

**SEARCH WARRANT AND AFFIDAVIT**



**State of California – County of Riverside  
(Affidavit)**



*Investigator Atkinson swears under oath that the facts expressed by him in this Search Warrant and Affidavit, in the attached and incorporated statement of probable cause are true and that based thereon he has probable cause to believe and does believe that the property and/or person described below is lawfully seizable pursuant to Penal Code Section 1524, as indicated below, and is now located at the locations set forth below. Wherefore, affiant requests that this Search Warrant be issued.*

- NIGHT SEARCH REQUESTED:  YES  NO
- HOBBS SEALING REQUESTED:  YES  NO
- SEALING REQUESTED – EVIDENCE CODE 1040-1042:  YES  NO
- ELECTRONIC MONITORING:  YES  NO
- 30 DAY EXTENSION (TRACKER ONLY):  YES  NO

AFFIANT'S SIGNATURE: Don Atkinson  
AFTER SWORN

06-09-2020  
DATE

**(Search Warrant)**

**THE PEOPLE OF THE STATE OF CALIFORNIA TO ANY SHERIFF, POLICE OFFICER, OR PEACE OFFICER IN THE COUNTY OF RIVERSIDE:** proof having been made, before me, by *Investigator Atkinson* that there is probable cause to believe that at the property and/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,
- it was possessed by a person with the intent to use it as means of committing a public offense or is possessed by another whom he or she may have delivered it for the purpose 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 a 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: (premises, vehicles, persons)**

**THE PREMISES:**

See Attachment "A"

**FOR THE FOLLOWING PROPERTY/PERSON:**

See Attachment "B"

B.A.061620202

# SEARCH WARRANT AND AFFIDAVIT

AND TO SEIZE IT IF FOUND and bring it forthwith before me, or this court, at the courthouse of this court. This Search Warrant and incorporated Affidavit was sworn to as true and subscribed before me this 9 day of June, 2020, 6  A.M.  P.M. Wherefore, I find probable cause for the issuance of this Search Warrant and do issue it.

NIGHT SEARCH APPROVED:

YES  NO

HOBBS SEALING APPROVED:

YES  NO

SEALING APPROVED - EVIDENCE CODE 1040-1042:

YES  NO

ELECTRONIC MONITORING:

YES  NO

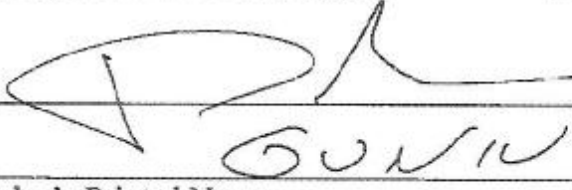
30 DAY EXTENSION (TRACKER ONLY):

YES  NO

EMERGENCY DEPLOYMENT SWAT EQUIPMENT:

YES  NO

HONORABLE:



Judge's Printed Name



Judge of the Riverside County Superior Court  
Riverside County, State of California

Reviewed for legal sufficiency by Deputy D.A. \_\_\_\_\_

B. X061620202

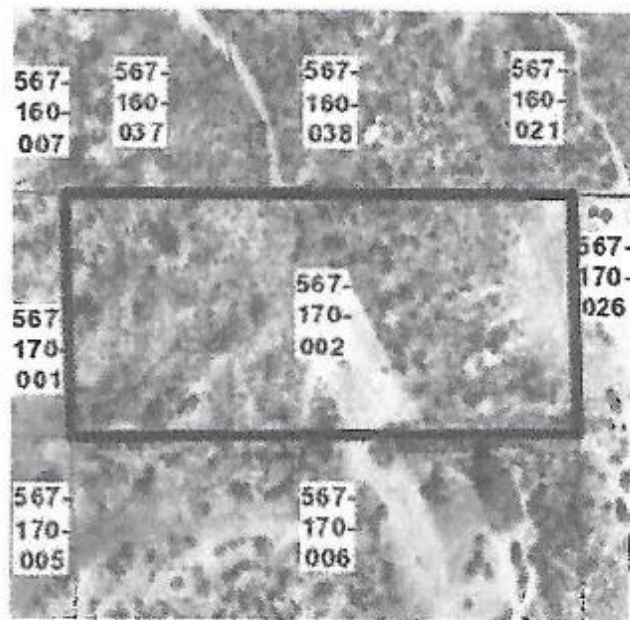
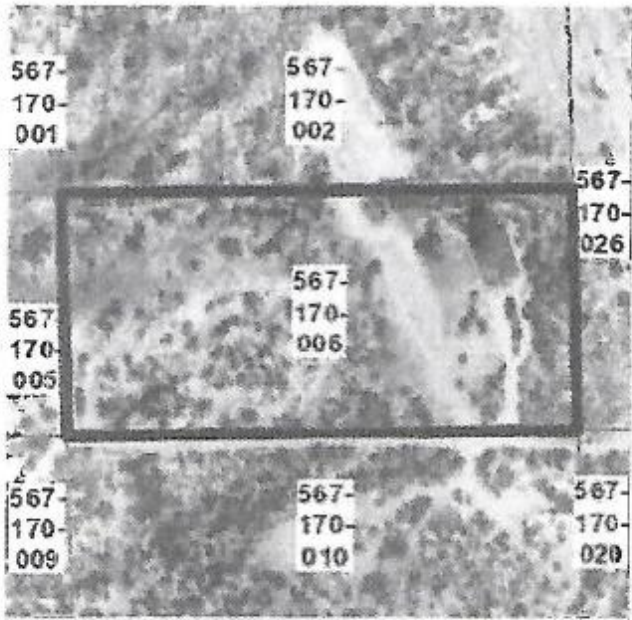


# SEARCH WARRANT AND AFFIDAVIT

## ATTACHMENT "A"

You are therefore **COMMANDED** to SEARCH:

THE LOCATION(s) identified by Riverside County GIS Mapping System as Parcel Number 567-170-006 with a listed property address of 28893 Bonita Vista Road, and Parcel Number 567-170-002 in the unincorporated area of Riverside County known as Mountain Center, State of California. —Further described as two separate 5.00-acre rural parcels, both owned by Clem and Dia Abrams, in the unincorporated area of Riverside County, known as Mountain Center. The properties are located two parcels west of Bonita Vista Road, Mountain Center. On Parcel Number 567-170-006, within the property there is one plastic-built structure in the middle of the property and a single-story residence on the east side. The residence is a single story brown wood structure with teal trim. The front door faces west. The numbers "28893" are posted on a "Private Party Sign" located in front of the property. Parcel Number 567-170-002, is located directly north of Parcel Number 567-170-006 and is also owned by Clem and Dia Abrams. Within the property there is one plastic-built structure in the middle of the property. The parcels were confirmed via the Riverside County GIS Mapping System website. Search to include: Any living areas fixed, mobile or camping located on the property. Any and all safes, locked cabinets, boxes, garages, sheds, bins, tents, mobile homes, manufactured homes, tent trailers, motor homes, travel trailers, vehicles, improvised living areas, storage containers or areas, open land and other parts therein. Search to include any cellphones found on persons at the search warrant location or found at the search warrant location.





# SEARCH WARRANT AND AFFIDAVIT

## ATTACHMENT "B"

### FOR THE FOLLOWING PROPERTIES:

1. **Controlled substances** such as concentrated cannabis, hashish, or all parts of the plant Cannabis Sativa L, growing or not, the seeds thereof, the resin extracted from any such plant, and every compound, manufacture, salt, derivative, mixture or preparation of such plant, its seeds or resin.
2. **Paraphernalia** related to the cultivation, ingestion, sales and trafficking of marijuana, such as, but not limited to, pipes, cigarette rolling papers, sifters, alligator clips, bongs, plastic bags, film canisters, scales and other measuring devices, marijuana seeds, grow lights, potting soil, containers for planting, chemicals and fertilizers, pruning and gardening tools, records, invoices, books, pamphlets and correspondence detailing marijuana cultivation.
3. All types of **firearms and weapons** including rifles, shotguns, handguns, illegal weapons, destructive devices, accessories to weapons and ammunition. Also to include all types of booby traps and detection devices used to suppress law enforcement entry or provide warning.
4. Any **evidence of ownership** or control of the premises to be searched, including canceled mail, mail envelopes and boxes along with other items of correspondence, photographs, video tapes, keys, utility bills, telephone bills, rental agreements, grant deeds and respective exemplars of original handwriting including signature cards, usage cards and applications. Financial records of persons in control of the residence or tending to prove dominion, including but not limited to bank accounts, utility company receipts, personal address books, loan applications, income and expense records, safe deposit box keys and records, property acquisitions and notes.
5. **U.S. currency**, money counting machines, money wrappers, and/or work sheets, tally sheets or ledger sheets reflecting or accounting for money received, disbursed or exchanged. Also monies or valuable items obtained from the sale of controlled substances, including stolen property, vehicles, jewelry and firearms. Any and all records of bank accounts, including canceled checks, other records of income and expenditures, property acquisition records, money market accounts or similar accounts, records of stocks or bonds purchased or exchanged, credit card records, records reflecting vehicles, aircraft or vessels owned, purchased, sold or rented or leased, and federal and state tax returns and employment papers.
6. **Documents** tending to show controlled substance transactions, including pay and owe sheets, ledgers, customer lists and distribution lists. Documents showing storage areas for controlled substances or assets from the sales of controlled substances, receipts, keys and locks or padlocks showing control and access to storage lockers. Articles of personal property such as personal telephone and address books, papers and other items reflecting names, addresses and/or telephone numbers of associates/co-conspirators involved in controlled substance activity which tend to establish the existence of a conspiracy to import, transport, distribute, manufacture, and sell controlled substances. Agents are directed to gain access to any safes or lock boxes to obtain evidence.



## SEARCH WARRANT AND AFFIDAVIT

7. Also to be searched are all **vehicles** registered to, used by, under the care, custody and control of any persons present who are determined to be involved with the crime being investigated.
8. **Civilian personnel to assist in collection and documentation of evidence:** Peace Officers or assigned representatives are authorized, during the execution of this Search Warrant, to video tape, photograph and/or take digital images, and collect evidence at the discretion of the Searching Officers, inside and outside of the location, any and all items and/or vehicles at the location, in addition, can identify and photograph and/or digital image all persons present at the Search Warrant location during the period of execution of this Search Warrant.
9. Any and all evidence of a concentrated cannabis "**Butane Honey Oil**" (BHO) lab. This is to include any and all concentrated cannabis located where evidence of a Butane Honey Oil lab is present. Items to include cylinders, whether metal, glass, plastic and/or any other material determined to contain evidence of use to manufacture butane honey oil concentrated cannabis. Any glass dishes with residue from BHO drippings used to manufacture. Coffee filters used to assist in BHO manufacturing. Any and all forms of BHO in any stage of processing.
10. To seize any electronic devices or electronic instruments that can be used to communicate, store communication data, to include: messages, text messages, (SMS/MMS or app chats), phone calls, photos, emails, voicemail and or notes. Devices that can store records that constitute evidence and instrumentalities of cultivation and / or sales of marijuana, GPS locations, and applications that can be used to promote the cultivation or sales of marijuana.
- a. A separate search warrant will be obtained for any particular device. This search warrant does not grant the officers the authority to search each device.
11. It is requested that any and all U.S. currency that is seized and might be subject to forfeiture under 11470 ct. Seq. of the California Health & Safety Code be deposited or transferred to the County District Attorney's Office Fund for asset forfeiture proceedings. It is also requested that any other assets, including vehicles, be held by the seizing agency and/or their respective storage agency to be processed for asset forfeiture proceedings.



# SEARCH WARRANT AND AFFIDAVIT

## Affiant's Declaration

**Affiant's Name:** Donald Atkinson  
**Occupation:** Investigator (14 years' experience)  
**Assignment:** Hemet Station  
**Employed by:** Riverside County Sheriff's Department

**FILED**  
SUPERIOR COURT OF CALIFORNIA  
COUNTY OF RIVERSIDE

JUN 16 2020

## TRAINING & EXPERIENCE:

Your affiant is a Investigator with the Riverside County Sheriff's Department and has been employed since March of 2006. Your affiant attended the 2nd extended format sheriff's academy at the Ben Clark Training Center and graduated in December 2005. During the academy, your affiant successfully completed over 840 hours of P.O.S.T. certified training.

Your Affiant has worked a variety of law enforcement assignments including, uniformed patrol, traffic enforcement, criminal investigations, court services, gang investigations, weapons investigations, narcotics investigations and robbery/burglary investigations. In May 2018, your affiant, was promoted to the rank of Investigator where he is investigating property, sex and violent crimes.

While serving in the ranks of Deputy, Corporal and Investigator with the Riverside County Sheriff's Department your affiant has investigated over 300 cases of property crimes ranging/including burglary, robbery, grand theft, fraud, vandalism, sexual assaults, assaults, attempted murders and murders. Your affiant has been involved with and assisted in over 100 marijuana related investigations.

Your Affiant has testified as an expert witness in Riverside County Superior Courts in the following areas: Usable amount of methamphetamine, marijuana and heroin. Possession of marijuana, methamphetamine and heroin for sales / transportation. Your affiant has also testified to his training and experience in firearms recognition and ammunition recognition as well as criminal street gangs.

Your affiant has more than 700 hours of specialized training. Some of the training classes are; robbery investigation, crisis intervention, interview and interrogation, drug abuse recognition, drug recognition expert, medical marijuana, cultivation and processing of marijuana, narcotics identification, sexual assault investigations, criminal investigations and gang investigations. Your affiant has also assisted in the eradication or dismantling of over fifty indoor and outdoor marijuana grows.

Your Affiant currently possesses an Advanced P.O.S.T Certificate issued by the California Commission of Peace Officer Standards and Training. Your affiant currently teaches Drug Abuse Recognition classes at the Riverside County Sheriff's Academy. Your Affiant also has attended California Coast University, Crafton Hills Community College, San Bernardino Valley College and Riverside Community College in which he has additional classes in Administration of Justice.



# SEARCH WARRANT AND AFFIDAVIT

## PROBABLE CAUSE:

On June 09, 2020, your affiant was assisting the Central Homicide Unit, reference a search for a missing person identified as Dia Abrams. Your affiant learned Abrams went missing under suspicious circumstances and foul play is suspected. Currently Abrams is considered a critical/endangered missing person. Your affiant learned Abrams owns multiple properties in the area and a large-scale search is currently being conducted for her to include, helicopters, search and rescue teams, cadaver dogs and bloodhounds. Through our investigation, it was learned Abrams owns the two above listed parcels. A deputy from our aviation bureau was observing the above listed parcels, looking for Abrams, and saw two plastic built structures consistent with illegal marijuana cultivation. This information was relayed to your affiant. Lieutenant Roggeveen of the sheriff's departments marijuana enforcement team, responded to the location and observed one greenhouse on each of the above listed parcels, while looking for Abrams. While on the property for the search of Abrams, Lieutenant Roggeveen told your affiant, he saw the two greenhouses contained marijuana, on both parcels. The greenhouses were plastic built structures concealed with a transparent plastic material. Lieutenant Roggeveen told your affiant there was an estimated 600 marijuana plants. The properties were identified by Riverside County GIS as **Parcel Number 567-170-006** with a listed property address of 28893 Bonita Vista Road, and **Parcel Number 567-170-002** in the unincorporated area of **Riverside County known as Mountain Center, State of California.**

From past investigations, your affiant has learned from other investigators that the Anza, Sage and Aguanga areas, have become highly populated with persons cultivating and trafficking marijuana for profit. Additionally, your affiant learned from training and experience that local Hemet, Anza, Sage and Aguanga residents rent portions of their property to persons for marijuana cultivation and trafficking, thus profiting from the marijuana cultivation taking place on their property. Your affiant also knows subjects living in near or adjacent properties will often share or lease utility services, such as water or electricity.

From previous investigations your affiant has identified marijuana plants from the air unit and ground surveillance on past occasions while assisting and/or coordinating the investigations of illegal cultivation of marijuana, which has resulted in identifying, handling, and seizing thousands of marijuana plants during his official duties. Cultivation operations often grow marijuana plants inside greenhouse structures, storage containers, residences, and other outbuildings or structures. Greenhouses often have open access at one end of the structure and may have retractable sides as well, which provide visibility into the greenhouse. Furthermore, the greenhouses often use opaque or transparent plastic to cover the greenhouses. The plastic is often pulled back during daytime hours to allow sunlight and ventilation to enter the structure, rendering the marijuana plants contained within visible and recognizable as such.

Based on your affiant's training and experience, as well as conversations from other law enforcement personnel, your affiant has learned that large marijuana cultivation and trafficking organizations have been utilizing large rural parcels to cultivate marijuana for the purpose of sales. From training and experience, your affiant has seen marijuana growers utilize several methods to conceal large outdoor marijuana gardens, such as soft mesh fencing, wood fencing and opaque and/or transparent plastic covered greenhouses or planting marijuana amidst the natural vegetation.



## SEARCH WARRANT AND AFFIDAVIT

Your affiant has seen both used separately and/or in conjunction with one another. From training and experience your affiant holds the opinion that both methods are commonly used to conceal the marijuana cultivation from law enforcement personnel as well as from the general public to avoid detection.

Regarding the plastic covered green houses, your affiant has seen these types of green house filled with hundreds of marijuana plants. The concealment of the marijuana plants in a plastic covered greenhouse allows the marijuana trafficker to utilize multiple potting systems from large buckets for mature plants to thousands of vegetative state marijuana plants in small cups. From past investigations your affiant has seen how marijuana cultivators utilize large industrial fans, minimal florescent lighting, legal and illegal fertilizers coupled with various potting methods to grow approximately 100-200 marijuana plants per green house, depending upon the size of the structures and the size of the plants contained within.

From training and experience, your affiant knows marijuana grows will often have a medical marijuana recommendation posted to deter law enforcement personnel from investigating the validity of the persons on the recommendation, as well as whether or not the person listed on the recommendation is actually tending to the marijuana plants. These recommendations are often fictitious and posted merely to deter investigation from law enforcement. Based on my experience, growers will often have copies of CDL's for "patients". Often, the person listed on the CDL is unaware of the grow or even, deceased.

Additionally, your affiant has learned from training and experience, as well as conversations your affiant has had with other law enforcement personnel, that these marijuana gardens are commonly tended and/or guarded by armed persons not listed on the medical marijuana recommendation who are monetarily compensated for their assistance in marijuana cultivation by watering, fertilizing, processing, and or guarding the marijuana plot. Persons tasked with guarding the marijuana grows are often armed to prevent the marijuana from being stolen or seized by law enforcement.

From training and experience, as well as conversations your affiant has had with other law enforcement personnel, your affiant knows that persons who are tasked to assist with guarding the marijuana grows will often utilize their vehicles to transport various items to assist in the marijuana cultivation and trafficking such as packaged/processed marijuana, marijuana seeds, fertilizers, tools for trimming, weighing and tending to the marijuana gardens, guns and ammunition for protecting the marijuana crop. Your affiant has seen one or more combinations of the above listed items in the vehicles of persons assisting with marijuana cultivation of large parcel properties. Your affiant requests permission to search all vehicles on the property found to be in the care, custody and control of any persons on the property determined to be a marijuana trafficking operation during the course of the search warrant and investigation.

From training and experience, as well as conversation's I've had with other law enforcement officers, I know persons engaged in cultivation of marijuana use cellphones and computers to communicate with other growers, traffickers and consumers of marijuana. It is my belief that searching the data on these devices could help identify the organizations involved in the trafficking of marijuana.



## SEARCH WARRANT AND AFFIDAVIT

From training and experience, as well as conversations your affiant has had with other law enforcement personnel, your affiant is aware that persons tending to the marijuana grow may be compensated with living quarters on the property by way of a tent, trailer, recreational vehicle and/or some other make-shift shelter. Your affiant requests permission to search any such structures located at **the properties identified by assessor's as Parcel Number 567-170-006** with a listed property address of 28893 Bonita Vista Road, and **Parcel Number 567-170-002** in the unincorporated area of **Riverside County known as Mountain Center, State of California.**

Furthermore, your affiant knows through training and experience, as well as conversations with other law enforcement personnel, that in search warrants involving marijuana cultivation and/or narcotic investigations, that the following items have been found in or around marijuana cultivation sites: Marijuana and/or other illegal narcotics, compounds, derivatives, and preparations thereof, which are chemically evident or identical with any of these substances; paraphernalia for the use of, sales of, weighing, packaging, and processing of Marijuana or it's derivative; articles of personal property establishing persons in control of the premises or areas consisting of cellular telephones, computers and other papers containing personal information.

Your affiant knows through training and experience, marijuana cultivation operations are often operated through the theft of utilities, such as electricity and water. Those engaging in illegally cultivating marijuana often steal these utilities and construct and supply water and/or power to greenhouse structures, other buildings or containers and outdoor grows illegally, without proper permitting. These illegally constructed structures are often unsafe and pose danger to those who utilize or access them, as well as the surrounding public. Utilities are stolen to avoid detection by law enforcement or utility companies because the cultivation of marijuana requires unusually large amounts of water and power. Therefore, your affiant requests County agencies, such as Code Enforcement, be permitted to accompany law enforcement in the service of the search warrant to evaluate the property and structures for proper permitting and adherence to safety regulations.

Based upon my training, experience and conversations I've had with other Law Enforcement Officers and/or reports that I've read, your affiant requests this Search Warrant be endorsed for night time service based upon the information set forth herein and my experience in the past that when a large scale eradication operation commences, illegal marijuana cultivators will attempt to notify co-conspirators, friends and associates immediately so that they can destroy, secrete, or dispose evidence which can be used against him/her. It is likely this operation will become known quickly due to the number of law enforcement in the area. In view of these facts, it is my opinion that this Search Warrant must be served as soon as possible, to economize use of personnel and before the operation becomes known and the items sought are destroyed, disposed of, or concealed.

Your affiant believes the listed narcotic/illegal drugs, records, and paraphernalia can be found in the location to be searched, despite any lapse of time between the events described and the anticipated search by this warrant.



## SEARCH WARRANT AND AFFIDAVIT

In addition, your affiant has checked the most current Hemp Farm registration with the California Department of Food and Agriculture, as well as the Riverside County Agriculture registration, and found this address or parcel number was not listed for an approved Hemp permit or license.

Based on the information listed, your affiant has probable cause to believe the properties identified by assessor's as **Parcel Number 567-170-006** with a listed property address of 28893 Bonita Vista Road, and **Parcel Number 567-170-002** in the unincorporated area of **Riverside County known as Mountain Center, State of California**, is being used to cultivate marijuana illegally and will reveal evidence of illegal marijuana cultivation. Therefore, I pray a warrant be issued to search the parcel and all structures located within its boundaries.

Additionally, your affiant requests that any marijuana plants in any stage of cultivation, and its derivatives be destroyed at a Riverside County Landfill once probable cause has been established to seize the marijuana. This request is based on the toxic and corrosive effects of mold attributed to storing marijuana in various stages of process. Only a small sample of marijuana will be seized as evidence for the purpose of analysis. All destroyed marijuana will be photographed and documented prior to destruction.

Your affiant further requests that all items seized during the lawful service of this Search Warrant shall be disposed of in accordance with the policies and procedures of the Riverside County Sheriff's Department upon adjudication of this case, and without necessity of a Court Order

### NIGHT SERVICE JUSTIFICATION:

Based upon my training, experience and conversations I've had with other Law Enforcement Officers and/or reports that I've read, your affiant requests this Search Warrant be endorsed for night time service based upon the information set forth herein and my experience in the past that when a large scale eradication operation commences, illegal marijuana cultivators will attempt to notify co-conspirators, friends and associates immediately so that they can destroy, secrete, or dispose evidence which can be used against him/her. It is likely this operation will become known quickly due to the number of law enforcement in the area. In view of these facts, it is my opinion that this Search Warrant must be served as soon as possible, to economize use of personnel and before the operation becomes known and the items sought are destroyed, disposed of, or concealed.



## SEARCH WARRANT AND AFFIDAVIT

WHEREFORE, your affiant prays that a Search Warrant be issued based upon the aforementioned facts, for the seizure of said property, or any part thereof, good cause being shown thereof, and the same be brought before this Magistrate or retained subject to the order of the court, or of any court in which the offense(s) in respect to which the property of things taken, triable, pursuant to Section 1536 of the Penal Code, and to dispose and/or release of said property pursuant to the investigating agency's property disposition policy without need for further court order when the property is no longer of evidentiary value.

Based on this information it is your affiant's opinion that your affiant has the reasonable cause to believe that grounds for the issuance of a search warrant exist as set forth in Penal Code 1524 subdivision (a) subsection (2)(3)(4). Based upon the information contained in this affidavit your affiant prays that a warrant be issued for the custodian of record described herein.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct, and that this Affidavit was executed in Riverside, California.

BA061620202



SUPERIOR COURT OF CALIFORNIA  
COUNTY OF RIVERSIDE  
RETURN TO SEARCH WARRANT

FILED  
SUPERIOR COURT OF CALIFORNIA  
COUNTY OF RIVERSIDE

JUN 16 2020

SW No. BA061620202

Receipt is hereby acknowledged, and the undersigned makes this inventory of the following property seized by him the day the search of the premises described in said search warrant and taken pursuant thereto, to wit:

Issuing Magistrate: **Judge Gunn**  
Magistrates Court: **Riverside County Superior Court**  
Date of Issuance: **06/09/2020**  
Date of Service: **06/09/2020**

and searched the following location(s), vehicle(s), and person(s):

Location-

Riverside County Parcel Numbers # 567-170-006 and 567-170-002

and seized the items described in the attached and incorporated inventory/ described below:

See attached

I, **Donald Atkinson**, the officer by whom this search warrant was executed, do swear that the below inventory contains a true and detailed account of all the property taken by me on the search warrant.

I, **Donald Atkinson**, further swear that this is a true and detailed account of all property taken by me pursuant to the search warrant, and that pursuant to Penal Code Sections 1528 and 1536 this property will be retained in my custody, subject to the order of this Court or any other Court in which the offense in respect to which the seized property is triable.

Don Atkinson

(Signature of Affiant)

Sworn to me and subscribed before me this 16<sup>th</sup> day of June 2020

James T. Hastings  
(Signature of Magistrate)

Judge of the Superior Court of California, County of Riverside.



SUPERIOR COURT OF CALIFORNIA  
COUNTY OF RIVERSIDE  
RETURN TO SEARCH WARRANT

SW No.

<u>Item</u>	<u>Description</u>
01	2,389 Marijuana Plants
02	357 pounds of processed

BA061620202