcuff all susps. Susps STANKWITZ, POPPING, LEWIS, were handcuffed and separated. Officer CASE took custody of susp LEWIS, assisting officer RODRIGUEZ, took custody of POPPING & assisting officer MATULICH took custody of susp STANKWITZ. All susps were then searched for weapons and were kept separated and no talking was allowed.

Officer CALLAHAN & officer DANISI then entered the Olympic hotel, 1435 West 1st for the purpose of locating the second female observed outside of the hotel. Within approx 5 minutes, officer DANISI, exited the Olympic Hotel with a female, later IDed as susp MENCHACA. All susps were then placed into separate patrol vehs for transporting and security purposes. PO RODRIGUEZ then received a radio broadcast from officer CALLAHAN, advising him that the weapon used in the PC 187 was possibly still in the vict's veh. PO checked the interior portion of the veh, through the passenger door and observed two cartons of camel cigarettes on the right rear floorboard area and three papers. PO observed a red & white bandanna in a blk denim jacket on the right front passenger seat, which had been occupied by susp STANKWITZ. PO then went around to the driver's door, opening same. PO RODRIGUEZ observed a small holster with a metal belt clip attached on the left rear floorboard area. PO further observed the barrel portion of the gun, sticking out in plain view, from beneath the rear portion of the driver's seat. No evidence of alcoholic beverages or any other contraband were observed at this time inside of the veh. All items observed were left in their positions, pending removal by the I. E. personnel. (See IB follow-up, this case.)

Victim's veh was then inventoried and towed to SPD basement by Mel WEST Towing, 1244 N. Thosta.

Was transported sus P. PHILL, after receiving a tire and mileage check to the I. E., pending further investigation. Susps STANKWITZ, LEWIS, & MENCHACA were transported to I. E. in separate vehs. Upon arrival at the I. E., they were met with DET STEWART & DET BROWN/129 who were assigned to handle the transportation and interviews.

Officer PHILL was instructed by Sgt. J. DAVIS of which it informed that Sus P. PHILL was the 1st individual who was identified as the suspect in the PC 187. P. PHILL appeared as unusual. He was accompanied by POPPING and a 1st detect to the I. E. PHILL observed the eyes of the 1st detect on the person of POPPING. He observed the eyes of the 1st detect on PHILL, observed by PHILL to be a normal state. PO after obtaining this information on sus P. PHILL, went to the location of the sus P. PHILL.

Sus STANKWITZ was observed sitting down inside of a holding cell, located in the DET division and this time was contacted by P. RODRIGUEZ. Sus STANKWITZ immediately responded to P's inquiry as to being interviewed and walked from the rear portion of the holding cell to the bars where P.

2-15-78

GREYBEAL, Theresa Kay

STOLEN VEH RECOVERED

was standing. STANKEWITZ answered all questions regarding his identity to ROs and RO RODRIGUEZ could observe no signs of intoxication on STANKEWITZ. RO noted that he spoke in a clear voice and that no odor of alcohol was detected on the person of STANKEWITZ and that his manner of walking and did not appear unusual. ROs in looking at the eyes of susp STANKEWITZ could observe no unusual condition.

RO RODRIGUEZ then contacted susp #3, LEWIS, who was being detained in a DET's interview room in the company of assisting officer CASE. LEWIS responded to RO's questions, RE: His identity and RO could observe no unusual actions or signs of intoxication on the susp #3, LEWIS. LEWIS was observed to answer quickly to RO's questions and was cooperative at this point. RO noted no unusual action or gestures made by susp #3, LEWIS.

RO contacted susp #4, MENCHACA, who was being detained in a det's office in the company of assisting officer DANISI. MENCHACA 1st furnished RO with IDing information and RO could observe no odor of alcohol about the person of susp MENCHACA and noted her speech to be clear and that she answered all questions, promptly. RO observed no other signs of alcohol or drug influence on susp MENCHACA.

RO along with officer CALLAHAN then returned to the Olympic Hotel for the purpose of picking up an additional wit. ROs contacted and advised WIT HERNANDEZ that her presence was requested at FPD HQ at which time ROs transported WIT HERNANDEZ to the DET's division for further interview.

Upon arrival at FPD HQ, ROs were advised to place the WIT HERNANDEZ in the DET division and immediately respond to the area of Railroad & Van Ness, to resume the search for the vict's body. ROs responded to the area and were later summoned to the Calwa area by DETs BROWN & SNOW. ROs in responding assisted in the field search for the vict's body and were notified that the vict's body had in fact been located at the corner of Vine & Tenth Street.

ROs remained at this location until relieved at the scene by FSO deputies and FSO sergeant GADDY.

LT PESOLA
RODRIGUEZ/342
CALLAHAN/386

rad

PROPERTY POLICE DEPARTMENT
INVENTORY FORM

Check for police hold

Case Number: **7E-5719**
 Date: **2-8-78**
 Description of Vehicle: **PATROL**
 Year: **71** Make: **CADILLAC** Body Type: **COACH** Year: **2/79** State: **CA** License No. [REDACTED]
 Vehicle Identification No. (VIN): [REDACTED] Engine Number (EN): [REDACTED]
 Registered Owner: **PAWELSKI, GERALD CHRIS** Address: [REDACTED] City: **MODESTO** State: [REDACTED]
 Legal Owner: [REDACTED] Address: [REDACTED] City: [REDACTED] State: [REDACTED]
 Driver or Person Last in Possession: [REDACTED] Address: [REDACTED] City: [REDACTED] State: [REDACTED]

CIRCUMSTANCES SURROUNDING (IMPOUND) RECOVERY-STORAGE
 Name of Garage: **MEL WEST TOWING** City: **FRESNO**
 Location from Which Towed: **1400 KERN**
 Person Reporting Occurrence: **R. RODRIGUEZ / J. CALLAHAN** City: **FPD**
 Location of Vehicle: **(Driveable)**
 Time and Date Towed: **0030, 2-9-78**
 Time and Date Reported: **2233, 2-8-78**
 Phone No.: [REDACTED]
 Cracked? Stripped?

VEHICLE INVENTORY				Condition	List Property Tools Other Items	
Yes	No	Yes	No			
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Spotlight(s)	<input checked="" type="checkbox"/>	L.F. Tire	GOOD	2 CTNS CAMEL CAS
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Foglight(s)	<input checked="" type="checkbox"/>	R.F. Tire		1 CTN VIOLET SUN CAS
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Bumper (Front)	<input checked="" type="checkbox"/>	R.R. Tire		
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Bumper (Rear)	<input checked="" type="checkbox"/>	L.R. Tire		
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Motor	<input checked="" type="checkbox"/>	Spare Tire		
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Battery	<input checked="" type="checkbox"/>	Wheels		
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Air Conditioner	<input type="checkbox"/>	Fenders		
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Hub Caps	<input checked="" type="checkbox"/>	Body Hood		
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Fender Panels	<input checked="" type="checkbox"/>	Top		
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Transmission	<input checked="" type="checkbox"/>	Grill		
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Jack	<input checked="" type="checkbox"/>	Upholstery		

REMARKS: **MINOR DING, RIF FENDER MARKS**
 (If mirror is made give all items charges, where booked)
VEH POSSIBLY INVOLVED IN PC187 - P. WICK HEAT
VEH TOWED TO FPD JUNE 29 1978
TO FSC - 2-9-78
TOWED BY [REDACTED]

Officer entering vehicle stored (signature): **[Signature]**
 SAGE No: **350**
 Garage principal or legal storing vehicle (signature): **[Signature]** Date: **2-9-78**
 If Notices Have Not Been Sent Indicate Reason: _____
 Impound Release: _____
 Vehicle Description: _____

Signature: _____
 OWNER OR LEGAL OWNER OR AGENT OF OWNER
 I hereby certify that I am legally authorized and entitled to take possession of the vehicle described above.

FRESNO COUNTY SHERIFF'S DEPARTMENT
Fresno, California

69. CASE

78-39-26 MR

78-1809-FSO

FPD 78-5819

Modesto Missing
Person #78-06706

DATE 2-8-78 Follow-Up

70. CODE SECTION	71. CRIME	72. CLASSIFICATION		
73. VICTIM'S NAME - LAST, FIRST, MIDDLE (FIRM IF BUS.)		74. ADDRESS	BUSINESS	75. PHONE

This report pertains to a Follow-Up investigation of the report written by Deputy PRINCE on a possible PC 187.

2143 hours on 2-8-78 R/O was dispatched to ~~██████████~~ regarding the above traffic.

Upon arrival at the location, R/O contacted Deputy PRINCE. Deputy PRINCE was in a bedroom with a subject who identified himself as Billie BROWN (~~██████████~~).

When asked by R/O if he had any information on a possible PC 187, BROWN related the following: He (B. BROWN), Tina TOPPING, Doug STANKEWITZ and Marlf LEWIS were enroute to Fresno, California in an unknown year Oldsmobile vehicle white in color, from Sacramento, California. North of Modesto their vehicle was stopped at gun point by officers from an unknown police department. BROWN further related that he, STANKEWITZ, LEWIS and TOPPING were arrested then later released for a possible VC 10851. The (4) four of them hitchhiked a ride to Modesto where they were let off.

They walked to a shopping center near a K-Mart Store. BROWN related he was waiting inside the store. STANKEWITZ and T. TOPPING were outside observing victim and followed her to her vehicle. STANKEWITZ entered passenger side as TOPPING pushed victim inside the vehicle and entered after her on the driver side. BROWN and LEWIS also entered the vehicle. Teena TOPPING, while driving, asked victim if she had any money and if she did, give it to them.

REPORTING OFFICERS McDaniel	RECORDING OFFICER McDaniel 2D19	TYPED BY kj	DATE AND TIME 2-9-78 1255	ROUTED BY
FURTHER ACTION <input type="checkbox"/> YES <input type="checkbox"/> NO	COPIES TO: <input checked="" type="checkbox"/> DETECTIVE <input type="checkbox"/> CII <input checked="" type="checkbox"/> JUVENILE <input type="checkbox"/> PATROL <input checked="" type="checkbox"/> DIST. ATTN. <input checked="" type="checkbox"/> CC FPD <input type="checkbox"/> SO./PD. <input type="checkbox"/> OTHER	REVIEWED BY <i>Ala's office</i> DATE		

FRESNO COUNTY SHERIFF'S DEPARTMENT
Fresno, California

69. CASE NO.

78-39-26

DATE _____

-2-

70. CODE SECTION	71. CRIME	72. CLASSIFICATION		
73. VICTIM'S NAME - LAST, FIRST, MIDDLE (FIRM IF BUS.)		74. ADDRESS	BUSINESS	75. PHONE

Victim advised they could have \$30.00, her watch, make-up and rings.

BROWN related there was an uneventful ride to Fresno until they stopped at the Joy-N-Joy Bar. At this location a female known to BROWN as "Chris" (Christina MENCHACA) was picked up. The five (5) of them drove with victim in victim's vehicle to the Olympic Hotel at 1435 Kern. The female Christina exited the vehicle to make an apparent purchase of Heroin then returned.

They drove around for a short time then stopped the vehicle at an unknown location on a dark street near a white fence. D. STANKEWITZ and victim exit the passenger side as M. LEWIS exit from the rear seat passenger side. The (3) three of them walked a few steps from the vehicle. Victim stated, "At least you could have dropped me off at a restroom." Victim was standing with her back slightly towards the two subjects outside the vehicle. BROWN related he observed STANKEWITZ aim with the right arm, holding the wrist with his left hand. A flame was observed as STANKEWITZ's hand was observed to jerk upwards.

BROWN stated at that time he requested that he be taken home. He was transported to his residence and let off. At his residence BROWN related the incident to Deputy PRINCE, who requested R/O. See PRINCE MR 78-39-26.

2231 hours 2-8-78 R/O transported B. BROWN to the Chinatown area (West Fresno) in an attempt to locate the scene of occurrence. The area was searched until 2323 hours.

REPORTING OFFICERS McDaniel	RECORDING OFFICER Same	TYPED BY kj	DATE AND TIME 2-9-78 1400	ROUTED BY
FURTHER ACTION <input type="checkbox"/> YES <input type="checkbox"/> NO COPIES TO: <input type="checkbox"/> DETECTIVE <input type="checkbox"/> CII <input checked="" type="checkbox"/> JUVENILE <input type="checkbox"/> PATROL <input type="checkbox"/> DIST. ATTNY. <input type="checkbox"/> OTHER <input type="checkbox"/> SO./P.D. <input type="checkbox"/> OTHER		REVIEWED BY		DATE

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FRESNO COUNTY SHERIFF'S DEPARTMENT
Fresno, California

69. CASE NO.
78-39-26

-3-

DATE _____

70. CODE SECTION	71. CRIME	72. CLASSIFICATION		
73. VICTIM'S NAME - LAST, FIRST, MIDDLE (FIRM IF BUS.)		74. ADDRESS	BUSINESS	75. PHONE

R/O, with B. BROWN as passenger, were westbound Kern in front of the Olympic Hotel. A female was observed standing near the hotel doorway. Passenger BROWN, also observing the female, fell to the floor of R/O's vehicle. P/O asked BROWN if he was acquainted with the female. BROWN replied that she was with them when the woman was killed.

R/O u-turned the unmarked vehicle and advised assisting Fresno Police Department Unit Officers CALLAHAN and RODRIGUEZ #342. The vehicle submitted on an earlier broadcast as that belonging to a missing person was observed parked on the south side of Kern headed east. The assisting Fresno Police Department Unit and R/O parked behind the described vehicle ('71 white/maroon Cougar, license [REDACTED]). Douglas STANKEWITZ, Marlin LEWIS and Teena TOPPING were ordered out of the vehicle and placed in custody. Having been advised by one of the suspects that Christine MENCHACA was in an upstairs hotel room, R/O entered the hotel and located the suspect standing in the hallway. R/O asked the subject to identify herself and she stated her name was Christine. This subject was also placed into custody.

At the above point in time the case was turned over to Fresno Police Department Sgt. Ron DOWNS for process.

0158 hours 2-9-78 R/O was advised at Fresno Police Department that the body of a deceased female was found at Vine/Tenth. R/O was also advised the scene of occurrence would be processed by Fresno Sheriff's Department.

REPORTING OFFICERS McDaniel	RECORDING OFFICER Same	TYPED BY ki	DATE AND TIME 2-9-78 1410	ROUTED BY
FURTHER ACTION <input type="checkbox"/> YES <input type="checkbox"/> NO COPIES TO: <input type="checkbox"/> DETECTIVE <input type="checkbox"/> CII <input checked="" type="checkbox"/> JUVENILE <input type="checkbox"/> PATROL <input type="checkbox"/> DIST. ATTNY. <input type="checkbox"/> OTHER <input type="checkbox"/> S.O./P.D. <input type="checkbox"/> _____		REVIEWED BY		DATE

FRESNO COUNTY SHERIFF'S DEPARTMENT
Fresno, California

69. CASE NO.

78-39-26

-4-

DATE _____

70. CODE SECTION

71. CRIME

72. CLASSIFICATION

73. VICTIM'S NAME - LAST, FIRST, MIDDLE (FIRM IF BUS.)

74. ADDRESS

RESIDENCE

BUSINESS

75. PHONE

2004 hours R/O arrived at the scene. Also at the scene was Sgt. T. GATTIE, B-177, Fresno Sheriff's Department, Deputy G. ELLIOTT, A373, Fresno Sheriff's Department, I. Bureau PREHEIM, Fresno Sheriff's Department, Fresno Police Department Units were also at the scene, Detective L. BROWN, Patrolme RODRIQUEZ and CALLAHAN.

The scene of occurrence was a low income residential area, dimly lit. The deceased was discovered at the southeast corner of Vine/Tenth, lying on a sparsely grassy area. The victim appeared to be that of a white female adult, early 20's, with long red hair. Victim was dressed in blue denim type pants with an elastic waist band, blue socks and brown earth shoes. Victim had a brown canvas type purse draped over the left arm. Victims body was on the back with face upwards. Head was towards an easterly direction, but slightly northward. Victims left arm was outstretched at an approximate 90 degree angle. The right arm was alongside the body, palm downward approximately 6" away from the body. Victims legs were spread approximately 18" wide feet outward.

There was a turquoise ring on the left hand middle finger and also a turquoise ring on the left hand ring finger.

There appeared to be blood in front of and just below the left ear lobe.

Evidence located at the scene was a king size filter cigarette at the

REPORTING OFFICERS

McDaniel

RECORDING OFFICER

Same

TYPED BY

kj

DATE AND TIME

2-9-78 1420

ROUTED BY

FURTHER ACTION YES NO

COPIES TO:

DETECTIVE CII
 JUVENILE PATROL
 DIST. ATTN. OTHER
 S.O./P.D. OTHER

REVIEWED BY

DATE

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FRESNO COUNTY SHERIFF'S DEPARTMENT
Fresno, California

69. CASE NO.

78-39-26

DATE _____

-5-

70. CODE SECTION	71. CRIME	72. CLASSIFICATION		
73. VICTIM'S NAME - LAST, FIRST, MIDDLE (FIRM IF BUS.)		74. ADDRESS	RESIDENCE	BUSINESS 75. PHONE

right side of victims head. At 3'10" from the west curb of Tenth and 55' from the north curb of Vine Street was an empty casing of a .25 caliber.

I. Bureau PREHEIM and I. Bureau DUTY processed the scene. See I. Bureau report for results.

Suspects in custody PG 836, 207, 211, 187, VC 10851:

STANKEWITZ, Douglas Ray 5-31-56

LEWIS, Marlin [REDACTED]

[REDACTED] California

MENCHACA, Christina Garcia [REDACTED]

TOPPING, Teena Elaine [REDACTED]

[REDACTED] California

BROWN, Billie [REDACTED]

REPORTING OFFICERS McDaniel	RECORDING OFFICER Same	TYPED BY kj	DATE AND TIME 2-9-78 1425	ROUTED BY
FURTHER ACTION <input type="checkbox"/> YES <input type="checkbox"/> NO	COPIES TO: <input type="checkbox"/> DETECTIVE <input type="checkbox"/> JUVENILE <input type="checkbox"/> DIST. ATTN. <input type="checkbox"/> S.O./P.D.	<input type="checkbox"/> GII <input type="checkbox"/> PATROL <input type="checkbox"/> OTHER	REVIEWED BY	DATE 138

FRESNO COUNTY SHERIFF'S DEPARTMENT
Fresno, California

69. CASE NO.

78-1809

DATE 2-10-78

70. CODE SECTION PC187, 211, 207,	71. CRIME 10851	72. CLASSIFICATION		
73. VICTIM'S NAME - LAST, FIRST, MIDDLE (FIRM IF BUS.) Theresa Greybeal		74. ADDRESS	RESIDENCE	BUSINESS
				75. PHONE

The following report is pertaining to observation of DOUGLAS STANKEWITZ during the evening of 2-8-78 when he was arrested for PC 187.

The wte/burgandy Mercury Cougar 2 dr. was observed on the s/side of Kern St. across the street from 1435 Kern St. (above vehicle was believed stolen from Modesto, CA). The wte/burgandy Cougar was headed eastward with (3) three subjects inside.

The Fresno PD unit which was assisting (Officer Callahan #386, Officer Rodriguez #342) was advised of the vehicle's possible involvement. The Blk/wte patrol unit parked to within approx 15 ft to the rear of the vehicle (Cougar). RO was positioned at the rear passenger side of the patrol vehicle. Officer RODRIGUEZ was positioned approx 10-15 ft. S/E of the patrol vehicle on the sidewalk. Officer Callahan took a position at the driver side door of the patrol vehicle and monitored the loud speaker.

Officer Callahan ordered the people in the vehicle to put their hands up. The rt/front passenger was ordered to exit the vehicle and put his hands up. The subject who first exited was later identified as DOUGLAS STANKEWITZ. RO with an unobstructed line of vision observed STANKEWITZ exit the vehicle upon the first command and place his hands above his head. STANKEWITZ was then ordered by Officer Callahan, via the loud speaker to walk backwards toward the officer (Officer Rodriguez), kneel down and cross his legs. STANKEWITZ appeared to comprehend and follow the orders given without

REPORTING OFFICERS	RECORDING OFFICER	TYPED BY DLC	DATE AND TIME 2-21-78	ROUTED BY
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FRESNO COUNTY SHERIFF'S DEPARTMENT
Fresno, California

69. CASE NO.

78-1809


DATE _____

70. CODE SECTION	71. CRIME	72. CLASSIFICATION			
73. VICTIM'S NAME - LAST, FIRST, MIDDLE (FIRM IF BUS.) Theresa Greybeal		74. ADDRESS	RESIDENCE	BUSINESS	75. PHONE

hesitation. The acts were also completed on his own power without assistance from any officers.

Officer Callahan ordered the other passengers out of the vehicle in the same manner. The passengers were later Id'd as TEENA TOPPING rt/rear seat and MARLIN LEWIS lt/rear.

REPORTING OFFICERS	RECORDING OFFICER McDaniel	TYPED BY Dlc	DATE AND TIME 2-21-78	ROUTED BY
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