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**COPY RECEIVED**

**JUN 22 2020**

**DWT WASHINGTON LLC**

**IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON  
IN AND FOR THE COUNTY OF KING**

**STATE OF WASHINGTON**

**COUNTY OF KING**

**SW No. 20-0-616926**

**SUBPOENA DUCES TECUM TO  
KIRO TV, INC.; TEGNA, INC.; SINCLAIR  
MEDIA OF SEATTLE LLC; TRIBUNE  
BROADCASTING SEATTLE LLC;  
SEATTLE TIMES COMPANY  
PURSUANT TO CrR 2.3(f) AND RCW  
10.79.015(3).**

**TO: KIRO TV, INC.  
R/A CORPORATION SERVICE COMPANY  
300 DESCHUTES WAY SW, STE 208 MC-CSC1  
TUMWATER, WA 98501**

**TEGNA, INC.  
d/b/a KING TV & KING 5 NEWS  
R/A CT CORPORATION SYSTEM  
711 CAPITOL WAY S, STE 204  
OLYMPIA, WA 98501**

**SINCLAIR BROADCASTING OF SEATTLE, LLC  
d/b/a KOMO TV & KOMO 4 NEWS  
R/A CT CORPORATION SYSTEM  
711 CAPITOL WAY S, STE 204  
OLYMPIA, WA 98501**

1 **FOX TELEVISION STATIONS, LLC**  
2 d/b/a KCPQ & Q13 FOX NEWS  
3 R/A CORPORATION SERVICE COMPANY  
4 300 DESCHUTES WAY SW, STE 208 MC-CSC1  
5 TUMWATER, WA 98501

6 **SEATTLE TIMES COMPANY**  
7 R/A DWT WASHINGTON, LLC  
8 920 FIFTH AVENUE  
9 SUITE 3300  
10 SEATTLE, WA 98104-1610

11  YOU ARE COMMANDED to produce and permit inspection and copying of the following  
12 documents or tangible things at the place, date, and time specified below:  
13 **Any and all video footage or photographs, including but not limited to all unedited and/or**  
14 **raw video footage, taken on Saturday, May 30, 2020, from 1530 hours to 1700 hours from**  
15 **the locations of Olive Street to Pike Street and also from 6th Avenue to 4th Avenue in Seattle,**  
16 **Washington.**

| PLACE   | DATE AND TIME |
|---|---------------|
| Seattle Police Department<br>Attn: Michael Magan<br>610 5th Avenue<br>Seattle, WA 98124<br>(206) 684-5540 |               |

17 A. HEARING HAS BEEN SET ON 6/29/20 AT  
18 TBD BEFORE THE ~~UNDERSIGNED~~ JUDGE TO CONSIDER AND  
19 RULE UPON ANY OBJECTIONS TO <sup>TBP</sup> PERMITTING SUCH PRODUCTION,  
20 INSPECTION AND COPYING, WHICH SHALL NOT BE REQUIRED UNTIL AFTER  
21 SUCH HEARING.

| ISSUING OFFICER'S SIGNATURE AND TITLE   | DATE    |
|---|---------|
| <br>Judge <u>Oishi King County</u> | 6/18/20 |

26 Superior Court

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| <p><b>PRESENTED BY:</b></p> <p><u>/s/Brian W. Esler</u><br/>Brian W. Esler, WSBA No. 22168<br/>MILLER NASH GRAHAM &amp; DUNN LLP<br/>Pier 70, 2801 Alaskan Way, Suite 300<br/>Seattle, WA 98121-1128<br/>Tel: (206) 624-8300<br/>Fax: (206) 340-9599<br/>Email: <a href="mailto:brian.esler@millernash.com">brian.esler@millernash.com</a></p> <p>Attorneys for Seattle Police Department</p> |  |
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**CR 45 - SUBPOENA**

**(c) Protection of Persons Subject to Subpoenas.**

(1) A party or an attorney responsible for the issuance and service of a subpoena shall take reasonable steps to avoid imposing undue burden or expense on a person subject to that subpoena. The court shall enforce this duty and impose upon the party or attorney in breach of this duty an appropriate sanction, which may include, but is not limited to, lost earnings and a reasonable attorney's fee.

(2) (A) A person commanded to produce and permit inspection and copying of designated books, papers, documents or tangible things, or inspection of premises need not appear in person at the place of production or inspection unless commanded to appear for deposition, hearing or trial.

(B) Subject to subsection (d)(2) of this rule, a person commanded to produce and permit inspection and copying may, within 14 days after service of the subpoena or before the time specified for compliance if such time is less than 14 days after service, serve upon the party or attorney designated in the subpoena written objection to inspection or copying of any or all of the designated materials or of the premises. If objection is made, the party serving the subpoena shall not be entitled to inspect and copy the materials or inspect the premises except pursuant to an order of the court by which the subpoena was issued. If objection has been made, the party serving the subpoena may, upon notice to the person commanded to produce and all other parties, move at any time for an order to compel the production. Such an order to compel production shall protect any person who is not a party or an officer of a party from significant expense resulting from the inspection and copying commanded.

(3) (A) On timely motion, the court by which a subpoena was issued shall quash or modify the subpoena if it:

(i) fails to allow reasonable time for compliance;  
(ii) fails to comply with RCW 5.56.010 or subsection (e)(2) of this rule;  
(iii) requires disclosure of privileged or other protected matter and no exception or waiver applies; or  
(iv) subjects a person to undue burden, provided that the court may condition denial of the motion upon a requirement that the subpoenaing party advance the reasonable cost of producing the books, papers, documents, or tangible things.

(B) If a subpoena

(i) requires disclosure of a trade secret or other confidential research, development, or commercial information, or  
(ii) requires disclosure of an unretained expert's opinion or information not describing specific events or occurrences in dispute and resulting from the expert's study made not at the request of any party, the court may, to protect a person subject to or affected by the subpoena, quash or modify the subpoena or, if the party in whose behalf the subpoena is issued shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship and assures that the person to whom the subpoena is addressed will be reasonably compensated, the court may order appearance or production only upon specified conditions.

**(d) Duties in Responding to Subpoena.**

(1) A person responding to a subpoena to produce documents shall produce them as they are kept in the usual course of business or shall organize and label them to correspond with the categories in the demand.

(2)(A) When information subject to a subpoena is withheld on a claim that it is privileged or subject to protection as trial preparation materials, the claim shall be made expressly and shall be supported by a description of the nature of the documents, communications, or things not produced that is sufficient to enable the demanding party to contest the claim.

(B) If information produced in response to a subpoena is subject to a claim of privilege or of protection as trial-preparation material, the person making the claim may notify any party that received the information of the claim and the basis for it. After being notified, a party must promptly return, sequester, or destroy the specified information and any copies it has; must not use or disclose the information until the claim is resolved; must take reasonable steps to retrieve the information if the party disclosed it before being notified; and may promptly present the information in camera to the court for a determination of the claim. The person responding to the subpoena must preserve the information until the claim is resolved.

SUPERIOR COURT FOR KING COUNTY

STATE OF WASHINGTON)

SW NO. 20-0-61692-6

COUNTY OF KING )

: ss

AFFIDAVIT FOR SUBPOENA

**Detective Michael MAGAN, being first duly sworn on oath, deposes and says:**

On the basis of the following, I believe there is probable cause that **multiple unidentified individuals** have committed the below-identified crime(s) in King County, and that:

- Evidence of the crime(s) of **Theft of a Firearm, RCW 9A.56.300, Arson RCW 9A.48.020** and
- Contraband, the fruits of a crime, or things otherwise criminally possessed, and
- Weapons or other things by means of which a crime has been committed or reasonably appears about to be committed, and
- A person for whose arrest there is probable cause, or who is unlawfully restrained is/are located in, on, or about the following described premises, vehicle or person:

**Media Outlets:** Seattle Times Newspaper, KIRO TV, KING TV, KOMO TV and KCPQ for raw/unedited video footage and digital images for Saturday, 05-30-20, taken from 1530 hrs: to 1700 hrs: in the area from Olive Street to Pike Street and from 6<sup>th</sup> Avenue to 4<sup>th</sup> Avenue in the City of Seattle, County of King and State of Washington.

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The Seattle Police Department (SPD) is seeking evidence in the form of raw videotape footage and photographs from media outlets that it believes will help it identify the persons that on Saturday, 05-30-20, set fire to SPD vehicles and/or stole firearms from those vehicles (some of which firearms still have not been recovered). Because this evidence is sought from media outlets, the Court is requested to issue a subpoena duces tecum according to the procedure set forth in CrR 2.3(f) and RCW

(continued next page)

Affidavit for Search Warrant  
Page 1 of 17

MILLER NASH GRAHAM & DUNN LLP  
ATTORNEYS AT LAW  
T: 206.674.8300 | F: 206.340.9599  
PIER 70  
2801 ALASKAN WAY, SUITE 300  
SEATTLE, WASHINGTON 98121

Affidavit for Search Warrant (continued)

10.79.015(3). Those media outlets will then have an opportunity to respond to the subpoena and have the Court rule on any objections. SPD requests that the Court set a hearing to consider any such objections, and so indicate on the face of the subpoena.

Your affiant is a graduate of the University of Washington with a Bachelor of Arts Degree in Society & Justice and Sociology. Following graduation, your affiant was hired as an Officer with the Seattle Police Department (SPD) in 1986, attended and completed the Washington State Criminal Justice Training Commissions Basic Law Enforcement Training and has served in various capacities with the SPD, patrol, the Mayor's Protection Detail and also as an Arson Investigator. Your affiant also served in the Federal Bureau of Investigation's (FBI) and the Seattle Police Public Corruption Squad that had primary responsibilities for investigating public servants who have committed serious crimes, including murder, assault and bribery.

Prior to your affiant's current assignment, he was assigned to the FBI-sponsored Puget Sound Violent Crimes Task Force (PSVCTF) for three years. In this multi-agency task force, your affiant had investigative responsibilities for all bank robberies in the greater Puget Sound area, which included short and long term investigations and assisted a variety of law enforcement agencies throughout the country.

Your affiant's current assignment is two-fold. Your affiant is and has been assigned to the SPD Robbery Unit for the last twenty-five years and has also been assigned to the Northwest Fugitive Apprehension Task Force, sponsored by the United States Marshal Service.

At the SPD Robbery Unit, your affiant has investigative responsibilities for both commercial and residential robberies, pattern robbery investigations, as well as extortion cases that occur in the City of Seattle.

In your affiant's new assignment with Northwest Fugitive Apprehension Task Force, he will have investigative responsibilities for tracking down fugitives for the crime of robbery. In this capacity, your affiant serves at the command of the U.S. Marshal for Washington, Oregon and Alaska and will assist outside law enforcement agencies when so called upon.

On Sunday, 05-31-20, your affiant was assigned investigative responsibilities for the below:

**SPD # 2020-177514 & 2020-179414:**

Two of the investigations your affiant currently has investigative responsibilities are the reported theft of firearms: four Colt AR-15 5.56mm rifles (# 2020-177514) and one Glock model 43 .9mm semi-auto pistol (#2020-179414) from unmarked SPD vehicles that were parked in the 1600 block of 6<sup>th</sup> Avenue.

During the course of this investigation, your affiant determined that the follow occurred.

On Saturday, 05-30-10, at approximately 1400 hrs: Officers **T. JONES # 6935, K. HOLT # 7711, D. WARD # 7603, Q. WASHINGTON # 7696, D. BEHN # 7717** and **S. SPECT # 7631**, who are assigned to the SPD South Precincts Anti-Crime Team (ACT) were to deployed to work a march/demonstration in regards to the death of George Floyd. These officers were assigned to work demonstration management/crowd control in the area of 6<sup>th</sup> Avenue and Pine Street.

(continued next page)

Affidavit for Search Warrant (continued)

Upon the officer's arrival in the area, Officers **T. JONES # 6935**, **K. HOLT # 7711**, and **D. WARD # 7603** parked SPD vehicle # 33391 in the 1600 block of 6<sup>th</sup> Avenue on the west side of the street in front of the Nordstrom Store, while **Q. WASHINGTON # 7696**, **D. BEHN # 7717** and **S. SPECT # 7631** parked SPD vehicle # 33411 directly behind the other vehicle. Three other SPD vans were also parked at the same location, to include both civilians and sworn SPD employees.

Additional SPD personnel from the SPD South Precinct and the SPD Video Unit parked their vehicles in the 1600 block of 6<sup>th</sup> Avenue and the 500 block of Pine Street:

SPD vehicles:

- # 34424, SPD Video Unit van, parked in the 1600 block of 6<sup>th</sup> Avenue
- # 63181, SPD Video Unit van, parked in the 1600 block of 6<sup>th</sup> Avenue
- # 93151, SPD South Precinct Vehicle (black van) parked in the 1600 block of 6<sup>th</sup> Avenue
- # 33391, SPD South Precinct Vehicle (blue Ford SUV) parked in the 1600 block of 6<sup>th</sup> Avenue
- # 33341, SPD South Precinct Vehicle (blue Ford SUV) parked in the 1600 block of 6<sup>th</sup> Avenue
- # 34261, SPD South Precinct vehicle, parked in the 500 block of Pine Street

Officers transported their department issued Colt AR-15, 5.56mm rifles as well medical supplies, helmets, clothing, video equipment and other items from the SPD South Precinct to the 1600 block of 6<sup>th</sup> Avenue and the 500 block of 5<sup>th</sup> Avenue. Most of it was locked inside of the vehicles as the officers responded on foot to the demonstration, also locked in an SPD vehicle was the back-up weapon, a Glock model 43 9mm semi-automatic pistol, serial # BABM909 belonging to **Q. WASHINGTON # 7696**. The above-named Officers were assigned to work an area several blocks from their secured vehicles.

At approximately 1530 hrs: civil unrest began to occur in a concentrated area, 4<sup>th</sup> Avenue to 6<sup>th</sup> Avenue and Olive Way to Pike Street. The five SPD vehicles that were parked in the 1600 block of 6<sup>th</sup> Avenue and the one additional SPD vehicle that was parked in the 500 block of Pine Street were heavily damaged by vandals, who started by ripping off the windshield wipers, side view mirrors, breaking out the vehicle windows with rocks and poles, and removing various equipment, including video recording equipment, ballistic helmets, uniforms, emergency medical equipment, fire extinguishers and eventually the following firearms:

From Police Vehicle # 33391:

Officer **K. HOLT # 7711**: One loaded Colt AR 15 rifle, Serial # FNCR012595. (Later recovered.)

From Police Vehicle # 33411:

Officer **Q. WASHINGTON # 7696**: One loaded Colt M4 carbine rifle with a suppressor, Serial # LE296517. (Still missing.)

One loaded Glock Model 43 semi-automatic pistol, Serial # BABM909. (Still missing.)

Officer **D. BEHN # 7717**: One loaded Colt AR 15 rifle, Serial # FNCR011601. (Later recovered by Q13.)

(continued next page)

Affidavit for Search Warrant (continued)

Officer S. SPECHT # 7631: One loaded Colt M4 carbine rifle, Serial # LE325779. (Later recovered.)

At approximately 1606 hrs: witness **CARUGHI** was an armed contract security agent working for Seattle's FOX affiliate KCPQ. He reported being in the 1600 block of 6<sup>th</sup> Avenue when he witnessed an unidentified adult male suspect wearing a red colored hooded sweatshirt and blue jeans, smash out a passenger side window of a SPD vehicle # 33391 parked in the 1600 block of 6<sup>th</sup> Avenue and remove a loaded Colt AR 15 Rifle, walk to the front of that SPD vehicle, aim the rifle at the front windshield and fire four rounds through the front windshield. **CARUGHI** drew his personal firearm and confronted the armed suspect and ordered him to place the rifle on the ground. **CARUGHI** recovered the rifle, removed the magazine and the round in the chamber rendering the rifle safe.

At approximately 1610 hrs: an unidentified adult male wearing a blue colored surgical mask that covers the lower portion of his face, a very distinct red colored Adidas brand sweat-suit, a red colored Adidas brand cap and red colored Adidas brand tennis shoes is captured on the external surveillance video at the Nordstrom store, in the 1600 block of 6<sup>th</sup> Avenue going to the rear of SPD vehicle # 33391, reaches into the rear of the vehicle and remove a black colored nylon rifle bag. The unidentified adult male suspect in the red colored Adidas brand sweat suit takes the bag, lays it down on the sidewalk, unzips the bag, opens the bag and sees that there is a Colt AR 15 rifle inside bag. He then quickly zips the rifle bag closed, turns and runs south bound on 6<sup>th</sup> Avenue to Pine Street. As the unidentified adult male in the red colored Adidas brand sweat suit turns westbound on to Pine Street and is observed on the Nordstrom external surveillance video being confronted by an unidentified adult male in a dark colored jacket and drops the rifle bag on the street. A physical fight ensues between the two and the rifle bag gets picked by another unidentified male, who takes the bag and walks westbound on Pine Street towards 5<sup>th</sup> Avenue. Unfortunately, no additional surveillance cameras capture this suspect as he walks away with the rifle.



(continued next page)

Affidavit for Search Warrant (continued)

**The unidentified adult male suspect wearing the distinct red colored Adidas brand sweat-suit, a red colored Adidas brand cap and red colored Adidas brand tennis shoes running south bound on 6<sup>th</sup> Avenue after stealing a loaded Colt AR 15 rifle**

At approximately 1616 hrs: an unidentified male, with his face covered, dressed in dark colored top, shorts and a backpack walks up to SPD vehicle # 33411, which is parked in the 1600 block of 6<sup>th</sup> Avenue, reaches in through the broken left rear windshield and removes a tan colored fanny pack belonging to Officer Q. WASHINGTON # 7696, that contained the loaded Glock Model 43 semi-automatic pistol, serial # BABM909. The unidentified male takes the fanny pack, turns and walks south bound on 6<sup>th</sup> Avenue towards Pine Street. Unfortunately, no additional surveillance cameras capture this suspect as he walks towards Pine Street.



**The unidentified male removing the tan colored fanny pack that contained the loaded Glock semi-automatic pistol from the rear of the SPD vehicle**



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Affidavit for Search Warrant (continued)

**The unidentified male carrying WASHINGTON'S tan colored fanny pack in his right hand south bound on 6<sup>th</sup> Avenue**

At approximately 1623 hrs: witness **CARUGHI** later reported that he observed another unidentified adult male suspect approach the rear of SPD vehicle # 33411, break open the glass and remove a loaded Colt AR 15 Rifle. **CARUGHI** who was across the street, again drew his personal firearm, ran across the street and confronted the unidentified adult male suspect and physically removed the loaded Colt AR 15 rifle from him. **CARUGHI** removed the magazine and the round in the chamber rendering the rifle safe.



**CARUGHI on the right after disarming the second suspect on the left, who removed the loaded Colt AR 15 rifle from the SPD vehicle in the 1600 block of 6<sup>th</sup> Avenue**

**CARUGHI** later contacted the SPD and turned the two recovered Colt AR 15 Rifles over to Lieutenant **J. OSBORNE**, SPD North Precinct. Officer **N. APPIAH-AGYEKU** # 8633, SPD West Precinct completed an incident report, SPD # 2020-177514.

At approximately 1606 hrs: SPD Vehicle # 34261, which was parked in the 500 block of Pine Street had all of its windows smashed out, the doors completely bent back away from the main frame of the vehicle, was spray painted, had its tires slashed, was physically beaten with bats, hammers and metal poles and had all of the police equipment (ballistic helmets, uniforms, emergency medical equipment and fire extinguishers) that was inside of the vehicle, removed and stolen or used to damage the vehicle.

(continued next page)

Affidavit for Search Warrant (continued)



**The SPD vehicle that was parked in the 500 block of Pine Street that was damaged during the civil unrest**

At approximately 1606 hrs: an unidentified<sup>1</sup> adult female, with blond hair, wearing a black and white colored bandanna over the lower portion of her face, a black colored short sleeved t-shirt, black colored jeans, black colored tennis shoes with white colored socks and a black colored back pack, is captured on video using an accelerant in an aerosol can and a lighter to ignite the accelerant setting fire to the headliner of SPD vehicle # 34261 that is parked in the 500 block of Pine Street.



**The unidentified adult female using an accelerant in an aerosol can and a lighter to ignite the accelerant setting fire to the interior of the SPD vehicle in the 500 block of Pine Street**

At approximately 1620 hrs: the same unidentified adult female, with blond hair, wearing a black and white colored bandanna over the lower portion of her face, a black colored short sleeved t-shirt, black colored jeans, with a black and white striped shirt wrapped around her waist, black colored tennis shoes with white colored socks and a black-colored backpack, is captured on video, in the 1600 block of 6<sup>th</sup> Avenue using an accelerant in an aerosol can and a lighter to ignite the accelerant, setting fire to the headliner of SPD vehicle # 93151

<sup>1</sup> This suspect was later identified by the F.B.I as **Margaret A. CHANNON**, and has been taken into custody.  
(continued next page)



**The unidentified adult female suspect using an accelerant in an aerosol can and a lighter to ignite the accelerant setting fire to the headliner of SPD vehicle # 93151**

After setting fire to the headliner of SPD vehicle # 93151, she moved to the next SPD vehicle, # 33391 and using the same accelerant in the aerosol can and lighter she set fire to the headliner of that vehicle.



**The adult female suspect setting fire to SPD vehicle # 33391 using an accelerant in an aerosol can and a lighter to ignite the accelerant setting fire to the headliner**

At approximately 1620 hrs: Video Tech **Cesar HIDALGO**, SPD Video Unit, who was inside the Nordstrom Store in the 1600 block of 6<sup>th</sup> Avenue videoing the civil unrest, captured the unidentified  
(continued next page)

Affidavit for Search Warrant (continued)

adult female using an accelerant in an aerosol can and a lighter to ignite the accelerant setting fire to the headliner and front driver's seat of the SPD Video vehicle # 34424 that was parked directly in front of where he was video-taping.



**The unidentified adult female suspect using an accelerant in an aerosol can and a lighter to ignite the accelerant setting fire to the headliner of SPD Video vehicle that is parked in the 1600 block of 6<sup>th</sup> Avenue.**



**The unidentified adult female suspect using an accelerant in an aerosol can and a lighter to ignite the accelerant setting fire to the driver's seat of SPD Video vehicle that is parked in the 1600 block of 6<sup>th</sup> Avenue.**

The unidentified adult female suspect is later joined by an unidentified male wearing a tan colored stocking cap, a white colored t-shirt, blue jeans, hiking shoes with a black down jacket wrapped around his waist, carrying a shoulder bag. This unidentified adult male takes the aerosol can and lighter from

(continued next page)

Affidavit for Search Warrant (continued)

the unidentified adult female and ignites the accelerant with the lighter and sets fire to the driver's seat of SPD Video vehicle that is parked in the 1600 block of 6<sup>th</sup> Avenue.



**The unidentified adult male takes the aerosol can and lighter from the unidentified adult female and ignites the accelerant with the lighter and sets fire to the driver's seat of SPD Video vehicle that is parked in the 1600 block of 6<sup>th</sup> Avenue**

Several minutes later six SPD vehicles, # 34424, # 63181, # 93151, # 33391, # 33341 and # 34261 were either fully engulfed in flame or damaged as result of the fires started by the unidentified adult female suspect and the unidentified adult male.



**SPD vehicles, # 34424, # 63181, # 93151, # 33391, # 33341 engulfed in flames in the 1600 block of 6<sup>th</sup> Avenue**

(continued next page)

Affidavit for Search Warrant (continued)



**SPD vehicles, # 34261 engulfed in flames in the 500 block of 5<sup>th</sup> Avenue**

As the vehicles burned, your affiant noted that both the adult male suspect dressed in the red colored Adidas brand sweat suit, hat and shoes (who stole the loaded Colt AR 15 rifle from the SPD vehicle) and the unidentified adult female dressed in all black with the black and white striped bandanna (who set fire to six SPD vehicles) seem to be at the forefront for all of the damage and mayhem that was occurring in the 1600 block of 6<sup>th</sup> Avenue and the 500 block of Pine Street. Your affiant, who recovered and reviewed surveillance video footage from various locations, noted that both of these suspects were very easy to track based upon their clothing and actions during the civil unrest.



**The adult female wearing all black with the black and white bandanna looting the Old Navy Store in the 500 block of Pine Street at the same time the adult male wearing the red colored Adidas brand attire**

(continued next page)

Affidavit for Search Warrant (continued)



**Both unidentified male in the red colored Adidas brand sweat suit and the unidentified adult female wearing all black with the black and white bandanna leaving the Old Navy Store after looting the store**

While your affiant has reviewed various videos and images as well as checked the four local news networks' and the Seattle Times' web sites, your affiant found that the Seattle Times, CBS affiliate KIRO TV, NBC affiliate KING TV, ABC affiliate KOMO TV and the FOX affiliate KCPQ, all had multiple photographers, reporters, camera teams on the ground doing live shots as well as recording/video-taping and photographing capturing the civil unrest as it was occurring.



**A Seattle Times published image of the arson suspect and in the background, the unidentified suspect in the red colored Adidas sweat suit who stole a Colt AR 15 rifle from a Police vehicle**

(continued next page)



**A screen shot image taken from Seattle FOX affiliate KCPQ of the unidentified suspect in the red colored Adidas sweat suit that was aired nationally on FOX News New York.**

It has been your affiant's experience through investigations and conversations with television news reporters and camera personnel, that newspapers and news stations' will record footage of events even when they are not broadcasting live from a location. This footage is referred to as unedited or raw footage. From those investigations and conversations, your affiant understands that photographers and camera personnel who are at various events will record footage/photograph events and will use a small amount of footage during their news stories and the footage/photographs that are not aired/posted will be downloaded into an internal system that will retain the footage/photographs for approximately thirty days.

The television affiliate will also provide their news teams cellular telephones, so they can do live remotes from locations during major events.

On Saturday, 05-30-20, your affiant watched the civil unrest unfold via local television (in real time while off duty) and noted that the vast majority of coverage by the four affiliates KIRO TV, KING TV, KOMO TV, KCPQ and the Seattle Times (based upon published photographs) were all within a four-block area 4<sup>th</sup> Avenue to 6<sup>th</sup> Avenue and Olive Way to Pike Street. Based on when the incidents under investigation occurred, there is probable cause to believe that those media sources captured images of

(continued next page)

Affidavit for Search Warrant (continued)

the suspect in the footage/photographs taken in that area between 3:30 PM to 5:00 PM, which footage/photographs have not yet been published.

Following the civil unrest from Saturday, 05-30-20, your affiant was assigned to joint SPD, FBI and Alcohol, Tobacco and Firearms (ATF) Task Force to investigate various crimes that occurred, specifically the theft of firearms from Police vehicles. Your affiant has recovered and reviewed numerous hours of surveillance and video footage as well as published still images from Seattle Times and while doing so, your affiant observed KIRO TV, KING TV, KOMO TV, KCPQ recording the civil unrest to include the actions of the adult male in the red colored Adidas brand attire and the unidentified adult female who set the SPD vehicles on fire.



**An unidentified local news affiliate reporter and cameraman at 6<sup>th</sup> Avenue and Pine Street recording the events**

(continued next page)

Affidavit for Search Warrant (continued)



**An unidentified local television news affiliate cameraman recording the arsons in the 1600 block of 6<sup>th</sup> Avenue**

During the course of the on-going investigation, your affiant has been reviewing surveillance footage that was provided to him from the Nordstrom corporation, Pacific Place, West Lake Mall, as well as video that was sent to the SPD from citizens who were in the area of Olive Way to Pike Street, 4<sup>th</sup> Avenue to 6<sup>th</sup> Avenue and found that the quality of video footage is poor, limited, or cameras that are in fixed positions do not capture events. Certain cameras from the Nordstrom store were damaged from the fires that were set by the unidentified adult female suspect or that the heavy smoke from the fires make the camera footage useless.

Your affiant reviewed the posted video footage from the four news affiliates, KIRO TV, KING TV, KOMO TV and KCPQ as well as posted images from the Seattle Times and found them to have excellent quality of video footage and still images and believes that obtaining and reviewing the unedited or raw video footage as well as still images that were not posted would/will lead to the identity of suspect(s) who are responsible for the theft of the firearms stolen from SPD vehicle's # 33391 and # 33411 as well as the suspect(s) who set fire to SPD vehicles # 34424, # 63181, # 93151, # 33391, # 33341 and # 34261.

The female believed to be responsible for setting the fires as described above was later identified by the F.B.I as **Margaret A. CHANNON**. **CHANNON** was taken into custody by federal agents the morning of June 11, 2020 and has been charged with the arsons in Federal Court.

The male involved in the arson and the individuals involved in the thefts of the firearms remain unidentified.

Your affiant is requesting the Court's permission to seek the unedited or raw footage/photographs that were captured by KIRO TV, KING TV, KOMO TV and KCPQ, and the Seattle Times for Saturday, 05-30-20, from 1530 hrs: to 1700 hrs: from Olive Street to Pike Street and from 6<sup>th</sup> Avenue to 4<sup>th</sup> Avenue for review to identify suspect(s) for the crime of theft of weapons and arson.

(continued next page)

Affidavit for Search Warrant (continued)

Based on all the foregoing information, your affiant believes that evidence of the above-listed crime(s) exists at the above-described property and that there is probable cause to issue a subpoena duces tecum to command the production of evidence of the above-listed crime(s) including the following items:

**Unedited or raw video footage/photographs from KIRO TV, KING TV, KOMO TV and KCPQ, and the Seattle Times for Saturday, 05-30-20, taken from 1530 hrs: to 1700 hrs: in the area from Olive Street to Pike Street and from 6<sup>th</sup> Avenue to 4<sup>th</sup> Avenue.**

(Check if applicable) I also ask that the court find that notice to any person, including the subscriber(s) and customer(s) to which the materials relate, of the existence of this warrant would likely jeopardize the life or physical safety of an individual and/or jeopardize an ongoing criminal investigation. The request for this finding is based on the following facts:

This affidavit was submitted to the issuing judge or magistrate using an electronic device that is owned, issued, or maintained by the below-identified criminal justice agency.

I certify (or declare) under penalty of perjury under the laws of the State of Washington that the attached reports/copies of documents and the information contained therein are true, correct and accurate (RCW 9A.72.085).

|  |  |
|--|--|
| <u>6.18.20</u><br>Date Signed  | <u>Seattle WA.</u><br>Place Signed   |
| <u>Michael MAGAN</u><br>Printed Name of Peace Officer,<br>Agency, and Personnel Number | <br>Signature of Peace Officer |

OR, if submitted electronically or by phone:

Affiant full name: /s/ Michael P. MAGAN

Agency Badge/Serial or Personnel #: 5094

Agency Name: Seattle Police Department

(Check if applicable) The Judges signature, below, was placed by affiant, at the judge/magistrate's direction given by

- telephone (preserve a recording of the authorization)
- email (preserve and file the email) or by

(continued next page)

Affidavit for Search Warrant (continued)

\_\_\_\_\_ (other reliable method).

Signature:   
SUPERIOR COURT JUDGE

Printed Judge Name: Dishi

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