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No. 15-1-01458-7

IN THE CLARK COUNTY SUPERIOR COURT FOR THE STATE OF WASHINGTON

STATE OF WASHINGTON,

Plaintiff,

v.

STEPHEN MARK REICHOW,

Defendant.

MEMORANDUM OF AUTHORITIES

In support of

Motion for Return of Property

Stephen Mark Reichow, DOC# 399068
Stafford Creek Corrections Center
191 Constantine Way
Aberdeen, WA 98520-9540

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I. INTRODUCTION

On August 1, 2015, while outside the north side of a storage building, Anne Tanninen confronted the Defendant, Stephen Reichow, implicating involvement with a "threatening" phone call she received. Brandon Maulding armed himself with a baseball bat and knife, and joined the confrontation. Like a big league slugger stepping up to bat, Maulding began swinging the bat, and tapping the heels of his shoes, demanding unarmed Reichow, "Come here, boy! Come on!" Maulding's threatening exhibition of the bat causes Reichow apprehension of harm and to fear for his life. Maulding's conduct provoked a 'fight or flight' reaction: Reichow retreats. Maulding and Tanninen pursue Reichow in her vehicle in the direction she saw him run away. Tanninen drives around to the street at the south side of the building. Maulding gets out of the vehicle armed with the baseball bat, and charges at Reichow across the gravel lot. Reichow can't outrun them: he turns to face Maulding, raises his hands and braces for impact. Maulding makes contact with Reichow and clutches onto his shirt, Maulding's bat lands in Reichow's hand. In reaction to resist Maulding's felonious assault, the bat was twisted from his grip and the assailant was immediately neutralized.

Police obtained search warrants supported by affidavits made with omissions and misrepresentations, in intentional disregard for the truth. The affiant misrepresented the "totality of the circumstances" to obtain authorization for overbroad warrants unsupported by probable cause to search and seize Reichow's property.

II. QUESTIONS OF FACT AND LAW

1. In the context of Jacqueline Olson witnessing the "fight," does the court find Olson's contemporaneous 911 call statement, "We didn't see any weapons," inconsistent with her latter statements that she saw a man waving a "cylindrical object," "like the size of a kid - toy bat,"?
2. Did police have "obvious reasons to doubt the veracity" of Olson "or the accuracy of [her] reports?"
3. Where the affiant omits Olson initially reported "We didn't see any weapons," and "NO WEAPONS SEEN" was broadcast to all responding officers' in-car computers, does the affiant intentionally misrepresent Olson's credibility?
4. Does the fact the affiant added the qualifier "possibly" immediately preceding "holding a cylindrical object" show "the affiant in fact entertained serious doubts as to the truth of the facts or statements in the affidavit?"
5. Due to her inconsistent and contradictory statements, does the court find it was evident Olson was not a credible witness?
6. Did the affiant include Olson's inconsistent statement or misrepresent her credibility with intentional or reckless disregard for the truth?
7. Is the affiant's omission that Olson initially reported seeing no weapons and the inclusion of Olson's latter statements regarding seeing the heavier man with a weapon "material" to finding probable cause for premeditated "Murder 1st Degree?"
8. Did the police have obvious reasons to doubt the veracity of Anne Tanninen or the accuracy of her reports?
9. Did the affiant include material, false statements and misrepresentations, and omit material facts pertaining to Anne Tanninen?
10. Did the affiant omit material facts and statements regarding Maulding's aggressive behavior and Reichow reacting to defend himself?
11. Does the Court find it was evident Maulding's conduct while armed with the bat implicates common law felony assault?
12. Does the Court find it was evident Maulding was the first aggressor?
13. Does the Court find it was evident Maulding's felonious assault comprised "adequate provocation?"

14. Does the court find it was evident Reichow reacted in "heat of passion upon sudden quarrel?"
15. As a matter of law, does "heat of passion upon sudden quarrel" negate premeditation?
16. Does the Court find it was evident Reichow reacted in resistance to Maulding's felony assault?
17. As a matter of law, does reaction in resistance to felony assault negate premeditation?
18. Does the Court find each and every fact in the supporting Declaration to be true?
19. Are the search warrant affidavits made with material misrepresentations, false statements and omissions?
20. Are the material misrepresentations made with reckless or intentional disregard for the truth?
21. After modifying the affidavit, is there reasonable grounds for suspicion the Defendant committed premeditated "Murder 1st Degree?"
22. Do the modified affidavits lack probable cause and are therefore invalid?

III. FACTS

In the last minutes of August 1, 2015, police seized Reichow's cell phone and wallet pursuant to arrest. See Appendix (hereafter abbreviated "Appx.") 4: "DECLARATION OF PROBABLE CAUSE."

On August 2, 2015, Detective Darren McShea authored duplicative "Affidavit for Search Warrant," No. 15-443 and "Affidavit for Search Warrant No. 15-444." Det. McShea swore he had, "good and sufficient reason to believe that the following goods, evidence of Murder 1st Degree (9A.32.030) to wit:" "All data," would be found at Reichow's cell phone; and, "Oral swab for DNA"; and, "blood to be seized," would be found at, "The person of Stephen Mark Reichow". Appx. 1: "Affidavit for Search Warrant 15-443."

Pursuant to Search Warrant 15-444, police obtained the oral swabs and blood draw from Reichow at Legacy Salmon Creek Hospital. Appx. 2: "Search Warrant 15-444"; Appx. 5: "NARRATIVE," Bates Stamp (hereafter abbreviated "BS") 138.

Two days later, on August 4, 2015, Det. McShea modified the Affidavit for Search Warrant 15-503 and swore he had "good and sufficient reason to believe... evidence of Murder 1st Degree (9A.32.030) to wit:" "Photographs of the person of Stephen M. Reichow," would be found at, "The person Stephen Mark Reichow". Appx. 3: "Affidavit for Search Warrant 15-503."

On August 2, 2015, at 1445 hours, in Clark County Jail, Det. McShea strip searched Reichow and photographed his entire body. Appx. 5: "SW FOR SUSP PHOTOS..." BS 139.

IV. ARGUMENT

Police searched and seized Defendant Reichow's property pursuant to warrants supported by affidavits that include material misrepresentations made with intentional disregard for the truth. The warrants lack probable cause where, in the totality of the circumstances, it is unreasonable to infer premeditated Murder 1st Degree occurred. The warrants are unsupported by probable cause, are overbroad, and therefore invalid. Reichow is aggrieved by an unlawful search and seizure.

A. UNLAWFULLY SEIZED PROPERTY IS SUBJECT TO RETURN.

1. CrR 2.3(e) Motion for Return of Property:

A person aggrieved by an unlawful search and seizure may move the court for the return of property on the ground that the property was illegally seized and that the person is lawfully entitled to possession thereof.

A motion for return of property made after an information is filed shall be treated as a [CrR 3.6] motion to suppress. *Id.*

2. An evidentiary hearing is required.

Upon filing a Motion for Return of Property, an evidentiary hearing is required to determine the right to possession as between the state and the defendant. The seizure of property from someone is prima facie evidence of that person's entitlement. The burden is on the State to prove a greater right to possession than that of a defendant. Among guidelines for determining a defendant's right to return of property are that the government agency has the initial burden of proof to show right to possession, and thereafter the defendant must come forward with

sufficient facts to convince the court of his right to possession. State v. Marks, 114 Wn.2d 724, 734 (1990).

A defendant may make a motion for return of property at any time, including after a determination of guilt. State v. Cord, 48 Wn. App. 781, 786 (1987).

B. MR. REICHOW'S PROPERTY AND PRIVACY ARE CONSTITUTIONALLY PROTECTED.

Defendant Reichow has constitutionally entitled property interests and expectations of privacy applicable to his cell phone and all data, wallet, oral DNA swabs, blood, and photographs of his unclothed body.

1. The Fourth Amendment to the U.S. Constitution governs all searches and seizures conducted by government agents:

The right of the people to be secure in their persons, houses, papers and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the person or things to be seized.

The Fourth Amendment is applicable to State officials through the Due Process Clause of the Fourteenth Amendment. "No State shall... deprive any person of life, liberty, or property, without due process of law."

2. The Fourth Amendment is intended to prevent general searches and "exploratory rummaging."

The Fourth Amendment requires probable cause and that warrants describe with particularity the places to be searched and the persons or things to be seized. This requirement is intended to prohibit general searches and prevent "exploratory rummaging" in a person's belongings, and "the issuance of

warrants on loose, vague, or doubtful basis of fact." State v. Perrone, 119 Wn.2d 538, 545 (1992). (Emphasis added.) A search warrant protects an individual's "reasonable expectation of privacy." Katz v. United States, 389 U.S. 347, 360 (1967).

Wash. Const. art. I § 7 requires "authority of law" to justify intrusion into private affairs. A lawfully issued search warrant provides authority of law. State v. Gaines, 154 Wn.2d 711, 718 (2005).

3. Search warrants require probable cause.

The Fourth Amendment and Wash. Const. art I, § 7 share the requirement that a warrant may only issue if it is supported by probable cause. State v. Lyons, 174 Wn.2d 354, 359 (2012).

"A showing of probable cause requires reasonable grounds for suspicion that the accused committed the indicated crime from the facts in the affidavit and reasonable inferences therefrom." State v. Hatt, 11 Wn. App.2d 113 (2019); State v. Seagull, 95 Wn.2d 898, 906-07 (1981). (Emphasis added.)

Probable cause determinations are to be made by viewing the "totality of the circumstances" set forth in the affidavit. Illinois v. Gates, 462 U.S. 213, 238 (1983).

The task of the issuing magistrate is simply to make a practical, common-sense decision whether, given all the circumstances set forth in the affidavit before him, including the "veracity" and "basis of knowledge" of persons supplying hearsay information, there is a fair probability that contraband or evidence of a crime will be found in a particular place.

Id. at 238.

C. MATERIAL MISREPRESENTATIONS MAY INVALIDATE WARRANTS.

Under the Fourth Amendment, an omission or false statement made in an affidavit in support of a search warrant may

invalidate a warrant if it was (1) material and (2) made in intentionally or with reckless disregard for the truth. Franks v. Delaware, 438 U.S. 154, 155-56 (1978); State v. Cord, 103 Wn.2d 361, 366-67 (1985).

A reckless disregard for the truth may be shown where the affiant "in fact entertained serious doubts as to the truth of facts or statements in the affidavit." State v. Clark, 143 Wn.2d 731, 751 (2001). "Serious doubts can be shown by (1) actual deliberations on the part of the affiant, or (2) the existence of obvious reasons to doubt the veracity of the informant or the accuracy of his reports." Id. (Emphasis added.)

1. Resolution of the motion requires a CrR 3.6 Franks evidentiary hearing.

Where a defendant makes a substantial preliminary showing of such an omission or false statement, the trial court must hold a hearing. Franks at 155-56; Cord, at 366-67. If the defendant then establishes the allegations by a preponderance of the evidence at that hearing, the material misrepresentations will be stricken from the affidavit and the material omissions added. If the modified affidavit then fails to support probable cause, the warrant will be void. Franks at 171-72; Cord at 366-67.

The Franks standard assures the warrant's integrity by permitting veracity challenges based on reckless or deliberate falsification. State v. Chenoweth, 160 Wn.2d 454, 476-78 (2006).

2. The "Fellow Officer" rule: facts known to police may negate probable cause.

"In evaluating whether probable cause supports the search warrant, the focus is on what was known at the time the warrant

was issued," Chenoweth at 475-76. Under the "fellow officer" rule, or "collective knowledge doctrine," "where law enforcement authorities are cooperating in an investigation, ...the knowledge of one is presumed shared by all." Illinois v. Andreas, 463 U.S. 765, 711 n.5 (1983). (Emphasis added.) "[K]nowledge can also negate probable cause if that agency knows of facts that would preclude having probable cause..." State v. Nall, 117 Wn. App. 647, 650-51 (2003). (Emphasis added.)

D. THE AFFIDAVITS INCLUDE MATERIAL MISREPRESENTATIONS AND FALSE STATEMENTS, AND OMIT MATERIAL FACTS.

Detective Darren McShea's affidavits include material misrepresentations, false statements, and omit material facts critical to finding probable cause. Det. McShea has "obvious reasons to doubt the veracity" of witnesses Jacqueline Olson and Anne Tanninen. Det. McShea omits all statements by neighbor and 911 caller Amber Henley, first responding Officer Brian Archer, and Stephen Reichow regarding Maulding's aggressive behavior and Reichow acting in self-defense. McShea misrepresents Tanninen's role in the incident and falsely swears he had "good and sufficient reason to believe evidence of Murder 1st Degree" would be found. Moreover, McShea obtained authorization for the search warrant to strip search and photograph Reichow under the false premise he would search and seize evidence of Murder 1st Degree-- in photographs of "injuries" to Reichow.

1. Probable cause requires a "truthful showing."

"[T]he reckless or intentional standard adopted by the Franks Court is grounded in the language of the Fourth Amendment, 'no warrant shall issue, but upon probable cause, supported by

oath or affirmation.' The oath requirement 'takes the affiant's good faith as its premise.'" Chenoweth, 160 Wn.2d at 471 (quoting Franks, 438 U.S. at 164.) As the court explained:

[W]hen the Fourth Amendment demands a factual showing sufficient to comprise "probable cause," the obvious assumption is that there will be a truthful showing.

Chenoweth at 470.

"By reporting less than the total story, an affiant can manipulate the inferences a magistrate will draw. To allow a magistrate to be misled in such a manner could denude the probable cause requirement of all real meaning." United States v. Stanert, 762 F.2d 775, 781 (1985). (Emphasis added.)

As the Franks court observed, a constitutional violation obviously occurs when an officer secures a warrant through perjury. Chenoweth at 473.

2. Police misrepresent witness credibility.

Where Det. McShea has "obvious reasons to doubt the veracity" of witnesses, his affidavits misled the judge.

a. The Aguilar/Spinelli test assures witness credibility.

Washington uses the Aguilar/Spinelli test to assure that the warrant is predicated on sufficient facts establishing an informant's reliability and basis of knowledge. Chenoweth at 478. Under this test, an affidavit should demonstrate an informant's (1) basis of knowledge and (2) credibility. State v. Jackson, 102 Wn.2d 432, 435-38 (1984). Under the second or "veracity prong, sufficient facts must be presented so the magistrate may determine either the inherent credibility or reliability of the

informant on the particular occasion. "To meet the Aguilar/Spinelli test the credibility of the informant must be demonstrated." State v. Fisher, 96 Wn.2d 962, 965 (1982).

b. **"Inconsistent statements" and a "motive to lie" are "obvious reasons" to doubt witness credibility.**

The police officers have "obvious reasons to doubt the veracity" of "witnesses" Jacqueline Olson and Anne Tanninen. Olson made inconsistent and contradictory statements. Tanninen made inconsistent and contradictory statements, and has motive to lie.

The Court of Appeals noted: "Inconsistency is to be determined, not by individual words or phrases alone, but by the whole impression or effect of what has been said or done." State v. Dickenson, 48 Wn. App. 457, 467 (1987) (citations omitted.) This is consistent with federal courts that have long held, "[I]nconsistency is not limited to diametrically opposed answers but may be found in evasive answers, inability to recall, silence, or changes in position." United States v. Dennis, 625 F.2d 782, 795 (8th Cir. 1980). (Emphasis added.)

The police officers' "intentional disregard for the truth" is evident where they had "obvious reasons to doubt the veracity of the informants and the accuracy of their reports." Clark, 143 Wn.2d at 751.

c. **Police have "obvious reasons to doubt the veracity" of Jacqueline Olson.**

Jacqueline Olson made inconsistent and contradictory statements. Det. McShea withheld this fact from the issuing judge, and included Olson's false statements in his affidavits.

After allegedly driving by the incident in progress, Olson told the 911 operator, "We didn't see any weapons." An hour later, Olson asserted in her written statement, "the heavier man" was armed with a "cylindrical object." Two hours after that in a police station interview, she reports she may have seen a 'kid size bat'.

Det. McShea has "obvious reasons to doubt the veracity" of Olson's statements. During Olson's 911 call, she contemporaneously told the operator, "We didn't see any weapons." CRESA 911 broadcast "NO WEAPONS SEEN" to all responding officers on 8/1/15 at 11:53 pm. Appx. 5: "CAD CALL PRINTOUTS," BS (Bates Stamp) 469.

An hour later on 8/2/15 at 12:52 am, after contact with police officers, and after viewing the illuminated incident scene and baseball bat from the backseat of Officer Runnels' parked police car, Olson "changes [her] position". Now she did see a weapon. Olson asserts in her written statement:

The heavier man in the light shirt was charging towards the man in jeans waving some sort of cylindrical object.

Appx. 5: "Statement Form" of Jacqueline Olson, BS 403.

About two hours later, in her 8/2/15 3:34 am police station interview, the police again have "obvious reasons to doubt the veracity " of Olson "and the accuracy of [her] reports." Olson "changes [her] position" where she becomes much less sure of what she saw, but ironically much more specific:

I may have seen . . . something was extended... I don't know if maybe it was the shadow or the way - it looked like he could've had something in his hand...but it wasn't very large. ...almost like the si[z]e of a

kid - toy bat.

Appx. 6: "INTERVIEW WITH JACKIE OLSON," pgs. 7-8.

Det. McShea "in fact entertained serious doubts as to the truth" of Olson's statements describing the heavier man with the "cylindrical object." Evidence of "actual deliberation on the part of the affiant" is evident where McShea omits Olson's previous "position" ("NO WEAPONS SEEN"), and uses the qualifier "possibly," immediately preceding "holding a cylindrical object in his hand." Appx. 2: "Affidavit for Search Warrant 15-443," pg. 9.

Where Det. McShea has Olson's written statement asserting without doubt she 'witnessed' the heavier man holding a "cylindrical object," his use of "possibly" is evidence of "serious doubts" and "actual deliberation on the part of the affiant."

The statement is material because procurement of a weapon is a factor relevant to establish premeditation. State v. Prittle, 127 Wn.2d 628, 644 (1995). Olson's inconsistent statements are material where police use them to remove and replace Tanninen from the scene, replace Reichow's account of the incident, and turn Maulding from aggressor into victim.

d. Police have "obvious reasons to doubt the veracity" of Anne Tanninen.

Det. McShea's affidavits include the false statements of Anne Tanninen. Throughout Tanninen's three interviews, she made-- too numerous to document--evasive, inconsistent and contradictory statements. Police have "obvious reasons to doubt the veracity" of Tanninen's statements.

Tanninen's inconsistencies include "evasive answers," "inability to recall," and "changes in position." Tanninen made inconsistent statements about what Reichow was alleged to have said; Maulding's possession of the bat at the time of the confrontation; when Reichow ran, and when Maulding pursued Reichow; whether Maulding was in her vehicle; her involvement driving Maulding around the building, and what happened at the south side of the building. Compare Tanninen's three 8/2/15 police interviews.

Police have "obvious reasons to doubt the veracity" of Tanninen's statements regarding events on the north side of the building. In Tanninen's third police interview on 8/2/15 at 10:14 am, Sgt. Aaron Kanooth expressed his "serious doubts" when he asked Tanninen incredulously:

Does it seem odd to you that he's gonna go from at one point crude and antagonizing to you... to all of a sudden scared?

Appx. 7: "INTERVIEW WITH ANNE TANNINEN," pg. 9.

Sgt. Kanooth expressed his "serious doubts as to the truth" of Tanninen's account of her involvement on the south side of the building in his "actual deliberations":

So in this instance, so far from what you explained to us, you just seen one guy chasing another. You haven't seen anything traumatic at all yet to say that you're blacked out doesn't make a lot of sense.

Id. pg. 23.

Det. McShea has "obvious reasons to doubt the veracity" of Tanninen: she has "motive to lie." She initiated the confrontation of Reichow and implicated him in involvement with the

"threatening" phone call. She incited Maulding to threaten Reichow with the bat. After Reichow ran away in fear, she drove Maulding armed with the bat in pursuit of Reichow around the building, and to his death.

McShea misrepresents the facts where he states that Tanninen "went to a nearby bar and contacted the owner." Appx. 1: "Affidavit for Search Warrant 15-443," pg. 9. Tanninen fled the scene and told bartender Elliot Sutherland "she was afraid of the cops and wanted to hide inside the bar and try to get a ride." Appx. 5: "SUPPLEMENTAL" Report of Niel Siefert, BS 120.

Tanninen's false statements are material where Tanninen's statements directly contradict Reichow's. Det. McShea included in his affidavit her inconsistent statement Maulding was "playing with the bat in a non-threatening manner." She inconsistently claims Maulding had not been in her vehicle and not to have seen Maulding attempt to restrain and assault Reichow on the south side of the building. Det. McShea "in fact entertained serious doubts as to the truth" of Tanninen's statements where his "actual deliberations" are evident by the facts and statements he omits and misrepresents to fit the false narrative of his affidavit.

3. Det. McShea omits statements pertaining to Maulding's aggressive behavior and Reichow's self-defense.

Det. McShea omits information pertaining to Maulding's from neighbor Amber Henley's 911 call and written statement, Officer Archer's report, and Reichow's police station interview. McShea omits any statements regarding Maulding's aggressive behavior or Reichow acting upon provocation and sudden quarrel or in self-

defense.

a. Facts that police omit may eliminate probable cause.

"[A] police officer's awareness of facts supporting a defense can eliminate probable cause." Jocks v. Tavernier, 316 F.3d 128, 135 (2003).

Reckless disregard for the truth may be inferred from affidavits omitting facts that are clearly critical to a finding of probable cause. United States v. Cronan, 937 F.2d 163, 164 (5th Cir. 1991).

b. Police omit Amber Henley's statements.

Det. McShea omits reliable contemporaneous information regarding neighbor Amber Henley's 911 call and her written statement regarding Reichow asking for help, reporting he'd been assaulted by a man who jumped out of a car with a baseball bat.

Amber Henley called 911 when Reichow approached her and asked her to call police because he'd been assaulted. Henley relayed to the operator "Brandon" had jumped out of a car with a baseball bat and assaulted "Steve." Appx. 8: "911 Call from [Amber Henley]."

On 8/2/15 at 12:44 am Amber Henley made a written statement. She described on 8/1/15 at 11:52 pm a man with a ripped shirt walked up to her and asked her to call police, that he was just assaulted by "Brandon" who had jumped out of a car with a baseball bat. "Brandon" said "Steve" knew "too much." Appx. 5: "Statement Form" of Amber Henley, BS 401-02.

Amber Henley's statements are contemporaneous and reliable; they are material where they negate premeditation. Police omit

Amber Henley's statements supporting Reichow reacting in self-defense with intentional disregard for the truth.

- c. Det. McShea omits and misrepresents Officer Brian Archer's statements.

Officer Archer reported his initial interaction with Reichow moments after the simultaneous 911 calls of Olson and Henley. Det. McShea omits nearly all of Archer's account. From first contact, Reichow told Archer he was assaulted by Maulding who had jumped out of Tanninen's vehicle armed with a bat and that he reacted in self-defense. Det. McShea turned a hearsay statement of Reichow's, a "fact[] supporting a defense," into an incriminating confession.

Excerpts from Officer Archer's report McShea nearly entirely omits:

On 08-02-15, at about 2352 hours, I was dispatched to an assault that had just occurred... Additional notes stated that the victim showed up...asking for help. It was later determined when I contacted the Reichow that he was actually the suspect and not the victim and asking the homeowner to call 911.

I noticed..."blood spatter"... I asked [Reichow] if he was hurt and he stated, "No but the other guy is." ...I asked him how bad the other guy was hurt. Reichow stated, "I think I killed him, but it was completely in self-defense." ... Reichow stated to me he was in the storage unit with Anne and Brandon and after Anne received a phone call, things got "weird." (Reichow advised Brandon started hitting the bat on the heel of his shoe and saying, "C'mon boy, hey boy.") Reichow advised he freaked out and left, eventually hiding under a trailer (RV) to the south of the storage unit... After a few minutes Reichow advised he came from under the trailer and Brandon came out of Anne's vehicle carrying a baseball bat. Reichow told me a scuffle ensued and that was how his shirt got ripped... Reichow told me he was in fear for his life and took the bat away from Brandon. Reichow stated he then used Brandon's bat to defend himself..."I defended myself against Brandon's attack and hit him with his own bat. ... It should be noted that Reichow had a very strong odor of intoxicants coming from his person and his

speech was slurred/slow.

Appx. 5: "NARRATIVE" of Brian Archer, BS 76-77.

Det. McShea omits all information from Archer's report, except he altered the hearsay statement, "I think I killed him, but it was completely in self-defense," into an incriminating confession: "I killed him." Id. BS 76; cf. Appx. 1: "Affidavit for Search Warrant 15-443," pg. 7.

Det. McShea omits Archer's report statements and misrepresents the hearsay statement, "I killed him," with intentional disregard for the truth.

- d. **Det. McShea omits Det. Rick Kelly's sworn statements regarding Reichow's police station interview.**

Det. McShea copied and modified Det. Rick Kelly's "DECLARATION OF PROBABLE CAUSE" for arrest as the basis for his affidavits for search warrants. Det. McShea removed all of Det. Kelly's sworn statements pertaining to Reichow's police station interview and reacting in self-defense. McShea's omitted Rick Kelly's sworn statements with intentional disregard for the truth.

On 8/2/15 at 2:20 am Det. Kelly and Sgt. Kanooth interviewed Reichow at the Battle Ground Police station. Excerpts from Det. Kelly's Declaration that McShea omits entirely from the affidavit:

Reichow said they were hanging out inside the storage facility and Tanninen got a strange phone call from somebody talking about a drug deal. Tanninen told Reichow and Maulding she was being "gang stalked." Reichow told Tanninen he had been stalked and harassed for the last 6 years.

Reichow said they were...out of the storage

facility...back door. [Maulding] began hitting a baseball bat against the heel of his foot. Reichow said Maulding started saying "what's up boy" and they started "cornering me." ... Reichow stated Tanninen started accusing him of being a part of the people who were stalking her. Reichow said he was standing outside the storage facility door... Maulding was accusing him of stalking Tanninen. Reichow said he was concerned that Maulding was going to harm him with the baseball bat. ...he ran around the building and hid under an RV on the south side of the storage facility. Reichow...waited for a couple of minutes. ...Tanninen and Maulding came around the corner in Tanninen's white Ford Expedition. Maulding came out of the Expedition with a baseball bat "coming at me"...Maulding grabbed and ripped his shirt. Reichow said he grabbed the bat away from Maulding by pulling the bat out of his hands and knocked him down.

Appx. 4: "DECLARATION OF PROBABLE CAUSE," pg. 3.

Det. McShea's intentional disregard for the truth is evident where he actually selectively edited Det. Kelly's Declaration to omit and misrepresent "facts critical to the finding of probable cause."

The omissions are material because Reichow's account includes "facts supporting a defense," and can be corroborated by incontrovertible evidence. Reichow's account contradicts Olson's inconsistent statements. His account can be corroborated by Tanninen, such as her initial statement Maulding was in possession of the bat on the north and south sides of the building, Reichow's look of "fear" and running away, and her presence at incident scene. The omitted facts give contemporaneous insight into Reichow's mental state and reason for using force. The judge could have considered these facts, including Reichow's account of Maulding's aggression and of reacting to defend himself, in the determination of probable cause.

4. Police misrepresent facts critical to finding probable cause.

Det. McShea's affidavits misrepresent what he sought to photograph, omit the fact Maulding was carrying a knife, and omit Maulding's threatening and assaultive conduct.

a. Det. McShea's "Affidavit for Search Warrant" to photograph Reichow misrepresents what he intended to search for and seize.

Det. McShea misled the issuing judge to believe he would search for and seize photographs of "visible injuries" on Reichow's body, when in fact he searched for and photographed "lack" of injury.

Within 15 hours of the incident, Reichow was asked four times if he were injured. Reichow responded, "no" each time. Officers photographed Reichow at the police station after the incident. There were no anomalies or injuries photographed or noted by the officers. Appx: 5 POLICE REPORTS, BS 76, 123, 130, 133.

Det. McShea modified the Affidavit for Search Warrant 15-503 on 8/4/15. Det. McShea added in part:

There is probable cause to believe based on [Reichow's] statement, his torn clothing, apparent blood spatter on his body, and injuries to Brandon Maulding, that he was involved in a physical altercation with Brandon Maulding and that visible injuries may have developed on his body.

Appx. 4: "Affidavit for Search Warrant 15-503," pg. 11. (Emphasis added.)

Det. McShea swore he had "good and sufficient reason to believe that the following goods, evidence of Murder 1st Degree (9A.32.030) to Wit:

1. Photographs of the person Stephen M. Reichow, including photographs of his entire [body]" would be found at, "The person Stephen Mark Reichow." Id. at pg. 1.

On 8/4/15 Det. McShea obtained authorization for the search warrant to photograph Reichow in Clark County Jail. Det. McShea strip searched Reichow and photographed his unclothed body.

In Det. McShea's follow up report, he admits to what he actually searched for: "development of injuries, or lack thereof." McShea confesses that during the strip search he "observed no injuries," yet he photographed Reichow regardless. Appx. 5 "SW FOR SUSP PHOTOS..." BS 139.

Det. McShea's affidavit and warrant are a dishonest ruse. Because "lack" of injury is not evidence of a crime, had Det. McShea properly informed the judge of what he actually sought to photograph, the judge should not have found probable cause to issue the warrant.

b. Police omit the fact Maulding was also armed with another deadly weapon: a knife.

When Maulding acted to threaten, pursue, attempt to restrain and assault Reichow, not only was he armed with a baseball bat, but also another deadly weapon capable of easily inflicting death: a Kershaw 1301 BW folding knife--with a blade longer than 3 inches (3.4" actual). See RCW 9.94A.825. Det. McShea conveniently omits this fact from his affidavit.

c. Police misrepresent Maulding's threatening behavior with the baseball bat.

Det. McShea includes in his affidavit, that upon confronting Reichow, "Tanninen said Maulding was playing with the bat in a

non-threatening manner." (Appx. 1, pg. 9.); Compare with Det. Kelly's Declaration where in the police station interview, Reichow described how Tanninen and Maulding accused him of being involved with the strange phone call. Then Maulding began hitting the bat on his heels and saying, "What's up boy". Appx. 4, pg. 3.

"Threat" means to communicate directly or indirectly the intent: To cause bodily injury in the future to the person threatened..." RCW 9A.04.110(28)(a).

The plain meaning of "threaten" includes all threats, including non-verbal utterances or gestures; clenching one's fist in another person's face and growling conveys to a reasonable person the intention to cause bodily harm to that person. State v. Pickney, 2 Wn. App. 574 (2018).

It is objectively unreasonable to believe that upon confronting Reichow, minutes from midnight, miles from a baseball field, Maulding would be playing with a baseball bat in a "non-threatening manner." McShea includes Tanninen's statements and omits Reichow's statements with intentional disregard for the truth. The misrepresentation is material where Maulding's threatening behavior is evidence of provocation that led to Reichow's "fight or flight" reaction.

E. THE FACTS OF MAULDING'S CONDUCT NEGATE PROBABLE CAUSE FOR PREMEDITATED MURDER 1ST DEGREE.

The facts Det. McShea omits and misrepresents are "clearly critical to finding of probable cause." Maulding's conduct with the baseball bat implicates common law felony assault. Reichow reacted to resist Maulding's assault. Maulding's action's negate

premeditation.

When viewing the "totality of the circumstances," including the affiant's omissions and misrepresentations, in a "common sense manner," the facts do not support an inference premeditated murder 1st degree occurred. It is objectively unreasonable to believe "there is a fair probability" evidence of the crime of premeditated "Murder 1st Degree" would be found in any "particular place." The warrants are unsupported by probable cause and are overbroad.

1. Maulding's conduct while armed with the baseball bat implicates common law assault.

In Washington, courts must "supplement all penal statutes of this state" with "[t]he provisions of common law relating to the commission of crime...insofar as not inconsistent with the Constitution and statutes of this state." RCW 9A.04.060.

Three common law definitions of assault are recognized in Washington: (1) putting another in apprehension of harm; (2) an unlawful touching (battery); (3) an attempt with unlawful force to inflict injury upon another, tending but failing to accomplish it (attempted battery). State v. Elmi, 166 Wn.2d 209, 215 (2009).

Here, Maulding's conduct while armed with the baseball bat at the very least implicates all three definitions of common law assault.

a. Maulding put Reichow in "apprehension of harm."

Maulding's conduct implicates the first common law definition of assault: "(1) putting another in apprehension of harm."

Det. Kelly noted in his declaration, while outside the north

door of the warehouse, "Reichow said Maulding...began hitting a baseball bat against the heel of his foot...saying 'what's up boy' and they started 'cornering me.' Reichow said he was concerned Maulding was going to harm him with the baseball bat." Appx. 4: "DECLARATION OF PROBABLE CAUSE," pg. 3; cf: Det. Kelly also noted Tanninen indicated Maulding was in possession of the bat and that Reichow "looked scared." Id.

Maulding's conduct is in violation of RCW 9A.36.021 **Assault in the Second Degree**. See Annotations:

-Capability to harm.

This provision serves to punish the **infliction of fear and apprehension in another by use of a weapon or other harmful instrument** having the apparent capability to cause bodily injury. State v. Thompson, 13 Wn. App. 1 (1975). (Emphasis added.)

-Bodily Harm.

Generally, intimidation involves influencing future conduct, while the **intent to cause apprehension and fear speaks to an immediate reaction** or result from the unlawful conduct. State v. Boyd, 72 Wn. App. 774 (1994). (Emphasis added.)

b. Maulding battered Reichow when he unlawfully touched Reichow.

Maulding's conduct at the south side of the building implicates the second common law definition of assault: "(2) an unlawful touching (battery)," when Maulding pursued, made contact, and attempted to restrain Reichow by his shirt.

"[I]ntent required for assault is merely the intent to make physical contact with the victim," State v. Hall, 104 Wn. App. 56, 62 (2000).

The incontrovertable physical evidence including the overall scene, the fact Maulding and Tanninen pursued Reichow around the building, Reichow's torn shirt, the scarf in the street and the

blood stain, the final parked location of Tanninen's vehicle (labeled 815XHW) corroborates Reichow's account:

Maulding pursued Reichow from the north side of the building around to the south side, and exited Tanninen's vehicle armed with the baseball bat. Reichow described Maulding "coming at me" across the gravel lot. Maulding attempted to restrain Reichow by grabbing onto his shirt as the bat landed in Reichow's hand. See Appx. 4, pg. 3; See also, Appx. 5: "OVERALL SCENCE DIAGRAM," BS 253; "SOUTH SIDE EVIDENCE LOCATIONS DIAGRAM," BS 254.

Maulding's approach, contact, and attempted restraint of Reichow while armed with the bat comprises an unlawful touching and implicates common law "battery."

c. Maulding's conduct comprised "attempted battery."

Maulding's conduct implicates the third common law definition of assault: "(3) an attempt with unlawful force to inflict injury upon another, tending but failing to accomplish it (attempted battery)."

"Criminal attempt. (1) A person is guilty of an attempt to commit a crime if, with intent to commit a specific crime, he or she **does any act which is a substantial step** toward the commission of that crime." RCW 9A.28.020.

Maulding's actions comprise "**substaintial step[s]**" toward "the commission of" battery where he (1) armed himself with the bat; (2) pursued Reichow in Tanninen's vehicle; (3) Exited the vehicle armed with the bat; (4) while armed with the bat, "ma[d]e physical contact with" (intent) Reichow. Maulding's actions while armed with the baseball bat implicate "an attempt with unlawful

force to inflict injury upon [Reichow], tending, but failing to accomplish it. Maulding's actions comprise common law "attempted battery."

2. The warrants are unsupported by probable cause.

Where Det. McShea affirmed he had reason to believe "Murder 1st Degree" occurred, police obtained authorization to search and seize places and things for which, objectively, there was not probable cause.

"The concept of probable cause requires the existence of reasonable grounds for suspicion supported by circumstances sufficiently strong to warrant a man of ordinary caution to believe the accused is guilty of the indicated crime." State v. Seagull, 95 Wn.2d 898, 906 (1981). (Emphasis added.)

Almost from the inception of common law, the presence or absence of "heat of passion" has been the most important factor in determining a homicide defendant's degree of culpability. Mullaney v. Wilbur, 421 U.S. 684, 696 (1975). A homicide committed in "heat of passion" upon sudden provocation reduces a defendant's culpability. Id.

In Washington, "heat of passion" negates the element of premeditation. In re Pers. Restraint of Canha, 189 Wn.2d 359, 373 (2017).

Provocation is established so as to negate the premeditation required for first degree murder where there was adequate or reasonable provocation, the defendant was in fact provoked, the circumstances are such that a reasonable person would not have cooled off, and there is a casual connection between the provocation, the heated passion, and the fatal act. State v.

Frederick, 20 Wn. App. 175, 182 (1978).

Here, the facts the police knew and omitted from the affidavit is evidence of "sudden quarrel" or "heat of passion" from adequate provocation. Police knew Reichow was in fact provoked into a 'fight or flight' reaction and retreated. Police knew Maulding's pursuit and assault implicate "sudden quarrel." Police knew Maulding's threatening conduct and exhibition of the bat, pursuit, attempted restraint and assault would provoke a reasonable person, and there would not have been time to cool off. The police knew the physical evidence of the incident scene shows there was no time to cool off. Maulding was immediately neutralized where he attacked Reichow. The police knew there was not probable cause for premeditated Murder 1st Degree.

"As a corollary ... of the rule that police may rely on the totality of facts available to them in establishing cause, they also may not disregard facts tending to dissipate probable cause." United States. v. Ortiz-Hernandez, 427 F.3d 567, 567, 574 (9th Cir. 2005). (Emphasis added.)

3. Warrants unsupported by probable cause are overbroad.

A warrant is overbroad if it fails to establish "probable cause to seize the particular thing[s] named in the warrant," and courts will invalidate warrants "authorizing a search which exceeds the scope of the probable cause shown in the affidavit. In re Grand Jury Subpoenas Dated Dec. 10, 1987, 926 F.2d 847, 857 (9th Cir. 1991). Probable cause exists where there is a "fair probability that contraband or evidence of a crime will be found in a particular place based on the totality of the circum-

stances." United States v. Diaz, 491 F.3d 1074, 1078 (9th Cir. 2007) (simplified).

"If most of the warrant purports to authorize a search for items not supported by probable cause or not described with particularity, the warrant is likely to authoriz[e] "a general, exploratory rummaging in a person's belonging[,]" and no part of it will be saved by severance or redaction. State v. Maddox, 116 Wn. App. 796, 807-08 (2003).

Where it is unreasonable for police to infer premeditated Murder 1st Degree occurred, it is unreasonable to believe evidence of premeditated "Murder 1st Degree" would be found in any "particular place." The searches and seizures amounted to a "general exploratory rummaging" in Reichow's belongings. The warrants are unsupported by probable cause, unconstitutionally overbroad, and invalid. Defendant Reichow is aggrieved by unlawful search and seizure.

V. CONCLUSION

Given the foregoing, the Defendant has made a "substantial preliminary showing" the affidavits include material misrepresentations made with intentional disregard for the truth. Mr. Reichow requests the court order a "full and fair" Franks hearing to inquire into the validity of the Affidavits for Search Warrants.

Respectfully submitted March 21, 2023, Aberdeen, WA.



Stephen Mark Reichow, DOC# 399068
Stafford Creek Corrections Center
191 Constantine Way
Aberdeen, WA 98520-9504

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- APPENDIX 4: DECLARATION OF PROBABLE CAUSE
- APPENDIX 5: POLICE REPORTS (selected pages)
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APPENDIX 1

Contents:

Affidavit for Search Warrant 15-443

Search Warrant 15-443

Search Warrant Return 15-443

PROPERTY REPORT HARDCOPY (PR# 1537)

ARTICLES:

Tag #: 2211537 - 1

Description: "BLACK LG CELLPHONE REICHOW"

15-443

District Court of Clark County

State of Washington

FILED

AUG 12 2015

DISTRICT COURT
CLARK COUNTY, WASH

State of Washington

plaintiff,

VS

Defendant

Stephen M. Reichow

Affidavit for Search Warrant

Your Affiant, Detective Darren McShea, #1362, being first duly sworn upon oath, does hereby depose and say that your affiant has good and sufficient reason to believe that the following goods, evidence of Murder 1st Degree (RCW 9A.32.030) to wit:

1. Blood
2. Saliva
3. Physiological fluids and secretions
4. Hair
5. Fibers
6. Palmprints and/or fingerprints
7. Footprints
8. Shoeprints
9. Clothing and other garments
10. Hatchets, axes, or similar, to include handles for such items.

- 1 11. Blunt force instruments to including, but not limited to, baseball style bats.
- 2 12. Items containing traces of any of the preceding articles.
- 3 13. Items of personal property found on the business and/or vehicle which show which
4 person or persons have custody and control of the articles but not limited to letters,
5 papers, documents, receipts, and other documentary evidence of motive or operation of
6 crime.
- 7 14. Photographs, images and video of the business and vehicle, and any evidence
- 8 15. Oral swabs for DNA analysis from suspect, Stephen M. Reichow, date of birth
9 8/4/1981, for subsequent testing/analysis by qualified personnel at the Washington State
10 Patrol Crime Laboratory.
- 11 16. Blood from the person of suspect, Stephen M. Reichow, date of birth 8/4/1981, to be
12 seized by qualified medical personnel for subsequent testing/analysis by the Washington
13 State Patrol Crime Laboratory.
- 14 17. An iPhone 4 or 5 with a cracked screen, black in color.
- 15 18. The examination, analysis, and recovery of data from items 4, 5, 6 and 7 below to
16 include: any Subscriber Identity Module (SIM) cards or removable memory devices
17 present in the handset. All data included in the handset memory, including but not
18 limited to incoming and outgoing call lists, contact lists (phonebooks), pictures, videos,
19 multimedia messages, e-mails, voice mail, electronic correspondence, any available text
20 messages; information on the phone to include graphics/image files, pictures, movies
21 files, emails, spreadsheets, databases, word processing documents, Internet history,
22 Internet web pages, location history, newsgroup information, passwords, encrypted files,
23 documents, software programs, or any other electronic data or records that may pertain
24 to the crime(s) being investigated.
- 25 19. Any still or video surveillance footage utilized by 800 SE 2nd Street, Battle Ground, WA

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Are on this date at the following location to be searched:

1. 800 SE 2nd Street, Battle Ground, Clark County, State of Washington. The business is further described as sea green warehouse with forest green trim. There is a white in color man door on the south side of the structure and a sign which reads "RALPH LAUREN PAINT SOLD HERE" on the east exterior side of the building. No address numbers are visible.
2. A white Ford Expedition, Washington License Plate 815XHW, VIN 1FMFU18L9YLB92804 . The vehicle is currently parked on the south side of the building in the parking lot at 800 SE 2nd Street, Battle Ground, WA.
3. The person of Stephen Mark Reichow, date of birth August 4th, 1981, a white male adult approximately 5'08" tall and 180 pounds with gray hair and brown eyes.
4. A Verizon flip phone, black in color, LG brand, model VX8300, serial number 707KPPB6910424.
5. An LG smart phone, black in color, model LGMS500, serial number 412CQWC951329.
6. An iPhone 4 or 5 with a cracked screen, black in color.
7. An LG cell phone, black in color, model LGMS500, serial number 405CYVU937647.

Your affiant is informed and aware of this based on the following:

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AFFIANT INFORMATION

I am a Detective employed by the Vancouver Police Department and have been so employed since February 2003. I am currently assigned as a Detective to the Vancouver Police Department's Major Crimes Unit. In 2003 my initial assignment was as a Police Officer assigned to patrol. In 2005 I was assigned to my current position of Detective. My initial assignment as a Detective was to the Property Crimes Division. In 2007 I was assigned to the Major Crimes Unit with the responsibility of investigating homicide, rape, assault, robbery, missing persons, and other crimes against a person.

Prior to my employment with the Vancouver Police Department I was employed by the Anchorage Police Department from March 1995 to January 2003. During my 8 years of employment with the Anchorage Police Department my duties included Patrol Officer, Field Training Officer, Uniformed Investigator, Driving Instructor, Serious Traffic Accident Response Team Member, and Detective with the Crimes Against Children Unit.

I have over 20 years of experience as a Police Officer and have received the following courses of specialty training:

- 1992 - B.A. degree in Criminal Justice (University of Alaska, Anchorage)
- 1995 - Anchorage Police Department Academy (608 hours)
 - Anchorage Police Department Field Training (560 hours)
- 1997 - Domestic Violence Instruction (16 hours)
 - The Reid Technique of Interviewing and Interrogation (24 hours)
 - Narcotics Investigation (4 hours)
 - Moving/Stationary Radar Operator Training (28 hours)
 - Accident Investigation I (80 hours)
 - Accident Investigation II (40 hours)
- 1998 - Vehicle Dynamics (40 hours)

- 1 - Traffic Accident Reconstruction 1 (80 hours)
- 2 - Traffic Accident Reconstruction 2 (40 hours)
- 3 1999 - Field Training Officer Seminar (40 hours)
- 4 - Emergency Vehicle Operators Instructor Course (40 hours)
- 5 2000 - Uniform Investigation School (40 hours)
- 6 - National Landlord Train the Trainer (24 hours)
- 7 - Heavy Vehicle Crash Reconstruction (40 hours)
- 8 - Electronic and Technical Surveillance Training (6 hours)
- 9 2001 - Master's Degree in Business Administration (University of Alaska, Anchorage)
- 10 - Electronic Tracking Systems Patrol Officer Training (8 hours)
- 11 - Objective Pre-Employment Interviewing (16 hours)
- 12 2002 - Interpersonal Violence Training (24 hours)
- 13 - Advanced Course on The Reid Technique of Interviewing and Interrogation (24 hours)
- 14 - Specialized Advanced Intensive Sexual Abuse Interviewing Skills (18 hours)
- 15 2003 - Washington State Law Enforcement Equivalency Academy (80 hours)
- 16 - Child Abuse Investigations and Interviewing (24 hours)
- 17 - Standardized Field Sobriety Testing (16 hours)
- 18 2004 - Outlaw Motorcycle Gang Investigation Training (16 hours)
- 19 - Crisis Intervention Team Training (40 hours)
- 20 - Interview and Interrogation Techniques Training (40 hours)
- 21 2005 - Spanish Survival for Law Enforcement (24 hours)
- 22 - Field Training Officer, Basic Academy (40 hours)
- 23 - Street Crimes Training (24 hours)
- 24 2006 - Detective and New Criminal Investigator Training (35 hours)
- 25 - Basic Homicide Investigation Training (40 hours)
- 26 - Crime Scene Processing and Management Training (40 hours)

- 1 2007 - Emergency Vehicle Operators Instructor Course (40 hours)
- 2 - Finding Missing Persons and Identifying Human Remains (8 hours)
- 3 - Cell Phone Investigations (16 hours)
- 4 - Identity Theft Investigation Training (20 hours)
- 5 2008 - Shooting Incident Reconstruction (40 hours)
- 6 - Basic and Advanced Investigation of Sexual Assault (16 hours)
- 7 - Investigative Strategies for Missing and Abducted Children (36 hours)
- 8 - Forensic Science and Development DNA Symposium (20 hours)
- 9 - Responding to Missing and Abducted Children (36 hours)
- 10 2009 - The Reid Technique of Interviewing and Interrogation (24 hours)
- 11 - Washington Child Abduction Response Team Seminar (6 hours)
- 12 - Crimes Against Children Conference (19.5 hours)
- 13 2010 - Basic and Advanced Investigation of Sexual Assault (16 hours)
- 14 - Conducting Death and Homicide Investigations (24 hours)
- 15 2011 - Advanced Sexual Assault Investigations (8 hours)
- 16 - Complex Sexual Assault Investigations (8 hours)
- 17 - Conducting Officer Involved Shooting & In-Custody Death
- 18 Investigations (20 hours)
- 19 - Oregon Homicide Investigators Association, Major Crimes Conference (20 hours)
- 20 - Online Investigations: Tools, Tips and Techniques (16 hours)
- 21 2012 - Practical Homicide Investigation (24 hours)
- 22 2013 - Officer Involved Shooting Investigations (8 hours)
- 23 - Washington Homicide Investigators Association, Major Crimes Conference (20 hours)
- 24 - Bloodstain Pattern Analysis I (40 hours)
- 25 - Child Death Investigations (16 hours)
- 26 2014 - DNA Evidence for Investigators (24 hours)

- 1 - National Homicide Seminar (32 hours)
2 2015 - Force Encounters Analysis (24 hours)
3 - Cell Phone Investigation Techniques (16 hours)

4 The facts in this affidavit come from my personal observations, my training and
5 experience, and information obtained from other investigators and witnesses. This affidavit is
6 intended to show merely that there is sufficient probable cause for the requested warrant and
7 does not set forth all of my knowledge about this matter.

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11 **PROBABLE CAUSE STATEMENT:**

12 Your affiant is currently involved in the investigation of Battle Ground Police
13 Department (BGPD) Case 2115-1656, a homicide investigation. This information is based on
14 my investigation and the investigation of BGPD Officer Archer, BGPD Sgt. Kanooth, and
15 Clark County Sheriff's Office Detective Harper.

16 On 8/1/2015 at approximately 2353 hours Battle Ground Police were dispatched to an
17 assault that just occurred near SE Grace Ave and SE 2nd St in Battle Ground, Washington. The
18 911 caller reported one male suspect was choking another male on the ground. The suspect
19 then walked away from the male on the ground. The male on the ground remained and had
20 blood all over his head.

21 BGPD Officer Archer arrived in the area and made contact with a male, Stephen
22 Reichow, at SE 1st St and SE Grace Ave. Reichow had his hands up and Ofc. Archer
23 immediately noticed they were covered with blood. Ofc. Archer asked Reichow if he was
24 injured and he said no, but "the other guy Brandon" was injured. Ofc. Archer asked Reichow
25 how bad Brandon was hurt. Reichow replied "I killed him". Ofc. Archer then got information

1 from other responding officers of a male, Brandon Maulding, who was lying on the ground with
2 head wounds and was breathing. A baseball bat was found near Maulding. Ofc. Archer
3 subsequently detained Reichow and he was transported to the Battle Ground Police
4 Department. An LG cell phone, black in color, model LGMS500, serial number
5 405CYVU937647 was recovered from Reichow. The phone is currently in custody of the
6 Battle Ground Police Department.

7 Maulding was transported to PeaceHealth Southwest Medical Center via ambulance.
8 Per the 911 dispatch call log, the PeaceHealth Southwest Medical Center charge nurse called on
9 8/2/2015 at 0048 hours advising Maulding was deceased.

10 Three witnesses were contacted in the area of SE Grace Ave and SE 2nd Street. They
11 were Anne Tanninen, Chelsi Sutherland, and Jaqueline Olson. All three were interviewed at
12 the Battle Ground Police Department.

13 I was contacted at my residence to assist with the investigation and responded to the
14 Battle Ground Police Department arriving on 8/2/2015 at approximately 0230 hours. Upon
15 arrival I was contacted by BGPD Sgt. Kanooth who told me Reichow gave a statement and had
16 apparent blood stains on his face and clothing. BGPD Det. Kelly swabbed the apparent blood
17 on Reichow's body.

18 Tanninen was interviewed by Battle Ground Sgt. Kanooth and Clark County Sheriff's
19 Office Det. Harper. Tanninen stated she was an associate of both Maulding and Reichow. She
20 had known Maulding for approximately 1 week and Reichow for 1 or 2 days. Tanninen stated
21 her relationship with Maulding was sexual. Earlier in the evening hours of 8/1/2015 Tanninen
22 picked up Maulding and Reichow at a residence. She was in her white colored Ford Expedition
23 bearing Washington license plate 815XHW. Maulding got in the front passenger seat and
24 Reichow jumped into the back baggage compartment area landing on Tanninen's belongings.
25 Tanninen stated this made her upset with Reichow. She drove them to her storage facility at

1 800 SE 2nd Street in Battle Ground. All three went inside it. While in the storage facility,
2 Tanninen and Reichow had a discussion about government, organized crime, and gang stalking.
3 Tanninen then received a phone call on her iPhone, which she described as an iPhone 4 or 5,
4 black in color, with a cracked screen. She said the call was from a Hispanic sounding male
5 whose voice was garbled. Tanninen stated the call was threatening in nature and was about
6 something involving \$5,000 ransom. Tanninen was unable to provide many details of the call.
7 Upon completion of the call Tanninen, who believed Reichow was somehow associated with it,
8 confronted Reichow. Tanninen asked Reichow who he "really was" and for his identification.
9 Maulding participated in the confrontation asking Reichow for his last name and who he was.
10 At the time, Maulding was holding an aluminum bat that he retrieved from an umbrella stand in
11 the storage unit. Tanninen said Maulding was playing with a bat in a non-threatening manner.
12 Tanninen said Reichow started to talk in a belligerent "scary manner" and said "I am going to
13 fuck you". Tanninen stated she started "talking tough" and referred to a large orange ax handle
14 that was in the facility. Reichow then "looked scared" and ran from the storage facility.
15 Tanninen did not reveal if or when Maulding left the storage facility. Tanninen said she left the
16 storage facility, got her vehicle, began to drive away from the area, and heard the sound of an
17 aluminum bat hitting the gravel. She abandoned her vehicle in the parking lot of the storage
18 facility and went to a nearby bar and contacted the owner.

19 Tanninen stated she left the iPhone that she received the threatening call on in the
20 storage facility. She said she had a "Verizon flip phone" she uses to "record things" with her
21 when she left the storage facility. She also stated she had an LG Touch Screen smart phone she
22 used to call "Darren" during this incident. Both phones were recovered from Tanninen. The
23 Verizon flip phone was a black in color LG brand flip phone, model VX8300, serial number
24 707KPPB6910424, and the other was a black in color LG smart phone, serial number

1 412CQWC951329. Both phones are currently in custody of the Battle Ground Police
2 Department.

3 BGPLD Det. Kelly and I interviewed witnesses Jacqueline Olson and Chelsi Sutherland.
4 Both were in the same vehicle. Sutherland was driving the vehicle and Olson was in the front
5 passenger seat.

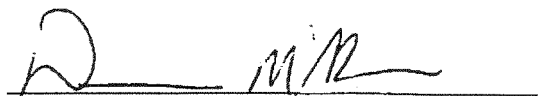
6 Jacqueline Olson stated she and Sutherland were driving near 800 SE 2nd Street in the
7 late evening hours of 8/1/2015. Olson saw two men near the side of the roadway. She
8 described them as one being heavy set and the other being thin. (Reichow is 5'8" tall and
9 approximately 180 lbs, and Maulding is 5'9" tall and approximately 140 lbs). Olson thought it
10 was the end of the fight because the thin man looked like he just got off the ground, was
11 walking backwards, and was holding his arms up. The heavy man was advancing on the thin
12 man and was possibly holding a cylindrical object in his hand. Olson and Sutherland drove
13 away and to Sutherland's nearby home. They returned to the scene about 2 minutes later. At
14 this time the heavy man was on top of the thin man with his hands around his neck choking
15 him. The thin man was limp and offering no resistance. They drove past, then turned around.
16 They saw the heavy man walking away and called the police.

17 Det. Kelly and I also interviewed Sutherland. She was driving near 800 SE 2nd Street
18 when Olson stated she saw two men fighting. Sutherland drove to her house and they returned
19 to the area. Sutherland saw the heavy set male on top of the thin male. The heavy set male had
20 his arms around the neck of the thin male and was choking him. The thin male was limp.
21 Sutherland said Olson called 911. The heavy set male, who had blood all over him, then
22 walked to a nearby house and showed his hands to the two people standing outside the house.
23 The heavy set male then walked away.

24 On 8/2/2015 at approximately 0720 hours I was contacted by Det. Harper. Det. Harper
25 was conducting follow-up on this case and went to the scene. When he arrived, Tanninen was

1 there and contacted him. This was approximately 4 hours after he and Sgt. Kanooth
2 interviewed her at the Battle Ground Police Department. Det. Harper informed me of updated
3 information he learned from Tanninen. He advised me that Tannanin saw the bat that was
4 found outside (near Maulding) at the scene and stated it was not the same bat Maulding had
5 been playing with inside the storage facility the previous night. She identified the baseball bat,
6 which was gray and yellow with a black handle, as being in the umbrella stand in her storage
7 unit, but did not know it had been removed. She also clarified that Reichow got belligerent
8 with her when she told him to leave the storage facility. She said Maulding asked her if he
9 needed to leave also. She told them both to leave. She said both left the storage facility about
10 the same time, and she could not see if either had any items had in their hands. Det. Harper
11 also told me he surveyed the exterior of Tannanin's white Ford Expedition. He discovered it
12 had apparent blood spatter and body tissue fragments on it. Det. Harper said it would not have
13 been possible for blood or body tissue to get on Tannanin's vehicle if it was parked in its
14 current location. Tannanin stated it was parked in its current location at the time she heard the
15 sound of an aluminum bat striking the ground.

16 Based on the foregoing facts, your affiant believes that Brandon Maulding is the victim
17 of homicide. Your affiant believes that a search of the listed business, vehicle, person, and
18 property will result in the locating of evidence that will assist in this investigation. Your affiant
19 therefore asks the court for the issuance of a search warrant for the place, vehicle, person, and
20 property described above for the items listed.

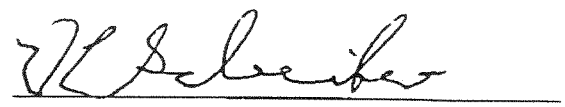
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23 Detective Darren McShea #1362

24 Vancouver Police Department

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SUBSCRIBED AND SWORN TO BEFORE ME ON THIS THE 2ND DAY OF AUGUST,
2015.



Judge of the District Court

County of Clark

State of Washington

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District Court of Clark County
State of Washington

State of Washington
plaintiff,
VS
Defendant
Stephen M. Reichow

Search Warrant

FILED
AUG 12 2015
DISTRICT COURT
CLARK COUNTY, WASH

THE PEOPLE OF THE STATE OF WASHINGTON; to any Sheriff, Policeman, or Peace Officer in the county of Clark: Proof by affidavit under oath, made in conformity with the State of Washington Criminal Rules for Justice Court, rule 2.3, section (c), having been made this day to me by Detective Darren M. McShea, of the Vancouver Police Department, that there is probable cause for the issuance of a Search Warrant to search for evidence of the crime(s) of Murder in the First Degree (RCW 9A.32.030) on the grounds set forth in the State of Washington Criminal rules for Justice Court, rule 2.3, section (c).

You are therefore commanded, with the necessary and proper assistance, to make a diligent search, good cause having been shown therefore, of the following described property, vehicle, and persons within 10 days of the issuance of this warrant:

From the following items:

1. A Verizon flip phone, black in color, LG brand, model VX8300, serial number 707KPPB6910424.
2. An LG smart phone, black in color, serial number 412CQWC951329.
3. An iPhone 4 or 5 with a cracked screen, black in color.
4. An LG cell phone, black in color, model LGMS500, serial number 405CYVU937647.

Vancouver Police Department
Detective Darren M. McShea
P.O. Box 1995
Vancouver, Washington 98668-1995
360-487-7431

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For the following described property:

The examination, analysis, and recovery of data to include: any Subscriber Identity Module (SIM) cards or removable memory devices present in the handset. All data included in the handset memory, including but not limited to incoming and outgoing call lists, contact lists (phonebooks), pictures, videos, multimedia messages, e-mails, voice mail, electronic correspondence, any available text messages; information on the phone to include graphics/image files, pictures, movies files, emails, spreadsheets, databases, word processing documents, Internet history, Internet web pages, location history, newsgroup information, passwords, encrypted files, documents, software programs, or any other electronic data or records that may pertain to the crime(s) being investigated.

and if you find same, or any part thereof, then bring same before the Honorable District Court Judge [Signature] to be disposed of according to law.

This Search Warrant was Signed this 2 day of Aug, 2015
Time: 12:15 a.m./p.m.

by the Honorable Judge [Signature]

Date and time of execution: 8/4/2015, 0830 hours (to P&CU)

By [Signature] #1362

Vancouver Police Department
Detective Darren M. McShea
P.O. Box 1995
Vancouver, Washington 98668-1995
360-487-7431

FILED

AUG 12 2015

DISTRICT COURT
CLARK COUNTY, WASH

State of Washington
Clark County District court

State of Washington
plaintiff,
VS
Defendant
Stephen M. Reichow

Search Warrant Return

I, Detective Darren McShea, #1362, of the Vancouver Police Department, executed a search warrant on August 4th, 2015 at 0830 hours, which was issued by Judge Schreiber on August 2nd, 2015 at 1215 hours which directed that:

The following items to be searched:

1. A Verizon flip phone, black in color, LG brand, model VX8300, serial number 707KPPB6910424.
2. An LG smart phone, black in color, serial number 412CQWC951329.
3. An iPhone 4 or 5 with a cracked screen, black in color.
4. An LG cell phone, black in color, model LGMS500, serial number 405CYVU937647.

For the following described property:

The examination, analysis, and recovery of data to include: any Subscriber Identity Module (SIM) cards or removable memory devices present in the handset. All data included in the handset memory, including but not limited to incoming and outgoing call lists, contact lists (phonebooks), pictures, videos, multimedia messages, e-mails, voice mail, electronic correspondence, any available text messages; information on the phone to include graphics/image files, pictures, movies files, emails, spreadsheets, databases, word processing documents, Internet history, Internet web pages, location history, newsgroup information, passwords, encrypted files, documents, software


Vancouver Police Department
Detective Darren M. McShea
P.O. Box 1995
Vancouver, Washington 98668-1995
360-487-7431

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programs, or any other electronic data or records that may pertain to the crime(s) being investigated.

In executing said warrant, the items were transferred into the custody of the Vancouver Police Department Digital Cybercrime Evidence Unit (DECU). I have returned same before the Honorable Judge Schreiber on August 12th, 2015 at 1400 hours.

Signed 
Detective Darren M. McShea
Vancouver Police Department

Vancouver Police Department
Detective Darren M. McShea
P.O. Box 1995
Vancouver, Washington 98668-1995
360-487-7431



BATTLE GROUND POLICE DEPT

PROPERTY REPORT HARDCOPY

(PR# 1537)

GO 21 2015-1656

Property Report

REPORT INFORMATION

Property Report # 1537

Case Status SEIZED AS EVIDENCE (WHEN REQUIRED BY IBR)

Submitted On AUG-01-2015 (SAT.)

By KELLY, RICK

RELATED EVENTS

Offense: GO 21 2015- 1656

Related Items 4

ARTICLES

Status SEIZED AS EVIDENCE (WHEN REQUIRED BY IBR)

Tag # 211537 - 1

Article OTELEPH- OFFICE EQUIPMENT

Color BLK/

Model LG

Serial # 1 405CYVU937647

Value \$0.00

Description BLACK LG CELLPHONE REICHOW

Recovered Value \$0.00

Current Location VPD D. MCSHEA

ARTICLES

Status SEIZED AS EVIDENCE (WHEN REQUIRED BY IBR)

Tag # 211537 - 2

Article OTELEPH- OFFICE EQUIPMENT

Model LG

Serial # 1 707KPPB6910424

Value \$0.00

Description GRAY LG FLIP PHON ANN TANNINEN

Recovered Value \$0.00

Current Location VPD DET. MCSHEA

ARTICLES

Status SEIZED AS EVIDENCE (WHEN REQUIRED BY IBR)

Tag # 211537 - 3

Article OTELEPH- OFFICE EQUIPMENT

Color BLK/

Model LG

APPENDIX 2

Contents:

(Affidavit for Search Warrant 15-444 duplicative of 15-443; not included)

Search Warrant 15-444

Search Warrant Return 15-444

Property Report (PR #1537) including:

ARTICLES:

Tag # 211537 - 4 BLOOD DRAW FOR STEPHEN REICHOW

PROPERTY REPORT HARDCOPY (PR# 1537)

ARTICLES:

Tag #: 211548 - 11

Description: "ORAL SWAB FROM REICHOW"

154421

District Court of Clark County
State of Washington

State of Washington

plaintiff,

VS

Defendant

Stephen M. Reichow

Search Warrant

FILED

AUG 12 2015

DISTRICT COURT
CLARK COUNTY WASH

THE PEOPLE OF THE STATE OF WASHINGTON; to any Sheriff, Policeman, or Peace Officer in the county of Clark: Proof by affidavit under oath, made in conformity with the State of Washington Criminal Rules for Justice Court, rule 2.3, section (c), having been made this day to me by Detective Darren M. McShea, of the Vancouver Police Department, that there is probable cause for the issuance of a Search Warrant to search for evidence of the crime(s) of Murder in the First Degree (RCW 9A.32.030) on the grounds set forth in the State of Washington Criminal rules for Justice Court, rule 2.3, section (c).

You are therefore commanded, with the necessary and proper assistance, to make a diligent search, good cause having been shown therefore, of the following described property, vehicle, and persons within 10 days of the issuance of this warrant:

From the following person in Clark County, Washington:

Stephen Mark Reichow, date of birth August 4th, 1981, a white male adult approximately 5'08" tall and 180 pounds with gray hair and brown eyes.

Vancouver Police Department
Detective Darren M. McShea
P.O. Box 1995
Vancouver, Washington 98668-1995
360-487-7431

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For the following described property:

1. Oral swabs for DNA analysis from suspect, Stephen M. Reichow, date of birth 8/4/1981, for subsequent testing/analysis by qualified personnel at the Washington State Patrol Crime Laboratory.
2. Blood from the person of suspect, Stephen M. Reichow, date of birth 8/4/1981, to be seized by qualified medical personnel for subsequent testing/analysis by the Washington State Patrol Crime Laboratory.

and if you find same, or any part thereof, then bring same before the Honorable District Court Judge VK Seibert to be disposed of according to law.

This Search Warrant was Signed this 2 day of Aug., 2015
Time: 12:15 a.m./p.m.

by the Honorable Judge VK Seibert

Date and time of execution: 8/02/2015 1445 hours

By D M #1362

Vancouver Police Department
Detective Darren M. McShea
P.O. Box 1995
Vancouver, Washington 98668-1995
360-487-7431

15-444

FILED

AUG 12 2015

DISTRICT COURT
CLARK COUNTY, WASH

State of Washington
Clark County District court

State of Washington
plaintiff,
VS
Defendant
Stephen M. Reichow

Search Warrant Return

I, Detective Darren McShea, #1362, of the Vancouver Police Department, executed a search warrant on August 2nd, 2015 at 1445 hours, which was issued by Judge Schreiber on August 2nd, 2015 at 1215 hours which directed that:


The following person to be searched:

The person of Stephen Mark Reichow, date of birth August 4th, 1981, a white male adult approximately 5'08" tall and 180 pounds with gray hair and brown eyes.

Be searched and the following items seized:

1. Oral swabs for DNA analysis from suspect, Stephen M. Reichow, date of birth 8/4/1981, for subsequent testing/analysis by qualified personnel at the Washington State Patrol Crime Laboratory.
2. Blood from the person of suspect, Stephen M. Reichow, date of birth 8/4/1981, to be seized by qualified medical personnel for subsequent testing/analysis by the Washington State Patrol Crime Laboratory.

In executing said warrant, I have returned same (See attached property receipt), resident identification and property seized before the Honorable Judge Schreiber on August 12th, 2015 at 1400 hours.

Signed 
Detective Darren M. McShea
Vancouver Police Department

Vancouver Police Department
Detective Darren M. McShea
P.O. Box 1995
Vancouver, Washington 98668-1995
360-487-7431

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BATTLE GROUND POLICE DEPT

PROPERTY REPORT HARDCOPY

(PR# 1537)

GO 21 2015-1656

Serial # 1 412CQWC951392

Value \$0.00

Description BLACK LG PHONE ANN TANNINEN

Recovered Value \$0.00

Current Location VPD DET. MCSHEA

MISCELLANEOUS - EVIDENCE

Status SEIZED AS EVIDENCE (WHEN REQUIRED BY IBR)

Tag # 211537 - 4

Description BLOOD DRAW FOR STEPHEN REICHOW

Recovered Date AUG-02-2015

Recovered Location 800 SE 2ND ST

MISCELLANEOUS ITEM #1

Item BLOOD DRAW STEPHEN
REICHOW

Value \$0.00

Flags EVIDENCE

Current Location WSP TOX LAB



BATTLE GROUND POLICE DEPT

PROPERTY REPORT HARDCOPY

(PR# 1548)

GO 21 2015-1656

Serial # 1 UNKNOWN

Value \$0.00

Description ORAL SWAB FROM TANNINEN

Recovered Value \$0.00

Flags EVIDENCE

Current Location ER 1

ARTICLES - EVIDENCE

Status EVIDENCE

Tag # 211548 - 11

Article YCHEEKSW- ITEMS LISTED UNDER Y OR NOT LISTED IN ARTICLE NAME DICTIONARY

Serial # 1 UNKNOWN

Value \$0.00

Description ORAL SWAB FROM REICHOW

Recovered Value \$0.00

Flags EVIDENCE

Current Location WSP CRIME LAB VANC

MISCELLANEOUS - EVIDENCE

Status EVIDENCE

Tag # 211548 - 12

Description CONTROL SWAB FOR DNA SAMPLE

Recovered Date AUG-02-2015

Recovered Location 507 SW 1ST ST

APPENDIX 3

Contents:

Affidavit for Search Warrant 15-503

Search Warrant 15-503

Search Warrant Return 15-503

Property Report (PR #1588) including:

Tag # 211588 - 2 PICS OF REICHOW AFTER BOOKING

District Court of Clark County

State of Washington

FILED

SEP 03 2015

DISTRICT COURT
CLARK COUNTY, WASH

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State of Washington

plaintiff,

VS

Defendant

Stephen M. Reichow

Affidavit for Search Warrant

Your Affiant, Detective Darren McShea, #1362, being first duly sworn upon oath, does hereby depose and say that your affiant has good and sufficient reason to believe that the following goods, evidence of Murder 1st Degree (RCW 9A.32.030) to wit:

1. Photographs of the person of Stephen M. Reichow, including photographs of his entire head/face (front, sides, and back), entire torso/back (front, sides, and back), both legs/feet (front, sides, and back), and both arms/hands (front, sides, and back).
2. Any and all medical records, to include but not limited to: run reports, charts, documents, memoranda, notes, treatment plans, procedures, audio/video recordings, x-ray images, pertaining to any and all services and care provided to Brandon D. Maulding, date of birth 04/21/1979, starting on 8/01/2015 and ending on 8/02/2015.

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Are on this date at the following location to be searched:

1. The person of Stephen Mark Reichow, date of birth August 4th, 1981, a white male adult approximately 5'08" tall and 180 pounds with gray hair and brown eyes. Reichow is currently an inmate at the Clark County Jail located at 707 W 13th St, Vancouver, Clark County, Washington 98660.
2. PeaceHealth Southwest Medical Center
400 NE Mother Joseph Place
Vancouver, WA 98664
3. American Medical Response
409 NE 76th Street
Vancouver, WA 98665

Your affiant is informed and aware of this based on the following:

AFFIANT INFORMATION

I am a Detective employed by the Vancouver Police Department and have been so employed since February 2003. I am currently assigned as a Detective to the Vancouver Police Department's Major Crimes Unit. In 2003 my initial assignment was as a Police Officer assigned to patrol. In 2005 I was assigned to my current position of Detective. My initial assignment as a Detective was to the Property Crimes Division. In 2007 I was assigned to the Major Crimes Unit with the responsibility of investigating homicide, rape, assault, robbery, missing persons, and other crimes against a person.

VANCOUVER POLICE DEPARTMENT
Detective Darren McShea
PO Box 1995
Vancouver, Washington 98668-1995
(360)487-7431
Fax (360)694-1621

1 Prior to my employment with the Vancouver Police Department I was employed by the
2 Anchorage Police Department from March 1995 to January 2003. During my 8 years of
3 employment with the Anchorage Police Department my duties included Patrol Officer, Field
4 Training Officer, Uniformed Investigator, Driving Instructor, Serious Traffic Accident
5 Response Team Member, and Detective with the Crimes Against Children Unit.

6 I have over 20 years of experience as a Police Officer and have received the following
7 courses of specialty training:

8 1992 - B.A. degree in Criminal Justice (University of Alaska, Anchorage)

9 1995 - Anchorage Police Department Academy (608 hours)

10 - Anchorage Police Department Field Training (560 hours)

11 1997 - Domestic Violence Instruction (16 hours)

12 - The Reid Technique of Interviewing and Interrogation (24 hours)

13 - Narcotics Investigation (4 hours)

14 - Moving/Stationary Radar Operator Training (28 hours)

15 - Accident Investigation I (80 hours)

16 - Accident Investigation II (40 hours)

17 1998 - Vehicle Dynamics (40 hours)

18 - Traffic Accident Reconstruction 1 (80 hours)

19 - Traffic Accident Reconstruction 2 (40 hours)

20 1999 - Field Training Officer Seminar (40 hours)

21 - Emergency Vehicle Operators Instructor Course (40 hours)

22 2000 - Uniform Investigation School (40 hours)

23 - National Landlord Train the Trainer (24 hours)

24 - Heavy Vehicle Crash Reconstruction (40 hours)

25 - Electronic and Technical Surveillance Training (6 hours)

26 2001 - Master's Degree in Business Administration (University of Alaska, Anchorage)

27 AFFIDAVIT - Page 3 of 11

VANCOUVER POLICE DEPARTMENT

Detective Darren McShea

PO Box 1995

Vancouver, Washington 98668-1995

(360)487-7431

Fax (360)694-1621

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- Electronic Tracking Systems Patrol Officer Training (8 hours)
- Objective Pre-Employment Interviewing (16 hours)
- 2002 - Interpersonal Violence Training (24 hours)
- Advanced Course on The Reid Technique of Interviewing and Interrogation (24 hours)
- Specialized Advanced Intensive Sexual Abuse Interviewing Skills (18 hours)
- 2003 - Washington State Law Enforcement Equivalency Academy (80 hours)
- Child Abuse Investigations and Interviewing (24 hours)
- Standardized Field Sobriety Testing (16 hours)
- 2004 - Outlaw Motorcycle Gang Investigation Training (16 hours)
- Crisis Intervention Team Training (40 hours)
- Interview and Interrogation Techniques Training (40 hours)
- 2005 - Spanish Survival for Law Enforcement (24 hours)
- Field Training Officer, Basic Academy (40 hours)
- Street Crimes Training (24 hours)
- 2006 - Detective and New Criminal Investigator Training (35 hours)
- Basic Homicide Investigation Training (40 hours)
- Crime Scene Processing and Management Training (40 hours)
- 2007 - Emergency Vehicle Operators Instructor Course (40 hours)
- Finding Missing Persons and Identifying Human Remains (8 hours)
- Cell Phone Investigations (16 hours)
- Identity Theft Investigation Training (20 hours)
- 2008 - Shooting Incident Reconstruction (40 hours)
- Basic and Advanced Investigation of Sexual Assault (16 hours)
- Investigative Strategies for Missing and Abducted Children (36 hours)
- Forensic Science and Development DNA Symposium (20 hours)
- Responding to Missing and Abducted Children (36 hours)

- 1 2009 - The Reid Technique of Interviewing and Interrogation (24 hours)
2 - Washington Child Abduction Response Team Seminar (6 hours)
3 - Crimes Against Children Conference (19.5 hours)
4 2010 - Basic and Advanced Investigation of Sexual Assault (16 hours)
5 - Conducting Death and Homicide Investigations (24 hours)
6 2011 - Advanced Sexual Assault Investigations (8 hours)
7 - Complex Sexual Assault Investigations (8 hours)
8 - Conducting Officer Involved Shooting & In-Custody Death
9 Investigations (20 hours)
10 - Oregon Homicide Investigators Association, Major Crimes Conference (20 hours)
11 - Online Investigations: Tools, Tips and Techniques (16 hours)
12 2012 - Practical Homicide Investigation (24 hours)
13 2013 - Officer Involved Shooting Investigations (8 hours).
14 - Washington Homicide Investigators Association, Major Crimes Conference (20 hours)
15 - Bloodstain Pattern Analysis I (40 hours)
16 - Child Death Investigations (16 hours)
17 2014 - DNA Evidence for Investigators (24 hours)
18 - National Homicide Seminar (32 hours)
19 2015 - Force Encounters Analysis (24 hours)
20 - Cell Phone Investigation Techniques (16 hours)

21 The facts in this affidavit come from my personal observations, my training and
22 experience, and information obtained from other investigators and witnesses. This affidavit is
23 intended to show merely that there is sufficient probable cause for the requested warrant and
24 does not set forth all of my knowledge about this matter.
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PROBABLE CAUSE STATEMENT:

Your affiant is currently involved in the investigation of Battle Ground Police Department (BGPD) Case 2115-1656, a homicide investigation. This information is based on my investigation and the investigation of BGPD Officer Archer, BGPD Sgt. Kanooth, and Clark County Sheriff's Office Detective Harper.

On 8/1/2015 at approximately 2353 hours Battle Ground Police were dispatched to an assault that just occurred near SE Grace Ave and SE 2nd St in Battle Ground, Washington. The 911 caller reported one male suspect was choking another male on the ground. The suspect then walked away from the male on the ground. The male on the ground remained and had blood all over his head.

BGPD Officer Archer arrived in the area and made contact with a male, Stephen Reichow, at SE 1st St and SE Grace Ave. Reichow had his hands up and Ofc. Archer immediately noticed they were covered with blood. Ofc. Archer asked Reichow if he was injured and he said no, but "the other guy Brandon" was injured. Ofc. Archer asked Reichow how bad Brandon was hurt. Reichow replied "I killed him". Ofc. Archer then got information from other responding officers of a male, Brandon Maulding, who was lying on the ground with head wounds and was breathing. A baseball bat was found near Maulding. Ofc. Archer subsequently detained Reichow and he was transported to the Battle Ground Police Department.

Maulding was transported to PeaceHealth Southwest Medical Center via American Medical Response (AMR) ambulance. Per the 911 dispatch call log, the PeaceHealth Southwest Medical Center charge nurse called on 8/2/2015 at 0048 hours advising Maulding was deceased.

1 Sgt. Kanooth and Det. Kelly contacted and interviewed Reichow at the Battle Ground
2 Police Department in the early morning hours of 8/2/2015. Sgt. Kanooth observed that
3 Reichow's gray shirt was torn and that he had a large amount of what appeared to be blood
4 spatter on his face and head, torso and feet on the front of his body. Photos of Reichow were
5 taken, and during that time Sgt. Kanooth asked him if he was injured. Reichow replied he was
6 not.

7 Reichow made a statement to Sgt. Kanooth and Det. Kelly. In summary he stated he
8 had been spending time earlier in the day with Maulding, who was somebody he just met
9 recently and had only seen a couple times. Reichow stated that he and Maulding were driven by
10 Anne Tanninen to her storage unit to help her unload her belongings from her SUV to the
11 storage unit on SE Grace Ave./SE 2nd St. Reichow stated that during the unloading process that
12 Tanninen received a threatening phone call and at some point in the conversation began
13 inferring that Reichow was involved in the threat. Reichow stated that Maulding picked up a
14 baseball bat and began tapping it on his leg.

15 Reichow said he decided to leave the storage building on foot and hid under an RV.
16 Reichow stated that after not seeing Maulding for a couple minutes that he came out from under
17 the RV and immediately saw Tanninen driving her SUV toward him. He stated Maulding
18 exited the passenger's side door of Tanninen's vehicle and came after him with the bat. Reichow
19 stated that Maulding tried to hit him with the baseball bat, but he took the bat from Maulding
20 and knocked him to the ground. Reichow then requested an attorney and gave no further
21 details.

22 Three witnesses were contacted in the area of SE Grace Ave and SE 2nd Street. They
23 were Anne Tanninen, Chelsi Sutherland, and Jaqueline Olson. All three were interviewed at
24 the Battle Ground Police Department.

1 I was contacted at my residence to assist with the investigation and responded to the
2 Battle Ground Police Department arriving on 8/2/2015 at approximately 0230 hours. Upon
3 arrival I was contacted by BGPD Sgt. Kanooth who told me Reichow gave a statement and had
4 apparent blood stains on his face and clothing. BGPD Det. Kelly swabbed the apparent blood
5 on Reichow's body.

6 Tanninen was interviewed by Battle Ground Sgt. Kanooth and Clark County Sheriff's
7 Office Det. Harper. Tanninen stated she was an associate of both Maulding and Reichow. She
8 had known Maulding for approximately 1 week and Reichow for 1 or 2 days. Tanninen stated
9 her relationship with Maulding was sexual. Earlier in the evening hours of 8/1/2015 Tanninen
10 picked up Maulding and Reichow at a residence. She was in her white colored Ford Expedition
11 bearing Washington license plate 815XHW. Maulding got in the front passenger seat and
12 Reichow jumped into the back baggage compartment area landing on Tanninen's belongings.
13 Tanninen stated this made her upset with Reichow. She drove them to her storage facility at
14 800 SE 2nd Street in Battle Ground. All three went inside it. While in the storage facility,
15 Tanninen and Reichow had a discussion about government, organized crime, and gang stalking.
16 Tanninen then received a phone call on her iPhone, which she described as an iPhone 4 or 5,
17 black in color, with a cracked screen. She said the call was from a Hispanic sounding male
18 whose voice was garbled. Tanninen stated the call was threatening in nature and was about
19 something involving \$5,000 ransom. Tanninen was unable to provide many details of the call.
20 Upon completion of the call Tanninen, who believed Reichow was somehow associated with it,
21 confronted Reichow. Tanninen asked Reichow who he "really was" and for his identification.
22 Maulding participated in the confrontation asking Reichow for his last name and who he was.
23 At the time, Maulding was holding an aluminum bat that he retrieved from an umbrella stand in
24 the storage unit. Tanninen said Maulding was playing with a bat in a non-threatening manner.
25 Tanninen said Reichow started to talk in a belligerent "scary manner" and said "I am going to

1 fuck you". Tanninen stated she started "talking tough" and referred to a large orange ax handle
2 that was in the facility. Reichow then "looked scared" and ran from the storage facility.
3 Tanninen did not reveal if or when Maulding left the storage facility. Tanninen said she left the
4 storage facility, got her vehicle, began to drive away from the area, and heard the sound of an
5 aluminum bat hitting the gravel. She abandoned her vehicle in the parking lot of the storage
6 facility and went to a nearby bar and contacted the owner.

7 B.G.P.D. Det. Kelly and I interviewed witnesses Jacqueline Olson and Chelsi Sutherland.
8 Both were in the same vehicle. Sutherland was driving the vehicle and Olson was in the front
9 passenger seat.

10 Jacqueline Olson stated she and Sutherland were driving near 800 SE 2nd Street in the
11 late evening hours of 8/1/2015. Olson saw two men near the side of the roadway. She
12 described them as one being heavy set and the other being thin. (Reichow is 5'8" tall and
13 approximately 180 lbs, and Maulding is 5'9" tall and approximately 140 lbs). Olson thought it
14 was the end of the fight because the thin man looked like he just got off the ground, was
15 walking backwards, and was holding his arms up. The heavy man was advancing on the thin
16 man and was possibly holding a cylindrical object in his hand. Olson and Sutherland drove
17 away and to Sutherland's nearby home. They returned to the scene about 2 minutes later. At
18 this time the heavy man was on top of the thin man with his hands around his neck choking
19 him. The thin man was limp and offering no resistance. They drove past, then turned around.
20 They saw the heavy man walking away and called the police.

21 Det. Kelly and I also interviewed Sutherland. She was driving near 800 SE 2nd Street
22 when Olson stated she saw two men fighting. Sutherland drove to her house and they returned
23 to the area. Sutherland saw the heavy set male on top of the thin male. The heavy set male had
24 his arms around the neck of the thin male and was choking him. The thin male was limp.
25 Sutherland said Olson called 911. The heavy set male, who had blood all over him, then

1 walked to a nearby house and showed his hands to the two people standing outside the house.
2 The heavy set male then walked away.

3 On 8/2/2015 at approximately 0720 hours I was contacted by Det. Harper. Det. Harper
4 was conducting follow-up on this case and went to the scene. When he arrived, Tanninen was
5 there and contacted him. This was approximately 4 hours after he and Sgt. Kanooth
6 interviewed her at the Battle Ground Police Department. Det. Harper informed me of updated
7 information he learned from Tanninen. He advised me that Tannanin saw the bat that was
8 found outside (near Maulding) at the scene and stated it was not the same bat Maulding had
9 been playing with inside the storage facility the previous night. She identified the baseball bat,
10 which was gray and yellow with a black handle, as being in the umbrella stand in her storage
11 unit, but did not know it had been removed. She also clarified that Reichow got belligerent
12 with her when she told him to leave the storage facility. She said Maulding asked her if he
13 needed to leave also. She told them both to leave. She said both left the storage facility about
14 the same time, and she could not see if either had any items had in their hands. Det. Harper
15 also told me he surveyed the exterior of Tannanin's white Ford Expedition. He discovered it
16 had apparent blood spatter and body tissue fragments on it. Det. Harper said it would not have
17 been possible for blood or body tissue to get on Tannanin's vehicle if it was parked in its
18 current location. Tannanin stated it was parked in its current location at the time she heard the
19 sound of an aluminum bat striking the ground. On 8/2/2015 at approximately 1630 hours I was
20 contacted by Clark County Sheriff's Office Detective Swenson. Det. Swenson advised me he
21 had done presumptive testing for blood on the apparent blood spatter on Tannanin's vehicle and
22 the result was negative for blood.

23 I know from training and experience that people who are involved in physical
24 altercations do not always develop bruising immediately. They believe and state they are not
25 injured, only to discover later that bruising, swelling, and soreness/stiffness to body parts

1 developed. There is probable cause to believe, based on Maulding's statement, his torn
2 clothing, apparent blood spatter on his body, and injuries to Brandon Maulding, that he was
3 involved in a physical altercation with Brandon Maulding, and that visible injuries may have
4 developed on his body.

5 Based on the foregoing facts, your affiant believes that Brandon Maulding is the victim
6 of homicide. Your affiant believes that a search of the listed businesses and person will result in
7 the locating of evidence that will assist in this investigation. Your affiant therefore asks the
8 court for the issuance of a search warrant for the places and person described above for the
9 items listed.

10 

11
12 Detective Darren McShea #1362

13 Vancouver Police Department

14
15
16 SUBSCRIBED AND SWORN TO BEFORE ME ON THIS THE 4TH DAY OF AUGUST,
17 2015.

18 

19
20 Judge of the District Court

21 County of Clark

22 State of Washington

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District Court of Clark County
State of Washington

State of Washington
plaintiff,
VS
Defendant
Stephen M. Reichow

Search Warrant

FILED

SEP 03 2015

DISTRICT COURT
CLARK COUNTY, WASH

THE PEOPLE OF THE STATE OF WASHINGTON; to any Sheriff, Policeman, or Peace Officer in the county of Clark: Proof by affidavit under oath, made in conformity with the State of Washington Criminal Rules for Justice Court, rule 2.3, section (c), having been made this day to me by Detective Darren M. McShea, of the Vancouver Police Department, that there is probable cause for the issuance of a Search Warrant to search for evidence of the crime(s) of Murder in the First Degree (RCW 9A.32.030) on the grounds set forth in the State of Washington Criminal rules for Justice Court, rule 2.3, section (c).

You are therefore commanded, with the necessary and proper assistance, to make a diligent search, good cause having been shown therefore, of the following described property, vehicle, and persons within 10 days of the issuance of this warrant:

From the person described as follows:

Stephen Mark Reichow, date of birth August 4th, 1981, a white male adult approximately 5'08" tall and 180 pounds with gray hair and brown eyes. Reichow is currently an inmate at the Clark County Jail located at 707 W 13th St, Vancouver, Clark County, Washington 98660.



Name: REICHOW, STEPHEN MARK
DOB: 8/4/1981
CFN: 222918 BSN: 15008964 Photo ID: 419721
Description: WHITE M SOB 180 BRO HAZ
Photo taken on 8/2/2015 by: 4777
Monikers: ,
Hazards:
Hazards:
Hazards:
Assault on Officer: NO
Mental Deficiency: NO
Escape History: NO
Gang Affiliation: NO

Vancouver Police Department
Detective Darren M. McShea
P.O. Box 1995
Vancouver, Washington 98668-1995
360-487-7431

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For the following described property:

1. Photographs of the person of Stephen M. Reichow, including photographs of his entire head/face (front, sides, and back), entire torso/back (front, sides, and back), both legs/feet (front, sides, and back), and both arms/hands (front, sides, and back).

and if you find same, or any part thereof, then bring same before the Honorable District Court Judge DK Selinger to be disposed of according to law.

This Search Warrant was Signed this 4 day of Aug, 2015
Time: 5:15 a.m. (p.m)

by the Honorable Judge DK Selinger.

Date and time of execution: 8/4/2015 1450 hrs.

By D. M. McShea #1362.

Vancouver Police Department
Detective Darren M. McShea
P.O. Box 1995
Vancouver, Washington 98668-1995
360-487-7431

State of Washington
Clark County District Court

FILED

SEP 03 2015

DISTRICT COURT
CLARK COUNTY, WASH

State of Washington
plaintiff,
VS
Defendant
Stephen M. Reichow

Search Warrant Return

I, Detective Darren McShea, #1362, of the Vancouver Police Department, executed a search warrant on August 4th, 2015 at 1450 hours, which was issued by Judge Schreiber on August 4th, 2015 at 1415 hours which directed that:


The following person to be searched:


Stephen Mark Reichow, date of birth August 4th, 1981, a white male adult approximately 5'08" tall and 180 pounds with gray hair and brown eyes. Reichow is currently an inmate at the Clark County Jail located at 707 W 13th St, Vancouver, Clark County, Washington 98660.

For the following described property:

- 1. Photographs of the person of Stephen M. Reichow, including photographs of his entire head/face (front, sides, and back), entire torso/back (front, sides, and back), both legs/feet (front, sides, and back), and both arms/hands (front, sides, and back).

In executing said warrant, I have returned same (See attached property receipt), property seized before the Honorable Judge Schreiber on September 3rd, 2015 at 1400 hours.

1130 

Signed 
Detective Darren M. McShea
Vancouver Police Department

Vancouver Police Department
Detective Darren M. McShea
P.O. Box 1995
Vancouver, Washington 98668-1995
360-487-7431

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BATTLE GROUND POLICE DEPT

PROPERTY REPORT HARDCOPY

(PR# 1588)

GO 21 2015-1656

Property Report

REPORT INFORMATION

Property Report # 1588

Case Status EVIDENCE

Submitted On AUG-01-2015 (SAT.)

By KELLY, RICK

RELATED EVENTS

Offense: GO 21 2015- 1656

Related Items 2

ARTICLES - EVIDENCE

Status EVIDENCE

Tag # 211588 - 1

Article DDISK- DATA PROCESSING EQUIPMENT

Serial # 1 UNKNOWN

Value \$0.00

Description CD WITH INTERVIEW KITRINA SMITH AND STIGMAN

Recovered Value \$0.00

Flags EVIDENCE

Current Location BGPD EVIDENCE

ARTICLES - EVIDENCE

Status EVIDENCE

Tag # 211588 - 2

Article DDISK- DATA PROCESSING EQUIPMENT

Serial # 1 UNKNOWN

Value \$0.00

Description PICS OF REICHOW AFTER BOOKING

Recovered Value \$0.00

Flags EVIDENCE

Current Location BGPD EVIDENCE

APPENDIX 4

Contents:

DECLARATION OF PROBABLE CAUSE .

DECLARATION OF PROBABLE CAUSE

BATTLE GROUND POLICE DEPARTMENT
507 SW 1ST STREET, BATTLE GROUND, WASHINGTON 98604
(360) 342-5200 FAX (360) 342-5201

AGENCY CASE NUMBER
15-1656

ADULT JUVENILE

PERSON IN CUSTODY

SUPERIOR COURT DISTRICT COURT BATTLE GROUND MUNICIPAL COURT

DEFENDANT NAME / DOB: Reichow, Stephen M DOB 08/04/1981

CHARGE(S): RCW 9A.32.030 Murder 1st Degree

Probable cause for all new charges not involving a warrant must be established. Failure to provide a statement of probable cause will result in the prisoner's release. The undersigned law enforcement officer states that the person whose name appears above and on the attached: Clark County Custody Pre-Book/Probable Cause Sheet, Clark County Juvenile Intake Report, hereby incorporated by reference, was arrested without a warrant on the date and time shown thereon for the crime(s) committed in Clark County, Washington, based on the circumstances described below.

REQUEST FOR CHARGES

CLARK COUNTY PROSECUTOR

- Adult Felony
 Juvenile
 District Court

- BATTLE GROUND CITY ATTORNEY

 OTHER: _____

DEFENDANT NAME / DOB:

CHARGE(S):

The undersigned law enforcement officer states that there is probable cause to arrest the person whose name appears above and on police report(s) associated with the listed agency case number, such report(s) hereby incorporated by reference, for crime(s) committed in Clark County, Washington, based on the circumstances described below.

SUMMARY OF INFORMATION FOR PROBABLE CAUSE: *(In appropriate cases, please describe the property stolen or damaged, including its value, and how it was derived. In controlled substance cases, please list the type and weight of the drug involved, and the method by which it was field tested. In protection order/no contact violations, describe the specific condition that was violated and how the defendant knew of the order).*

INCIDENT DATE/TIME: August 2, 2015 0015 hours
INCIDENT LOCATION: 800 SE 2nd Street, Battle Ground, wa. 98604

WITNESS #1:
WITNESS #2:
WITNESS #3:

DETAILS: On August 1, 2015 at about 2352 hours, The Battle Ground Police Department was dispatched to the 200 block of SE Grace Avenue for an assault that had just occurred. The reporting party Jacqueline Olson stated she observed a male subject choking another male subject on the ground. Olson stated she observed one of the involved parties walking north towards the "skate park." Olson described the subject as a white male, about 5' 7", "heavy" and wearing a gray shirt and dark shorts. Olson also described a male subject was on the ground "not moving, blood everywhere." Olson was able to lead police to where the heavy set male had gone. Office B. Archer and J. Runnels of the Battle Ground Police Department arrived on scene and later detained a subject identified as, Stephen Reichow. Reichow was wearing a grey shirt and dark shorts. Reichow had blood on his clothing, hands, face, legs, arms, feet and in his hair. I later swabbed blood from Reichow's ears and forehead. Officer Archer asked Reichow if he was hurt, Reichow told Officer Archer he was not hurt but Brandon was. Reichow said Brandon was by the storage building, Office Archer asked Reichow how Brandon was hurt, Reichow said, "I killed him." Officer's were able to locate a subject later identified as, Brandon Maulding, lying on the ground, on the north side of SE 2nd Street and on the south side of the storage facility. Maulding's head and face were covered in blood. Maulding was unconscious and breathing. A baseball bat was found less than a foot from Maulding's head. The bat appeared to have a large amount of blood on it. Maulding was transported to the Peace Southwest hospital where he later died at about 0044 hours. Further investigation revealed Maulding had several blunt force injuries to his head, face and body. Reichow was transported to the Battle Ground Police Department and interviewed by police. During the interview Reichow stated he had been hanging out with Maulding earlier in the day. Reichow stated he and Maulding and gone to the river and went back to Maulding's house. Reichow said he and Maulding left Maulding's residence and was picked up by

0-000000002

another friend, Anne Tanninen. Reichow Maulding and Tanninen drove to a storage facility that Tanninen rented. Reichow said they were hanging out inside the facility and Tanninen got a strange phone call from somebody talking about a drug deal. Tanninen told Reichow and Maulding she was being "gang stalked." Reichow told Tanninen he had been stalked and harassed for the last 6 years.

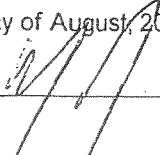

Reichow said they were exiting out of the storage facility out the back door. Reichow said Maulding was in some "kind of altered state." Reichow admitted Maulding had been drinking alcohol and began hitting a baseball bat against the heel of his (Maulding's) foot. Reichow said Maulding started saying "what's up boy" and they started "cornering me." Maulding kept saying "hay boy, hay boy" to Reichow. Reichow stated Tanninen started accusing him of being a part of the people who were stalking her. Reichow said he was standing outside the storage facility door. Reichow said, Maulding was accusing him of stalking Tanninen. Reichow said he was concerned that Maulding was going to harm him with the baseball bat. Reichow says he ran around the building and hid under an RV on the south side of the storage facility. Reichow showed some dirt in his shirt from when he slid under the RV and waited for a couple of minutes. Reichow said Tanninen and Maulding came around the corner in Tanninen's white Ford Expedition. Maulding came out of the Expedition with a baseball bat "coming at me." Reichow said Maulding grabbed and ripped his shirt. Reichow said he grabbed the bat away from Maulding by pulling the bat out of Maulding's hands and knocked Maulding down. Reichow invoked his rights at this time and stated, "at this point forward, I'll need an attorney."

Detective K. Harper of the Clark County Sheriff's Office and Sgt. A Kanooth of the Battle Ground Police Department interviewed Anna Tanninen. Tanninen confirmed that she, Reichow, and Maulding had gone to the storage facility to drop off some of her things. Tanninen stated she picked up Maulding and Reichow at Maulding's residence earlier in the evening. Tanninen said when she picked Reichow; he jumped into the back of her Expedition. Tanninen said Reichow jumped onto some of her personal belongs which made her upset. Tanninen said while at the storage facility, she, Maulding, and Reichow were talking about government, organized crime and gang stalking. Tanninen then received a phone call from a Hispanic subject demanding \$5000.00. Upon completion of the call Tanninen, who believed Reichow was somehow associated with it, confronted Reichow. Tanninen asked Reichow who he "really was" and for his identification. Maulding participated in the confrontation asking Reichow for his last name and who he was. At the time, Maulding was holding an aluminum bat that he retrieved from an umbrella stand in the storage unit. Tanninen said Maulding was playing with a bat in a non-threatening manner. Tanninen said Reichow started to talk in a belligerent "scary manner" and said "I am going to fuck you." Tanninen stated she started "talking tough" and referred to a large orange ax handle that was in the storage facility, Reichow then "looked scared." Tanninen said she told Reichow and Maulding to leave her storage facility and Reichow and Maulding both left at the same time. Tanninen said she left the storage facility, got her vehicle and began to drive away from the area, and heard the sound of an aluminum bat hitting the gravel. Tanninen abandoned her vehicle in the parking lot of the storage facility and went to a nearby bar and contacted the owner. Tanninen later showed up at the location of the assault and saw the aluminum bat found at the scene where Maulding's body was found. Tanninen said this was not the bat Maulding was playing with inside the storage unit. Detective Joe Swenson of the Clark County Sheriff's Office recovered evidence from the south side of 800 SE 2nd Street including a metal baseball bat with reddish stains consistent with blood, apparent bone fragment and other tissue. I and Detective D. McShea of the Vancouver Police Department interviewed the original reporting parties, Jacqueline Olson and Chelsi Suterland. Both were in the same vehicle. Suterland was driving near 800 SE 2nd Street in the late evening of August 1, 2015. Olson saw two men near the side of the roadway fighting. Olson described them as one being heavy set, later identified as Reichow and the other being thin, later identified as Maulding. Olson thought it was the end of the fight because the Maulding looked like he just got off the ground, was walking backwards, and was holding his arms up. The Reichow was advancing on Maulding and was possibly holding a cylindrical object. Olson and Suterland drove away and to Suterland's nearby home. They returned to the scene about 2 minutes later. At this time the Reichow was on top of Maulding with his hands around Maulding's neck, choking him. Olson and Suterland both described how Reichow was standing over Maulding with both hands around Maulding's neck. Olson described how it appeared Reichow was pulling Maulding up and down of the ground. Maulding was not moving and his arms were down to his side. Olson and Suterland saw Reichow walk away and that was when they called the police. Olson and Suterland stated they observed Reichow walk to a nearby residence and Reichow to have blood all over him.

On August 2, 2015 at about 0800 hours, I attended the autopsy for Maulding at the Clark County Medical Examiner's Office. I was advised Maulding died of blunt force trauma. Maulding had several fractures at the front of his skull and face. Maulding had several injuries to the back of his head as well. Reichow was booked into the Clark County Jail for Murder in the 1st degree.

The undersigned declares and certifies under penalty of perjury under the laws of the State of Washington that the preceding statement is true and correct to the best of his/her knowledge.

Signed this 2th day of August, 2015 in Battle Ground, Clark County, Washington.

Officer's Name (printed): R. Kelly

0-000000003

APPENDIX 5

Contents:

Police Reports	(selected Bates Stamp (BS) pages
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SUPPLEMENTAL	Author: Seifert, Neil.120-21
SUPPLEMENTAL	Author: Kanooth, Aaron 123
SUPPLEMENTAL	Author: Kelly, Rick.130, 133
NARRATIVE	Author: McShea, Darren 138
SW FOR SUSP PHOTOS...	Author: McShea, Darren 139
Statement Form	Name: Henley, Amber J. . . .401-02
Statement Form	Name: Olson, Jacqueline D. . . 403
CAD CALL PRINTOUTS469



BATTLE GROUND POLICE DEPT

GENERAL OFFENSE HARDCOPY
(0999-1 AGGRAVATED HOMICIDE)

GO# 21 2015-1656
PENDING -
ANTICIPATING
ADDITIONAL
INFORMATION

Related Text Page(s)

Document NARRATIVE

Author 216083 - ARCHER, BRIAN .

Subject NARRATIVE

Related Date/Time AUG-02-2015 (SUN.) 0352

Murder I

Summary:

This report will document an assault that resulted in the death of Brandon Maulding. The suspect, Stephen Reichow was arrested and taken into custody. Case closed by arrest and Reichow booked into the Clark County jail for Murder I. Charges forwarded to the CCPA.

Narrative:

On 08-01-15, at about 2352 hours, I was dispatched to an assault that just occurred. The call notes stated a male was on the ground choking another male in the XXXXXXXXXXXX. The call stated the suspect was walking towards the Battle Ground Skate Park and was a white male in his 30's, bald, around 5'7", heavy build and last seen wearing a gray shirt and black shorts that came to his mid calf. While in route to the call, additional notes were added by the call taker stating the male was still on the ground and had blood all over his head. Additional notes stated that victim showed up at XXXXXXXXXXXX asking for help. It was later determined when I contacted the Reichow that he was actually the suspect and not the victim and asking the homeowner to call 911.

I drove down XXXXXXXXXXXX to contact what was thought to be the victim at XXXXXXXXXXXX. As I arrived at the intersection of XXXXXXXXXXXX and XXXXXXXXXXXX, I observed a male wearing a gray shirt that appeared ripped, dark brown shorts and had on sandals. The male, who was later identified as Stephen Reichow, had both hands up in the air. As I exited my patrol car I noticed the male's hands were covered in blood that appeared to me to be "blood spatter" and was moving in an upwards direction from the his fingers to the middle of his arms. I also noticed blood spatter on his face, in his hair, on his ears, on his feet and all over his clothes. I asked that male if he was hurt and he stated, "No but the other guy is." The male verbally identified himself as Stephen Reichow. I asked Reichow where the other guy was and he advised he was down by the storage and paint shop." Based on the amount of blood all over Reichow, I asked him how bad the other guy was hurt. Reichow stated, "I think I killed him, but it was completely in self defense." Reichow continued on to say that just before this all happened he was with "Anne" and "Brandon." Anne was later determined to be Anne Tanninen and Brandon was identified as Brandon Maulding. Reichow stated that he thought Anne was Brandon's girlfriend and that they were all together tonight, in Anne's vehicle. Reichow stated to me he was in the storage unit with Anne and Brandon and after Anne received a phone



BATTLE GROUND POLICE DEPT

GENERAL OFFENSE HARDCOPY

(0999-1 AGGRAVATED HOMICIDE)

GO# 21 2015-1656

PENDING -

ANTICIPATING

ADDITIONAL

INFORMATION

call, things got "weird." Reichow advised he freaked out and left, eventually hiding under a trailer (RV) to the south of the storage unit until he thought it was safe to come out. After a few minutes, Reichow advised he came out from under the trailer and Brandon came out of Anne's vehicle carrying a baseball bat. Reichow advised Brandon started hitting the bat on the heel of his shoe and saying, "C'mon boy, hey boy." Reichow stated Brandon was in an "Altered State." Reichow told me a scuffle ensued and that was how his shirt got ripped, "pointing to his shirt." Reichow told me he was in fear for his life and took the bat away from Brandon. Reichow stated he then used Brandon's bat to defend himself. I asked Reichow what he meant and he stated, "I defended myself against Brandon's attack and hit him with his own bat." I heard Officer Runnels go out over the radio requesting AMR code 3 for a victim laying on the ground with life threatening injuries. At this point I detained Reichow in handcuffs and performed a quick cursory pat down for weapons. Officer Seifert arrived at my location to assist with Reichow. Based on the call notes, statements made by Reichow and the discovery Officer Runnels made with the severely injured male on the ground, I believe probable cause existed at this point to arrest Reichow for Assault. I turned Reichow over to Officer Seifert and instructed him to search Reichow incident to lawful arrest. After being searched, Reichow was placed in Officer Seifert's patrol car. It should be noted that Reichow had a very strong odor of intoxicants coming from his person and his speech was slurred/slow. It should also be noted Reichow did not show any signs of remorse and was very "matter of fact" in his demeanor. After Reichow was handcuffed and placed in the back of our patrol cars, he was not asked any questions regarding the case.

I responded to Officer Runnels location, XXXXXXXXX, and observed a male laying on the ground with his face up and covered in blood. The male appeared to have severe injuries to the front and back of his head. I observed a large pool of blood surrounding the victim's head. The male was unconscious and non responsive. I also observed a baseball bat that appeared to be covered in blood and was leaning up against the storage building walls. I asked Officer Runnels if he had touched the bat and he advised "Yes," as he had to move it to attempt to render aid. The victim, who was later identified as Brandon Maulding, was covered in blood and not responding to any questions. Officer Runnels quickly began taking pictures of the scene before any other units or aid arrived and contaminated the crime scene. Maulding was loaded into the Ambulance and transported to Peace Health Hospital. It was learned that Maulding was pronounced dead at the hospital which was approximately 0044 hours.

Sgt. Dave Nelson arrived to assist and suggested to secure the crime scene with police tape, which was completed by myself and Officer Runnels. Shortly thereafter, Sgt. Waddell with the Clark County Sheriff's Office arrived and advised me he had heard the call on the radio and headed our way to see if he could help. Sgt. Waddell advised he spoke to Elliot at Main Street Bar and Grill and was told a woman came inside and told him something "Really bad" had happened and she needed a ride home. Sgt. Waddell told me Elliot told him he told the female, later identified as Anne Tanninen, she needed to speak with police. Sgt. Waddell told me Elliot stated she (Anne) told him she was scared of the police and wanted to hide. Sgt. Waddell stated he was taken to Anne and later placed her in the back of his patrol vehicle as she may have important information pertinent to our call. Sgt. Waddell stated he was advised by Sgt. Waddell stated Tanninen did not offer up much information at the time other than she had received a threatening text message earlier that night. Sgt. Waddell stated at this point he took her phone as it may contain evidence. The phone was later given to Detective Rick Kelly. Please see Detective Kelly's report for additional information. I asked dispatch to contact Battle Ground Police Chief Richardson and have him call my cell phone so as to advise him of the call. I contacted Detective Sgt. Kanooth and advised him of the call and asked that he respond to complete the investigation. While waiting for Sgt. Kanooth to arrive, an unidentified female walked up to the scene and advised she had Anne's phone and wanted to be sure she got it. I took the phone from the female and it was later given to Detective Kelly.



BATTLE GROUND POLICE DEPT

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Reichow, who was in the back of Officer Seifert's patrol car, was transported from the XXXXXXXX Street to my location; XXXXXXXX and placed in the back seat of my patrol car. Reichow was later brought up to my location and placed in the backseat of my patrol car. Reichow was not asked any questions while seated in the back of my car. I asked Officer Seifert if he mirandized Reichow or asked him any questions and he stated, "No." While in the back seat of my patrol car, Reichow stated he was thirsty and was provided with bottled water. Reichow also made statements of being too hot and the A/C was turned on and his window cracked open to allow fresh air in. Sgt. Kanooth asked that I transport Reichow back to the police station and sit with him until they could arrive to begin interviewing him. Sgt. Kanooth asked that he remain handcuffed and not placed in a holding cell unattended. This was to prevent the destruction of any evidence that may be contained on his person or clothing. CCSO Major Crimes was called out and remained at the scene to process the crime scene. Officer Seifert also remained at the scene to maintain a crime scene log. Officer Runnels was released from the scene to pick up the reporting party, Jacqueline Olson and a witness, Chelsi Sutherland to transport them to the police station for interviews.

While at the police station, Officer Seifert advised he had Reichow's wallet and cell phone in his patrol car. I picked up Reichow's personal items that were removed from Reichow's pockets while being searched by Officer Seifert and transported them back to the police station where they were given to Detective McShea with VPD Major Crimes Unit. Please see Officer Runnels and Officer Seifert's supplemental reports for additional information.

Conclusion:

Case closed by arrest and Reichow booked into the Clark County Jail for Murder I. Charges forwarded to the CCPA.



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Follow Up Report # 21 3

Related Text Page(s)

Narrative Text # 1

Document SUPPLEMENTAL

Author 216220 - SEIFERT, NEIL

Related Date/Time AUG-02-2015 (SUN.) 0602

Summary

This report will document my involvement in the investigation of the death of Brandon Maulding. Case forwarded to the CCPA.

Narrative

On 08/01/2015, around 2353 hours, I was dispatched to an assault that had just occurred at XXXXXXXXX

Dispatch advised that a male was on the ground choking another male. Dispatch also advised that one of the males was now leaving on foot towards the skate park and the other male was still on the ground covered in blood. As I was responding, dispatch gave further information that the victim of the assault was now at the XXXXXXXXX.

I responded to the XXXXXXXXX with Officer Archer who was speaking with the male later identified as Stephen Reichow. The male had blood on his hands, face, and clothing; the blood on the shirt was in small specks and looked as if it had been splattered on. The male appeared to have a calm yet scared demeanor when he was speaking. Officer Archer began to get information from Stephen and asked that I start talking to the witnesses that were standing nearby.

I spoke with a male later identified as, Elliott Sutherland, who said he was the bartender at Main Street Bar. He stated a woman had entered the bar and said something bad had happened and someone may be hurt. He told me the female's name is Anne and she said she was afraid of the cops and was going to hide inside the bar and try to get a ride. The bartender thought "something was fishy" and wanted to inform an Officer that Anne was hiding in the bar. I asked if he could point her out to me inside the bar before she was able to leave and he stated he could. I followed him into the bar in an attempt to locate Anne who was attempting to hide. Anne was found outside the bar on E Main Street. I asked Anne to explain to me what had occurred and she refused. Anne told me she didn't want to get involved with anyone else's problems. I told her that someone is injured and I needed to know what happened. At this time, Officer Archer requested my assistance ASAP back to his location. I told Anna she needed to stay where she was and not leave before we could speak with her. I quickly responded to Officer Archer's location.

I arrived back to the XXXXXXXXX and found Stephen placed in handcuffs on the ground. Officer Archer requested that I search Stephen and secure him in my vehicle, while he left to assist Officer Runnels. I searched Stephen and located a wallet, cell phone, and a piece of rope. I sat Stephen up and placed him in the rear of my patrol vehicle. As other units responded to assist with the investigation, I sat in my patrol vehicle with the in car audible radio turned off.



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Stephen had not been read his Miranda Warnings at this point, so I asked him no questions. While in the rear of my patrol vehicle Stephen continued to talk, he told me the following: Anna had dropped the guy off. He was helping Anna stash items in the building. They brought out a baseball bat and I ran. "I was defending myself and all I had were my hands." They were helping Anna unload the contents of the white colored SUV. Stephen stated that I needed to make sure to get pictures of the RV to the west behind the building. He stated "I tried to seek refuge for the bad things that were going to happen to me." He told me he ran from two guys and hid under the RV. He said I needed to take pictures of the RV and the underneath because I would be able to see the drag marks of his belly. He also told me I needed to tape off the north side of the building because they had pulled their vehicle in there and I would be able to see tire tracks. He stated that he thought he may have killed the man with the bat and the other guy ran off. This ended my contact with Stephen as he was transferred into Officer Archer's vehicle.

I stayed on scene and took a crime scene log of people who entered or exited the crime scene; the log has been attached. Detective Gilberti and Detective Swenson were the only two people that entered the scene after it had been taped off.

Conclusion

-
Case forwarded to the CCPA.
-

**BATTLE GROUND POLICE DEPT****GENERAL OFFENSE HARDCOPY****(0999-1 AGGRAVATED HOMICIDE)**

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Follow Up Report # 21 4

Related Text Page(s)**Narrative Text # 1****Document** SUPPLEMENTAL**Author** 216030 - KANOOTH, AARON**Related Date/Time** AUG-02-2015 (SUN.) 1923**Summary**

This report is on interviews regarding the murder of Brandon Moulding by Stephen Reichow. Case forwarded to the CCPA.

Narrative

At about 0004 hours on 08-02-15, I was called by Ofc. Archer and requested to respond to an assault call in which the victim had life threatening injuries with a high likelihood of death. I contacted Det. Kelly to also respond in assisting patrol in the investigation. I arrived at BGD and spoke with Ofc. Archer and Ofc. Runnels on the phone. I was advised that the victim, later identified Brandon Moulding, was being transported to Peace Health hospital. I was advised that the suspect, later identified as Stephen Reichow, was in custody and in a patrol car at the scene. I was also advised that there was a possible witness, Anne Tanninen, at the scene who needed to be talked to. I contacted CCSO Major Crimes Sgt. Allais to request assistance in processing the crime scene and was advised that CCSO Det. Swenson and Det. Gilberti would be responding to assist.

Det. Kelly and I responded to the scene where it was evident that we were going to need more resources and Det. Swenson assisted in getting more resources to the scene. I had Ofc. Archer transport Reichow back to BGD where Det. Kelly and I attempted to interview Reichow (which he allowed to be recorded) at about 0156 hours, but he requested an attorney when read his Miranda rights and all questions were therefore stopped (see recording for details).

After the recording was turned off, Reichow stated that he now wanted to give his side of the story and I explained to him that he requested an attorney and that we can't speak to him. Reichow insisted that he wanted to give his side so we asked to have him explain on record why he changed his mind and wanted to give his side. Reichow agreed to have the interview recorded and explained why he now wanted to talk to us and to tell his side of the story.

We advised Reichow that we were going to take some pictures of him and that when we were done if he still wanted to talk to us we would go on the record and give him that opportunity. Reichow was photographed by myself and Det. Kelly and we observed that Reichow's gray shirt was torn and that he had a large amount of what appeared to be blood spatter on his face and head, torso and feet on the front of his body. Reichow's clothes were seized as evidence and he was given temporary clothing to wear. These photos were entered into evidence by Det. Kelly along with Reichow's clothes. While taking the photos of Reichow, I asked him if he was injured and he told me that he was not. I advised Reichow to let me know if he had any injuries so that we could document them.



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Follow Up Report # 21 5

Maulding was transported to the Peace Southwest hospital where he later died at about 0044 hours. Further investigation revealed Maulding had several blunt force injuries to his head, face and body.

At about 0140 hours, Reichow was transported to the Battle Ground Police Department and interviewed by Detective Sgt. A. Kanooth and Detective R. Kelly. When Reichow arrived at the police department, I observed Reichow appeared to have blood spatter on his clothing, face, arms, legs, feet and in his hair. Officer Archer was present in the holding area and asked Reichow if her were injured. Reichow said, "No." Officer Archer asked Reichow if he needed to see medical for arry reason and Reichow said, "No."

Prior to detectives interviewing Reichow, Reichow stated to me he wanted to talk to police about what happened. Reichow said he defended himself.

On August 2nd, 2015 at about 0156 hours, before I started the interview, I asked Reichow if he would consent to the interview being recorded. Reichow initially stated he would consent to the interview being recorded. I began the recording and read Reichow his Miranda Warning from the pre-printed rights card issued to me by the Washington State Criminal Justice Training Commission. I asked Reichow if he understood his rights and he said he wanted to have his attorney present. I did not question Reichow any further.

Sgt. Kanooth had left the interview area briefly and Reichow continued to say, he defended himself. Reichow said this several times. I did not question Reichow about his statements. While I waited for Sgt. Kanooth to return, Reichow stated he wanted to tell his side of the story. I advised Reichow he had already invoked his rights and I could not speak with him anything further. Reichow stated he would waive his rights to tell his side the story.

On August 2, 2015 at about 0220 hours, I started the recording again and asked Reichow if he would consent to the recording. Reichow said, "Yes." I re-read Reichow his Miranda Warning and asked him if he understood his rights and would he be willing to waive his rights. Reichow said, "Yes."

I asked Reichow to tell me what happened from beginning to end. Reichow stated he had been hanging out with Maulding earlier in the day. Reichow said he had only met Maulding a short time ago and had only hung out with Maulding two or three times. Reichow stated him and Maulding and gone to the river by Daybreak Park today and later went back to Maulding's house. Reichow said Maulding's roommate had come home and told Maulding and Reichow they needed to leave. Reichow said a friend of Maulding's, Anne Tanninen, came by to pick them up. Reichow said he did not know Anne very well and had only seen her one other time.

Reichow, Maulding and Tanninen drove to a storage facility that Tanninen rented off of XXXXX and XXXX. Reichow said they were hanging out inside the facility and Reichow was helping Tanninen unload some of her possessions from her vehicle and into the storage facility. Reichow said at some point, Tanninen got a strange phone call from somebody talking about a drug deal. Tanninen told Reichow and Maulding she was being "gang stalked." Reichow told Tanninen he had been stalked and harassed for the last 6 years.

Reichow said they were exiting out of the storage facility out the back door. Reichow said Maulding was in some "kind of altered state." Reichow said things started getting weird. Reichow admitted Maulding had been drinking alcohol and began hitting a baseball bat against the heel of his (Maulding's) foot. Reichow said Maulding started saying "what's up boy" and they started "cornering me." Maulding kept saying "hey



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On August 2, 2015 at about 0330 hours, Det. McShea and I interviewed Jacqueline Olson. Olson said she was riding in the passenger side of Sutherland's vehicle and they were going to Sutherland's house to get some money. Olson said they were driving by the Battle Ground Paint and Supply store. Olson said she saw movement out of the corner of her eye and noticed it was two guys fighting. Olson described one of the subjects as being heavy set, wearing shorts and a light colored t-shirt. The subject appeared to be between thirty and forty years old. Olson described the other subject as being "slender." Olson said she thought it was the end of the fight because the slender subject looked like he just got off the ground, was stumbling backwards, and was holding his arms up in defense. The heavy set subject was advancing towards the slender subject and was possibly holding a cylindrical object. Olson later described the object as possibly a "kids toy bat." Olson and Sutherland drove to Sutherland's nearby home at Battle Ground Village. They returned to where the subjects were fighting about 2 minutes later. When Olson and Sutherland returned the heavy set subject was on top of the slender subject with his hands around the slender subject's neck, choking him. The slender subject was not moving and his arms were down to his side.

Olson and Sutherland saw the heavy set subject walk away and that was when they called the police. Olson and Sutherland stated they observed the heavy set subject walk to a nearby residence and had blood all over him. Olson did not describe seeing anyone else in the area during the time assault.

Refer to Olson's written and audio recorded statement for further details.

At about 0630 hours, I returned to the crime scene and contacted Anne Tanninen who had returned to give more information. At this time, I was able to collect Tanninen's saliva sample with the use of a sterile oral swab with a cotton tipped applicator. Tanninen signed a Consent to Seize Bodily Fluids form. The swab was later logged into property and evidence and is to be sent to the Washington State Crime Lab for further analysis.

At about 0800 hours, I attended the autopsy for Maulding at the Clark County Medical Examiner's Office. I was advised Maulding died of blunt force trauma. Maulding had several fractures at the front of his skull and face. Maulding had several injuries to the back of his head as well.

At about 1417 hours, Reichow was transported to Legacy Salmon Creek Hospital for a blood draw sought pursuant to a search warrant for Reichow's blood and saliva. While at the hospital I was able to gather samples of Reichow's saliva, pursuant to a search warrant, using two sterile cotton tip applicators and asking Reichow to swab the inside of his mouth. The applicators were allowed to dry briefly and placed back into its original packaging and logged into property and evidence for further processing. While at the hospital, Reichow was asked by hospital staff if he was injured and did he want to see a doctor. Reichow said, "No" and refused medical treatment. Reichow signed a Refusal of Medical Screening Examination form. Det. McShea provided Reichow a copy of the search warrant.

At about 1510 hours, Reichow was transported and booked into the Clark County Jail for Murder in the 1st degree.

I was provided with Maulding's wallet which was removed from Maulding's back pocket by Officer Runnels prior to Maulding being transported to the hospital. The wallet contained several forms of identification including Maulding's Washington State driver's license. The contents of the the wallet were inventoried, photographed and logged into property and evidence.



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Follow Up Report # 21 6 - NOT COMPLETED

from Stephen Reichow, and for phones that had been seized. I responded to XXXXXXXX and contacted CCSO Det. Swenson and CCSO Det. Gilberti, who were processing the scene for evidence. At 1315 hours I gave Det. Swenson copies of the search warrant for 800 SE 2nd Street and Tanninen's vehicle.

At 1335 hours I arrived at the Battle Ground Police Department and contacted Det. Kelly. I advised Det. Kelly I had a search warrant to collect blood and oral swabs from Reichow and we would need to transport him to a medical facility for the blood draw. Det. Kelly arranged for a blood draw at Legacy Salmon Creek Hospital.

At approximately 1415 hours Det. Kelly and I took custody of Reichow from the holding cell and transported him to Legacy Salmon Creek Hospital. We arrived at the hospital at approximately 1440 hours. At approximately 1445 hours I observed RN Jesse Beaucage draw two gray top vials of blood from Reichow's right arm. While at the hospital, Det. Kelly also collected oral swabs from Reichow. We left the hospital at approximately 1515 hours and transported Reichow to the CCSO jail. We arrived at the jail at approximately 1525 hours and Reichow was booked without incident.

Det. Kelly and I returned to the Battle Ground Police Department at about 1600 hours. At about 1630 hours I responded with Sgt. Kanooth to the home of Brandon Mauldings parents, David and Linda Maulding (XXXXXXXXXXXXXXXXXXXX). Sgt. Kanooth notified them of Brandon Mauldings death. Linda Maulding told us she last had contact with Brandon on 8/1/15 at approximately 1413 hours when he called and said he was with "Dennis" at Albertsons and he was going to Daybreak Bridge to go swimming. Per caller ID, Brandon called from XXXXXXXX. Linda advised us Dennis was a former coworker of Brandon. Linda said Brandon was living north of Battle Ground with "Brad" and was working in masonry with Shane Lindberg. She said he struggles with alcohol abuse. Linda also recalled Brandon telling her that on July 4th he had been involved in a fight, possibly near 2nd and Grace in Battle Ground. He said he had been contacted by the police about it. Linda had no other details. Linda also played a phone message for us that was recorded by Sgt. Kanooth. Refer to his report for details.

On 8/2/15 at approximately 1725 hours I returned to Battle Ground PD with Sgt. Kanooth. Det. Swenson, Det. Gilberti, and Det. Kelly were there. At the police department, at about 1730 hours, I took custody of four phones. Three of the phones were from Det. Kelly and were item numbers 211537-1, 211537-2, and 211537-3. One of the phones was from Det. Swenson and was item number 211536-1. I transported the phones to the VPD Major Crime Unit and placed them in a temporary storage locker and retained the key.

On 8/4/15 at approximately 0830 hours I transferred custody of the phone to DECU CCSO Det. McCollom. I also gave Det. McCollom a copy of search warrants for the phones.

CASE STATUS

Active



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Follow Up Report # 21 6 - NOT COMPLETED

Related Text Page(s)

Narrative Text # 2

Document NARRATIVE

Author 231362 - MCSHEA, DARREN

Subject SW FOR SUSP PHOTOS AND MED REC

Related Date/Time AUG-05-2015 (WED.)

ACTION TAKEN

On 8/3/15 Det. Kelly tasked me with writing search warrants for photographs of Reichow (to show the development, or lack thereof, of injuries on his body), and Brandon Maulding's PHSWMC and AMR medical records.

On 8/4/15 at approximately 1415 hours I appeared before Clark County District Court Judge Schreiber and was granted the above mentioned search warrants.

On 8/4/15 at approximately 1445 hours I made contact with Reichow in the Clark County jail and served the search warrant to take photographs of him. VPD Det. Topaum was with me. I asked the jail to provide a room of privacy because I would be taking photos of Reichow with his shirt and pants removed. We were provided a room in the medical unit, the "Lab Room". CCSO Custody Deputy Hatcher stood-by as the photos were taken. I asked Reichow for consent to audio record our contact with him. He said he did not want the contact audio recorded without his attorney present. Reichow then spontaneously stated that the witness lied. I stopped him mid-sentence and told him I was not going to discuss the case with him without his attorney present. Nothing further about the case was mentioned. I gave Reichow a copy of the search warrant which listed the photographs to be taken as follows: "photographs of his entire head/face (front, sides, and back), entire torso/back (front, sides, and back), both legs/feet (front, sides, and back), and both arms/hands (front, sides, and back)". I photographed these areas. While doing so, I observed no injuries to Reichow. I also observed that he had no apparent problems removing his clothing for photographs or moving his body about to have his restraints removed and applied. He moved his body freely about with no expressions of soreness or pain.

On 8/5/15 at approximately 1600 hours I downloaded the photos of Reichow to CD and gave it to Det. Kelly.

On 8/5/15 at approximately 0700 hours I sent, via facsimile, search warrants to PeaceHealth Southwest Medical Center and American Medical Response (AMR) for the following information: "Any and all medical records, to include but not limited to: run reports, charts, documents, memoranda, notes, treatment plans, procedures, audio/video recordings, x-ray images, pertaining to any and all services and care provided to Brandon D. Maulding, date of birth 04/21/1979, starting on 8/01/2015 and ending on 8/02/2015."

On 8/11/15 I received, via fax, the American Medical Response records related to Brandon D. Maulding for the dates 8/1/2015 to 8/2/2015. Refer to records, attached to this report, for full details. I made a digital scan of the records and sent them to Det. Kelly.



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Follow Up Report # 21 18 - NOT COMPLETED

Related Attachment - DIAGRAMS

Description OVERALL SCENE DIAGRAM
Reference Number

Case Number: BGPD 2115-1656	Case Type: Homicide	Diagram Description: Overall Scene	Address: 800 SE 2nd Street Battle Ground, WA 98604	County: Clark
Lead Detective: BGPD Det. Rick Kelly	Drawn By: CCSO Det. Joe Swenson	Date: August 1, 2015	Time: 2352 Hours	Scale: See Diagram



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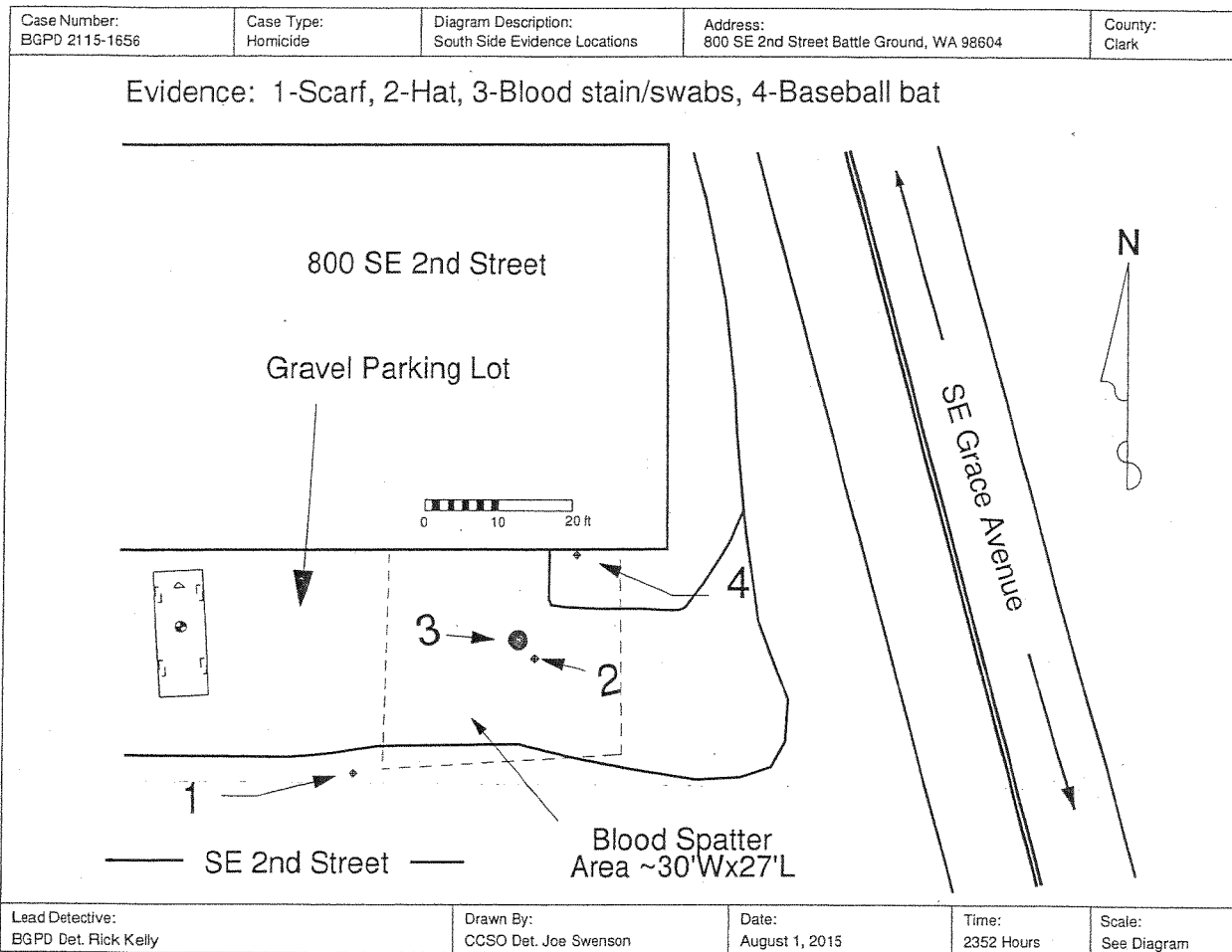
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Follow Up Report # 21 18 - NOT COMPLETED

Related Attachment - DIAGRAMS

Description SOUTH SIDE EVIDENCE LOCATIONS DIAGRAM
Reference Number





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15-1656
6014
8-3-15



Battle Ground Police Department Statement Form

Name: [Last, First MI] Henley, Amber J.
 Date of Birth: 8/24/80 Home Phone: ~~XXXXXXXXXX~~ Work/Cell Phone: ~~XXXXXXXXXX~~
 Address: ~~XXXXXXXXXX~~ City: Battle Ground State: WA Zip Code: 98604
 Location of Occurrence: 806 SE 1st St Battle Ground, WA 98604
 Date and Time of Occurrence: 8/1/15 11:52 pm

I, Amber Henley, make the following statement/declaration freely without promise or threat of any kind under penalty of perjury under the Laws of the State of Washington.

I was sitting on my front porch with my husband when a man walked up and asked us to call the police. I asked him what was going on and he said he was just assaulted and he thinks the other guy is dead. The man said his name was Steve. His shirt was ripped and he had blood on his hands. While on the phone with 911 I was prompted to ask Steve questions. He answered that the guy that assaulted him was Brandon and he jumped out of a car with a baseball bat stating that Steve "knew

I have read the above statement, and it is true and correct to the best of my knowledge, under the laws of the State of Washington.

Signed: _____ Date: _____ Time: _____
 Name of Officer Taking Statement: A Kanost PSN: 6030

Use a continuation form if necessary. DO NOT WRITE ON THE BACK OF THIS FORM! Page 1 of 2

For Department Use Only
 Case Number: 15-1656



BATTLE GROUND POLICE DEPT

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Battle Ground Police Department
Statement Form

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too much." The police showed up soon after.
I talked to Steve, just trying to keep him
here as instructed by 911 dispatch. He did
not give me anymore information.

I have read the above statement, and it is true and correct to the best of my knowledge.

Signed: Ambra Holley Date: 8/2/15 Time: 12:44 am

Officer's Signature: _____ PSN: _____ Date/Time: _____

Case Number: _____



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Battle Ground Police Department Statement Form

15-1856
6074
8-3-15

Name: [Last, First MI] OLSON, JACQUELINE DONIELLE

Date of Birth: 09-01-1992 Home Phone: XXXXXXXXXX Work/Cell Phone: XXXXXXXXXXXX

Address: XXXXXXXXXXXX City: Battle Ground State: WA Zip Code: 98604

Location of Occurrence: SE 2ND St and Grace Battle Ground WA 98604

Date and Time of Occurrence: 08-01-2015 11:50

I, JACQUELINE DONIELLE OLSON, make the following statement/declaration freely without promise or threat of any kind under penalty of perjury under the Laws of the State of Washington.

While Driving to Chelsi Sutherlands house tonight with her at about 11:50PM we witnessed two men fighting. One was a heavier set man in shorts and a light T-shirt. He looked to be in his mid 30's to 40's and was bald. The other man was slender and wearing a dark T-shirt and jeans. The heavier man in a light shirt was charging towards the man in jeans waving some sort of cylindrical object. The man in jeans was stumbling trying to get away and throwing his hands up in defense. We lost view as we drove on to Chelsi's house and passed by the men again to find the

I have read the above statement, and it is true and correct to the best of my knowledge, under the laws of the State of Washington.

Signed: [Signature] Date: 08-02-15 Time: 12:52

Name of Officer Taking Statement: _____ PSN: _____

Use a continuation form if necessary. DO NOT WRITE ON THE BACK OF THIS FORM! Page 1 of _____

For Department Use Only
Case Number: _____



BATTLE GROUND POLICE DEPT

GENERAL OFFENSE HARDCOPY

(0999-1 AGGRAVATED HOMICIDE)

GO# 21 2015-1656

PENDING -

ANTICIPATING

ADDITIONAL

INFORMATION

Related Attachment - OTHER DOCUMENTS

Description	CAD CALL PRINTOUTS
Reference Number	

Page 1 of 11



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Incident Drill-down

		Incident	
fwCust_ID	64 (c)	Case Number	2115001656
Agency	BGPD	EID	3760332
Event	15256336	Date Time	08/01/2015 23:52:31
Beat	503	Zone	503
Location	XXXXXXXXXXXXXXXXXX	Caller Name	JACQUELYN
XStreet1	XXXXXXXXXX	Caller Number	XXXXXXXXXX
Event Type	AS	XStreet2	SE 2ND ST
Problem	ASSAULT	Sub Type	2
Time Created	08/01/2015 23:52:31	Priority	3
Creating Person	7238 MARCY MCMAHON	Time Closed	08/02/2015 19:04:21
		Created on Terminal	ces912

		Primary Unit	
Unit	551	ENROUTE	08/01/2015 23:54:07
DISPATCH	08/01/2015 23:53:30	TRANSPORT	08/02/2015 01:40:14
ARRIVE	08/01/2015 23:57:48	AVAILABLE	08/02/2015 19:04:21
TRS ARRIVE	08/02/2015 15:29:34		

Date Time	EMPID	Term	Incident Comments
2015-08-01 23:52:31	7238	ces912	Comment -
2015-08-01 23:52:32	7238	nt141	MALE CHOKING ANOTHER MALE ON GROUND
2015-08-01 23:52:42	7238	ces912	** LOI search completed at 08/01/15 23:52:32
2015-08-01 23:52:47	0	nt142	SUSP MALE WALKING ARND NB TWD THE SKATE PARK
2015-08-01 23:53:08	0	ces911	External Event ID: *[15256337] was successfully Created in Foreign System
2015-08-01 23:53:08	0	ces911	** Case number E15003021 has been assigned for CCFR: FIRE
2015-08-01 23:53:09	7236	ces911	** >>> by: TONYA CAMPBELL on terminal: ces911
2015-08-01 23:53:20	7195	ces901	** Recommended unit E24 for requirement CCFR_1ENG (17.17 min)
2015-08-01 23:53:21	7238	ces912	ATLD
2015-08-01 23:53:28	7238	ces912	WM...30S..BALD..5'7/HEAVY...LSW/GRY SHIRT..BLK SHORTS..MID CALF
2015-08-01 23:53:43	7238	ces912	MALE IS DOWN ON THE GROUND STILL..BLOOD ALL OVER HIS HEAD
2015-08-01 23:53:51	7209	ces908	NO WEAPONS SEEN
2015-08-01 23:53:51	7209	ces908	Duplicate Event:Location = LL(-122:31:43.0645,45:46:49.1483): EST 874 SE 1ST ST
2015-08-01 23:53:51	7209	ces908	BAG, Caller Name = SPRINT, Caller Ph Number = XXXXXXXXXX
2015-08-01 23:53:51	7209	ces908	Caller Address = W
2015-08-01 23:53:52	7209	ces908	MAIN ; 2953-2-E BATTLEGROUND
2015-08-01 23:53:55	7209	ces908	End of Duplicate Event data
2015-08-01 23:53:59	0	nt142	
2015-08-01 23:54:10	7238	ces912	SE GRACE AVE & SE 2ND ST
2015-08-01 23:54:10	7238	ces912	CORNER OF SE 1ST ST/GRACE..IS WHERE THE SUSP WAS LAST SEEN..IS OUTSIDE THAT
2015-08-01 23:54:24	7238	ces912	HOUSE TALKING TO SOM1
2015-08-01 23:54:29	7209	ces908	**
2015-08-01 23:54:29	7209	ces908	HOMEOWNER FROM 806 SE 1ST STREET CALLING... VICTIM SHOWED UP IN HER YARD ASKING
2015-08-01 23:54:44	7238	ces912	FOR HELP
2015-08-01 23:54:44	7238	ces912	MALE DOWN ON GROUND..IN THE GRAVEL..BY THE PAINT STORE..NOT MOVING..BLOOD
2015-08-01 23:54:44	7238	ces912	EVERYWHERE
2015-08-01 23:55:04	7238	ces912	RP IS BY MAIN STREET BAR W FLASHERS ON..IN A BLU DODGE NEON

8/4/2015

APPENDIX 6

Contents:

INTERVIEW WITH JACKIE OLSON 08-2-15/3:34 am pages 7-8

271 Q1: ...backwards? Okay, and you said, uh, earlier when you're talking about you
272 saw the guy with his hands kinda up...
273
274 A: Mm-hm.
275
276 Q1: ...and kinda squatting down a little bit or...
277
278 A: Like, he was trying to - like, he had...
279
280 Q1: ...(unintelligible)...
281
282 A: ...fallen down and then he was trying to get back up and like okay, okay.
283
284 Q1: Okay. Could you see any injuries on him at that point?
285
286 A: No. I just saw him stumbling at that point.
287
288 Q1: Okay, and was there anything in his hands?
289
290 A: His hands?
291
292 Q1: Yes.
293
294 A: No. No, there was - I didn't see anything in his hands.
295
296 Q1: Okay, and the heavy guy...
297
298 A: Mm-hm.
299
300 Q1: ...uh, you said he - you saw that he might've had something...
301
302 A: I may have seen some...
303
304 Q1: ...in his hands?
305
306 A: ...the way his hand was 'cause it's like his arm was here and then something
307 was extended.
308
309 Q1: Okay.
310
311 A: So I don't know if maybe it was the shadow or the way - it looked like he
312 could've had something in his hand...
313
314 Q1: Mm-hm.
315

316 A: ...but it wasn't very large.
317
318 Q1: Mm-hm.
319
320 A: So, (unintelligible) almost like the side of a kid - toy bat.
321
322 Q1: Mm-hm. Okay.
323
324 A: That's, as you know, very maybe a foot and a half, two feet.
325
326 Q1: How far apart were they do you think...
327
328 A: Mmm...
329
330 Q1: ...at the time when you saw 'em?
331
332 A: ...at that time, about this distance. Probably...
333
334 Q1: So between you and - and Detective Kelly?
335
336 A: Yeah.
337
338 Q1: Okay, and so you guys are about six feet apart or so?
339
340 A: Yeah, they were relatively close.
341
342 Q1: All right. And were the windows up or down at that point?
343
344 A: Of the car?
345
346 Q1: Yeah.
347
348 A: They were up.
349
350 Q1: Okay.
351
352 A: They were up, yeah.
353
354 Q1: And, um, how long do you think you saw them at...
355
356 A: Chelsea was...
357
358 Q1: ...when that was going on?
359
360 A: ...she was going - I think she was going a little under the speed limit, so she

APPENDIX 7

Contents:

(3rd) INTERVIEW WITH ANNE TANNINEN 08-02-15/10:14 am. pages 9, 23

361 gonna lock up, and, uh, you know, got your own way okay? It will - I'm fine.
362 I'll handle it. I'll lock up." So as I'm getting him towards the back, um...
363
364 Q: Is this the opposite end?
365
366 A: Yeah this is back, like, my - my truck was parked back, you know, towards...
367
368 Q: Towards the north?
369
370 A: North, still and, um, I've learned to survive by going with my gut and paying
371 attention and having - being aware, so I have some way out. I usually do hide
372 my keys where no one sees it, so if I need to grab them, I know where they're
373 at. So I did, and I grabbed them in a hurry and I was, like, kind of getting them
374 out of there or whatever, and so as he's going backwards, he's still, like, in
375 front of me, facing me, towards the front end of the warehouse and (Brandon)
376 is I think a little off, it would be the left of me, a little bit, and, um, and then
377 he started making really obnoxious comments about what he wanted to do to
378 me and his eyes were really creepy and he was just getting, you know, and
379 I'm like, he didn't want to be told to leave.
380
381 Q: Okay so this is, you think because you told him to leave?
382
383 A: Yeah and he was obnoxious to begin with and it got really - it was kind of like
384 what? Wow and then (Brandon)'s like, "Don't talk to her like that," and - and,
385 um, and it just happened that part happened so fast, uh, right in the middle of
386 him another big windy, obnoxious - and so he - he just stopped all of a sudden
387 and his face just looked scared and he's like, he looked really scared he
388 stopped and he turned around and he ran really fast and it looked like he ran
389 on the corner, the last I saw him was I was grabbing my keys going to the
390 truck. I sensed danger, um...
391
392 Q1: Does that seem odd to you that he's gonna go from at one point going crude
393 and antagonizing you...
394
395 A: Yes very odd.
396
397 Q1: ...to all of a sudden scared?
398
399 A: Yes he was terrified and I processing it later it, you know, again, I don't think
400 it was (Brandon) because (Brandon) is, you know, again I - I don't know. I
401 can't - it didn't seem like (Brandon) was that mad at him, you know? And I
402 don't recall him, you know, threatening him. I didn't see a baseball bat like
403 him chasing him. I didn't see him with a baseball bat, um, so and then how
404 did the other baseball bat get out of there unless it was out at first, you know,
405 from the front, or somebody had been in there which they could have easily,

991 Q1: So in this instance, so far from what you explained to us, you just seen one
992 guy chasing another. You haven't seen anything traumatic at all yet to say that
993 you're blacked out doesn't make a lot of sense.
994

995 A: Well I don't believe I did. I think there - it must be explanation of either I
996 forgot to turn my lights on and they were down low enough because that truck
997 is high and maybe my seat was low because when I lock it the thing adjusts to
998 the lower and I position - I probably didn't take the time, so maybe I was
999 down lower. I don't know because every time you open and close that door
1000 with that key because my other one was stolen, the one that, you know, the
1001 husband-and-wife one and I had two and so it always goes back to that
1002 position when I use the remote so that could be, uh, but I don't recall even
1003 those details right now when I just was thinking getting in, getting safe,
1004 getting out.
1005

1006 Q1: So put together kind of what we heard, you talk about an incident where you
1007 heard are a freaky phone call, (Steve) acted weird. You questioned his
1008 identity.
1009

1010 A: I was more suspicious of him.
1011

1012 Q1: (Brandon) questions the identity. (Steve) takes off running, (Brandon) goes
1013 after him, you drive after them, and the next thing you know you're telling
1014 Carol in the bar that you're concerned about (Brandon)'s safety. And we have
1015 reason to believe - believe that you watched what happened.
1016

1017 A: Now - now see I was honest to God just shocked when I heard it was
1018 (Brandon).
1019

1020 Q1: Can you see from our side?
1021

1022 A: And I was so worried that - that he had lost his mind.
1023

1024 Q1: Anne, can you see from our side what we're concerned about, what we...
1025

1026 A: Oh, yeah yeah.
1027

1028 Q1: Okay does it seem reasonable what we're saying?
1029

1030 A: Well there was another person in the bar that they might have over heard what
1031 I said, I don't know, sitting right next to her, so maybe, you know, I couldn't
1032 probably remember (Steve)'s name because I didn't really at the time so who
1033 knows what came out but I honest to God was shocked because I thought I
1034 heard (Brandon), was, you know, a bad dude and I didn't know the other guy.
1035 He was nuts and who are these people really with (Brandon), would he be

APPENDIX 8

Contents:

911 Call from [Amber Henley] with voice of Stephen Reichow...

1 *Machine Voice:* Call one on Saturday, August 1, 2015 at 11:53 PM with a GMT offset
2 of negative 420 minutes. Agent ID is 7209, extension is 1056.

3

4 911: 911, do you have an in-progress emergency?

5 F: Yes.

6 911: What's going on?

7 F: Um, uh, a man, um, just came up to my house, I was sitting outside, and asked if I
8 could call the police? He was just assaulted. (Garbled voice in background) And he thinks
9 the guy –

10 911: Are you near Grace and Second?

11 F: I'm on, um, First Street and Grace?

12 911: On what, I'm sorry?

13 F: Where did you just come from? Second Street?

14 SR: (Inaudible)

15 F: Yeah, he was just at Second and Grace.

16 911: Okay, um, so, what's your, and he's there? Because we got a call. So we have help
17 on the way. So tell me where we can find him.

18 F: Yes. He's inside here, at my house on –

19 911: What's your address?

20 F: 806 SE First Street.

21 911: Okay. Does he know who the guy was who choked him?

22 F: Do you know who the guy was?

23 SR: Yes.

1 F: What was his name?

2 SR: Brandon.

3 F: Brandon?

4 SR: Yeah. That's all I know.

5 F: That's all he knows is Brandon.

6 911: Okay. (Sound of keyboard clattering)

7 F: (Inaudible)

8 911: What were they fighting about?

9 F: What were you guys fighting about?

10 SR: He said I knew too much.

11 911: He said what?

12 F: Uh, Steve said that Brandon said he knew too much. I don't, I don't know what that
13 means.

14 911: Okay. And how does he look? Where, is he bleeding? Somebody said he was
15 injured.

16 F: Um, well, Steve said that he thinks Brandon was dead and he (inaudible)

17 911: All right, hang on for a second, okay? I'm going to talk on my radio.

18 F: (Inaudible)

19 911: Just a second.

20 F: Okay.

21 (Inaudible radio chatter)

22 911: Okay, sorry about that. Um –

23 F: Yes, ma'am?

1 911: He said, Brandon is dead to him?

2 SR: (Inaudible)

3 F: He thinks that he is dead.

4 SR: (Inaudible)

5 F: He said he jumped out of the car with a baseball bat at him and he was –

6 SR: (Inaudible)

7 F: (Inaudible)

8 911: All right.

9 F: And Steve used the baseball bat on him.

10 911: He doesn't have a bat with him?

11 F: No, he doesn't. He has (inaudible) on him –

12 911: Okay.

13 F: But, his clothes?

14 911: Okay. All right. I'm sending police and then the ambulance to check him out to your
15 address so that (inaudible) okay? They're right around the corner, so they should be there
16 in a sec.

17 F: Okay.

18 911: You just keep him in the front yard. Don't let him run off.

19 F: Okay. I'll, I'll do my best.

20 911: Okay, thank you.

21 F: Uh-huh.

22 911: Bye.

23 *3 pages transcribed by Judy Adams of Gervais, Oregon on March 1, 2017*