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**SEATTLE
POLICE
DEPARTMENT**

STATEMENT FORM

GENERAL OFFENSE # 14-22121
RELATED EVENT#

Date: 03/20/14	Time: 1145	Place SPD ICAC Computer Lab / Park 90/5
Statement of: <input type="checkbox"/> Complainant <input type="checkbox"/> Witness <input type="checkbox"/> Victim <input checked="" type="checkbox"/> Officer <input type="checkbox"/> Other:		
Name (Last, First MI) Kyburz, Randy G. Detective Serial # 5785		DOB
Statement Taken By: Det. Randy G. Kyburz		Serial 5785 Unit B741
Transcribed by (Taped/Translated Statements) Self		Serial Unit

Search Warrant Scene Statement

Investigator Background:

My name is Randy G. Kyburz and I am a sworn detective with the Seattle Police Department. I have been employed by the SPD since 1992 and am currently assigned to the Internet Crimes Against Children (I.C.A.C.) Task Force. My primary function in the unit is to conduct the forensic examinations of seized computers and digital evidence in the furtherance of investigations into the sexual exploitation of children.

Prior to my assignment to ICAC, I worked for ten years in the SPD Sustainment Team and the Information Technology Unit. In this assignment I provided project management, hardware and software tech support, technical to end-user liaison, and training. My role included being a functional lead in the selection, configuration, training, and implementation of the SPD Records Management, Computer Aided Dispatch, Mobile CAD, and electronic report writing systems.

Before being assigned to I.T. and Sustainment, I worked in Patrol Operations in the West Precinct 3rd watch and North Precinct 2nd watch for 6 years and 4 years respectively. During this time I was a watch communications officer, Field Training Officer, and a team member for the selection, design, and implementation of the SPD's first generation of mobile data computers replacing the then obsolete Mobile Data Terminals.

Prior to my hiring with the Seattle Police Department I obtained my Bachelor's Degree in Criminal Justice Administration from Columbia College in Denver, CO. I received my basic law enforcement training from the Washington State Criminal Justice Training Commission. I successfully completed the four-month Field Training and Post-BLEA Program with the Seattle Police Department. During the course of my career I have received over one thousand hours of police operational training from the WA CJTC, SPD, and other government and private sources. I have successfully completed the WA CJTC Instructor Development Course and the SPD Criminal Investigations School.

I have received subject - specific operational and investigative ICAC training from ICAC / Fox Valley Technical College, US DOJ, and on the job from ICAC unit personnel and supervisors.

Witness
Witness

X *July 6 [Signature]*





GENERAL OFFENSE # 14-22121
RELATED EVENT#

Statement of: Kyburz, Randy G.
 Detective Serial # 5785
 Transcribed by: Self
 Taken by: Det. Randy G. Kyburz 5785

In addition to my operational law enforcement and ICAC training I have successfully completed over 300 hours of formal Digital Forensic education including:

Intro to Computer Forensics – Steve Hailey CyberSecurity Institute	8 hours
Data Recovery & Clean Room Operations – Cybersecurity Institute	4 hours
Advanced Data Recovery & Clean Room Operations – Cybersecurity Institute	24 hours
Cell Phone Investigations – Geocell	16 hours
Advanced Cell Phone Investigations: Interpreting and Mapping – Geocell	24 hours
EnCase Computer Forensics 1 – Guidance Software	32 hours
EnCase Computer Forensics 2 – Guidance Software	32 hours
EnCase Advanced Internet Investigations – Guidance Software	32 hours
EnCase Advanced Computer Forensics – Guidance Software	32 hours
EnCase EnCE Prep – Guidance Software	24 hours
Field Search Software Certified User – KB Solutions	8 hours
Identifying and Seizing Electronic Evidence – NW3C	4 hours
Identifying and Seizing Electronic Evidence Train-the-Trainer – NW3C	14 hours
Secure Techniques for On-Site Preview – NW3C	16 hours
Basic Data Recovery and Acquisition – NW3C	28 hours
NW3C Intermediate Data Recovery and Analysis – NW3C	36 hours
Cell Phone Interrogation – NW3C	14 hours

I completed my EnCase Certified Examiner (EnCE) certification in 2013.

Search Warrant Service:

On 03/20/14 at about 0630hrs I was working a uniformed unit 944 as a member of the Seattle Police Department ICAC Unit. I attended a search warrant service briefing at the Seattle Fire Department Station # 18 at 1521 NW Market St in Seattle, WA.

Det. Ian Polhemus, as the lead investigator in this case, led the briefing. We were to conduct a residential search warrant at 1530 NW Market St #211, Seattle, WA, an address across the street from the Fire Station. The search warrant was for the crimes of RCW 9.68A.070, Possession of depictions of minor engaged in sexually explicit conduct, and RCW 9.68A.050, Dealing in depictions of minor engaged in sexually explicit conduct. The suspect was named as Jones, Rick Allen W/M/01/20/63 and was expected to be the only resident of the single bedroom condominium residence. My role in the search warrant was to be part of the entry team as door breacher, if that became necessary and then to conduct on-scene examination or previews of any computer devices located.

I drove the ICAC forensic van from the Fire Station around the block to the front of the Hijarta condominium building and met the rest of the entry team in front at about 0700hrs. We went directly up one flight of stairs to unit 211. Det. Polhemus received no response from multiple knock and announce attempts to have someone open the door to the residence. Sgt. Thomas then ordered me to breach to door to gain entry. I used a ram to force the door to residence, damaging the door in the process. I entered and cleared the residence with the other SPD members of the team and found it to be unoccupied.



SEATTLE
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STATEMENT FORM
CONTINUATION SHEET

GENERAL OFFENSE # 14-22121
RELATED EVENT#

Statement of: Kyburz, Randy G.
 Detective Serial # 5785
 Transcribed by: Self
 Taken by: Det. Randy G. Kyburz 5785

At about 0730hrs after Det. Ortiz completed overall scene photographs, I began my inspection of two computers located on a glass desk table in the main room next to kitchen area. I took photographs of the desk, the two computers, and related devices.

I observed a Motorola Surfboard Cable modem on the floor next to the desk. It was plugged in and powered with a single Ethernet cable coming from it that connected to HP laptop PC described later. It was broadcasting an SSID of "Motorola-ABA93", which matched the label on the device. It was secured with WPA protection. I took photos of the modem and unplugged it to disconnect the network. I confirmed that the SSID "Motorola-ABA93" was no longer available after the modem was unplugged and powered off.

Next to the modem on the floor was a black Western Digital "My Book Essential" external hard drive. It had a serial number of WCAWZ0684842. The device was plugged into power but its attached USB cable was not connected to any device on the other end. After taking photographs of the device, I collected it and the power and data cable attached to it and turned them all over to Det. Conine for entry into evidence.

I then turned my attention to a HP dv7-3164c1 Pavilion laptop PC that was on the desk to the right of a monitor and keyboard. It had serial number CNF012DN6R. It was open but not powered on. It was plugged into power and also had the other end of the ethernet cable from the modem plugged into it. It had a wireless mouse dongle inserted into a USB port on the right side. After taking photographs of the device, I unplugged it and gave it and its power cord to Det. Conine for entry into evidence.

The next item I examined was a HP a6857c desktop PC that was sitting on the floor under the desk. It was next to subwoofer and had a printer sitting on top of it. It was not powered on and was plugged into power. It was connected to the monitor on top of the desk and had a wireless mouse dongle plugged into a USB port in back as well as being plugged into speakers and the printer. I disconnected it after photographing it and handed it over to Det. Conine for evidence.

Seattle Fire Dept personnel arrived at the residence to secure the entry door. After they were done, we cleared the scene at about 0815hrs and returned directly with the evidence items to the ICAC offices.

I provided my photos from the scene to Det. Polhemus and then wrote this statement.-----EOS *Pol*



STATEMENT FORM

GENERAL OFFENSE # 2014-022121
RELATED EVENT#

Date: 03-21-14	Time: 1500	Place SPD ICAC Office
Statement of: <input type="checkbox"/> Complainant <input type="checkbox"/> Witness <input type="checkbox"/> Victim <input checked="" type="checkbox"/> Officer <input type="checkbox"/> Other:		
Name (Last, First MI)		DOB
Statement Taken By: Detective Danial Conine	Serial 6753	Unit B741
Transcribed by (Taped/Translated Statements)	Serial	Unit

On March 20, 2014, I was working as unit 949, a detective assigned to the Seattle Police Department ICAC Task Force unit. I was wearing a black BDU Seattle Police uniform shirt with police patches and markings and my full duty belt. Members of my team along with members of the task force executed a search warrant at 1530 NW Market Street, # 211 in the City of Seattle. Detective Polhemus was the case detective and Sergeant Thomas was our team leader. Captain Mike Edwards was the Incident Commander.

At 0630 hours I attended a briefing lead by Detective Polhemus where he outlined the details of the operation and issued specific instructions and assignments to attending personnel. I was assigned as part of the entry team and to take charge of the evidence recovered at the scene. At the end of the briefing we responded to the warrant location. Detective Polhemus gave the knock and announce. There was no answer. At approximately 0700 hours I heard Sergeant Thomas give the order to breach the door. The door was breached by Detective Kyburz and I entered into the residence as part of the team. We made entry and found the residence unoccupied.

While inside the residence, I completed the search warrant inventory and return and documented the items of evidence located. I collected ten (10) separate items of evidence which had been provided to me by other members of the task force and listed them on the inventory and return of search warrant. Prior to leaving the residence Detective Kyburz assisted me in verifying the items of evidence recovered. I left a copy of the search warrant and inventory and return on the top of the kitchen counter. I transported the items of evidence to the ICAC office in the ICAC van.

While in the office I repackaged the items of evidence and documented them, along with the task force member who recovered them and the location of recovery, in the SPD Versadex reporting system. I obtained evidence labels and attached them to the packaging and then secured them in the ICAC evidence storage locker for future review by Detective Polhemus and Detective Kyburz. I provided Detective Polhemus with the search warrant paperwork and evidence item information.

This concluded my participation in this investigation.

Witness
Witness

X



STATEMENT FORM

GENERAL OFFENSE # 14-22121
RELATED EVENT#

Date: 03/20/2014	Time: 1313	Place Seattle, WA
Statement of: <input type="checkbox"/> Complainant <input type="checkbox"/> Witness <input type="checkbox"/> Victim <input checked="" type="checkbox"/> Officer <input type="checkbox"/> Other:		
Name (Last, First MI) Detective Ortiz, Marcos		DOB
Statement Taken By: Self	Serial 6389	Unit B741X
Transcribed by (Taped/Translated Statements)	Serial	Unit

My name is Marcos Ortiz and I am employed as a detective with the Seattle Police Department (SPD). I have been working in law enforcement for over eighteen years, fifteen with SPD. In 1999 I attended and graduated from the 840 hour Seattle Police Basic Law Enforcement Academy. The academy covered training in Criminal Law and Procedures; Cultural Awareness; Communication Skills; Crisis Intervention; Patrol Procedures; and Criminal Investigations. In 2004 I attended and completed the 80 hour Seattle Police Anti Crime Team training. Forty hours of this course were specific to the service of search warrants. I have also completed the 90 hour Seattle Police Basic and Advanced Undercover Schools. I have completed the 40 hour Seattle Police Department Detective School. The school covered all aspects of crime investigation and case management. I have completed the 36 hour Internet Crimes against Children (ICAC) Investigative Techniques training. I have received on the job training from supervisors, officers, and experienced ICAC detectives. I have had classroom and online training on how to investigate Child Sexual Exploitation cases, evidence collection and handling, electronic evidence collection, basic digital forensics, cell phone forensics, investigating crimes in virtual worlds, collecting open source intelligence, interview and interrogation, interviewing juveniles and children, the use of informants and undercover techniques. I have also had computer training in network familiarity, A+, Security +, Net +, Cisco Routers and Switches, UNIX, LINUX, Solaris, Windows and Mac operating systems, multiple software products to include Microsoft suites, cloud computing, and how to gather open source intelligence through online public databases.

During my time with the Seattle Police, I have been directly involved in the service of over 320 search warrants. In these I have worked as case detective, lead investigator, undercover officer, arrest officer, surveillance team member, evidence technician, interviewer, translator, scribe, entry operator, perimeter and containment team member as well as many others.

I am currently assigned as an investigator with the Northwest ICAC Task Force with the primary responsibility of investigating electronic-facilitated crimes against children, sexual exploitation of children, crimes involving depictions of minors engaged in sexually explicit conduct.

On March 20, 2014 I was working as a detective in my assigned unit. I was wearing a black shirt that had Seattle Police patches on the tops of both sleeves. Over the shirt I had on a tactical vest that had a large patch on the front that said "Seattle Police" and had my name attached to it and another patch on the back with the word "Police" in large white letters. Members of my team along with members of the task force were to execute a search warrant on 1530 NW Market Street Unit 211 in the City of Seattle. Detective Polhemus was the case detective and Sergeant Thomas was our team leader. Captain Mike Edwards was the Incident Commander.

At 0630 hours I attended a briefing lead by Detective Polhemus where he outlined the details of the operation and issued specific instructions and assignments to attending personnel. I was assigned to take photos of the location and of the evidence recovered. I was also assigned as secondary for computer on site triage/preview.

At the end of the briefing we responded to the warrant location. Detective Polhemus gave the knock and announce. There was no answer. At approximately 0700 hours I heard Sergeant Thomas give the order to breach the door. The door was breached and I entered into the premise. We made entry and cleared and secured the address.

Witness
Witness

X



SEATTLE
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CONTINUATION SHEET

GENERAL OFFENSE # 14-22121
RELATED EVENT#

Statement of: Detective Ortiz, Marcos
Transcribed by:
Taken by: Self 6389

After the premise was declared secured by Sergeant Thomas I took photos of the unit. I took photos of the evidence as it was collected by entry personnel. At the conclusion of the search I responded to Seattle Fire Station 18 and asked for assistance from SFD in securing the door to the unit. SFD responded and secured the door. I took photos of the door I turned over the photos I took to Detective Polhemus and wrote associated paperwork on this incident. This concludes my participation in this investigation.



DISCLOSE INFO YES NO
 WEAPONS EVIDENCE TAKEN
 D.O.C. PHOTOS TAKEN

CASE REPORT

CASE NO. 14-13230 UCR -
 PAGE 1 OF 2 DIST 1 NBHD 1

REPORTED MO 3 DAY 20 YR 14 DOW TH TIME 0630 OCCURRED MO 3 DAY 20 YR 14 DOW TH TIME 0630
 INCIDENT AGENCY ASSIST
 JUVENILE GANG DV
 DIVERSION HATE/BIAS D/D E.D.V.P. CONTACT YES DV HANDBOOK GIVEN YES

LOCATION 450 110th AVE NE APARTMENT / BUSINESS NAME CITY HALL
 VICTIM RIGHTS YES

CODES V-VICTIM C-COMPLAINANT W-WITNESS S-SUSPECT IP-INVOLVED PARTY IB-INVOLVED BUSINESS

CODE S/IP LAST NAME JONES FIRST NAME RICK MIDDLE NAME ALLEN DOB Or Approx Age 1-20-63 RESIDENCE ()
 ADDRESS 1530 NW MARKET ST #211 CITY SEATTLE STATE WA ZIP CODE 98107 DISCLOSE YES NO BUSINESS ()
 EMPLOYER / SCHOOL MICROSOFT RACE W SEX M HAIR S/P EYES HAZ HGT 6'0 WGT 220 DRIVER'S LIC / ID CARD / SOCIAL SEC / ALIEN ID STATE WA OTHER # or EMAIL

CODE LAST NAME FIRST NAME MIDDLE NAME DOB Or Approx Age RESIDENCE ()
 ADDRESS CITY STATE ZIP CODE DISCLOSE YES NO BUSINESS ()
 EMPLOYER / SCHOOL RACE SEX HAIR EYES HGT WGT DRIVER'S LIC / ID CARD / SOCIAL SEC / ALIEN ID STATE OTHER # or EMAIL
 CLOTHING DESCRIPTION / OTHER DESCRIPTORS YES NO

CODE LAST NAME FIRST NAME MIDDLE NAME DOB Or Approx Age RESIDENCE ()
 ADDRESS CITY STATE ZIP CODE DISCLOSE YES NO BUSINESS ()
 EMPLOYER / SCHOOL RACE SEX HAIR EYES HGT WGT DRIVER'S LIC / ID CARD / SOCIAL SEC / ALIEN ID STATE OTHER # or EMAIL
 CLOTHING DESCRIPTION / OTHER DESCRIPTORS

CODE LAST NAME FIRST NAME MIDDLE NAME DOB Or Approx Age RESIDENCE ()
 ADDRESS CITY STATE ZIP CODE DISCLOSE YES NO BUSINESS ()
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 CLOTHING DESCRIPTION / OTHER DESCRIPTORS

OFFICER WITNESS OFFICER #1 OFFICER #2 OFFICER #3 MORE WITNESSES ON PAGE:

VEHICLE LICENSE NO. ADU 2868 STATE WA MO/YR EXP. 4/14 TYPE AUTO VAN TRUCK/BUS OTHER VIN WWWWRH63BX2P072267 YEAR 2002 MAKE VOLKSWAGEN
 MODEL PASSAT STYLE 4DR COLOR SILVER ADDITIONAL DESCRIPTION VEHICLE DISPOSITION
 REGISTRATION INFORMATION "SAME" HOLD REASON FOR HOLD
 YES NO

93 FOLLOW THIS SEQUENCE FOR LISTING ALL ITEMS OF PROPERTY USE PROPER STATUS CODE 94 VALUE

N - NARRATIVE E - EVIDENCE S - STOLEN R - RECOVERY L - LOST F - FOUND D - DAMAGED P - PAWN SE - SEIZED SK - SAFE KEEPING

* USE BELOW SECTION FOR SUMMARY AND/OR NARRATIVE AND/OR PROPERTY EVIDENCE AS NEEDED


SEATTLE PD # 14-22121
 SUMMARY: ON THE LISTED DATE/TIME, ASSISTED SEATTLE POLICE IN SERVING A SEARCH WARRANT AT: 1530 NW MARKET STREET #211 - SEATTLE, WA 98107.
 THE SEARCH WARRANT WAS REFERENCE A CYBER TIP INVOLVING CHILD PORNOGRAPHY.
 (N): SEE ATTACHED Supplement Report

RELATED CASES
 SPD # 14-22121

CASE DISPOSITION
 INACTIVE
 UNFOUNDED
 CLOSED/JUVENILE
 CLOSED/ARREST SUMMONS
 CLOSED/OTHER
 TRAINING
 PENDING

CODES S = STOLEN R = RECOVERED L = LOST F = FOUND
 CASH/NOTES TOOLS OFFICE EQUIPMENT FIREARMS CONSUMABLES MISC.
 JWLRY/JPREC. METALS CLOTHING ELECTRONICS HOUSEHOLD GOODS TOTAL

INVESTIGATED BY INMAN PERSONNEL NO 9300 DATE 3-20-14 APPROVED BY DATE ASSIGNED TO

	SUPPLEMENTARY REPORT			Page 2 of 2
	SUPPLEMENTARY REPORT	X	STATEMENT CONTINUATION	MESSAGE/REPLY
	OFFICERS REPORT		ACTION REQUEST	FORWARD TO
INCIDENT Agency Assist	RECORDS FORWARD TO PROSECUTOR		CASE NUMBER #14-13230	

Supplemental Report:

On 3/20/14 at approximately 0630 hours, I met with Seattle Detective Ian Polhemus at the Seattle Fire Station #18 located at 1521 NW Market Street to assist with a search warrant resulting from a Cyber Tip. The search warrant was to be served at the Hjarta Condominiums located at 1530 NW Market Street #211 – Seattle, WA.

Detective I. Polhemus coordinated the briefing session and reviewed the Operations Plan. The subject was identified as “Rick Allen Jones”. My primary duties were to notify Seattle Fire of any emergencies during the entry phase into the apartment, assist with searching the premises and evidence collection.

At approximately 0700 hours, the entry team made several announcements identifying themselves as “Seattle Police” and subsequently forced entry into the apartment (#211).

At approximately 0708 hours, Detective E. Inman and I checked the parking garage in an attempt to locate Rick Jones’ 2002 silver Volkswagen Passat (WA State plate: ADU 2868). Rick Jones’ Volkswagen Passat was not parked in the parking garage.

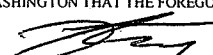
At approximately 0725 hours, Detective E. Inman and I searched the only bedroom in the apartment. During the search, I located a collection of gay Asian videos (“Island Caprice Studios”) in the dresser drawers and on the floor next to the television. The collection of videos were photographed but not collected as evidence. I did locate a 380 caliber Sig Arms P232 pistol (Serial #s245179) and five boxes of ammunition in the bottom dresser drawer. The Sig Arms pistol was photographed but not collected as evidence.


At approximately 0754 hours, I completed my search of the bedroom and had no further involvement at the scene. I did not seize any items/property in the bedroom as evidence.

At approximately 0805 hours, Detective E. Inman and I cleared the scene.

I later requested Bellevue Police Records enter Rick A. Jones’ information into WACIC/NCIC with results showing he did not have a concealed pistol license (CPL) or any firearms registered in his name. Bellevue Police Records then entered the Sig Arms pistol’s serial number into WACIC/NCIC with no results found.

I had no further involvement in this case.

I HEARBY CERTIFY OR DECLARE UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF WASHINGTON THAT THE FOREGOING IS TRUE AND CORRECT : Moriarty 	PERSONNEL NO: P444	DATE: 3/20/2014	PLACE: Bellevue	APPROVED BY:	DATE:

	SUPPLEMENTARY REPORT				PAGE 1 of 1
	SUPPLEMENTARY REPORT		STATEMENT CONTINUATION		MESSAGE/REPLY
	OFFICERS REPORT	X	ACTION REQUEST		FORWARD TO
INCIDENT Assist Official Agency			RECORDS FORWARD TO PROSECUTOR		CASE NUMBER Case 2014-13230

NARRATIVE:

On 03/20/14, Bellevue Police Detective Moriarty and I assisted the Seattle Police Department with a search warrant service located at the Hjarta Condominiums, 1530 NW Market Street #211, Seattle, King County, WA.

At approximately 0630 hours, Detective Moriarty and I attended a search warrant briefing at Seattle Fire Station #18 located at 1521 NW Market Street, Seattle, WA. Seattle Police Detective Polhemus was identified as the lead detective on the search warrant operation. During the search warrant briefing, Detective Polhemus provided a copy of the search warrant. I was assigned to assist with searching the premise and evidence collection.

At approximately 0700 hours, I heard the entry team make several announcements identifying themselves as "Seattle Police" and they subsequently forced entry to the residence.


At approximately 0708 hours, Detective Moriarty and I were assigned to check the parking garage of the condo complex in an attempt to locate the suspect's vehicle, identified as a silver 2002 Volkswagen Passat (WA License Plate: ADU 2868). The vehicle was not located in the parking garage.

At approximately 0725 hours, Detective Moriarty and I searched the only bedroom in the apartment. During the search, I located a clear plastic bag that contained multiple miscellaneous CDs/DVDs. I also located a package that contained photographs of unknown juvenile males. Those items were photographed and collected as evidence by the Seattle Police Department.

At approximately 0805 hours, Detective Moriarty and I cleared the scene.

DISPOSITION: Supplemental forwarded to Seattle Police Detective I. Polhemus.

INVESTIGATED BY: Inman	PERSONNEL NO: P350	DATE: 04/02/14	APPROVED BY:	DATE:
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INCIDENT Agency Assist			RECORDS FORWARD TO PROSECUTOR		CASE NUMBER #14-13230

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