STATE OF CALIFORNIA - COUNTY OF MENDOCINO
SEARCH WARRANT

MCSO#2024-23393.1

The People of the State of California to any Sheriff, Constable, Marshall, Or Police Officer in the County of Mendocino: proof by affidavit having been made before me by

Jack Woida #2710

that there is probable cause to believe that the property/or person described herein may be found at the locations set forth herein and is lawfully seizable pursuant to Penal Code Section 1524 as indicated below by "X"(s) in that:

____it was stolen or embezzled.
____ it was used as the means of committing a felony.
_XX_ it is possessed by a person with the intent to use it as means of committing a public offense or is possessed by another to whom he or she may have delivered it for the purposes of concealing it or preventing its discovery,
____ it tends to show that a felony has been committed or that a particular person has committed a felony,
____ it tends to show that sexual exploitation of a child, in violation of Section 311.3 or depiction of sexual conduct of a person under the age of 18 years, in violation of Section 311.11, has occurred or is occurring,
____ there is a warrant for the person's arrest,

YOU ARE THEREFORE COMMANDED TO SEARCH: The premises, vehicle(s), and/or person(s) described in exhibit "A" attached hereto and incorporated herein by this reference.
FOR THE FOLLOWING PROPERTY / PERSON: The property and/or persons described in exhibit "B" attached hereto and incorporated herein by this reference.
YOU ARE THEREFORE COMMANDED, within five business days after receipt of this search warrant to deliver by mail or otherwise, to the above named law enforcement officer, together with the declaration as set forth below, a true, durable, and legible copy of the requested records listed in exhibit "B". See California Penal Code 1524.2.

AND TO SEIZE IT IF FOUND and bring it forthwith before me, or maintain it at a suitable location of a law enforcement agency pursuant to Penal Code section 1536. This Search Warrant and incorporated Affidavit, and all attachments thereto, were sworn to as true and subscribed before me this 13 day of Nov. 2024, at 8:05 A.M./P.M. Wherefore; I find probable cause for the issuance of this Search Warrant and do issue it.

_____ (Judge of the Superior Court) [illegible]

YES NO

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BY:JR2763
DATE:3/13/2025

STATE OF CALIFORNIA-COUNTY OF MENDOCINO

MCSO#2024-23393.1

AFFIDAVIT IN SUPPORT OF SEARCH WARRANT

Jack Woida #2710, a Peace Officer, swears under oath that the facts expressed by him in this search warrant and affidavit and in exhibit "C", statement of probable cause, and any and all attachments thereto, are true and that based thereon he has probable cause to believe and does believe that the property and/or person described herein is lawfully seizable pursuant to Penal Code section 1524, as indicated herein, and is now located at the places herein set forth. Wherefore, affiant requests that this Search Warrant be issued. **Exhibits "A", "B", and "C", and all attachments thereto are attached hereto and incorporated herein by this reference.**

_____, **NIGHT SERVICE REQUESTED () YES (X) NO**

(Signature of Affiant)

Subscribed and sworn before me this 13 day of Nov. 2024 at Ukiah, California at the hour of

8:05 a.m./p.m.

_____

JUDGE OF THE SUPERIOR COURT

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Exhibit "A"
Premises, Persons and Property to be Searched:

The Premises of PII which is described as a three bedroom, single family residence. This is a shared residence between Eduardo Guadalupe Escareno-Davila DOB PII, PII DOB PII, and PII DOB PII.

This search is to include all vehicles, storage containers, and outbuildings under the control of Eduardo Escareno and PII.

The person of Eduardo Escareno who has a California Driver's License of PII.

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Exhibit "B"
Items to be Seized:

- Photos of the residence
- Photos of Eduardo Escareno
- DNA Buccal swab from Eduardo
- Any and all digital media devices belonging to Eduardo, to include but not limited to: cell phone(s), computers, laptops, tablets, or other electronic devices. This is to include Eduardo's cell phone.

Forensic analysis and download of the devices, to include but not limited to: device information, indicia of ownership and control for the cellular device and data, photographs, images, image hash details, video files, audio files, image / video / audio metadata, plug-ins, contents, calendar, call logs (deleted and intact), chats, contacts, social network posts/updates/tags, Wi-Fi networks, associated wireless devices, associated connected devices, stored passwords, cookies, emails, installed applications, global positioning system (GPS) coordinate location history, text messages (SMS - deleted and intact), multi-media messages (MMS – deleted and intact), device timeline, user accounts, web bookmarks, web or internet browsing history, all financial information, data files, activity analytics, phone analytics, email analytics, and uncategorized data.

This download is to include all data located on the device and other possible media storage located in/on the device that constitute evidence and instrumentalities 664/289 PC and 243.4 (e)(1) PC occurring between 11/10/24 through 11/13/24, including communications referring or relating to this investigation.

This download is to include a physical, file system, and logical download of said cellular telephone, which includes intact data and data that may have been deleted and can be recovered from the device.

The court authorizes the use of person(s) who are not peace officers to accompany and assist the Peace Officers during the execution this Search Warrant for the purpose of assisting in the service of this Search Warrant as provided for under California Penal Code Section 1530.

With respect to the digital media items listed in this warrant, Peace Officers are authorized to transfer the booked evidence to a Law Enforcement Agency location prior to commencing the search of the items. Furthermore, said search may continue beyond the ten-day period beginning upon issuance of this Search Warrant, to the extent necessary to complete the search on the evidence and any items listed above. Analysis of any item seized may also have to be done by a qualified professional authorized by law enforcement or an allied agency to include the Northern

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California Computer Crimes Task Force, DOJ, FBI, District Attorney's Office, or other governmental agency.

If necessary, investigating officers are authorized to employ the use of outside experts, acting under the direction of the investigating officers, to access and preserve data on the cellular device at the time of the seizure or at any future time while the evidence is in the control of the investigating agency. Those items that are within the scope of this warrant may be copied and retained by investigating officers.

Some of the procedures used to extract data from digital devices may damage the device or render it permanently inoperable.

Authorization to implement special procedure(s): The Affidavit filed herewith has demonstrated legal justification for the implementation of the following special procedures which shall be employed by the officers who execute this warrant:

California's Electronic Communications Privacy Act (ECPA) ORDER
IT IS HEREBY ORDERED that any information obtained through the execution of this warrant that is unrelated to the objective of the warrant shall be sealed and shall not be subject to further review, use, or disclosure absent an order from the Court, or to comply with California code 1054 and Brady v Maryland.

Biometric unlock of digital devices Order ORDER
IT IS HEREBY ORDERED, that investigators may compel, by the use of reasonable force if required, the owner of a cell phone, or such other system or device, ordered to be searched by this search warrant, to provide a fingerprint or other biometric information needed to unlock the device, if that item can be unlocked with a fingerprint or biometric information.

Digital Forensic Search ORDER
IT IS HEREBY ORDERED that good cause having been established in the affidavit filed herein, the officers who execute this warrant are authorized to conduct a review or forensic analysis of digital items such as computers, mobile devices, or computer-related equipment either specifically listed in this warrant or located at the location described in this warrant and seize data or digital records from the examined devices. Such data may be copied and retained by investigating officers. If necessary, investigating officers are authorized to employ the use of outside experts, acting under the direction of the investigating officers, to access and preserve data on the cellular device. Any item that is either believed or determined to contain relevant evidence shall be seized.

IT IS FURTHER ORDERED that the investigating officers are authorized to transport the seized evidence to either the Mendocino County Sheriff's Office or an allied Law Enforcement Agency location to continue the forensic examination of the items.

With respect to the digital media items listed in this warrant, Peace Officers are authorized to transfer the booked evidence to a Law Enforcement Agency location prior to commencing the search of the items. Furthermore, said search may continue beyond the ten-day period beginning

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upon issuance of this Search Warrant, to the extent necessary to complete the search on the evidence and any items listed above. Analysis of any item seized may also have to be done by a qualified professional authorized by law enforcement or an allied agency to include the Northern California Computer Crimes Task Force, DOJ, FBI, District Attorney's Office, or other governmental agency.

California Penal Code Prohibited Violation Attestation In compliance with the requirements outlined in California Penal Code § 1524.2(c) & § 1546.5(a) your affiant attests that the evidence sought in this search warrant is not related to an investigation into, or enforcement of, a prohibited violation, as defined in California Penal Code § 629.51.

Exhibit "C"
Statement of Probable Cause

Your affiant states he has received the following training and experience in the field of criminal investigation:

Training and Experience

Mendocino County Sheriff's

Deputy Jack Woida #2710

Your affiant states he has received the following training and experience in the field of criminal investigations. I, Jack Ryan Christopher Woida #2710, am a peace officer employed by the Mendocino County Sheriff's Office; and have been so since May of 2014. I was initially employed by the Mendocino County Sheriff's Office as a Correctional Deputy, but I transferred to the Fields Serves Division in June of 2017.

1. Your affiant attended a basic Police Officer Academy at College of the Redwoods in Eureka which consisted of 23 weeks in 2017. As part of that training your affiant received state mandated training in defensive tactics, chemical agents, pursuit driving, interview techniques, basic evidence gathering, introductory traffic investigation, an 11550 H&S evaluation class, a basic drug identification course, property crimes investigations, operation and qualification of handgun and shotgun, and completion of a training course meeting the requirements of Penal Code section 872(b): Hearsay Evidence Testimony. Your affiant also received instruction in criminal law, gangs, and numerous other subjects including felony level crimes.

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2. A 16 week Field Training phase with the Mendocino County Sheriff's Office. During the training phases your affiant's training expanded upon the academy curriculum. Your affiant had training officers who had testified as narcotics experts. Your affiant spent many hours discussing gang crimes and narcotics crimes with his training officers, as well as Mendocino County MAGSU gang task-force member (Brian Arrington).

3. Your affiant has made no less than 60 arrests for drug related violations to include under the influence of controlled substances (stimulants and depressants), possession of controlled substances, and possession of drug paraphernalia.

4. Your affiant has made no less than 10 arrests for possession and transportation of controlled substances (stimulants and depressants) for sales. Your affiant has discussed and been trained in the methods of sale and packaging of methamphetamine, marijuana and other illicit drugs by former Mendocino Major Crimes Task Force experts.

5. Your affiant has participated in the service of no less than 5 search warrants. One of which was for narcotics which I located and identified a Butane Honey Oil Lab and a second for firearms were I assisted in locating numerous firearms.

6. Your affiant has discussed with numerous persons who are addicted to narcotics about how much they use, the methods of use, and how it affects them.

7. No less than 50 times your affiant has performed presumptive tests on narcotics substances leading to positive and proper identification of seized controlled substances.

8. Your affiant has discussed with more experienced narcotics officer/instructors regarding identification, packaging materials, methods of concealment, habits of the user, and the effects of narcotics.

9. Your affiant has investigated felony level crimes to include burglary, felony level assaults, prohibited persons in possession of firearms, and possession of stolen property.

10. Your affiant has questioned no less than 10 criminal street gang members to include Norteno's and Sureno's. Included in the questioning was the meanings of different tattoos, how gang members use tattoos and clothing to identify them themselves with a specific gang, the use of monikers, and the identification of "micro writing" as a means of communication.

11. Your affiant has seen growing marijuana indoor and outdoor no less than fifty times and has seen packaged marijuana no less than one hundred times.

12. Your affiant has completed a POST Certified training on 11479 HS regarding evidence collection for cultivations of marijuana.

13. Your affiant has completed a DEA sponsored overflight training regarding locating/photographing marijuana during overflights. During the course your affiant assisted in the service of a search warrant that conformed the marijuana that had been spotted from the air.

14. Your affiant has completed a DEA sponsored overflight training regarding locating/photographing marijuana during overflights. During the course your affiant assisted in the service of a search warrant that conformed the marijuana that had been spotted from the air.

15. Your affiant completed a Less Lethal Munitions Instructor Course presented by ALS Defense in September of 2019.

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16. In October of 2019 your affiant completed an 80 hour POST Certified Basic SWAT Course.

17. Your affiant completed a 40 hour POST Certified Field Training Officer course in November of 2019.

18. Your affiant completed a 40 hour manual, mechanical, ballistic, thermal, and hydraulic breaching certification course presented by Forced Entry Tactical Training USA in January of 2020.

19. Your affiant completed a 140 hour POST and CNCA certified Basic K9 handler course in Novato CA where my K9 partner "Bo" was certified in explosives detection and patrol functions (obedience, handler protection, tracking, and apprehension) in June of 2020.

20. Your affiant completed a 200 hour POST certified Basic K9 handler course in Chico CA where my K9 partner "Lin" was certified in firearms detection and patrol functions (obedience, handler protection, tracking, and apprehension) in Match of 2023.

21. Your affiant completed a 40 hour POST certified ICI Sexual Assault Investigator course in Monterey CA in May of 2023. This course covered investigations related to adults and children. Course content included the link between the sexual abuse of children and the manufacturing and distribution of child sexual abuse material (CSAM) by the same subjects.

Your affiant says that the facts in support of the issuance of a search warrant are as follows:

On 11/13/24 at approximately 0400 hours, Sgt Vazquez was dispatched to a reported sexual assault that just occurred at [redacted] PII [redacted]. PII [redacted] was the reporting person who explained she was awoken because she felt something cold touching the outside of her vagina (skin to skin). When PII [redacted] rolled over to see what was touching her, she heard a "thud" and observed Eduardo laying on her floor.

It should be noted PII [redacted] is employed by Willits CPS and Eduardo is a Deputy with the Mendocino County Sheriff's Office and I know both from prior professional contacts.

Deputy Nelson responded with Sgt. Vazquez and obtained an initial statement from PII [redacted]. There was an additional roommate in the house name PII [redacted] however after this incident occurred, PII [redacted] had PII [redacted] go stay at a different location.

I was contacted by Lt. Porter and assigned to investigate this incident, so Sgt Vazquez transported PII [redacted] to the Ukiah Detective's Office where she told me the following in summary:

PII [redacted] and PII [redacted] have lived at PII [redacted] for a few years and Eduardo became their roommate around December of 2023. PII [redacted] nor PII [redacted] knew Eduardo (personally) prior to him moving in however they needed a roommate, and he was looking for a place to live. PII [redacted] was aware that Eduardo.

After Eduardo moved in PII [redacted] and PII [redacted] maintained a professional friendship with Eduardo and they did not socialize together nor spend time together unless it was work related. There is no

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history of any romantic relationship between Eduardo and PII nor PII. Eduardo and PII would occasionally text each other however it was only related to work or rent being do.

On 11/12/24 around 1830 hours, PII and PII were at home eating dinner and visiting on the couch when Eduardo arrived home from running some errands. There was a casual exchange of small talk between Eduardo and PII however Eduardo continued with his night with nothing to note. PII went to sleep around 2230 hours and left her door partially propped open because she fosters cats, and they need access to her room during the night.

In the early hours of the morning on 11/13/24 at approximately 0400 hours, PII was sleeping in her bed on her side. She felt something cold touching her vagina (skin to skin) which is what initially woke her up. As PII rolled over to investigate, she heard a "thud" and observed Eduardo laying on her floor wearing a white t-shirt and black sweatpants. When asked, PII explained she was wearing a yellow shirt and green shorts without any underwear on.

PII confronted Eduardo about why he was in her room and PII noted, Eduardo's speech was slurred, and he was not making much sense. Eduardo initially tried to tell PII that he was in there looking for one of the cats. This did not make sense to PII because Eduardo did not care for the cats, nor was he a "cat person". PII continued to confront Eduardo about her belief that he was just touching her vagina. Eduardo began to apologize and told PII he was sorry. Eduardo asked PII if she was going to call law enforcement which she acknowledged she was going to call. Eduardo made a comment stating something to the effect that his "career was fucked".

Eduardo was present with PII when she called MCSO Dispatch and Eduardo asked PII how long it was going to take for deputies to arrive. Eduardo was also upset and began throwing up so PII got him some water. Eduardo acknowledged he was intoxicated, and PII asked why he went into her room. Eduardo responded by telling PII that he chose her room because her door was open. Eduardo continued to tell PII he was sorry for what he did, but he did not make any direct statements about what his intentions were.

When PII and Eduardo talked, he was in possession of his phone PII believed Eduardo was going to make some calls based on his repeated statements that he was sorry for what he did.

I am aware based on training and experience investigating cases like these that the alleged suspected may contacted family members to express what happened which would include potential incriminating or exculpatory evidence. Given that Eduardo was in possession of his phone leads me to believe he used it to contact others and inform them about what happened.

Based on PII 's statements I also believe there is a likelihood Eduardo's DNA would be on her shorts.

I also know that subjects involved in cases like this often-complete internet searches before or after the commission of the offence. This ranges from searching for possible defenses, or ways to get rid of potential evidence. Additionally, the search and download of subjects phones can also lead to unknown exculpatory evidence being discovered.

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