

SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN BERNARDINO
VICTORVILLE DISTRICT

THE PEOPLE OF THE STATE OF CALIFORNIA,) COURT CASE NO
Plaintiff)
vs.)
Rusty Dale Champion) FELONY COMPLAINT
Defendant)
DA CASE NO 2003-00-0054433

The undersigned is informed and believes that:

COUNT 1

On or about October 9, 2003, in the above named judicial district, the crime of POSSESSION OF AN ASSAULT WEAPON, in violation of PENAL CODE SECTION 12280(b), a felony, was committed by Rusty Dale Champion, who did unlawfully possess an assault weapon, to wit: Assault Rifle.

COUNT 2

On or about October 9, 2003, in the above named judicial district, the crime of POSSESSION OF AN ASSAULT WEAPON, in violation of PENAL CODE SECTION 12280(b), a felony, was committed by Rusty Dale Champion, who did unlawfully possess an assault weapon, to wit: Assault Rifle.

COUNT 3

On or about October 9, 2003, in the above named judicial district, the crime of POSSESSION OF AN ASSAULT WEAPON, in violation of PENAL CODE SECTION 12280(b), a felony, was committed by Rusty Dale Champion, who did unlawfully possess an assault weapon, to wit: Assault Rifle.

the following offense(s): Penal Code section 246.3, Willful Discharge of a Firearm with Gross Negligence.

* * * * *

NOTICE TO DEFENDANT AND DEFENDANT'S ATTORNEY

Pursuant to Penal Code Sections 1054.5.(b), the People are hereby informally requesting that defense counsel provide discovery to the People as required by Penal Code Section 1054.3.

NOTICE TO ATTORNEY

The materials accompanying this notice may include information about witnesses. If so, these materials are disclosed to you pursuant to Penal Code section 1054.2 which provides: "No attorney may disclose or permit to be disclosed to a defendant the address or telephone number of a victim or witness whose name is disclosed to the attorney pursuant to subdivision (a) of Section 1054.1 unless specifically permitted to do so by the court after a hearing and a showing of good cause."

Further, attached hereto and incorporated herein are official reports and documents of a law enforcement agency which the undersigned believes establish probable cause for the arrest of defendant(s) Rusty Dale Champion , for the above-listed crimes. Wherefore, a warrant of arrest is requested for Rusty Dale Champion .

I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT AND THAT THIS COMPLAINT CONSISTS OF 7 COUNT(S).

Executed at Victorville, California, on January 27, 2004.

DECLARANT AND COMPLAINANT

Agency: DOJ CAPP San Bernardino

Prelim Est. 00:00

**CALIFORNIA ARMED PROHIBITED PROGRAM
INLAND EMPIRE TASK FORCE
P.O. Box 3579, San Bernardino, CA 92413-3579
INVESTIGATION REPORT**

Investigation Title CHAMPION, Rusty Dale		Report Date 10-9-2003	Investigation Number IETF03-60086
Report Type Open	Type of Case 12021 (a)(1) - felon in possession of firearms (SB950)		Case X-Ref.
Case Agent Zinna, John	Reporting Agent Zinna, John	Supervisor Twiss, Richard	

DETAILS OF THE INVESTIGATION:

In August of 2003, I initiated a firearms' investigation due to a referral from California Department of Justice, Firearms Headquarters, Criminal Identification Specialist II Gwen Watson.

I reviewed the case file, and discovered that Rusty Dale CHAMPION, DOB: 11-18-1955, California Driver's License (CDL) # N2184322, was arrested by the Los Angeles Police Department for being in violation of California Penal Code Section 664/187 - attempted murder. CHAMPION was ultimately convicted of a felony violation of California Penal Code Section 246.3 - willful discharge of a firearm in a negligent manner. This violation and conviction occurred in Los Angeles County. CHAMPION was convicted on June 9, 1998, and was sentenced to 291 days in jail and thirty-six (36) months' informal probation. CHAMPION was also convicted in San Diego County for being in violation of California Penal Code Section 12020 (A) - possess, manufacture, sell dangerous weapons. I later discovered that this conviction was a misdemeanor. Refer to CHAMPION's California Criminal History (i.e., CII #A05858686) for details.

CHAMPION is and has been prohibited from possessing firearms due to his 1998 felony conviction.

In the case file, I saw that CHAMPION submitted an "Assault Weapon Registration Application" on December 31, 1990. With this assault weapon registration application, CHAMPION registered one (1) assault rifle (i.e., Heckler & Koch, model 93, .223 caliber, serial #110280). This rifle is an assault weapon as defined in California Penal Code Section 12276 (a)(9). CHAMPION submitted this registration prior to being prohibited from possessing firearms.

I also saw that on the same assault weapon registration application, CHAMPION attempted to register two (2) other rifles as assault weapons (i.e., Sturm, Ruger, model Mini-14, .223 caliber, serial #183-07174; and Poly Technologies, model AKS, 7.62 caliber, serial #386-CW-91132).

The Sturm, Ruger, Mini - 14, rifle is not normally an assault weapon per California State Law, but could become an assault weapon if its original configuration is altered. This rifle was later seized, and I discovered that it is in a configuration that qualifies it as an assault weapon due to its original configuration being altered by replacing its stock with a composite stock, which has a pistol grip as well as a swing-out/folding stock. This assault weapon is defined in California Penal Code Section 12276.1 (a)(1)(A) and 12276.1 (a)(1)(C). This weapon must have been registered with the California Department

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of Justice on or before December 31, 2000. This weapon has no history in the California Automated Firearms System (AFS), and is not registered with the California Department of Justice.

The Poly Technologies was considered an assault weapon per California Penal Code Section 12276 (a)(1)(C) when CHAMPION submitted the assault weapon registration application, but was not registered due to litigation (i.e., *Kasler v. California Attorney General Lockyer*). On August 16, 2000, the California Supreme Court's confirmed that the Poly Technologies, model AKS, can be considered an assault weapon. This rifle was later seized. CHAMPION had to resubmit an assault weapon registration application on or before January 23, 2001. This weapon has no history in AFS, and is not registered with the California Department of Justice.

On October 7, 2003, I conducted a query into the AFS, and discovered that CHAMPION has a total of three (3) handguns and one (1) assault rifle in his name. The following is a list of the four (4) firearms:

1. Pistol, revolver, Amadeo, model 971, 357 caliber, serial #F089949, **Date of Transaction (DOT): 6-26-1996;**
2. Pistol, single shot, Colt, model Combat Elite, 45 caliber, serial #CG05768E, **DOT: 6-25-1996;**
3. Pistol, revolver, Smith & Wesson, model 66, 357 caliber, serial #AER9837, **DOT: 2-2-1985;**
4. Assault rifle, Heckler & Koch, model 93, .223 caliber, serial #110280, **DOT: 6-20-1991.**

All of the above-listed AFS records have CHAMPION's name, date of birth, and CHAMPION's California Driver's License number of N2184322 on them.

On October 6, 2003, I had a representative with the San Bernardino Sheriff's Department conduct a query into the Sheriff Department's local data base. I discovered that CHAMPION called the San Bernardino Sheriff's Department on July 17, 2003, and on July 21, 2003. I saw that when CHAMPION called on July 17, 2003, he told the San Bernardino Dispatch that he lived at the address of 815 State Highway 138, Pinon Hills.

On October 7, 2003, at approximately 1100 hours, I conducted surveillance of 815-A State Highway 138, Pinon Hills, California.

At approximately 1145 hours, I saw a white, Buick, that had the California license plate number of 4SBG459 arrive and park in front of the residence. It should be noted that I saw this same vehicle

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parked in front of the house on October 6, 2003. I saw a male subject get out of the driver's seat and an unknown female, later identified as Gabriele Manuela Champion, get out of the passenger's seat. I drove up next to the male, who I now recognized as CHAMPION by his California Driver's License picture, and started a conversation. After our conversation, I saw CHAMPION enter the front door of the address. It appeared to me that he used a key to unlock and open the front door.

On October 7, 2003, I conducted a query into the California Department of Motor Vehicle system. I discovered that the above-mentioned Isuzu, Trooper, is currently registered to CHAMPION. The above-mentioned Buick is registered to a Gabriele Harris of Pinon Hills.

On October 8, 2003, San Bernardino Superior Court Judge John P. Wade issued a search warrant for CHAMPION's residence (i.e., 815-A State Highway 138, Pinon Hills, California) both of the above-mentioned vehicles (i.e., 1985 Isuzu, Trooper, California plate #4TPV778; and Buick, California plate #4SBG459) and his person.

On October 9, 2003, Special Agents with the California Department of Justice, Police Officers from the San Bernardino Police Department, and Deputies with the San Bernardino Sheriff's Department served a search warrant on CHAMPION's residence located at 815-A State Highway 138, Pinon Hills, California.

The following personnel assisted me Special Agent Supervisor Richard Twiss, Special Agents Jon Florez, San Bernardino Police Officers Pat Pritchett and Scott Roebuck, San Bernardino Sheriff's Deputies Hank Valencia and Eric Marsh.

At approximately 1200 hours, Deputy Valencia made contact with Gabriele Champion, aka: Gabriele Harris, who was standing in front of the thrift store located approximately fifty (50) yards west of the CHAMPION's residence. Valencia explained to G. Champion that we had a search warrant for her residence. She gave us the key to the front door which she said was locked. She also told us that no one was in the residence.

While Deputy Valencia spoke to G. Champion Special Agent Supervisor Twiss, Special Agent Florez, San Bernardino Police Officers Pritchett and Roebuck, and I approached the front door to the residence.

At the front door, Police Officer Pritchett knocked loudly. Approximately ten (10) seconds later Officer Pritchett knocked a second time loudly and announced that we were police officers with a search warrant and that we were demanding entry. Approximately ten (10) seconds later, Officer Pritchett used the key to unlock and open the front door.

The above-mentioned officer entered the residence. and discovered that there was no one inside.

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Once the house was secured, a search was conducted. The following items were located in the hallway that led to the front bedroom, which G. Champion later identified as her stepdaughters, Kimberly Joyce Champion, DOB: 1-5-1990, bedroom.

Item # 1-17: 4 each, 16 gauge shotgun shells. This item was located by SA Florez in a metal filing cabinet in front of CHAMPION's safe.

Item # 1-18: 1 each, brass rifle round. This item was located by SA Florez in a metal filing cabinet in front of CHAMPION's safe.

Item # 1-19: 1 each, Colt .45 caliber magazine with 7 rounds. This item was located by SA Florez on top of CHAMPION's safe.

A large locked safe was also located in this hallway. G. Champion did not know the combination to the safe. Did's Safe & Lock Service was summoned.

Special Agent Supervisor Twiss located the following item in the livingroom:

Item # 1-16: Los Angeles Superior Court document of 4 pages showing a 1203.4 PC was granted to Rusty Dale CHAMPION. This item was found by the night stand.

While we were waiting for the lock smith, I spoke to G. Champion, and she told me the following:

She has been in a relationship with CHAMPION for approximately three (3) years. She said that they got married in January of 2003. She said that she has lived in the house located at 815-A State Highway 138, Pinon Hills, with CHAMPION for approximately three (3) years. She said no other adults live in the house. They rent the house from the owner of the thrift shop that is next door. G. Champion said that CHAMPION's fourteen-year-old daughter, Kimberly Champion, moved in with them in June of 2003, when CHAMPION retained custody of her.

G. Champion said that she is not aware of any firearms in the house. She told me that she did not know the combination to the safe, and she has never seen inside of the safe. She explained to me that CHAMPION just obtained a job in Lancaster yesterday. She said that he sometimes would not answer his cellular phone due to him being too busy.

At approximately 1330 hours, I left a message on CHAMPION's cellular phone, number (760) 220-5652, and asked him to call me.

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At approximately 1445 hours, Jim Carroll with Did's Safe & Lock Service arrived. Carroll unlocked the large safe by drilling a hole in its door and manipulating its dial.

Officer Pritchett opened the safe door while I was standing next to him, and we found the following items:

- Item # 1-1: Assault rifle, serial # 18307174, Sturm, Ruger, Mini-14, .223 caliber, which has a composite stock that has a pistol grip that protrudes conspicuously beneath the action of the weapon and a folding stock. This weapon is an assault weapon as defined in California Penal Code Section 12276.1 (a)(1)(A) and 12276.1 (a)(1)(C). This weapon is not registered to CHAMPION, and has no history in AFS.

- Item # 1-2: Assault rifle, serial # 110280, H & K, model 93, .223 caliber. This weapon is an assault weapon as defined in California Penal Code Section 12276 (a)(9). This weapon is registered to CHAMPION.

- Item # 1-3: Assault rifle, serial # 105955, CAI, L1A1 Sporter, .308 caliber. This weapon is an assault weapon as defined in California Penal Code Section 12276.1 (a)(1)(A). This weapon is not registered to CHAMPION, and has no history in AFS.

- Item # 1-4: Assault rifle, serial # 386CW91132, Poly Technologies, AKS, 7.62 x 39 caliber. This weapon is an assault weapon as defined in California Penal Code Section 12276 (a)(1)(C). This weapon is not registered to CHAMPION, and has no history in AFS.

- Item # 1-5: Assault rifle, serial # CCH005798, Colt, Match H-Bar, .223 caliber. This weapon is an assault weapon as defined in California Penal Code Section 12276 (a)(5). This weapon is not registered to CHAMPION, and has no history in AFS.

- Item # 1-6: Rifle, serial # 11743343, Sturm, Ruger, 10-22 carbine, .22 caliber.

- Item # 1-7: Rifle, serial # 2280018, Springfield, M-1, .30 caliber.

- Item # 1-8: Rifle, serial # 2034738, Winchester, 94, 30-30 win. caliber.

- Item # 1-9: Rifle, serial # E6206304, Remington, 700, .308 caliber.

- Item # 1-10: Pistol, serial #CG05768E, Colt, Combat Elite, .45 caliber. This weapon is in CHAMPION's name in AFS.

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Item # 1-11: 11 each, AK type magazines - some with bullets.

Item # 1-12: 10 each, .223 type magazines.

Item # 1-13: 1 each, .308 rifle magazine.

Item # 1-14: 1 each, Colt .45 pistol magazine.

Item # 1-15: 1 each, Ruger rifle .22 magazine.

As we were processing the contents of the safe, I asked G. Champion if she had ever seen the rifles. G. Champion said that she has seen some of the rifles before, but they did not belong to her.

At approximately 1515 hours, CHAMPION's daughter, K. Champion, arrived home from school.

At approximately 1540 hours, we left the residence. I left a copy of the property receipts with G. Champion.

A copy of this report will be sent to the San Bernardino County District Attorney's Office for review. I am proposition 115 qualified.

Investigation opened.

EVIDENCE:

I seized the listed items below after being located by the indicated officers. I transported all the evidence items to the DOJ IETF Office. SA Florez photographed, and I impounded the listed items into the IETF evidence locker under case number IETF 03-60086.

I located the following items at 815-A State Highway 138, Pinon Hills, CA, inside CHAMPION's firearms safe.

Item # 1-1: Assault rifle, serial # 18307174, Ruger, Mini-14, .223 caliber;

Item # 1-2: Assault rifle, serial # 110280, H & K, model 93, .223 caliber;

Item # 1-3: Assault rifle, serial # 105955, CAI, L1A1 Sporter, .308 caliber;

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Investigation Title CHAMPION, Rusty Dale Investigation No. IETF03-60086

- Item # 1-4: Assault rifle, serial # 386CW91132, Poly Tech, AKS-762, 7.62 x 39 caliber;
- Item # 1-5: Assault rifle, serial # CCH005798, Colt, Match H-Bar, .223 caliber;
- Item # 1-6: Rifle, serial # 11743343, Ruger, 10-22 carbine, .22 caliber;
- Item # 1-7: Rifle, serial # 2280018, Springfield, M-1, .30 caliber;
- Item # 1-8: Rifle, serial # 2034738, Winchester, 94, 30-30 win. caliber;
- Item # 1-9: Rifle, serial # E6206304, Remington, 700, .308 caliber;
- Item # 1-10: Pistol, serial #CG05768E, Colt, Combat Elite, .45 caliber;
- Item # 1-11: 11 each, AK type magazines - some with bullets;
- Item # 1-12: 10 each, .223 type magazines;
- Item # 1-13: 1 each, .308 rifle magazine;
- Item # 1-14: 1 each, Colt .45 pistol magazine;
- Item # 1-15: 1 each Ruger rifle .22 magazine;
- Item # 1-20: Miscellaneous bullets.
- The following items were located by the indicated officers:
- Item # 1-16: Los Angeles Superior Court document of 4 pages showing a 1203.4 PC was granted to Rusty Dale CHAMPION. This item was found by SAS Twiss in CHAMPION's living room by a night stand.
- Item # 1-17: 4 each, 16 gauge shotgun shells. This item was located by SA Florez in a metal filing cabinet in front of CHAMPION's safe.
- Item # 1-18: 1 each, brass rifle round. This item was located by SA Florez in a metal filing cabinet in front of CHAMPION's safe.

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Item # 1-19: 1 each, Colt .45 caliber magazine with 7 rounds. This item was located by SA Florez on top of CHAMPION's safe.

PHYSICAL DESCRIPTIONS:

CHAMPION, Rusty Dale, WMA, 6'00," 189 lbs, black hair, blue eyes,
DOB: 11-18-1955
CDL: # N2184322
SS: # 551-86-7400
CII: # A05858686
FBI: # 223945R2
Residence address: 815-A State Highway 138, Pinon Hills, California 92329.
Cellular telephone: (760) 220-5652
Residence telephone: (760) 868-8712

Zinna, J

Special Agent
John Zinna

10-15-2003

Date

Rich Twiss

Special Agent Supervisor
Rich Twiss

10/15/2003

Date

*** MESSAGE RECALL ***
*** Sequence # 024174 ***

Transaction Time: Tue Oct 14 14:33:57 2003

=====
4CXRI024174.IH
RE: QHY.CA0369425.05858686.ZINNA, DATE:20031014 TIME:14:33:58
RESTRICTED-DO NOT USE FOR EMPLOYMENT,LICENSING OR CERTIFICATION PURPOSES
ATTN:ZINNA, IETF03-60086

CII/A05858686
DOB/19551118 SEX/M RAC/WHITE
HGT/601 WGT/160 EYE/BLU HAI/BLN POB/CA
NAM/01 CHAMPION,RUSTY DALE
02 CHAMPION,RUSTY

FPC HENRY
O 30 - OOO 16
I 22 U OOI -

FBI/223945R2
DOB/19550118
CDL/N2184322
SOC/551867400
SMT/TAT L SHLD; TAT R SHLD
OCC/MILITARY
* * * *

ARR/DET/CITE: NAM:01
19761030 CASO SAN DIEGO

CNT:01 #843594
12020(A) PC-POSSESS/MFG/SELL DANGEROUS WPN/ETC
DISPO:ACTION PENDING
COM: CHP ARR

COURT: NAM:01
19770104 CAMC SAN DIEGO

CNT:01 #M220825
12020(A) PC-POSSESS/MFG/SELL DANGEROUS WPN/ETC
*DISPO:CONVICTED
SEN: IMP SEN SS-36 MO SUMM PROB, , \$25 FINE
* * * * *
** POTENTIAL FELONY STRIKE ENTRY **
* * * * *
* * * *

ARR/DET/CITE: NAM:01
19790122 CASO SAN DIEGO

CNT:01 #125583
12025(A) PC-CARRY CONCEALED WEAPON IN VEHICLE

COURT: NAM:01

19790330 CAMC VISTA

CNT:01 #B26204
12025(A) PC-CARRY CONCEALED WEAPON IN VEHICLE
DISPO:DISMISSED/FOJ/PLEA TO OTHER CHARGE
* * * *

APPLICANT: NAM:01
19850122 CAPD HAWTHORNE

CNT:01
APPLICANT PEACE OFFICER/AUXILIARY

19980120
DISPO:NO LONGER INTERESTED
* * * *

ARR/DET/CITE: NAM:01 DOB:19550118
19971122 CAPD LOS ANGELES

CNT:01 #2633921C 5462190
-ATTEMPTED
187(A) PC-MURDER
- - - -

COURT: NAM:01
19971231 CAMC VAN NUYS

CNT:01 #LA028772-01
245(B) PC-ASSAULT PERSON W/SEMIAUTO FIREARM
DISPO:DISMISSED/FURTHERANCE OF JUSTICE

CNT:02
246 PC-SHOOT AT INHABITED DWELLING/VEHICLE/ETC
DISPO:DISMISSED/FURTHERANCE OF JUSTICE

CNT:03
245(B) PC-ASSAULT PERSON W/SEMIAUTO FIREARM
DISPO:DISMISSED/FURTHERANCE OF JUSTICE
COM: DCN-C0047420719600003701
* * * *

ARR/DET/CITE: NAM:02 DOB:19550118
19971231 CAPD LOS ANGELES

CNT:01 #2633921C 55501809
187(A) PC-MURDER
- - - -

COURT: NAM:02
19980609 CASC LOS ANGELES VAN NUYS

CNT:01 #LA029068
246.3 PC-WILLFUL DISCH FIREARM-NEGLIGENT MANNR
DISPO:DISMISSED/FURTHERANCE OF JUSTICE

CNT:02
246.3 PC-WILLFUL DISCH FIREARM-NEGLIGENT MANNR
DISPO:DISMISSED/FURTHERANCE OF JUSTICE

CNT:03

245(B) PC-ASSAULT PERSON W/SEMIAUTO FIREARM
DISPO:DISMISSED/FURTHERANCE OF JUSTICE

COM: :

4 ADD CNTS 245(B) PC DISM

CNT:04

246.3 PC-WILLFUL DISCH FIREARM-NEGLIGENT MANNR

*DISPO:CONVICTED

CONV STATUS:FELONY

SEN: 36 MONTHS PROBATION, 291 DAYS JAIL,
IMP SEN SS

DISPO:CONDITION OF PROB-FIREARM RESTRICTION

* * * * *

** POTENTIAL FELONY STRIKE ENTRY **

* * * * *

* * * *

ARR/DET/CITE: NAM:01 DOB:19551118
19990308 CASO SAN BERNARDINO

CNT:01 #9903070181

242 PC-BATTERY ON PERSON

ARR BY:CAHP SAN BERNARDINO

CNT:02

23152(A) VC-DUI ALCOHOL/DRUGS

- - - -

COURT: NAM:01
19990723 CASC MCVICTORVILLE

CNT:01 #TV144439

23152(A) VC-DUI ALCOHOL/DRUGS

DISPO:DISMISSED/FURTHERANCE OF JUSTICE

CNT:02

23152(B) VC-DUI ALCOHOL/0.08 PERCENT

DISPO:DISMISSED/FURTHERANCE OF JUSTICE

CNT:03

242 PC-BATTERY

DISPO:DISMISSED/FURTHERANCE OF JUSTICE

NOTE: 2 POTENTIAL ENTRIES WITH FELONY CONVICTION DATA WERE
FOUND FOR THIS SUBJECT. SEE ENTRIES IN THE RECORD ANNOTATED
WITH "POTENTIAL FELONY STRIKE ENTRY" FOR DETAILS. THIS RECORD
MAY ALSO CONTAIN ADDITIONAL DATA RELATED TO "STRIKE" CONDITIONS.

* * * END OF MESSAGE * * *

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Investigation Title CHAMPION, Rusty Dale		Report Date 10-14-2003	Investigation Number IETF03-60086
Report Type Progress	Type of Case 12021 (a)(1) - felon in possession of firearms (SB950)		Case X-Ref.
Case Agent Zinna, John	Reporting Agent Zinna, John	Supervisor Twiss, Richard	

DETAILS OF THE INVESTIGATION:

On Friday, October 10, 2003, Jason Davis left a voice message at my cellular phone number. Davis advised me that his law firm was representing CHAMPION. Davis requested that I call him regarding this matter.

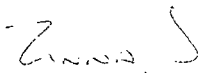
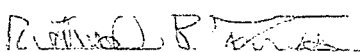
On Tuesday, October 14, 2003, I called Davis. Davis advised me that his firm is representing CHAMPION. I explained to Davis that the case would be submitted to the San Bernardino District Attorney's Office for review. I also let Davis know that I would like to speak with CHAMPION to give him an opportunity to provide me with any information he felt was important. Davis made no effort to arrange a meeting between CHAMPION and I.

A copy of this report will be submitted to the San Bernardino District Attorney's Office for review.

Investigation open.

PHYSICAL DESCRIPTIONS:

CHAMPION, Rusty Dale, WMA, 6'00," 189 lbs, black hair, blue eyes,
 DOB: 11-18-1955
 CDL: # N2184322
 SS: # 551-86-7400
 CII: # A05858686
 FBI: # 223945R2
 Residence address: 815-A State Highway 138, Pinon Hills, California 92329.
 Cellular telephone: (760) 220-5652
 Residence telephone: (760) 868-8712

 Special Agent John Zinna	10-15-03 Date	 Special Agent Supervisor Rich Twiss	10/16/03 Date
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Case Agent Zinna, John	Reporting Agent Zinna, John	Supervisor Twiss, Richard	

DETAILS OF THE INVESTIGATION:

On Wednesday, October 15, 2003, a male subject, who identified himself as Rusty CHAMPION, left a voice message at my cellular phone number as well as on my desk phone number. I recorded both of these messages onto a tape, evidence item # 3-1.

CHAMPION asked me to call him at his cellular phone number of (760) 220-5652. On October 15, 2003, I attempted to call CHAMPION four times throughout the day. During the third attempt, someone did answer the phone but they did not talk. I could only hear background talking and noise. I left a message identifying myself.

All of my attempts were recorded on the above-mentioned evidence tape.

A copy of this report will be submitted to the San Bernardino District Attorney's Office for review.

Investigation open.

EVIDENCE:

I booked the following tape after breaking its non-record tabs into the evidence locker.

Item # 3-1: One tape with recordings of messages that CHAMPION left on my voice mail system, and recordings of my attempts to contact CHAMPION.

CALIFORNIA ARMED PROHIBITED PROGRAM
INLAND EMPIRE TASK FORCE
P. O. Box 3579, San Bernardino, CA 92413-3579
INVESTIGATION REPORT
CONTINUATION

Page No. 2

Investigation Title CHAMPION, Rusty Dale Investigation No. IETF03-60086

PHYSICAL DESCRIPTIONS:

CHAMPION, Rusty Dale, WMA, 6'00," 189 lbs, black hair, blue eyes,
DOB: 11-18-1955
CDL: # N2184322
SS: # 551-86-7400
CII: # A05858686
FBI: # 223945R2
Residence address: 815-A State Highway 138, Pinon Hills, California 92329.
Cellular telephone: (760) 220-5652
Residence telephone: (760) 868-8712

	10 31-03		10/21/03
Special Agent John Zinna	Date	Special Agent Supervisor Rich Twiss	Date

SW 03-0773

STATE OF CALIFORNIA - COUNTY OF SAN BERNARDINO

SEARCH WARRANT AND AFFIDAVIT (AFFIDAVIT)

John Zinna declares under penalty of perjury that the facts expressed by him in the attached
(Name of Affiant)

and incorporated **Statement of Probable Cause** are true and that based thereon he has probable cause to believe and does believe that the articles, property, and persons described below are lawfully seizable pursuant to Penal Code Section 1524, as indicated below, and are now located at the locations set forth below. Wherefore, affiant requests that this Search Warrant be issued.

[Signature]

(Signature of Affiant)

NIGHT SEARCH REQUESTED: YES [] NO [X]

(SEARCH WARRANT)

THE PEOPLE OF THE STATE OF CALIFORNIA TO ANY SHERIFF, POLICEMAN, OR PEACE OFFICER IN THE COUNTY OF SAN BERNARDINO: proof by affidavit, under penalty of perjury, having been made before me by John Zinna
(Name of Affiant)

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

- was stolen or embezzled.
- was used as the means of committing a felony.
- 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 purpose of concealing it or preventing its discovery.
- tends to show that a felony has been committed or that a particular person has committed a felony.
- tends to show that sexual exploitation of a child, in violation of Penal Code Section 311.3, or possession of matter depicting 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 to arrest the person.

YOU ARE THEREFORE COMMANDED TO SEARCH:

See Attachment # A

FOR THE FOLLOWING PROPERTY OR PERSONS:

See Attachment # A

FILED
SUPERIOR COURT
COUNTY OF SAN BERNARDINO
SAN BERNARDINO DISTRICT

OCT 14 2003

BY Deanna J Smith
DEPUTY

AND TO SEIZE IT/ THEM IF FOUND and bring it/ them forthwith before me, or this court, at the courthouse of this court. This Search Warrant and Affidavit and attached and incorporated **Statement of Probable Cause** were sworn to as true under penalty of perjury and subscribed before me on (date) October 8, 2003, at 11:30 A.M. P.M. Wherefore, I find probable cause for the issuance of this Search Warrant and do issue it.

[Signature]
(Signature of Magistrate)

NIGHT SEARCH APPROVED: YES [] NO [X]

Judge of the Superior Court, CENTRAL DIVISION Judicial District, Dept. / Div. S-8

STATE OF CALIFORNIA - COUNTY OF SAN BERNARDINO

ATTACHMENT # A**YOU ARE THEREFORE COMMANDED TO SEARCH:**

The premises at 815-A State Highway 138, Pinon Hills, County of San Bernardino, California; exterior further described as a single-story home, that has a red stucco front with tan stucco on the other three sides, with brown trim, and an asphalt tile roof that is painted as an American flag, which is located on the south side of State Highway 138, west of Oasis Road, with the numbers of "815-A" painted on a sign that reads "do not disturb, 815-A private residence, business next door" which is mounted to the right of the front door of the residence; including all rooms, attics, basements and other parts therein, the surrounding grounds and any garages, storage areas, trash containers, and outbuildings or structures of any kind located thereon.

THE FOLLOWING VEHICLES:

1. 1985 Isuzu, Trooper, red in color with California license plate #4TPV778;
2. 1997 Buick, unknown model, white in color with California license plate #4SBG459.

THE FOLLOWING PERSON:

The person known as Rusty Dale Champion, male/Caucasian, 47 years-old, 6' 00", 200 pounds, blond hair, blue eyes, and believed to be residing at 815-A State Highway 138, Pinon Hills, San Bernardino County, California.

FOR THE FOLLOWING PROPERTY:

1. Pistol, revolver, Amadeo, model 971, .357 caliber, serial #F089949, **Date of Transaction (DOT): 6-26-1996;**
2. Pistol, single shot, Colt, model Combat Elite, .45 caliber, serial #CG05768E, **DOT: 6-25-1996;**
3. Pistol, revolver, Smith & Wesson, model 66, .357 caliber, serial #AER9837, **DOT: 2-2-1985;**
4. Assault rifle, Heckler & Koch, model 93, .223 caliber, serial #110280, **DOT: 6-20-1991;**
5. Rifle, Sturm, Ruger, model Mini-14, .223 caliber, serial #183-07174, **Date of Acquisition: 1982;**
6. Rifle, Poly Technologies, model AKS, 7.62 caliber, serial #386-CW-91132, **Date of Acquisition: 1988 - 1989.**
7. Any document(s) that establishes CHAMPION sold, lent and/or transferred any of the above-listed firearms.
8. Any other firearm(s) unknown to law enforcement that is/are currently possessed and/or controlled by CHAMPION.
9. Storage locker keys and/or pass cards.

STATE OF CALIFORNIA - COUNTY OF SAN BERNARDINO

STATEMENT OF PROBABLE CAUSE

My name is John Zinna. I am a Special Agent employed by the California Department of Justice. I have been a Special Agent for more than three (3) years. I have been a duly sworn peace officer in the State of California for more than ten (10) years. During my time as a sworn peace officer, I have worked as a patrolman and have conducted numerous criminal and civil investigations. I have also been specifically assigned to investigate violations of the California Health and Safety Code (i.e., narcotics' investigator).

I have attended and completed a basic 26-week peace officer academy at the San Diego Law Enforcement Training Center, and a 7-week Special Agent Orientation Academy at the California Department of Justice Advanced Training Center in Sacramento, California. In 1999, I received an Associate of Science degree in Administration of Justice. Due to my training, education, and experience, the Peace Officer Standards and Training (POST) has issued me an Advanced Certificate.

For the past twelve (12) months, I have been assigned to the Firearms Division, and have worked exclusively on investigations involving California state firearms' laws and violations.

In August of 2003, I initiated a firearms' investigation due to a referral from California Department of Justice, Firearms Headquarters, Criminal Identification Specialist II Gwen Watson.

I reviewed the case file, and discovered that Rusty Dale CHAMPION, DOB: 11-18-1955, California Driver's License (CDL) # N2184322, was arrested by the Los Angeles Police Department for being in violation of California Penal Code Section 664/187 - attempter murder. CHAMPION was ultimately convicted of a felony violation of California Penal Code Section 246.3 - willful discharge of a firearm in a negligent manner. This violation and conviction occurred in Los Angeles County. CHAMPION was convicted on June 9, 1998, and was sentenced to 291 days in jail and thirty-six (36) months' informal probation.

In 1976 and 1977, CHAMPION was arrested and convicted for 12020 (A) PC - possess/MFG/sell dangerous wpn/ECT. In 1979, CHAMPION was arrested for 12025 (A) PC - carry concealed weapon in vehicle, and in 1999 he was arrested for 242 PC - battery and 23152 (A) VC - DUI. Refer to CHAMPION's California Criminal History (i.e., CII #A05858686), exhibit #1, for details.

I later obtained a copy and reviewed the Los Angeles Police report which documented CHAMPION's arrest for the above-mentioned 664/187 PC. I discovered that the only weapon seized was a handgun (i.e., Para-Ordinance, serial #RM3266).

California Penal Code Section 12021 (a)(1) reads:

Any person who has been convicted of a felony under the laws of the United States, of the State of California, or any other state, government, or country, or of an offense enumerated in subdivision (a), (b), or (d) of Section 12001.6, or who is addicted to the use of any narcotic drug, who owns or has in his or her possession or under his or her custody or control any firearm is guilty of a felony.

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CHAMPION is and has been prohibited from possessing firearms due to his 1998 felony conviction.

In the case file, I saw that CHAMPION submitted an "Assault Weapon Registration Application" on December 31, 1990. With this assault weapon registration application, CHAMPION registered one (1) assault rifle (i.e., Heckler & Koch, model 93, .223 caliber, serial #110280). This rifle is an assault weapon as defined in California Penal Code Section 12276 (a)(9). CHAMPION submitted this registration prior to being prohibited from possessing firearms.

I also saw that on the same assault weapon registration application, CHAMPION attempted to register two (2) other rifles as assault weapons (i.e., Sturm, Ruger, model Mini-14, .223 caliber, serial #183-07174; and Poly Technologies, model AKS, 7.62 caliber, serial #386-CW-91132).

The Sturm, Ruger, Mini - 14, rifle is not normally an assault weapon per California State Law, but could become an assault weapon if its original configuration is altered.

The Poly Technologies was considered an assault weapon per California Penal Code Section 12276 (a)(1)(C) when CHAMPION submitted the assault weapon registration application, but was not registered due to litigation (i.e., *Kasler v. California Attorney General Lockyer*). On August 16, 2000, the California Supreme Court's confirmed that the Poly Technologies, model AKS, can be considered an assault weapon. CHAMPION had to resubmit an assault weapon registration application on or before January 23, 2001.

On October 6, 2003, I conducted a query into the California Automated Firearm's System (AFS), and discovered that the Poly Technologies assault weapon was not registered to anyone. Anyone in possession of this assault weapon in the State of California would be in violation of California Penal Code Section 12280 (b) - possession of an unregistered assault weapon - a felony.

On October 7, 2003, I conducted a query into the AFS, and discovered that CHAMPION has a total of four (4) firearms registered in his name. The following is a list of the four (4) firearms:

1. Pistol, revolver, Amadeo, model 971, 357 caliber, serial #F089949, **Date of Transaction (DOT): 6-26-1996;**
2. Pistol, single shot, Colt, model Combat Elite, 45 caliber, serial #CG05768E, **DOT: 6-25-1996;**
3. Pistol, revolver, Smith & Wesson, model 66, 357 caliber, serial #AER9837, **DOT: 2-2-1985;**
4. Assault rifle, Heckler & Koch, model 93, .223 caliber, serial #110280, **DOT: 6-20-1991.**

All of the above-listed AFS records have CHAMPION's name, date of birth, and CHAMPION's California Driver's License number of N2184322 on them. See attached exhibit #2.

As of January 1, 1991, California Penal Code Section 12072 (d) made it illegal to sell, loan, or transfer a firearm without going through a licensed dealer pursuant to 12082 PC, or a law enforcement agency pursuant to 12084 PC. California Penal Code Section 12070 (a) made the sale, loan, or transfer of a

firearm outside of the above-mentioned protocols a misdemeanor. Prior to the enactment of California

Penal Code Section 12072 (d) one could sell, loan and/or transfer a firearm in the state of California without the utilization of a licensed firearm's dealer; therefore, there is a possibility that the above-mentioned handgun #3 could have been sold legally in the State of California and would not have been removed from CHAMPION's name unless the recipient submitted a voluntary registration form to the California Department of Justice. CHAMPION obtained handguns #1 and #2 well after January 1, 1991.

If CHAMPION sold and/or transferred the above-mentioned firearms in California and abided by 12072 (d) PC, guns #1 and #2 would have been removed from his name in AFS.

On October 6, 2003, I had a representative with the San Bernardino Sheriff's Department conduct a query into the Sheriff Department's local data base. I discovered that CHAMPION called the San Bernardino Sheriff's Department on July 17, 2003, and on July 21, 2003. I saw that when CHAMPION called on July 17, 2003, he told the San Bernardino Dispatch that he lived at the address of 815 State Highway 138, Pinon Hills. See attached exhibit #3.

On October 7, 2003, at approximately 1100 hours, I conducted surveillance of 815-A State Highway 138, Pinon Hills, California. I saw that there was a red, Isuzu, Trooper, with the California license plate number of 4TPV778 parked in front of the house.

At approximately 1145 hours, I saw a white, Buick, that had the California license plate number of 4SBG459 arrive and park in front of the residence. It should be noted that I saw this same vehicle parked in front of the house on October 6, 2003. I saw a male subject get out of the driver's seat and an unknown female get out of the passenger's seat. I drove up next to the male, who I now recognized as CHAMPION by his California Driver's License picture, and started a conversation. After our conversation, I saw CHAMPION enter the front door of the address. It appeared to me that he used a key to unlock and open the front door.

On October 7, 2003, I conducted a query into the California Department of Motor Vehicle system. I discovered that the above-mentioned Isuzu, Trooper, is currently registered to CHAMPION. The above-mentioned Buick is registered to a Gabriele Harris of Pinon Hills.

It is my belief, based on the fact that CHAMPION told the San Bernardino dispatcher on July 17, 2003, that he lives at the address on State Highway 138; the fact that I saw CHAMPION arrive and key his way into the residence on October 7, 2003, that he lives at the address on State Highway 138, Pinon Hills. I also believe that CHAMPION would maintain his firearms there.

Due to the above-mentioned facts (i.e., CHAMPION's registration of an assault weapon; the two (2) firearms obtained by CHAMPION after January 1, 1991) I believe that CHAMPION, is maintaining control of firearms.

I know from my training and experience that individuals who have an interest in firearms sometimes maintain control and/or possess firearms on their person, place of residency, vehicles, rented storage lockers, and/or at their workplace even after they become prohibited.

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Due to the above-mentioned facts, I am requesting the issuance of this search warrant for the address of 815-A State Highway 138, Pinon Hills, County of San Bernardino, California, CHAMPION's residence; for the person know as Rusty Dale CHAMPION; and the above-mentioned vehicles because, it is my opinion that CHAMPION is in possession of the above-mentioned assault weapons as well as the firearms he obtained after January 1, 1991, which would be a violation of the California Penal Code Section 12021 (a)(1) - a felony.

Items attached and incorporated by Reference: YES [X] NO []

I certify (declare) under penalty of perjury that the foregoing is true and correct.

Executed at SAN BERNARDINO, California Z. J. [Signature]
Signature of Affiant

Date: 10-8-03 at 1117 [A.M.] ~~[P.M.]~~

Reviewed by : _____ Date: _____ at _____ [A.M.] [P.M.]
(Signature of Deputy District Attorney)

[Handwritten mark]

* MESSAGE RECALL ***
* Sequence # 011937 ***

Transaction Time: Tue Oct 7 17:09:28 2003

=====

XRI011937.IH
: QHY.CA0369425.05858686.ZINNA, DATE:20031007 TIME:17:09:29
STRICTED-DO NOT USE FOR EMPLOYMENT, LICENSING OR CERTIFICATION PURPOSES
TN:ZINNA, IETF03-60086

I/A05858686
OB/19551118 SEX/M RAC/WHITE
HT/601 WGT/160 EYE/BLU HAI/BLN POB/CA
M/01 CHAMPION, RUSTY DALE
02 CHAMPION, RUSTY

PC HENRY
30 - OOO 16
22 U OOI -

BI/223945R2
OB/19550118
DL/N2184322
OC/551867400
AT/TAT L SHLD; TAT R SHLD
CC/MILITARY
* * *

RR/DET/CITE: NAM:01
9761030 CASO SAN DIEGO

NT:01 #843594
12020(A) PC-POSSESS/MFG/SELL DANGEROUS WPN/ETC
DISPO:ACTION PENDING
COM: CHP ARR

COURT: NAM:01
9770104 CAMC SAN DIEGO

NT:01 #M220825
12020(A) PC-POSSESS/MFG/SELL DANGEROUS WPN/ETC
DISPO:CONVICTED
SEN: IMP SEN SS-36 MO SUMM PROB, , \$25 FINE
* * * * *
* POTENTIAL FELONY STRIKE ENTRY **
* * * * *
* * *

RR/DET/CITE: NAM:01
9790122 CASO SAN DIEGO

NT:01 #125583
12025(A) PC-CARRY CONCEALED WEAPON IN VEHICLE

COURT: NAM:01

EXHIBIT #1

0790330 CAMC VISTA

NT:01 #B26204
12025(A) PC-CARRY CONCEALED WEAPON IN VEHICLE
DISPO:DISMISSED/FOJ/PLEA TO OTHER CHARGE
* * *

APPLICANT: NAM:01
0850122 CAPD HAWTHORNE

NT:01
APPLICANT PEACE OFFICER/AUXILIARY

0980120
DISPO:NO LONGER INTERESTED
* * *

RR/DET/CITE: NAM:01 DOB:19550118
0971122 CAPD LOS ANGELES

NT:01 #2633921C 5462190
-ATTEMPTED
187(A) PC-MURDER
- - -

COURT: NAM:01
0971231 CAMC VAN NUYS

NT:01 #LA028772-01
245(B) PC-ASSAULT PERSON W/SEMIAUTO FIREARM
DISPO:DISMISSED/FURTHERANCE OF JUSTICE

NT:02
246 PC-SHOOT AT INHABITED DWELLING/VEHICLE/ETC
DISPO:DISMISSED/FURTHERANCE OF JUSTICE

NT:03
245(B) PC-ASSAULT PERSON W/SEMIAUTO FIREARM
DISPO:DISMISSED/FURTHERANCE OF JUSTICE
COM: DCN-C0047420719600003701
* * *

RR/DET/CITE: NAM:02 DOB:19550118
9971231 CAPD LOS ANGELES

NT:01 #2633921C 55501809
187(A) PC-MURDER
- - -

COURT: NAM:02
9980609 CASC LOS ANGELES VAN NUYS

NT:01 #LA029068
246.3 PC-WILLFUL DISCH FIREARM-NEGLIGENT MANNR
DISPO:DISMISSED/FURTHERANCE OF JUSTICE

NT:02
246.3 PC-WILLFUL DISCH FIREARM-NEGLIGENT MANNR
DISPO:DISMISSED/FURTHERANCE OF JUSTICE

NT:03

Exhibit #1

245(B) PC-ASSAULT PERSON W/SEMIAUTO FIREARM
DISPO:DISMISSED/FURTHERAN OF JUSTICE
COM: :
4 ADD CNTS 245(B) PC DISM

T:04
246.3 PC-WILLFUL DISCH FIREARM-NEGLIGENT MANNR
ISPO:CONVICTED
CONV STATUS:FELONY
SEN: 36 MONTHS PROBATION, 291 DAYS JAIL,
IMP SEN SS

ISPO:CONDITION OF PROB-FIREARM RESTRICTION
* * * * *
POTENTIAL FELONY STRIKE ENTRY **
* * * * *
* * *

R/DET/CITE: NAM:01 DOB:19551118
990308 CASO SAN BERNARDINO

IT:01 #9903070181
242 PC-BATTERY ON PERSON
ARR BY:CAHP SAN BERNARDINO

IT:02
23152(A) VC-DUI ALCOHOL/DRUGS
- - -

JURT: NAM:01
9990723 CASC MCVICTORVILLE

IT:01 #TV144439
23152(A) VC-DUI ALCOHOL/DRUGS
DISPO:DISMISSED/FURTHERANCE OF JUSTICE

IT:02
23152(B) VC-DUI ALCOHOL/0.08 PERCENT
DISPO:DISMISSED/FURTHERANCE OF JUSTICE

IT:03
242 PC-BATTERY
DISPO:DISMISSED/FURTHERANCE OF JUSTICE

NOTE: 2 POTENTIAL ENTRIES WITH FELONY CONVICTION DATA WERE
FOUND FOR THIS SUBJECT. SEE ENTRIES IN THE RECORD ANNOTATED
WITH "POTENTIAL FELONY STRIKE ENTRY" FOR DETAILS. THIS RECORD
MAY ALSO CONTAIN ADDITIONAL DATA RELATED TO "STRIKE" CONDITIONS.

* * * END OF MESSAGE * * *

EXHIBIT # 1

* MESSAGE RECALL ***

* Sequence # 011891 ***

Transaction Time: Tue Oct 7 17:02:42 2003

=====

XRI011891.IG CA0369425 RE: SER/F089949
SPONSE TO QGB INQUIRY

TA IN AFS.

DROS
R/F089949 MAK/AMR AMADEO ROSSI & CO CAL/357 MOD/971
P/P PISTOL CAT/R REVOLVER BBL/3-2 DOT/19960626
M/CHAMPION, RUSTY DALE DOB/19551118 ADR/PO BOX 4214
Y/LOS ANGELES ZIP/90042 CCC/1900
N/N2184322
I/CA0197200 OCA/R829140
N/3049618401454

DROS
R/F089949 MAK/AMR AMADEO ROSSI & CO CAL/357 MOD/M971
P/P PISTOL CAT/R REVOLVER BBL/3 DOT/19931110
M/COCKRELL, COURTNEY DOB/19650425 ADR/160 S GRAMERCY PL 408
Y/LOS ANGELES ZIP/90004 CCC/1900
N/C4467750
I/CA0194200 OCA/P381864 MIS/SIL
N/2749335602826

HECKING NCIC
ID AFS RESPONSE.

=====

XRI011891.IJ
L01
A0369425
EJECT - INVALID ORIGINATING AGENCY IDENTIFIER

EXHIBIT

* MESSAGE RECALL ***
* Sequence # 011890 ***

Transaction Time: Tue Oct 7 17:03:13 2003

=====
CXRI011893.IG CA0369425 RE: SER/CG05768E
RESPONSE TO QGB INQUIRY

DATA IN AFS.

DROS
SER/CG05768E MAK/CLT COLT CAL/45 MOD/COMBATELITE
P/P PISTOL CAT/S SINGLE SHOT BBL/5 DOT/19960625
NAM/CHAMPION, RUSTY DALE DOB/19551118 ADR/P O BOX 421
CITY/LOS ANGELES ZIP/90042 CCC/1900
SSN/N2184322
RI/CA0197200 OCA/R829138
CN/3049618500445

CHECKING NCIC
AND AFS RESPONSE.

=====
CXRI011893.IJ
L01
CA0369425
EJECT - INVALID ORIGINATING AGENCY IDENTIFIER

EXHIBIT #2

* MESSAGE RECALL ***

* Sequence # 011898 ***

Transaction Time: Tue Oct 7 17:03:33 2003

=====
XRI011898.IG CA0369425 RE: SER/AER9837
SPONSE TO QGB INQUIRY

TA IN AFS.

DROS
R/AER9837 MAK/SW SMITH AND WESSON CAL/357 MOD/66
P/P PISTOL CAT/R REVOLVER DOT/19850202
M/CHAMPION, RUSTY DALE DOB/19551118 ADR/3633 W 139TH
C/1928
N/N2184322
I/CA0194200 OCA/K126857 MIS/BBL4 SIL
N/2748507402043

CHECKING NCIC
ID AFS RESPONSE.

=====
XRI011898.IJ
01
0369425
BJECT - INVALID ORIGINATING AGENCY IDENTIFIER

EXHIBIT # 2

* MESSAGE RECALL ***
* Sequence # 011903 ***

Transaction Time: Tue Oct 7 17:03:58 2003

=====
CXRI011903.IG CA0369425 RE: SER/110280
RESPONSE TO QGB INQUIRY

DATA IN AFS.

REGISTRATION
DO NOT ARREST BASED SOLELY ON THIS RESPONSE **
SER/110280 MAK/HEC HECKLER & KOCH CAL/223 MOD/93
WP/R RIFLE CAT/I SEMI-AUTOMATIC BBL/18 DOT/19910620
NAM/CHAMPION,RUSTY DALE DOB/19551118 ADR/20935 BRIGHTON AVENUE
CITY/TORRANCE ZIP/90501 CCC/1900
SSN/05858686 OLN/N2184322 REG/PROHIBITED
SERI/CA0349451 OCA/AW50834 MIS/246 3 PC MISDEMEANOR CONVICTION
IDN/1869117100416

DESTROYED
SER/110280 MAK/SPS SPESCO CORP. CAL/22 MOD/UNKNOWN
WP/P PISTOL CAT/R REVOLVER DOT/19950117
SERI/CA0431381 OCA/933520386
~~IN/75289501703406~~

HECKING NCIC
AND AFS RESPONSE.

=====
CXRI011903.IJ
L01
A0369425
EJECT - INVALID ORIGINATING AGENCY IDENTIFIER

EXHIBIT # 2

07/06/03 13:53:25 PRINT F JESTED BY TERMINAL PH05
POLICE INCIDENT #VV03198006/
ENTERED 07/17/03 17:26:41 BY VVC2 /A7005
DISPATCHED 17:50:05 BY VV03 /M0495
DISCENE 17:50:05
CLOSED NAT 07/17/03 18:13:40 BY 26P31 (#M1918)

TYPE: INC (INCIDENT/MISC. LAW ENF CALL) PRIORITY: 4 SOURCE: PHONE
DISPATCH GROUP: WR REPORTING AREA: VV120
X-COORD: 6668735 Y-COORD: 1983338 THOMAS-BROS: S-4472-B4 GEOLC: FH03DE7
LOCN: 815 STATE 138 HY , PIN NEAR SMOKE TREE RD
NAME: CHAMPION, RUSTY ADDR: NEXT 2 THRIFT STORE PHONE: 7608688712
0726 071703 ENTRY (A7005) (T:VVC2) RP ADVG HE HAS INFO REF A POSS SUSPER IN TH
AREA, SUBJ HAS BEEN IN THE AREA FOR THE PAST 2 DAYS AND WOULD LIKE TO GIVE IN
TO A DEP, RP'S HOUSE IS THE OLD RED ANTIQUE STORE, NFI
0735 071703 HOLD (S0133)
0735 071703 UHOLD 26P31 (S0133)
0750 071703 DISPOS 26P31 #M1918 MEDEIROS
0758 071703 NEWLOCOS 26P31 PH STA 21
0813 071703 CONTACT 26P31
0813 071703 *CLEAR (M1918) 26P31 NAT , RP WANTS TO REPORT SUSPICIOUS ACTIVITY A
MTN RD N HWY138 BETWEEN 1600 AND 1800 HOURS. RP REQUESTING EXTRA PATROL DURIN
THOSE HOURS. C4 AT THIS TIME.
0813 071703 *CLOSE

EXHIBIT # 3

/06/03 13:50:38 PRINT R TESTED BY TERMINAL PH05
LICE INCIDENT #VV032020070
TEPED 07/21/03 18:17:36 BY VVC1 /B6225
SPATCHED 18:36:14 BY VV02 /B3620
SCENE 18:51:24
CLOSED NAT 07/21/03 19:04:57 BY 26P31 (#G2444)

PE: FU (FOLLOW UP) PRIORITY: 4 SOURCE: PHONE
SPATCH GROUP: WR REPORTING AREA: VV120
COORD: 6668735 Y-COORD: 1983338 THOMAS-BROS: S-4472-B4 GEOLOC: FH03DE7
CN: 815 STATE 138 HY ,PIN NEAR SMOKE TREE RD
ME: CHAMPION, RUSTY PHONE: 7608688712
817 072103 ENTRY (B6225) (T:VVC1) REQS DEP GILLEY TRY TO 21 AGAIN, NOW AVAIL,
TS HE HAS INFO REF UNK MALE "VERBALLY MOLESTING" YOUNG GIRLS IN AREA
818 072103 HOLD (B3620)
818 072103 UHOLD 26P31 (B3620)
836 072103 *SELECTED
836 072103 DISP 26P31 #G2444 MICHAEL VV GILLEY
836 072103 *ENROUTE 26P31
845 072103 *INQUIRY SNSM1,,X,X,X,X,,SAUL,SHANE,,M,09141980,,,,
851 072103 *ONSCENE 26P31
904 072103 *CLEAR (G2444) 26P31 NAT , REF EARLIER CALLS OF SUSPER. SAID SUBJE
"OFFERED" MJ TO KIDS ON 071603. WAS TOLD BY KIDS HE WAS SEEN IN AREA EARLIER
TODAY BUT IS GOA. TOLD RP TO BOLO FOR SUBJECT AND TO CALL US WHEN HE SEES SUBJ
T IN AREA SO HE CAN BE CONTACTED.
904 072103 *CLOSE

EXHIBIT # 3

STATE OF CALIFORNIA - COUNTY OF SAN BERNARDINO

RETURN TO SEARCH WARRANTS **SB SW 03-077**

John Zinna, being sworn, says that he conducted a search pursuant to the below
(Name of Affiant)

described search warrant:

Issuing Magistrate: Honorable John P. Wade,

Magistrate's Court: **Superior Court, San Bernardino, Judicial District**

Date of Issuance: October 8, 2003, 1130 hours,

Date of Service: October 9, 2003, 1200 hours,

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

FILED
SUPERIOR COURT
COUNTY OF SAN BERNARDINO
SAN BERNARDINO DISTRICT

OCT 14 2003

BY Deanna J Smith
DEPUTY

1. The premises at 815-A State Highway 138, Pinon Hills, County of San Bernardino, California;
2. Vehicle with the California license plate of 4TPV778.

 described in the attached and incorporated inventory.

described below:

- Item # 1-1: Assault rifle, serial # 18307174, Ruger, Mini-14, .223 caliber;
- Item # 1-2: Assault rifle, serial # 110280, H & K, model 93, .223 caliber;
- Item # 1-3: Assault rifle, serial # 105955, CAI, L1A1 Sporter, .308 caliber;
- Item # 1-4: Assault rifle, serial # 386CW91132, Poly Tech, AKS-762, 7.62 x 39 caliber;
- Item # 1-5: Assault rifle, serial # CCH005798, Colt, Match H-Bar, .223 caliber;
- Item # 1-6: Rifle, serial # 11743343, Ruger, 10-22 carbine, .22 caliber;
- Item # 1-7: Rifle, serial # 2280018, Springfield, M-1, .30 caliber;
- Item # 1-8: Rifle, serial # 2034738, Winchester, 94, 30-30 win. caliber;
- Item # 1-9: Rifle, serial # E6206304, Remington, 700, .308 caliber;
- Item # 1-10: Pistol, serial #CG05768E, Colt, Combat Elite, .45 caliber;
- Item # 1-11: 11 each AK type magazines - some with bullets;
- Item # 1-12: 10 each .223 type magazines;
- Item # 1-13: 1 each .308 rifle magazine;
- Item # 1-14: 1 each Colt .45 pistol magazine;
- Item # 1-15: 1 each Ruger rifle .22 magazine;

Item # 1-16: Los Angeles Superior Court document of 4 pages showing a 12^{gauge} 4 PC was granted to Rusty Dale CHAMPION;

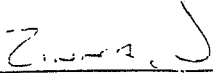
Item # 1-17: 4 each 16 gauge shotgun shells;

Item # 1-18: 1 each brass rifle round;

Item # 1-19: 1 Colt .45 caliber magazine with 7 rounds;

Item # 1-20: Miscellaneous bullets.

I further swear this is a true and detailed account of all the 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 of any other court in which the offense in respect to which the seized property is triable.



(Signature of Affiant)

Sworn to and subscribed before me this 14 day of October, 2003.



(Signature of Magistrate)



Judge of the Superior Court, San Bernardino, Judicial District

*List all items, including those not specifically listed on the warrant.

STATE OF CALIFORNIA - COUNTY OF SAN BERNARDINO SW No. _____

SEARCH WARRANT AND AFFIDAVIT (AFFIDAVIT)

John Zinna (Name of Affiant) declares under penalty of perjury that the facts expressed by him 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 articles, property, and persons described below are lawfully seizable pursuant to Penal Code Section 1524, as indicated below, and are now located at the locations set forth below. Wherefore, affiant requests that this Search Warrant be issued.

[Signature] (Signature of Affiant) NIGHT SEARCH REQUESTED: YES [] NO [X]

(SEARCH WARRANT)

THE PEOPLE OF THE STATE OF CALIFORNIA TO ANY SHERIFF, POLICEMAN, OR PEACE OFFICER IN THE COUNTY OF SAN BERNARDINO: proof by affidavit, under penalty of perjury, having been made before me by John Zinna (Name of Affiant)

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

- ___ was stolen or embezzled.
- ___ was used as the means of committing a felony.
- ___ 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 purpose of concealing it or preventing its discovery.
- X tends to show that a felony has been committed or that a particular person has committed a felony.
- ___ tends to show that sexual exploitation of a child, in violation of Penal Code Section 311.3, or possession of matter depicting 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 to arrest the person.

YOU ARE THEREFORE COMMANDED TO SEARCH:

See Attachment # A

FOR THE FOLLOWING PROPERTY OR PERSONS:

See Attachment # A

STATE OF CALIFORNIA
 DEPT. OF JUSTICE
 CALIF. ARMED PROHIBITED PROGRAM
 INLAND EMPIRE TASK FORCE
 CAPP IETF
 P.O. BOX 3579
 SAN BERNARDINO, CA 92413-3579
JOHN ZINNA SPECIAL AGENT
 (909) 841-1830
JOHN.ZINNA@DOJ.CA.GOV (909) 883-7817
 PGR. (909) 220-5621
 FAX (909) 882-5007

AND TO SEIZE IT/ THEM IF FOUND and bring it/ them forthwith before me, or this court, at the courthouse of this court. This Search Warrant and Affidavit and attached and incorporated **Statement of Probable Cause** were sworn to as true under penalty of perjury and subscribed before me on (date) October 8, 2003 at 11:30 A.M. ~~P.M.~~ Wherefore, I find probable cause for the issuance of this Search Warrant and do issue it.

[Signature] (Signature of Magistrate) NIGHT SEARCH APPROVED: YES [] NO [X]
 Judge of the Superior Court, CENTRAL DIVISION Judicial District, Dept. / Div. S-8
 f:\forms\sw-af1.597 SAN BERNARDINO COUNTY

STATE OF CALIFORNIA - COUNTY OF SAN BERNARDINO SW No. _____

ATTACHMENT # A

YOU ARE THEREFORE COMMANDED TO SEARCH:

The premises at 815-A State Highway 138, Pinon Hills, County of San Bernardino, California; exterior further described as a single-story home, that has a red stucco front with tan stucco on the other three sides, with brown trim, and an asphalt tile roof that is painted as an American flag, which is located on the south side of State Highway 138, west of Oasis Road, with the numbers of "815-A" painted on a sign that reads "do not disturb, 815-A private residence, business next door" which is mounted to the right of the front door of the residence; including all rooms, attics, basements and other parts therein, the surrounding grounds and any garages, storage areas, trash containers, and outbuildings or structures of any kind located thereon.

THE FOLLOWING VEHICLES:

1. 1985 Isuzu, Trooper, red in color with California license plate #4TPV778;
2. 1997 Buick, unknown model, white in color with California license plate #4SBG459.

THE FOLLOWING PERSON:

The person known as Rusty Dale Champion, male/Caucasian, 47 years-old, 6' 00", 200 pounds, blond hair, blue eyes, and believed to be residing at 815-A State Highway 138, Pinon Hills, San Bernardino County, California.

FOR THE FOLLOWING PROPERTY:

1. Pistol, revolver, Amadeo, model 971, .357 caliber, serial #F089949, **Date of Transaction (DOT): 6-26-1996;**
2. Pistol, single shot, Colt, model Combat Elite, .45 caliber, serial #CG05768E, **DOT: 6-25-1996;**
3. Pistol, revolver, Smith & Wesson, model 66, .357 caliber, serial #AER9837, **DOT: 2-2-1985;**
4. Assault rifle, Heckler & Koch, model 93, .223 caliber, serial #110280, **DOT: 6-20-1991;**
5. Rifle, Sturm, Ruger, model Mini-14, .223 caliber, serial #183-07174, **Date of Acquisition: 1982;**
6. Rifle, Poly Technologies, model AKS, 7.62 caliber, serial #386-CW-91132, **Date of Acquisition: 1988 - 1989.**
7. Any document(s) that establishes CHAMPION sold, lent and/or transferred any of the above-listed firearms.
8. Any other firearm(s) unknown to law enforcement that is/are currently possessed and/or controlled by CHAMPION.
9. Storage locker keys and/or pass cards.

State of California
 Department of Justice
 FIREARMS DIVISION

PROPERTY RECEIPT

Date 10/09/03

Property Received from:

Name CHAMPION, RUSTY DALE Address 615 A STATE HIGHWAY 138, PLYMOUTH, CA

I HEREBY ACKNOWLEDGE RECEIPT OF THE BELOW DESCRIBED PROPERTY

Item No.	Description (include serial number)	Exact location found (if applicable)
1-1	ASSAULT RIFLE, SERIAL # 18307174, RUGER, MINI-14, 223 CALIBER	SAFE
1-2	ASSAULT RIFLE, SERIAL # 110280, HK, 93, 223 CALIBER	SAFE
1-3	ASSAULT RIFLE, SERIAL # 105955, CAI, LAI SPORTER, 308 CALIBER	SAFE
1-4	ASSAULT RIFLE, SERIAL # 386CW91137, POLY TECH, AKS-762, 762x39 CALIBER	SAFE
1-5	ASSAULT RIFLE, SERIAL # CCH005798, COLT, MATCH H-BAR, 223 CALIBER	SAFE
1-6	RIFLE, SERIAL # 11743343, RUGER, 10-22 CARBINE, 22 CALIBER	SAFE

Receiving Individual (Print or Type)

Receiving Individual (Signature)

Zinna S

Zinna S

Witnessing Individual (Print or Type)

Witnessing Individual (Signature)

J. FLORAZ

[Signature]

State of California

Department of Justice

Page 2 of 4

FIREARMS DIVISION

Case No JETF 03-00086

PROPERTY RECEIPT

Date 10/09/03

Property Received from:

Name CHAMPION, TRUSTY DALE Address 215 A STATE HIGHWAY 130, PINNAC HILLS, CA

I HEREBY ACKNOWLEDGE RECEIPT OF THE BELOW DESCRIBED PROPERTY

Item No.	Description (include serial number)	Exact location found (if applicable)
1-7	RIFLE, SERIAL # 2280018, SPRINGFIELD, M-1, 30 CALIBER	SAFE
1-8	RIFLE, SERIAL # 7034738 WINCHESTER 94, 30-30 WIN.	SAFE
1-9	RIFLE SERIAL # E6206304 REMINGTON, 700, 308 WIN	SAFE
1-10	PISTOL, SERIAL # CG05768E COLT, COMBAT ELITE, 45 CALIBER	SAFE
1-11	11 EACH AK TYPE MAGAZINES SOME WITH CARTRIDGES	SAFE
1-12	10 5 EACH 223 TYPE MAGAZINES	SAFE

Receiving Individual (Print or Type)

ZINNA J

Receiving Individual (Signature)

ZINNA J

Witnessing Individual (Print or Type)

J. F. LORPZ

Witnessing Individual (Signature)

JFL

State of California
Department of Justice
FIREARMS DIVISION

PROPERTY RECEIPT

Property Received from:

Name CHAMPION RUSTY DALE

Address 815-A HIGHWAY 138
PINON HILL CA

I HEREBY ACKNOWLEDGE RECEIPT OF THE BELOW DESCRIBED PROPERTY

Item No.	Description (include serial number)	Exact location found (if applicable)
1-13	1 EACH 308 RIFLE MAGAZINE	SAFE
1-14	1 EACH COLT 45 PISTOL MAGAZINE	SAFE
1-15	1 EACH RUGER RIFLE 22 MAGAZINE	SAFE

Receiving Individual (Print or Type)
ZINNA J

Receiving Individual (Signature)
ZINNA J

Witnessing Individual (Print or Type)
J. FLORES

Witnessing Individual (Signature)
[Signature]

State of California
 Department of Justice
 FIREARMS DIVISION

Page 4 of 4

Case No TETF03-60086

PROPERTY RECEIPT

Date 10/09/07

Property Received from:

Name CHAMPION, RUSTY DALE Address 815 A STATE HIGHWAY 138, PINNACLES, CA 951

I HEREBY ACKNOWLEDGE RECEIPT OF THE BELOW DESCRIBED PROPERTY

Item No.	Description (include serial number)	Exact location found (if applicable)
1-16	LOS ANGELES SUPERIOR COURT DOCUMENT OF 4 PAGES SHOWING A 1203.4 PC WAS GRANTED TO RUSTY DALE CHAMPION	LIVING ROOM IN BOX BY NIGHT STAND
1-17	4 EACH 16 GAUGE SHOTGUN SHELLS	METAL FILING CABINET IN FRONT OF SAFE
1-18	1 EACH BRASS RIFLE ROUND	" " "
1-19	1 COLT .45 CALIBER MAGAZINE WITH 7 ROUNDS	ON TOP OF SAFE
1-20	MISC. BRASS BULLETS	SAFE

Receiving Individual (Print or Type)

ZINNA J

Receiving Individual (Signature)

ZINNA J

Witnessing Individual (Print or Type)

J. FLORES

Witnessing Individual (Signature)

[Signature]