

SNOHOMISH COUNTY SUPERFORM

Suspects Name: Stevens

James

CaseNumber: MP12-8294

DV VIOLATION INFO	NOTIFY ON RELEASE? <input type="checkbox"/>		IF UNABLE TO CONTACT SHOULD 911 BE CONATCED? <input type="checkbox"/>		PRIOR UNREPORTED VIOLENCE? <input type="checkbox"/>	
	REQUEST NO CONTACT ORDER? <input type="checkbox"/>		FIREARMS IN HOME? <input type="checkbox"/>			
	VICTIM LAST NAME	FIRST	MIDDLE	DOB	PHONE	CHILDREN PRESENT? <input type="checkbox"/>
	N/A	N/A				CHILDREN AGES
	VICTIM ADDRESS				CITY	STATE
	N/A					
	SUSPECT RELATIONSHIP TO VICTIM			EMERGENCY / ALTERNATE CONTACT		ALTERNATE PHONE
	N/A			N/A		
	VICTIM CONTACTED?	OFFICER NAME / EMPLOYEE		EXPLAIN		
SUSP PROP	TOTAL CASH	TO JAIL PROPERTY				
	\$0.00	N/A				
	PROPERTY IMPOUNDED TO EVIDENCE			OTHER PROPERTY		
	N/A			N/A		
	SEIZED FIRARM FOR FORFEITURE? <input type="checkbox"/> IF SO EXPLAIN BELOW					
	N/A					
Objections	WILL LIKELY FAIL TO APPEAR FOR FURTHER PROCEEDINGS <input type="checkbox"/> EXPLAIN			WILL INTIMIDATE OR INTERFERE WITH ADMIN OF JUSTICE <input type="checkbox"/> EXPLAIN		
	N/A			N/A		
	DETENTION REQUIRED TO PROTECT HERSELF/HIMSELF <input type="checkbox"/> EXPLAIN			COMMITTED A CRIME WHILE ANOTHER CASE IS PENDING <input type="checkbox"/> EXPLAIN		
	N/A			N/A		
	SUSPECT RELATIONSHIP TO VICTIM		ASSAULTIVE <input type="checkbox"/> EXPLAIN	INJURY TO VICTIM <input type="checkbox"/> EXPLAIN		
	N/A		N/A	N/A		
	WEAPONS INVOLVED? <input type="checkbox"/> EXPLAIN			DANGER / THREAT TO COMMUNITY IF RELEASED <input type="checkbox"/> EXPLAIN		
	N/A			N/A		
	USCitizen <input type="checkbox"/>	OTHER				
PHYSICAL	WAS THE CONTROL SUBSTANCE FIELD TESTED AND WEIGHED <input checked="" type="checkbox"/>			TYPE OF SUBSTANCE: methamphetamine		
	FAIR MARKET VALUE	SOURCE OF VALUE		YEAR	MAKE	MODEL
	\$0.00	N/A				
	PROPERTY (Stolen, Recovered, Damaged, ect)			VALUE	SourceofValueStolen	
	N/A			\$0.00		

SYNOPSIS / PC FOR ARREST:

(INCLUDE ALL ELEMENTS OF THE CRIMES CHARGED)

On 12/28/2012 at 3:48:32 PM within the city limits of Marysville, within Snohomish County, in the state of Washington I (Elton, John #0062) was working as a commissioned Police Officer for the Marysville Police Department.

I, Officer Jon Elton, am a fully commissioned Police officer assigned to the Marysville Police Pro-Act Team, (Patrol Division), located in the city of Marysville, county of Snohomish, state of Washington. On December 28, 2012 I was wearing an authorized Marysville Police Department patrol uniform and riding in a marked Marysville Police Department vehicle.

On the above date I served a narcotic search warrant on a trailer behind 4333 113th Place NE. The warrant was obtained by a controlled buy of methamphetamine from the suspect James W Stevens. Officer Goolsby and I went to the target location to attempt contact with James. As I approached the trailer I saw multiple video cameras surrounding the trailer.

I knocked on the door of the trailer a couple of times with no answer. A short time later a male came to the door. I recognized the male to be Stevens from a DOL picture. I asked Stevens to come outside, I then placed handcuffs on Stevens and I told him he was detained and I held a search warrant for his trailer.

I placed Stevens into a patrol vehicle and I left a copy of the warrant on Stevens' lap so that he could read it. I then entered the trailer with Officer Goolsby and secured it for our investigation. While we were securing the trailer,

I certify (or declare) under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct. (RCW 9A.72.065)

OFFICER'S NAME: Elton, John #0062	CONTACT#: 360-363-8300	TRANSPORT OFFICER:
OFFICER SIGNATURE:	Marysville Wa.	12/28/2012
Location signed: City State:		PRECINCT/STATION:
IBR CLEARANCE: (ONE) () INSUFF/CLO () OTHER/CLO	COPIES MADE FOR: () DET: PREC / CTH / SPEC () OTHER	DATE ENTRY
() ARR/ () EXC/A () UNF () EXC/J () ARR/J	() PA () CP () JU () PA () DS () MH	APPROVED BY:

COPY

EXHIBIT 5

SNOHOMISH COUNTY SUPERFORM

sitting on the table I saw multiple plastic baggies a white crystal residue, a glass pipe with burnt residue and a digital scale with residue. I know from my training and experience that items located are associated with methamphetamine usage.

I then exited the trailer and told Stevens that he was under arrest for possession of drug paraphernalia. I then read Stevens his Miranda rights verbatim from my department issued card, Stevens said that he understood his rights but he refused to talk. I then had Stevens exit the patrol vehicle and I searched him per search incident to arrest. In Stevens left pants pocket I located a plastic baggie with a white crystal substance. I recognize the substance to be methamphetamine from my training and experience. In Stevens back left pants pocket I located large amount cash that was wrapped in a rubber band.

Stevens was then transported to the Marysville Jail by Officer Young. I then returned back to the trailer and continued my search. I began to search around the table again and I found a sun glass case in an opened bag. I opened the case and I found a large plastic baggie of a white crystal substance and a smaller plastic baggie with the same white crystal substance.

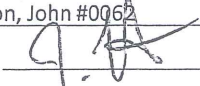
Across from the table in a box I found multiple digital scales with residue on them. I then searched the back bedroom area and I found a wallet sitting on the TV. I opened the wallet and I found WA driver's license belonging to James Stevens. I then searched Stevens's bed area and I located 3 bags on the bed. I searched the bags and in one of them I found a plastic bag with multiple smaller plastic baggies inside of them. I know from my training and experience that I located packaging material which is used for drug sales.

I also a found a prescription pill bottle with no label full of unknown pills. I did not find anything else of evidentiary value inside the trailer. I then packaged all of the items located and left the return of service and a copy of the warrant on the table in the trailer. I later returned to the Marysville PD and performed a NIK test on the substances located and it tested positive for methamphetamine.

The larger baggie of methamphetamine was weighed approximately 19 grams. The pills in the prescription bottle were identified to be Klonopin and there were approximately 108 of them. All of the items were placed into evidence with PCF#19910

COPY

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OFFICER SIGNATURE:		Marysville	Wa.	12/28/2012	PRECINCT/STATION:
Location signed: City		State:			
IBR CLEARANCE: (ONE) <input type="checkbox"/> INSUFF/CLO <input type="checkbox"/> OTHER/CLO <input type="checkbox"/>		COPIES MADE FOR: <input type="checkbox"/> DET: PREC/ CTH/ SPEC <input type="checkbox"/> OTHER <input type="checkbox"/>		DATE ENTRY	APPROVED BY:
<input type="checkbox"/> ARR/ <input type="checkbox"/> EXC/A <input type="checkbox"/> UNF <input type="checkbox"/> EXC/J <input type="checkbox"/> ARR/J		<input type="checkbox"/> PA <input type="checkbox"/> CP <input type="checkbox"/> JU <input type="checkbox"/> PA <input type="checkbox"/> DS <input type="checkbox"/> MH			

Snohomish County Incident Report

Marysville PD

Case Number

12-08294

Incident Classification 1 VUCSA-Selling		<input type="checkbox"/> Attempted	Offense Code		Incident Classification 2		<input type="checkbox"/> Attempted	Offense Code	
Incident Classification 3		<input type="checkbox"/> Attempted	Offense Code		Type of Report				
Address/Location of Incident 4333 113th PL, Marysville, WA 98270					Premise Type/Name Travel Trailer/R.V.			Code 08	
Officer Assault/Safety		Responding To Other		Type of Assignment 1 Officer Vehicle		<input type="checkbox"/> Force <input checked="" type="checkbox"/> No Force		Reporting Area North	
Occurred on or From (Date/Time/DOW) 12/28/2012 11:56 Friday			Occurred To (Date/Time/DOW) 12/28/2012 14:04 Friday			Reported On (Date/Time/DOW) 12/28/2012 11:56 Friday			
Known Suspects/Subjects VP-Victim - Police, G-Guardian, GC-General Contact, W-Witness, A-Arrested, BK-L.P.D. Use Only (Other Agency Booking), C-Complainant, D-Deceased, SU-Suspect									
No. A-1	Name (Last, First, Middle) Stevens, James W					Race W	Ethnicity Non-Hispanic		Sex M
DOB/Age 11/20/1970 42	Height 5'08"		Weight 180		Hair GRY-Gray		Eyes BRO-Brown		
Street Address 4333 113th PL, Marysville, WA 98270					Residence Phone		Business Phone		
Level F	Charge 69.50.401 VUCSA-Possession w/intent to deliver			Citation #		Warrant #		Agency Marysville PD	
Narrative									

Officer Elton

Marysville Police Department

Case # MP12-08294

Date# December 28, 2012

Incident VUCSA w/intent to deliver

Location: 4333 113th Place NE

I, Officer Jon Elton, am a fully commissioned Police officer assigned to the Marysville Police Pro-Act Team, (Patrol Division), located in the city of Marysville, county of Snohomish, state of Washington. On December 28, 2012 I was wearing an authorized Marysville Police Department patrol uniform and riding in a marked Marysville Police Department vehicle.

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Status									
Officer Name/Number Elton, Jonathan B #MP0062					Unit 8X21		Approved By Number 13 Allen		Date 12-28-12
Clearance <input checked="" type="checkbox"/> Arr/A <input type="checkbox"/> Arr/J <input type="checkbox"/> Insuff/Closed		<input type="checkbox"/> Unfounded <input type="checkbox"/> Exc/A <input type="checkbox"/> Exc/J <input type="checkbox"/> Closed/Other		Distribution <input type="checkbox"/> PA <input type="checkbox"/> ADMIN		<input type="checkbox"/> DOC <input type="checkbox"/> CPS <input type="checkbox"/> DSHS		<input type="checkbox"/> HD <input type="checkbox"/> JUV <input type="checkbox"/> MH	
<input type="checkbox"/> TRAF <input type="checkbox"/> DET <input type="checkbox"/> PAT		<input type="checkbox"/> PROACT <input type="checkbox"/> Court <input type="checkbox"/> Other		Logged Date _____ Initials _____					
Entered RMS _____ / _____					Entered WACIC/NCIC _____ / _____				
Date _____ Initials _____					Date _____ Initials _____				
INCIDENT REPORT									

Snohomish County Incident Report

Marysville PD

Page 2

Incident Classification 1
VUCSA-Selling

Case Number
12-08294

handcuffs on Stevens and I told him he was detained and I held a search warrant for his trailer.

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I certify (or declare) under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct. (RCW 9A.72.085)


J. Elton #0062

12-28-12
Marysville, Washington

COPY

Officer Name/Number Elton, Jonathan B #MP0062	Unit 8X21	Approved By Number	Date
INCIDENT REPORT			

DISTRICT COURT OF SNOHOMISH COUNTY, CASCADE DIVISION

STATE OF WASHINGTON)
COUNTY OF SNOHOMISH)

NO. 122012 J>F

SEARCH WARRANT

TO ANY PEACE OFFICER IN THE STATE OF WASHINGTON:

Upon the sworn complaint made before me, it appears that there is probable cause to believe that the crime(s) of: RCW 69.50.401 VIOLATION THE UNIFORM CONTROLLED SUBSTANCES ACT, POSSESSION OF A CONTROLLED SUBSTANCE WITH THE INTENT TO MANUFACTURE, DELIVERY OR SALE-HEROIN; POSSESSION OF A CONTROLLED SUBSTANCE-HEROIN has/have been committed and that evidence of that/those crime(s); or contraband, the fruits of the crime, or things otherwise criminally possessed; or weapons or other things by means of which a crime has been committed or reasonably appears about to be committed; or a person for whose arrest there is probable cause, or who is unlawfully restrained are concealed in or on certain premises, vehicles, or persons within Snohomish County, Washington. This search warrant incorporates herein by reference the affidavit of probable cause for search warrant.


YOU ARE COMMANDED TO:

1. Search, within ten (10) days of this date, the property described as follows:

THE RESIDENCE:

4333 113th Place NE, Marysville WA 98270. The dwelling is a travel trailer that is brown in color with a red pinstripe that is positioned behind the residence of 4333 113th Place NE. The house number "4333" is left of the front door facing 113th Place. The residence is accessed from 113th Place NE.

2. Search and Seize, if located, the following property: additional controlled substances and contraband; paraphernalia used in the consumption of controlled substances, including but not limited to pipes and lighters; items used in the packaging, manufacturing and sale of controlled substances including but not limited to scales, any locked and unlocked containers; proceeds from the sale of controlled substances (including the buy money that had been previously recorded) drug ledgers including the names, phone numbers, and pager numbers of both suppliers of controlled substances and buyers of controlled substances; letters indicating ownership and / or control of the above residence.
3. Promptly return this warrant to me or the clerk of this court. The return must include an inventory of all property seized.
4. A copy of the warrant and a receipt for the property taken shall be given to the person from whom or from whose premises property is taken. If no person is found in possession, a copy and receipt shall be conspicuously posted at the place where the property is found.

Dated: Dec 20, 2012
Judge or CommissionerJ. Steven ...
Printed name**COPY**

DISTRICT COURT OF SNOHOMISH COUNTY CASCADE DIVISION

STATE OF WASHINGTON)
)
)
COUNTY OF SNOHOMISH)

No. 122012 ST

AFFIDAVIT FOR SEARCH WARRANT

I, Jonathan B. Elton, am Patrol Officer with the Marysville Police Department, being first duly sworn on oath, complain, depose and say:

That I have probable cause to believe, and in fact do believe, that in violation of the laws of the State of Washington, evidence of the crime(s) of: RCW 69.50.401 VIOLATION THE UNIFORM CONTROLLED SUBSTANCES ACT; POSSESSION OF A CONTROLLED SUBSTANCE WITH THE INTENT TO MANUFACTURE, DELIVERY OR SALE-HEROIN; POSSESSION OF A CONTROLLED SUBSTANCE-HEROIN, are located at, upon, or in:

THE RESIDENCE:

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MY BELIEF, IN PART, IS BASED UPON THE FOLLOWING TRAINING, KNOWLEDGE, AND EXPERIENCE:

I am a Police Officer for the city of Marysville, Washington currently assigned to the Pro-Act Division. I have been employed by the city of Marysville as a Police officer since October 2005.

I have received the following formal training; Basic Law Enforcement Academy (720hrs), Reid Interview and Interrogation, Reid Street Crimes, Basic Accident Investigation, Tactical Man Tracking, Field Training Officer, EVOC Instructor and CPR/First Aid Instructor. I have investigated numerous crimes and crime scenes as a Patrol Officer to include assaults, arson, rapes, child molestations, robberies, burglaries, forgeries, drug activity and other crimes. I have been trained in the Becton Dickinson NIK Field test system and have used numerous times with 100% accuracy rate confirmed by the Washington State crime laboratories.

During my employment with Marysville Police Department, I have been involved in drug investigations resulting in seizures of controlled substances & assets. The cases include those involving Marijuana, Cocaine, Heroin, Methamphetamine, and other controlled substances.

AFFIANT'S BELIEF IS BASED UPON THE FOLLOWING FACTS AND CIRCUMSTANCES:

Within in the last seventy two hours I was contacted by a reliable Confidential Source or CS who advised me that he/she could buy methamphetamine from a subject named James who lives in a trailer behind 4333 113th Place NE, Marysville WA

Officer Goolsby and I met with the CS at a pre-determined location. At this time Officer Goolsby and I were using an unmarked police vehicle. I searched the CS's pockets, shoes, waistband for money, drugs or drug paraphernalia in his/her possession, finding nothing.

I gave the CS a pre-determined amount of money from the Marysville Drug Buy Fund, to use in this incident which was recorded. The CS stated that he/she needed to go to James's trailer to pick up the methamphetamine.

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We then parked nearby James's trailer and dropped off the CS. We observed the CS walk to the rear of the residence and go into the backyard. A short time later we saw the CS come from the backyard and walk to our pre-determined location. The CS then got inside our vehicle and we left the area. We maintained constant observation of the CS going to the residence and walking away from the residence.

Once inside the vehicle the CS handed me a plastic baggie with a white crystal substance. I recognized the substance to be methamphetamine from my training and experience. The CS stated that he/she went inside the trailer and James and three other subjects were inside the trailer. The CS handed James the money and then the methamphetamine was given to the CS.

The CS said James asked him/her to leave quickly because he was expecting more subjects to come over to purchase methamphetamine.

I then re-searched the CS pockets, shoes, and waistband, finding nothing. We then broke off contact with the CS.

We then returned back to the PD. I performed a NIK test on the white crystal substance and it tested positive for methamphetamine. I then placed the substance into evidence at the Marysville PD evidence room.

A controlled purchase is when a CS purchases controlled substances for and under the control of Law Enforcement. The CS is under constant surveillance during a controlled purchase. The CS is searched prior to the controlled purchase for any money and/or narcotics. The CS is then given money from the Narcotics Buy Fund for the controlled substance he/she is going to purchase. The CS is then seen going into a place where controlled substances are sold or seen meeting with a person that is selling controlled substances.

The CS is the person that provided the location of where controlled substances are sold or the person that is selling the controlled substances. After the controlled purchase, the CS is again searched for any money and/or narcotics. The controlled substances purchased by the CS are field tested to ensure that they are, in fact, controlled substances. The controlled substances are then booked into the Marysville Police property room. The CS provided the target of those controlled buys. The above procedure has been followed in the prior controlled buys. In each of the instance the CS has procured controlled substances.

The CS is providing the above information to the Marysville Police Pro-Act Team for monetary gain. The CS knows if the information is false that they will not be paid for the information and for the purchase of the controlled substance. I also advised the CS that they would be charged with providing false information to a Law Enforcement Officer if the information is false.

The CS is aware of the appearance of methamphetamine, how it is packaged for re-sale from his/her prior use of these narcotics, and being around the use of narcotics by friends and relatives.

The CS who purchased the methamphetamine from James has completed six successful controlled buys for the NITE Team which has all led to search warrants. The CS is aware of the appearance of methamphetamine, how it is packaged for re-sale from his/her prior use of these narcotics, and being around the use of narcotics by friends and / or relatives. The CS also has provided us with information regarding criminal activity in Marysville and Everett. In no instance has the CS provided false or misleading information to us.

The CS has one felony conviction and four gross misdemeanor convictions.

Based on my training and experience: I believe upon searching the above residence the following items could be found: additional controlled substances and contraband; paraphernalia used in the consumption of controlled substances, including but not limited to pipes and lighters; items used in the packaging, manufacturing and sale of controlled substances including but not limited to scales, any locked and unlocked containers; proceeds from the sale of controlled substances (including the buy money that had

COPY

been previously recorded] drug ledgers including the names, phone numbers, and pager numbers of both suppliers of controlled substances and buyers of controlled substances; letters indicating ownership and / or control of the above residence.

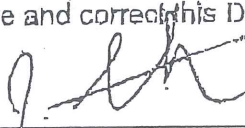
Based upon the above information and training, your affiant requests the authorization of a search warrant for the residence:

THE RESIDENCE:

4333 113th Place NE, Marysville WA 98270. The dwelling is a travel trailer that is brown in color with a red pinstripe that is positioned behind the residence of 4333 113th Place NE. The house number "4333" is left of the front door facing 113th Place. The residence is accessed from 113th Place NE.

I certify (or declare) under the penalty of perjury under the laws of the State of Washington that the foregoing is true and correct this December 19th, 2012 at Marysville, County of Snohomish, Washington.

AFFIANT


#0062
Ofc. Jonathan B. Elton #0062
Patrol Officer, Marysville P.D.

Certified (or declared) to me as true and correct under the penalty of perjury under the laws of the State of Washington this 19th Day of December 2012.

Subscribed and Sworn to before me this 20th day of Dec, 2012


Judge or Commissioner J. Steven

J. Steven
Print Name

Issuance of Warrant Approved:

DPA Twitchell, Laura #28697

Deputy Prosecuting Attorney

COPY