

FILED

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THOMAS R. FALLQUIST
SPOKANE COUNTY CLERKSTATEMENT OF INVESTIGATING OFFICER
AFFIDAVIT OF FACTSSTATE OF WASHINGTON)
COUNTY OF SPOKANE)REPORT NUMBER: 08-161363
08-225098
08-305648

DEFENDANT: Edward A. Saner, WM, 6/13/85

08103455-1

The undersigned, a law enforcement officer, competent to testify, states as follows: That he/she believes a crime was committed by the above named defendant/defendants in the City and County of Spokane, State of Washington, because:

On 6/04/08, a robbery occurred at the Rite Aid pharmacy, a 24 hour business, at 5520 N. Division (08-161363) at approximately 0010 hours. The suspect was described as a white male, 6', 150 pounds, with a light build, brown hair and wearing white face makeup with eyeliner that surrounded the entire eye and red lipstick. The suspect placed a handwritten note on the counter for the victim, pharmacist Ivyn Reynolds, to read. The note stated the suspect had a gun and demanded 40 mg. and 80 mg. OxyContin. The victim handed the suspect 7 bottles of the two strengths of OxyContin for a total of 700 pills. The suspect left the scene with the OxyContin and note. The value of the stolen medication was \$7032.98. Surveillance video was obtained which showed the robber wearing a green hooded sweatshirt, light colored shorts and brown shoes.

On 7/26/08 at approximately 2358 hours, the Rite Aid pharmacy at 5520 N. Division was the victim of a robbery by the same suspect (08-225098). Ivyn Reynolds was again the victim pharmacist with Laura Leat, an employee, listed as a witness. The suspect approached the pharmacy and was immediately recognized by victim Reynolds as the same robber. The suspect was dressed in a dark blue, long sleeved shirt, dark pants, gray wool hat and adorned with blue eye shadow around his eyes. The suspect held up a note approximately 4 inches x 4 inches in size which was not read by the pharmacist as he knew he was being robbed. The suspect ordered 40 mg. and 80 mg. OxyContin.

The victim placed 5 bottles, a total of 500 pills, into a Rite Aid bag which was taken by the suspect. The suspect then ran out of the store with the note and medications. Employee Leat chased the suspect and saw him run south and east of Franklin Park Mall. Video surveillance CD was requested and eventually retrieved. The surveillance CD shows the suspect with a gray beanie with a white stripe along the bottom wearing a shirt which appears to have an Under Armor logo on the right side of the mock turtleneck. He also is carrying a cell phone in his right hand as he enters the store.

Between the dates of 7/26/08 and 10/03/08, four additional robberies were committed by the same suspect as described by victims and witnesses as well as surveillance video. The modus operandi during these robberies were nearly identical. The suspect wore the same gray beanie in two of the robberies and a dark beanie in two of the incidences. One of those robberies occurred in Hayden, Idaho on 8/25/08. During that event, the suspect did not disguise his face; therefore, a forensic artist prepared a sketch based on the victim description. In addition to the modus operandi and beanies, the suspect wore hooded sweatshirts and/or Under Armor shirts in the robberies. On 8/20/08, the number of OxyContin stolen in four robberies was presented to Detective Brian Hamond for development of a computation and a possible target date for the next robbery. He developed a formula which included dosages, personal use and limited sales of the OxyContin by the robber. As a result he accurately predicted robberies for 8/25/08 and 9/08/08. He continued to work with the formula and predicted a robbery for 9/15/08, however, that robbery occurred on 9/18/08. Following that incident, the formula was utilized again and resulted in a speculated date of 10/03/08 for the next robbery.

Surveillance teams comprised of detectives and sergeants were developed to surveil the five most likely Rite Aid pharmacies to be targeted by the robber on or about 10/03/08. As a result, Edward A. Saner was arrested on 10/03/08 at 4514 S. Regal as he exited the Rite Aid store after having committed a pharmacy robbery. Defendant Saner's actions were witnessed by surveillance officers in the parking lot as well as a detective who monitored the interior cameras. When taken into custody, a bottle of OxyContin, a handwritten robbery note and a reversible gray beanie were removed from his person. The beanie was the same as the one worn in the 7/26/08 Rite Aid at 5520 N. Division. The light colored cargo shorts worn by the defendant on 10/03/08 were the same as those worn by the robber in the 6/04/08 Rite Aid robbery at 5520 N. Division.

A search warrant was obtained and executed at the defendant's residence at 1740 W. Riverside #3. A red hooded sweatshirt worn by the suspect in a Rite Aid robbery in Spokane Valley on 9/18/08 was found at that location. Sunglasses were also discovered in the apartment; the robber wore sunglasses during all but three of the robberies. The search warrant included a search of Washington 402TPX a 2003 Chevrolet Cavalier registered to Ralph E. Saner and Edward A. Saner. That search revealed a black beanie with two thin white stripes at the bottom. This description is consistent with the hat worn by the robber in the 8/25/08 at Hayden, Idaho and the 9/18/08 robbery in Spokane Valley.

Defendant Saner was arrested and booked for one count of first degree robbery regarding the 10/03/08 incident. The following facts and circumstances support three counts of first degree robbery regarding the defendant's actions committed in the City of Spokane.

IVYN S. REYNOLDS CAN TESTIFY:

He has worked as a pharmacist at the Rite Aid at 5520 N. Division during the graveyard shift. He was working on 6/04/08 and 7/26/08 when the same subject approached the pharmacy counter and displayed a handwritten note which demanded various strengths of OxyContin and stated that he had a gun. During the first robbery, the suspect told him "You got 15 seconds." The victim handed the suspect 7 bottles each containing 100 pills. The suspect ran out of the store with the note and bottles of OxyContin. During the 7/26/08 robbery, victim Reynolds recognized the suspect as soon as he approached the pharmacy counter. The robber presented a handwritten note, however, the victim did not read it as he anticipated the content. He asked the suspect what he wanted and was told "Give me the 40s and the 80s." Victim Reynolds grabbed three bottles of the 40s and two bottles of the 80s and placed them in a bag when the suspect asked for one. The suspect then said "Can I get you to hold off calling the cops?" He then turned and ran out of the store. Ivyn Reynolds provided a description of the suspect which included physical characteristics and clothing. During the first robbery, the suspect was wearing "Goth" type makeup on his face, eyeliner and red lipstick. The description during the second robbery included the suspect being "very tan," with eyeliner heavily applied around his eyes.

BENITA K. OTTO CAN TESTIFY:

She was an employee of the Rite Aid at 5520 N. Division and was working when a robbery occurred on 6/04/08. She observed a male wearing makeup enter the store and was suspicious of his intentions. She saw him "hovering" near the pharmacy and then a short time later saw him run out of the store. Victim Reynolds yelled that he had just been robbed, therefore, this witness went outside and saw the suspect run east around the corner of the Old Country Buffet. This witness provided a description of the suspect very similar to that given by victim Reynolds.

LAURA E. LEAT CAN TESTIFY:

She is an employee of the Rite Aid at 5520 N. Division and was working on 7/26/08 when a robbery occurred. She observed a male run to the pharmacy counter and shortly thereafter run out the store. As the male ran out of the store, he said "Thank you." She provided a description to SPD; a white male, 20s, 6'2", 160 with dark hair, dark stocking cap, long sleeved dark shirt and black pants. When alerted that a robbery had occurred, witness Leat chased the suspect and saw him run south through the parking lot and east around the Old Country Buffet.

STEVEN THOMPSON CAN TESTIFY:

He is a pharmacist for the Rite Aid business at 4514 S. Regal. He was advised by security staff that SPD had a surveillance team which was operating in the parking lot and inside of the store in the event that a robbery occurred. At approximately 2035 hours, a suspect entered and displayed a robbery note. The victim said he could not read it and moved around to another area of the counter. He read the note which stated that I have a gun" and demanded various strengths of OxyContin. The suspect told the victim "You've got 10 seconds." Victim Thompson gave him one bottle of 80 mg. of OxyContin at which time the suspect turned and walked out of the business.

STEPHANIE DEMMER CAN TESTIFY:

She is the pharmacy manager for the Rite Aid business and was aware of SPD surveillance teams stationed at five businesses in the City. She was present at 4514 S. Regal when the robbery occurred. She observed the suspect approach the pharmacy and saw him hold up a note. She then retreated to a back room for safety and subsequently assisted detectives in gathering information. She presented a product price list which stated that the stolen OxyContin, 100 – 80 mg. tablets were priced at \$1251.99.

JOE SPENCER & MATT GREEN CAN TESTIFY:

They are employed as Rite Aid security with Joe Spencer in a supervisory position. They have assisted with the investigation through the provision of video surveillance, DVD/CDs and tip information. They both were involved in the operations plan for surveillance of five potential Rite Aid targets.

SPD OFC. BEN YINGER CAN TESTIFY:

He responded to 5520 N. Division on 6/04/08 and obtained statements from victim Reynolds and witness Otto. He arranged for a copy of video surveillance to be made for the investigation.

SPD CPL. KEVIN BUSCH CAN TESTIFY:

Per the request of Officer Yinger he responded to 5520 N. Division and lifted latent prints from the pharmacy counter. Those prints were submitted to the Forensic Unit but were found to insufficient detail for identification purposes.

SPD OFC. CORY LYONS CAN TESTIFY:

He contacted victim Reynolds and witness Leat at the Rite Aid at 5520 N. Division on 7/26/08 in response to a robbery. He obtained statements and requested a K9 officer to respond. A K9 track could not be established. This officer arranged for a copy of the video surveillance for investigative purposes.

SPD DETECTIVE BRIAN TAFOYA CAN TESTIFY:

He is a detective with SIU and was a member of the surveillance team at 4514 S. Regal on 10/03/08. He observed a suspicious male in the area of a coffee stand on the east end of the Rite Aid parking lot. He observed the male walk toward the store twice and then reverse to walk back toward the coffee stand and a nearby newspaper collection shed. He saw the suspect place a gray beanie on his head and then pull the hood up of the hooded sweatshirt. This detective watched the suspect walk into the Rite Aid and listened to information provided by Detective Vandenberg who monitored the suspect's activities from inside the store. Detective Tafoya heard that the robbery had occurred and assisted in taking the robber into custody. He removed a robbery demand note, two cell phones and a bottle of OxyContin from the suspect's right front pocket. He heard the suspect say "There's no one else, I am by myself." He also heard the suspect say "This is the first time I have ever done this."

SPD DETECTIVE JOHN WILLARD CAN TESTIFY:

He was a member of the surveillance team at 4514 S. Regal on 10/03/08. Detective Tafoya advised the team that a suspicious male was standing near a coffee stand on the east side of the parking lot and further that the male matched the robber description. This detective observed the suspect walk between the coffee stand and a nearby shed and also watched as the suspect twice walked toward the Rite Aid entrance and then turned around to return to the parking lot. Detective Willard observed the suspect then enter the Rite Aid and listened as Detective Vandenberg advised of the suspect's actions. Detective Willard entered the store for security and safety reasons and observed the suspect exit. He assisted in taking him into custody. Additionally this detective obtained a copy of the video surveillance from Matthew Green and presented it to Detective Hamond.

SPD DETECTIVE GREG VANDENBERG CAN TESTIFY:

He was operating the interior monitor at 4514 S. Regal on 10/03/08 as a member of the SIU surveillance team. He was apprised of a possible suspect in the parking lot via radio communication with other members. He observed the suspect enter the store looking down at a cell phone and approach the pharmacy counter. He saw the suspect hold up a note and observed the pharmacist hand a prescription pill bottle to the suspect. The detective then viewed the suspect as he exited the store. He assisted in taking the suspect into custody and asked if any of his buddies were around out of concern for officers' safety. The suspect said "I'm by myself." He then added "This is my first time. I saw it on TV and I looked like the guy so I thought I'd try it."

SPD SGT. JOEL FERTAKIS CAN TESTIFY:

He operated the chase car and was in a mobile position for the surveillance team at 4514 S. Regal. He heard Detective Tafoya advise of a possible suspect in the parking

lot. Sgt. Fertakis responded quickly to the lot and heard that the suspect had entered the store. Sgt. Fertakis then took a position outside of the front door in anticipation of taking the suspect into custody. When advised of the suspect's actions at the pharmacy, Sgt. Fertakis and Detective Tafoya took him to the ground as he exited the door. He assisted in taking the suspect into custody.

SPD SGT. TOM HENDREN CAN TESTIFY:

He was providing surveillance of the Rite Aid parking lot and heard Detective Tafoya advise of a suspicious male near the coffee stand. He observed the subject wearing a black hoodie, shorts and a gray beanie with a dark stripe along the lower edge. He recognized the beanie from surveillance video of a previous robbery. He watched the suspect walk around the parking lot and approach the Rite Aid door before turning to walk back into the parking lot. As the suspect finally entered the store, he appeared to be talking on his cell phone. Sgt. Hendren monitored Detective Vandenberg's radio traffic and develop a plan to take the suspect into custody when he exited. He provided cover for the officers as the suspect was taken into custody. Sgt. Hendren searched for a vehicle which was likely standing by to transport the suspect out of the area following a successful robbery; none was located.

SPD OFC. DEVIN ERICKSEN CAN TESTIFY:

He responded to 4514 S. Regal to transport the suspect to the Major Crimes Unit. The suspect made an unsolicited statement en route to the Major Crimes Unit "I really fucked up didn't I, I saw it on the news and tried to copy it." This officer accompanied Detective Hamond when Saner was escorted for booking to the jail. He subsequently transported Saner to Deaconess Medical Center where medical clearance was received for Saner to be booked into jail. Medical clearance was demanded because of the defendant's heavy OxyContin use. This officer noticed what appeared to be needle track marks on the defendant's arm while he was at the hospital.

SPD CPL. DAVID BECKLEY CAN TESTIFY:

He responded to the Major Crimes Unit and photographed the defendant. Additionally he photographed a search warrant execution at 1740 W. Riverside #3. The corporal also photographed injuries observed on the face and neck of Tara Kunz while she was at Deaconess Medical Center per the request of Detective Ferguson.

SPD DETECTIVES BOWMAN, QUIST & BAHR CAN TESTIFY:

They assisted in the execution of the search warrant at 1740 W. Riverside #3 on 10/04/08. They prepared reports reflecting their activities.

KOOTENAI CO. SHERIFF DEPT. SGT. HILDEBRANDT & DETECTIVE JON BRANDEL CAN TESTIFY:

They are employed through the Kootenai County sheriff's office and have provided assistance to Detective Jason Austin in the investigation of the robbery at Hayden, Idaho. They responded to the Major Crimes Unit to assist in the search warrant of the defendant's residence. The warrant included a search for clothing and items related to the Hayden, Idaho robbery. Both officers assisted with the search warrant execution.

SPD TOM MICHAUD CRIME ANALYSIS CAN TESTIFY:

He assisted in the development of still photographs from robbery videos.

SCSO FORENSIC SPECIALIST JODI DEWEY CAN TESTIFY:

She assisted in the search of the defendant's vehicle through photography and evidence recognition and collection.

SPD LT. DAVE MCGOVERN CAN TESTIFY:

He developed an operational surveillance plan for Rite Aid stores due to the numerous robberies which had occurred in Spokane County. He assigned detectives to specific teams for surveillance at 5 stores determined to be the most likely targets. He was apprised of the arrest at 4514 S. Regal on 10/03/08 and responded to the Major Crimes Unit. Lt. McGovern was present during the search warrant execution and searched a vehicle which belonged to the defendant's girlfriend, Tara Kunz.

SPD DETECTIVE BRIAN HAMOND CAN TESTIFY:

He assisted Detective Ferguson with the robbery investigations through potential suspect identifications and the development of a formula based on the potency and amount of OxyContin stolen during the robberies. The dates identified through the formula computations were accurate for two consecutive robberies and missed one robbery by three days. The last computation identified 10/03/08 as a likely robbery date. He was a member of a team that surveilled the Rite Aid at 5520 N. Division. He was privy to the activity at 4514 S. Regal on 10/03/08 at approximately 0835 hours through contact with SIU Detective Bahr and Detective Bowman. He received confirmation that a robbery had occurred and that the suspect was highly likely the same individual who had committed previous robberies. This detective ensured that statements and video surveillance from the victim store were obtained and then responded to the Major Crimes Unit. He was present when the defendant identified himself and confirmed that he had a heavy OxyContin addiction. Additionally this detective executed a search warrant obtained for 1740 W. Riverside #3. He discovered a red hooded sweatshirt, sunglasses and drug paraphernalia among other items and seized them pursuant to the warrant.

SPD DETECTIVE T. FERGUSON CAN TESTIFY:

She received the Rite Aid robberies of 6/04/08 and 7/26/08 for investigative follow-up. She was aware of a robbery which occurred at Walgreens on 6/25/08 whereby the modus operandi was very similar to the Rite Aid robberies. She released still photos of the Rite Aid robbery suspect to the media, however, no specific person was identified. The detective contacted SCSO Detective Tim Hines regarding the Walgreens robbery and observed that video. The suspect physical description in the Walgreens robbery was similar to that of the Rite Aid robber. She learned of a robbery which occurred on 8/14/08 in the Spokane Valley and obtained a copy of that report. She presented the amount and strengths of OxyContin to Detective Brian Hamond to develop a possible usage pattern to assist in the prediction of the next robbery. She learned of a Rite Aid robbery in Hayden, Idaho which occurred on a date predicted by Detective Hamond. Two subsequent robberies occurred on or near dates suggested by Detective Hamond.

Detective Ferguson arranged for a forensic artist rendition of the suspect based on information provided by the victim of the Hayden Rite Aid robbery. It is noted that the suspect made no effort to disguise his face during this robbery. The forensic sketch was disseminated to the public as well as a \$5,000 reward offered by Rite Aid. Although tips were received from the public and law enforcement, there were no tips specific to these robberies. This detective worked with Lt. McGovern to develop an operational surveillance plan for the most likely Rite Aid targets within the city limits based on the predicted date of 10/03/08 for the next robbery. The plan was activated and she was working as a surveillance team member when she learned that a suspect had been taken into custody following a robbery at the Rite Aid at 4514 S. Regal at about 2040 hours on 10/03/08. She was presented with a gray beanie, two cell phones, a handwritten robbery note and a bottle of OxyContin which were removed from the defendant when he was taken into custody. She immediately recognized the gray beanie as one used in two prior robberies. She also recognized cargo shorts worn by the defendant as those worn by the suspect on the 6/04/08 robbery. Defendant Saner invoked his right to counsel, however, he acknowledged an OxyContin addiction and stated that his "life is fucking over." He also asked if he could still discuss his addiction although he had invoked his rights if he did not "talk about the stores." The defendant was arrested and booked for one count of first degree robbery.

Detective Ferguson obtained a search warrant for 1740 W. Riverside #3 which included a vehicle which had been located in the area and was registered to the defendant. She was present when the warrant was executed, however, did not participate in the search. The detective contacted Tara Kunz at the apartment and again at Deaconess Medical Center where she was transported due to a possible overdose. Prior to leaving the apartment, Detective Ferguson obtained a consent to search from Kunz for a Volkswagen Jetta she possessed. Kunz invoked her right to counsel but made an unsolicited statement which said "I told him not to do it. When he first came home, I was all confused. I told him not to do it. I told him I didn't want to be involved, but he said he needed me. He needed me to drive."

She is a detective executed the warrant on the authorized vehicle WA 402TPX and discovered a long sleeved, blue, Under Armor shirt in the passenger compartment and a black beanie with two thin gray stripes in the trunk. In the Hayden Rite Aid robbery and the 9/18/08 Spokane Valley robbery, the suspect was wearing a dark beanie. Additionally, in the 7/26/08 robbery, the suspect was wearing a long sleeved blue Under Armor shirt with the logo on the right side of the mock turtleneck. This is an exact description of the one removed from the vehicle pursuant to the warrant.

It is requested that Edward A. Saner, be charged with three counts of first degree robbery. The cargo shorts worn in the 6/04/08 robbery are a match to those removed from him after the 10/03/08 robbery. The gray beanie worn in the 7/26/08 robbery is a match to the one removed from him after the 10/03/08 robbery. In addition the modus operandi is almost exact in terms of behavior and actions. The physical description of the robber in both of those incidents is similar and very close to the actual physical descriptors of defendant Saner. In addition, the forensic sketch bares a striking resemblance to the defendant. It is believed that the defendant committed all three robberies and therefore it is requested that he be charged for those incidences.

I certify (or declare) under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct. (9A.72.085)

DATE 10/8/08 PLACE Spokane, WA SIGNATURE J Ferguson 153

STATEMENT OF INVESTIGATING OFFICER
AFFIDAVIT OF FACTS

STATE OF WASHINGTON)
COUNTY OF SPOKANE)

08103455-1

REPORT NUMBER: 08-246529
08-274504
08-287075

DEFENDANT: Saner, Edward A., WM, 6/13/85

The undersigned, a law enforcement officer, competent to testify, states as follows: That he/she believes a crime was committed by the above named defendant/defendants in the City and County of Spokane, State of Washington, because:

On 6/04/08, a robbery occurred at the Rite Aid pharmacy, a 24 hour business, at 5520 N. Division (08-161363) at approximately 0010 hours. The suspect was described as a white male, 6', 150 pounds, with a light build, brown hair and wearing white face makeup with eyeliner that surrounded the entire eye and red lipstick. The suspect placed a handwritten note on the counter for the victim, pharmacist Ivyn Reynolds, to read. The note stated the suspect had a gun and demanded 40 mg. and 80 mg. OxyContin. The victim handed the suspect 7 bottles of the two strengths of OxyContin for a total of 700 pills. The suspect left the scene with the OxyContin and note. The value of the stolen medication was \$7032.98. Surveillance video was obtained which showed the robber wearing a green hooded sweatshirt, light colored shorts and brown shoes.

On 7/26/08 at approximately 2358 hours, the Rite Aid pharmacy at 5520 N. Division was the victim of a robbery by the same suspect (08-225098). Ivyn Reynolds was again the victim pharmacist with Laura Leat, an employee, listed as a witness. The suspect approached the pharmacy and was immediately recognized by victim Reynolds as the same robber. The suspect was dressed in a dark blue, long sleeved shirt, dark pants, gray wool hat and adorned with blue eye shadow around his eyes. The suspect held up a note approximately 4 inches x 4 inches in size which was not read by the pharmacist as he knew he was being robbed. The suspect ordered 40 mg. and 80 mg. OxyContin.

The victim placed 5 bottles, a total of 500 pills, into a Rite Aid bag which was taken by the suspect. The suspect then ran out of the store with the note and medications. Employee Leat chased the suspect and saw him run south and east of Franklin Park Mall. Video surveillance CD was requested and eventually retrieved. The surveillance CD shows the suspect with a gray beanie with a white stripe along the bottom wearing a shirt which appears to have an Under Armor logo on the right side of the mock turtleneck. He also is carrying a cell phone in his right hand as he enters the store.

Between the dates of 7/26/08 and 10/03/08, four additional robberies were committed by the same suspect as described by victims and witnesses as well as surveillance video. The modus operandi during these robberies were nearly identical. The suspect wore the same gray beanie in two of the robberies and a dark beanie in two of the incidences. One of those robberies occurred in Hayden, Idaho on 8/25/08. During that event, the suspect did not disguise his face; therefore, a forensic artist prepared a sketch based on the victim description. In addition to the modus operandi and beanies, the suspect wore hooded sweatshirts and/or Under Armor shirts in the robberies. On 8/20/08, the number of OxyContin stolen in four robberies was presented to Detective Brian Hamond for development of a computation and a possible target date for the next robbery. He developed a formula which included dosages, personal use and limited sales of the OxyContin by the robber. As a result he accurately predicted robberies for 8/25/08 and 9/08/08. He continued to work with the formula and predicted a robbery for 9/15/08, however, that robbery occurred on 9/18/08. Following that incident, the formula was utilized again and resulted in a speculated date of 10/03/08 for the next robbery.

Surveillance teams comprised of detectives and sergeants were developed to surveil the five most likely Rite Aid pharmacies to be targeted by the robber on or about 10/03/08. As a result, Edward A. Saner was arrested on 10/03/08 at 4514 S. Regal as he exited the Rite Aid store after having committed a pharmacy robbery. Defendant Saner's actions were witnessed by surveillance officers in the parking lot as well as a detective who monitored the interior cameras. When taken into custody, a bottle of OxyContin, a handwritten robbery note and a reversible gray beanie were removed from his person. The beanie was the same as the one worn in the 7/26/08 Rite Aid at 5520 N. Division. The light colored cargo shorts worn by the defendant on 10/03/08 were the same as those worn by the robber in the 6/04/08 Rite Aid robbery at 5520 N. Division.

A search warrant was obtained and executed at the defendant's residence at 1740 W. Riverside #3. A red hooded sweatshirt worn by the suspect in a Rite Aid robbery in Spokane Valley on 9/18/08 was found at that location. Sunglasses were also discovered in the apartment; the robber wore sunglasses during all but three of the robberies. The search warrant included a search of Washington 402TPX a 2003 Chevrolet Cavalier registered to Ralph E. Saner and Edward A. Saner. That search revealed a black beanie with two thin white stripes at the bottom. This description is consistent with the hat worn by the robber in the 8/25/08 at Hayden, Idaho and the 9/18/08 robbery in Spokane Valley.

Defendant Saner was arrested and booked for one count of first degree robbery regarding the 10/03/08 incident. Since that arrest, additional investigation of the robberies committed in the Spokane Valley has resulted in the development of probable cause to arrest defendant Saner for those three incidences. Victims/witnesses of those events positively identified the defendant from photomontages as the robber. Additionally, clothing believed to be worn by the robber during those incidences has been recovered. Therefore, the following facts and circumstances support three additional counts of second degree robbery regarding the defendant's actions committed in the Spokane County.

REPORT #08-246529:

ADELINE M. BUTORI CAN TESTIFY:

She is employed in the Rite Aid Pharmacy at 1443 N. Argonne and was working in that capacity on 8/14/08 at around 2050 hours. A male approached the pharmacy counter and held out a note which stated "give me your Oxycontin, 40's, 60's and 80's. I have a gun. I won't hurt you as long as you put them in a bag. I'm sorry." The suspect retained possession of the note. The suspect told the victim to get her keys and go to the cabinet to retrieve the OxyContin. Ms. Butori had to walk along the counter to get to the cabinet and the suspect walked with her, watching her actions. She subsequently gave him bottles of various strengths of OxyContin after placing them in a bag. The suspect told her not to call anyone until he was gone and then left. This victim called 911 and provided a description which was a Hispanic male, in his 20's, 6', skinny, wearing a black beanie, sunglasses, a white long sleeved shirt and blue jeans. Victim Butori was contacted by SCSO Deputy Scott Bonney who found her upset and shaking during her statement.

On 10/06/08, SCSO Detective Doug Marske contacted the victim, Butori, to display a photomontage which included Edward Saner. She selected Saner from the montage and stated her certainty was an "11 out of 10." Victim Butori had seen Saner's photo through a MySpace page following his arrest.

SCSO DEPUTY SCOTT BONNEY #591264 CAN TESTIFY:

He responded to the Rite Aid at 1443 N. Argonne on 8/14/08 reference a robbery which had occurred. He obtained a statement from the victim and also viewed a video surveillance of the suspect. He described the suspect as wearing a dark sweatshirt, possibly with the Under Armor logo on the chest and a white and gray beanie. Deputy Bonney concurred with witness Butori's physical description of the robber. Additionally he arranged for a copy of the surveillance video to be forwarded to law enforcement.

REPORT #08-274504**ANGELINA BUCCERI CAN TESTIFY:**

She is a pharmaceutical technician at the Rite Aid on 12115 E. Sprague and was working in that capacity on 9/08/08 at about 0850 hours. She was informed by the pharmacist that a robbery was in progress and immediately called 911. She maintained surveillance of the suspect during the time he was in the store. She described him as possibly Greek, olive skinned, 5'9" to 5'10", 150 to 160 pounds, light mustache, short dark hair, a scar on the right cheek and wearing large sunglasses, a beanie with a white stripe, a dark hoodie with a red patch, t-shirt and faded blue jeans.

Witness Bucceri was shown a photomontage on 10/06/08 by SCSO Detective Doug Marske. She selected defendant Saner as the robber with a certainty level of an 8 out of 10. She had seen the defendant's photo through MySpace after learning of his arrest.

TAMMY L. HELMS CAN TESTIFY:

She is employed at the Rite Aid at 12115 E. Sprague as a pharmacy cashier and was working on 9/08/08. She was at the pharmacy counter when a male walked up to the counter and displayed to her a note written on a plain piece of paper and which demanded 10's, 20's, 40's, 60's and 80 mg. OxyContin. Witness Helms did not read the rest of the note as she knew they were being robbed. This witness immediately told the pharmacist who retrieved four bottles of OxyContin. This witness noted that the robber retained possession of the note.

Witness Helms viewed a photomontage on 10/06/08 as displayed by SCSO Detective Doug Marske. She selected defendant Saner as the robber with a certainty of an 8 of 10. Witness Helms had seen Saner's photograph during a news broadcast following his arrest.

LONNIE SIDLERUD CAN TESTIFY:

He is a pharmacist with the affected Rite Aid and was alerted of a robbery in progress by Tammy Helms. He responded to the robber's demands by handing him four bottles of OxyContin. He watched the suspect flee the store and saw what he believed was a signal made by the suspect, possibly to an accomplice.

SCSO DEPUTY TOM WALKER #591036:

He responded to the Rite Aid at 12115 E. Sprague on 9/08/08 reference a robbery in progress. The suspect had fled by the time Deputy Walker arrived. He obtained statements from the witnesses which included a description of the suspect. Additionally he arranged for a copy of the video surveillance which depicted the appearance of the suspect.

REPORT #08-287075**KATIE J. WARDROP CAN TESTIFY:**

She is employed at the Rite Aid pharmacy at 1443 N. Argonne and was working on 9/18/08 at about 1140 hours. She was in the pharmacy with witness Peter Matsumoto when she observed a male approach the counter. She immediately recognized him as a probable robber based on photos and videos she had seen through the news media. Rite Aid employees had developed a code to be used in the event of a robbery which included a call over the intercom which stated "call on line 12." Witness Wardrop made this call. She saw the suspect show a note to Matsumoto and observed as he was given bottles of OxyContin which he placed in his pockets. This witness described the suspect as possibly a white male with dark skin, a prominent nose, 5'9", around 24 years old, with a small build, wearing a black beanie with a blue stripe and a red hooded sweatshirt.

On 10/06/08, witness Wardrop was shown a montage by Detective Marske and selected defendant Saner as the robber with a certainty level of an "11 out of 10." This witness had seen Saner's photo on MySpace following his arrest.

PETER Y. MATSUMOTO CAN TESTIFY:

He was working in the Rite Aid pharmacy on 9/18/08 at about 1140 hours. He heard witness Wardrop comment about calling the manager but did not comprehend that it was the code for a robbery. He then realized that a male standing at the counter was the same robber he had seen in photos and videos of other Rite Aid stores. The robber showed him a note that said something like "Quick. I have a gun. Give me Oxycontin." Witness Matsumoto tried to stall and asked the suspect if he wanted a bag. The suspect instead pointed to a cabinet and said the OxyContin was over there. This witness grabbed a number of bottles and placed them on the counter. The suspect then placed them in his pocket and left the store. This witness described the robber as a darker skinned male, possibly Latin with a black beanie, dark sweatshirt and sunglasses. He was 5'9" and skinny.

On 10/10/08, witness Matsumoto was shown a photomontage by Detective Terry Ferguson. He selected defendant Saner as the robber with a certainty of a 9 out of 10. This witness had seen Saner's photo on the news following his arrest.

CATHY E. WEISEL CAN TESTIFY:

She is employed at the Rite Aid at 1443 N. Argonne and was working on 9/18/08. She heard the code call over the intercom and immediately called 911. She walked back to the pharmacy area and observed a male at the counter whom she believed was the robber of other Rite Aid stores. She heard bottles rattling in his pocket as he walked by her. She followed him out of the store and tried to keep up with him, however, he ran northbound out of her sight. This witness described the suspect as possibly Greek, mid

20's, wearing black baggy sweatpants, a red hooded sweatshirt, a black stocking cap and sunglasses.

On 10/10/08, witness Weisel viewed a photomontage as presented by Detective Ferguson. She immediately selected defendant Saner as the robbery suspect with a certainty level of 9 out of 10. She had not seen any photos or video of the suspect following his arrest.

SCSO DEPUTY JERAD KIEHN #591141 CAN TESTIFY:

He responded to the affected Rite Aid store reference the report of a robbery. He obtained statements from the witnesses.

SCSO DEPUTY K. DODGE #591112 CAN TESTIFY :

He responded to the Rite Aid regarding the robbery and subsequently secured a copy of video surveillance from Rite Aid security supervisor Joe Spencer. This deputy placed the video CD into the property facility. He also assisted SPD K9 Officer Jake Jensen in attempting to track the suspect, however, it was unsuccessful.

SCSO DETECTIVE DOUG MARSKE # 59728 CAN TESTIFY:

He knew of the arrest of Edward Saner for a robbery committed on 10/03/08. He developed three separate photomontages to display to witnesses in the robberies committed in the Spokane Valley. He obtained four positive identifications of Saner as the robbery suspect.

SPD DETECTIVE T. FERGUSON #153 CAN TESTIFY:

She contacted additional witnesses in a robbery which occurred in Spokane Valley after receiving information from Detective Marske as to positive identifications of Saner as the suspect in those robberies. She received positive selections of Saner as the robber from photomontages. During the course of the investigation of robberies at the Rite Aid pharmacies, she reviewed video surveillance and noted that the suspect wore what appeared to be the same reversible gray and white beanie in the second robbery at 5520 N. Division, the robbery on 8/14/08 and also the 9/08/08 robbery in the Spokane Valley. Additionally, she recovered a black beanie with a lighter stripe around the edge in the trunk of a vehicle registered to the defendant which was impounded on 10/03/08. Witnesses had reported that the suspect wore a black or dark beanie in the Hayden, Idaho robbery as well as the one committed on 9/18/08. The modus operandi, physical descriptors and clothing are consistent throughout the descriptions of the robbers' appearance and actions during the robberies. It is believed that Edward A. Saner

committed the robberies which occurred in the Spokane Valley on 8/14/08, 9/08/08 and 9/18/08. It is therefore requested that he be charged with three counts of second degree robbery regarding those incidences.

I certify (or declare) under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct. (9A.72.085)

DATE 10/17/08 PLACE Spokane, WA SIGNATURE Det. J Ferguson