

Commonwealth of Pennsylvania



APPLICATION FOR SEARCH WARRANT AND AUTHORIZATION

COUNTY OF MONROE

Docket Number: Police Incident Number: PA2022-1651897

Warrant Control Number:

Tpr. Justin M. LERI Pennsylvania State Police 570-619-6800

Tpr. Brian V. NOLL

AFFIANT NAME AGENCY PHONE NUMBER

IDENTIFY ITEMS TO BE SEARCHED FOR AND SEIZED (Be as specific as possible):

Any and all items listed on "Continuation" page

This is to certify that this is a true and correct copy of [Signature] Certified From the Record this 29th Day of December A.D. 2022

Court of Common Pleas of Monroe County Forty-Third Judicial District Commonwealth of Pennsylvania George J. Warden, Clerk of Courts & Clerk of Orphans' Court By: Susan DeBoer, Senior Deputy Clerk of Courts & Clerk of Orphans' Court

SPECIFIC DESCRIPTION OF PREMISES AND/OR PERSON TO BE SEARCHED (Street and No., Apt. No., Vehicle, Safe Deposit Box, etc.) Social security numbers and financial information (e.g. PINS) should not be listed. If the identity of an account number must be established, list only the last four digits - 204 Pa. Code §§ 213.1 - 213.7.

119 Lamsden Drive, Chestnuthill Twp, Monroe County- A single family residence with white siding, tan foundation, and dark colored shutters. An attached garage is located on side B. A small shed with a door and windows is located at the rear of the property along with all curtilage of property.

NAME OF OWNER, OCCUPANT OR POSSESSOR OF SAID PREMISES TO BE SEARCHED (If proper name is unknown, give alias and/or description): Michael KOHBERGER, Maryann KOHBERGER, Bryan C. KOHBERGER

VIOLATION OF (Describe conduct or specify statute):

Criminal Homicide

DATE(S) OF VIOLATION: Clerk of Courts 11/13/2022

DEC 29 '22 PM 4:44

- Warrant Application Approved by District Attorney - DA File No. [Signature] 12/29/22-3
Additional Pages Attached (Other than Affidavit of Probable Cause)
Probable Cause Affidavit(s) MUST be attached (unless sealed below) Total number of pages:

TOTAL NUMBER OF PAGES IS SUM OF ALL APPLICATION, PROBABLE CAUSE AND CONTINUATION PAGES EVEN IF ANY OF THE PAGES ARE SEALED. The below named Affiant, being duly sworn (or affirmed) before the Issuing Authority according to law, deposes and says that there is probable cause to believe that certain property is evidence of or the fruit of a crime or is contraband or is unlawfully possessed or is otherwise subject to seizure, and is located at the particular premises or in the possession of the particular person as described above.

Signature of Affiant: [Signature] Pennsylvania State Police Troop N 13223 / 10920 Agency or Address if private Affiant Badge Number

Sworn to and subscribed before me this ___ day of ___, Mag. Dist. No. ___

Signature of Issuing Authority Office Address (SEAL)

SEARCH WARRANT TO LAW ENFORCEMENT OFFICER: WHEREAS, facts have been sworn to or affirmed before me by written affidavit(s) attached hereto from which I have found probable cause, I do authorize you to search the premises or person described, and to seize, secure, inventory and make return according to the Pennsylvania Rules of Criminal Procedure.

- This Warrant shall be served as soon as practicable and shall be served only between the hours of 6AM to 10PM but in no event later than:
This Warrant shall be served as soon as practicable and may be served any time during the day or night but in no event later than: ** 4:35 P M, o'clock 31 December 2022
This Warrant shall be returned to judicial officer Margherita Patti-Worthington, PJ

* The issuing authority should specify a date not later than two (2) days after issuance. Pa.R.Crim.P. 205(4). ** If the issuing authority finds reasonable cause for issuing a nighttime warrant on the basis of additional reasonable cause set forth in the accompanying affidavit(s) and wishes to issue a nighttime warrant, then this block shall be checked. Pa.R.Crim.P. 206(7).

Issued under my hand this 29 day of December 2022 at 4:35 P M, o'clock.

Signature of Issuing Authority 43rd 31 December 2030 (SEAL) Mag. Dist. or Judicial Dist. No. Date Commission Expires:

Title of Issuing Authority: [] Magisterial District Judge [X] Common Pleas Judge []

[X] For good cause stated in the affidavit(s) the Search Warrant Affidavit(s) are sealed for 60 days by my certification and signature. (Pa.R.Crim.P. 211)

Signature of Issuing Authority (Judge of the Court of Common Pleas or Appellate Court Justice or Judge) 29 December 2022 (Date) (SEAL)

TO BE COMPLETED BY THE ISSUING AUTHORITY

Commonwealth of Pennsylvania

RETURN of SERVICE
AND INVENTORY

COUNTY OF MONROE

Docket Number

Police Incident

Warrant Control

(Issuing Authority):

Number: PA2022-1651897

Number:

Date of Search:

Time of Search:

Property Seized as result of Search (Y/N):

12/30/2022

Approx. 0125

Y

Date of Return:

Time of Return:

Officer making Return:

01/09/2023

1500

Trooper Justin M. LERI

Signature of Person Seizing Property:

Other Officers Participating in Search:

N/A FBI

Pa.R.Crim.P. Chapter 2, Part A. SEARCH WARRANTS***Rule 202. Approval of Search Warrant Applications by Attorney for the Commonwealth – Local Option.***

- (a) The District Attorney of any county may require that search warrant applications filed in the county have the approval of an attorney for the Commonwealth prior to filing.

Rule 204. Person To Serve Warrant.

A search warrant shall be served by a law enforcement officer.

Clerk of Courts
JAN 13 '23 AM 10:41

Rule 205. Contents of Search Warrant.

Each search warrant shall be signed by the issuing authority and shall:

- (1) specify the date and time of issuance;
- (2) identify specifically the property to be seized;
- (3) name or describe with particularity the person or place to be searched;
- (4) direct that the search be executed either: (a) within a specified period of time, not to exceed 2 days from the time of issuance, or; (b) when the warrant is issued for a prospective event, only after the specified event has occurred.
- (5) direct that the warrant be served in the daytime unless otherwise authorized on the warrant, PROVIDED THAT, for purposes of the Rules of Chapter 2, Part A., the term "daytime" shall be used to mean the hours of 6 a.m. to 10 p.m.;
- (6) designate by title the judicial officer to whom the warrant shall be returned;
- (7) certify that the issuing authority has found probable cause based upon the facts sworn to or affirmed before the issuing authority by written affidavit(s) attached to the warrant; and
- (8) when applicable, certify on the face of the warrant that for good cause shown the affidavit(s) is sealed pursuant to Rule 211 and state the length of time the affidavit(s) will be sealed.

Rule 206. Contents of Application for Search Warrant.

Each application for a search warrant shall be supported by written affidavit(s) signed and sworn to or affirmed before an issuing authority, which affidavit(s) shall:

- (1) state the name and department, agency, or address of the affiant;
- (2) identify specifically the items or property to be searched for and seized;
- (3) name or describe with particularity the person or place to be searched;
- (4) identify the owner, occupant, or possessor of the place to be searched;
- (5) specify or describe the crime which has been or is being committed;
- (6) set forth specifically the facts and circumstances which form the basis for the affiant's conclusion that there is probable cause to believe that the items or property identified are evidence or the fruit of a crime, or are contraband, or are or are expected to be otherwise unlawfully possessed or subject to seizure, and that these items or property are or are expected to be located on the particular person or at the particular place described;
- (7) if a "nighttime" search is requested (i.e., 10 p.m. to 6 a.m.), state additional reasonable cause for seeking permission to search in the nighttime; and
- (8) when the attorney for the Commonwealth is requesting that the affidavit(s) be sealed pursuant to Rule 211, state the facts and circumstances which are alleged to establish good cause for the sealing of the affidavit(s).

Rule 208. Copy of Warrant; Receipt for Seized Property.

- (a) A law enforcement officer, upon taking property pursuant to a search warrant, shall leave with the person from whom or from whose premises the property was taken a copy of the warrant and affidavit(s) in support thereof, and a receipt for the property seized. A copy of the warrant and affidavit(s) must be left whether or not any property is seized.
- (b) If no one is present on the premises when the warrant is executed, the officer shall leave the documents specified in paragraph (a) at a conspicuous location in the said premises. A copy of the warrant and affidavit(s) must be left whether or not any property is seized.
- (c) Notwithstanding the requirements in paragraphs (a) and (b), the officer shall not leave a copy of an affidavit that has been sealed pursuant to Rule 211.

Rule 209. Return with Inventory.

- (a) An inventory of items seized shall be made by the law enforcement officer serving a search warrant. The inventory shall be made in the presence of the person from whose possession or premises the property was taken, when feasible, or otherwise in the presence of at least one witness. The officer shall sign a statement on the inventory that it is a true and correct listing of all items seized, and that the signer is subject to the penalties and provisions of 18 Pa.C.S. Section 4904(b) - Unsworn Falsification to Authorities. The inventory shall be returned to and filed with the issuing authority.
- (b) The judicial officer to whom the return was made shall upon request cause a copy of the inventory to be delivered to the applicant for the warrant and to the person from whom, or from whose premises, the property was taken.
- (c) When the search warrant affidavit(s) is sealed pursuant to Rule 211, the return shall be made to the justice or judge who issued the warrant.

THE LAW ENFORCEMENT OFFICER SHALL MAKE ALL RETURNS TO THE ISSUING AUTHORITY DESIGNATED ON THE SEARCH WARRANT.

Commonwealth of Pennsylvania



RECEIPT / INVENTORY OF SEIZED PROPERTY

COUNTY OF MONROE

Docket Number (Issuing Authority):	Police Incident Number: PA2022-1651897	Warrant Control Number:
Date of Search: <i>12/30/22</i>	Time of Search: <i>Approx 0125</i>	Inventory Page Number: 1 of 1 Pages
Trooper Justin M. LERI	PSP	13223

The following property was taken / seized and a copy of this Receipt / Inventory with a copy of the Search Warrant and affidavit(s) (if not sealed) was

personally served on (name of person) *Bryan C. KOHBERGER*

was left at (describe the location)

Item Number	Quantity	Item Description	Make, Model, Serial No., Color, etc.
1	1		
<i>SEE ATTACHED FBI FD-597</i>			

I/we do hereby state that this inventory is to the best of my/our knowledge and belief a true and correct listing of all items seized, and that I/we sign this Receipt / Inventory subject to the penalties and provisions of Title 18 Pa.C.S. 4904(b)--Unsworn Falsification to Authorities.

<i>[Signature]</i>	Tpr. Justin M. LERI	PSP	13223
Signature of person Issuing Receipt / Inventory	Printed Name	Affiliation	Badge or Title
<i>[Signature]</i>	Tpr. Justin M. Leri	PSP	1322
Signature of Witness	Printed Name	Affiliation	Badge or Title
<i>[Signature]</i>	Michael Moradillo	FBI	SA
Signature of person making Search	Printed Name	Affiliation	Badge or Title

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION
Receipt for Property

Case ID: SU-3683464

On (date) 12/30/2022

item(s) listed below were:

- Collected/Seized
- Received From
- Returned To
- Released To

(Name) Bryan C. Kohberger

(Street Address) 119 Lansden Drive

(City) Albrightsville PA 18210

Description of Item (s): (1) One (1) Defiant silver flashlight

(2) Four (4) Medical style glasses

(3) White Arizona jean co large t-shirt

(4) Champion WSH Conquer large black sweatshirt

(5) Pair of black and white size 13 Nike shoes

(6) Pair of black Under Armour socks

(7) Under Armour black large shorts

(8) Under Armour black boxers large

(9) One (1) buccal swab

~~Nothing follows MAR 12/30/22~~

~~Nothing follows MAR 12/30/22~~

Received By: Michael Mecadlo
(Signature)

Received From: Bryan C. Kohberger
(Signature)

Printed Name/Title: Michael Mecadlo, SA

Printed Name/Title: Bryan C. Kohberger

Commonwealth of Pennsylvania



APPLICATION FOR SEARCH WARRANT AND AUTHORIZATION

COUNTY OF MONROE

Docket Number (Issuing Authority): Police Incident Number: PA2022-1651897 Warrant Control Number:

Tpr. Justin M. LERI Tpr. Brian V. NOLL Pennsylvania State Police 570-619-6800 12/29/2022

AFFIANT NAME AGENCY PHONE NUMBER DATE OF APPLICATION

IDENTIFY ITEMS TO BE SEARCHED FOR AND SEIZED (Be as specific as possible): The person of Bryan C. KOHBERGER DOB 11/21/1994 to include all items listed in "Continuation of"

This is to certify that this is a true and correct copy of Search Warrant Certified From the Record this 29th Day of December A.D. 2022 Court of Common Pleas of Monroe County Forty-Third Judicial District Commonwealth of Pennsylvania George J. Warden, Clerk of Courts & Clerk of Orphans' Court Susan Deboer, Senior Deputy Clerk of Courts & Clerk of Orphans' Court

SPECIFIC DESCRIPTION OF PREMISES AND/OR PERSON TO BE SEARCHED (Street and No., Apt. No., Vehicle, Safe Deposit Box, etc.): Social security numbers and financial information (e.g. PINs) should not be listed. If the identity of an account number must be established, the number should be listed. Pa. Code §§ 213.1 - 213.7. The person of Bryan C. KOHBERGER DOB 11/21/1994

NAME OF OWNER, OCCUPANT OR POSSESSOR OF SAID PREMISES TO BE SEARCHED (If proper name is unknown, give alias and/or description): Bryan C. KOHBERGER DOB 11/21/1994

VIOLATION OF (Describe conduct or specify statute): Criminal Homicide DATE(S) OF VIOLATION: 11/13/2022

Warrant Application Approved by District Attorney - DA File No. M. Garon 12/29/22-2 (If DA approval required per Pa.R.Crim.P. 202(A) with assigned File No. per Pa.R.Crim.P. 607) Additional Pages Attached (Other than Affidavit of Probable Cause) Probable Cause Affidavit(s) MUST be attached (unless sealed below) Total number of pages:

TOTAL NUMBER OF PAGES IS SUM OF ALL APPLICATION, PROBABLE CAUSE AND CONTINUATION PAGES EVEN IF ANY OF THE PAGES ARE SEALED

The below named Affiant, being duly sworn (or affirmed) before the Issuing Authority according to law, deposes and says that there is probable cause to believe that certain property is evidence of or the fruit of a crime or is contraband or is unlawfully possessed or is otherwise subject to seizure, and is located at the particular premises or in the possession of the particular person as described above.

Signature of Affiant Pennsylvania State Police Troop N 13223 / 10322 Clerk of Courts AOC 29 '22 PH4:54 Agency or Address if private Affiant Badge Number

Sworn to and subscribed before me this ___ day of ___, ___, Mag. Dist. No. ___ (SEAL)

Signature of Issuing Authority Office Address

SEARCH WARRANT TO LAW ENFORCEMENT OFFICER: WHEREAS, facts have been sworn to or affirmed before me by written affidavit(s) attached hereto from which I have found probable cause, I do authorize you to search the premises or person described, and to seize, secure, inventory and make return according to the Pennsylvania Rules of Criminal Procedure.

This Warrant shall be served as soon as practicable and shall be served only between the hours of 6AM to 10PM but in no event later than: * This Warrant shall be served as soon as practicable and may be served any time during the day or night but in no event later than: ** 4:35 P M, o'clock 31 December 2022

This Warrant shall be returned to judicial officer Margherita Patti-Worthington, PJ

* The issuing authority should specify a date not later than two (2) days after issuance. Pa.R.Crim.P. 205(4).

** If the Issuing authority finds reasonable cause for issuing a nighttime warrant on the basis of additional reasonable cause set forth in the accompanying affidavit(s) and wishes to issue a nighttime warrant, then this block shall be checked. Pa.R.Crim.P. 206(7).

Issued under my hand this 29 day of December 2022 at 4:35 P M, o'clock.

Signature of Issuing Authority Mag. Dist. or Judicial Dist. No. Date Commission Expires: 43rd 31 December 2030 (SEAL)

Title of Issuing Authority: [] Magisterial District Judge [X] Common Pleas Judge []

[X] For good cause stated in the affidavit(s) the Search Warrant Affidavit(s) are sealed for 60 days by my certification and signature. (Pa.R.Crim.P. 211)

Signature of Issuing Authority (Judge of the Court of Common Pleas or Appellate Court Justice or Judge). 31 December 2022 (Date) (SEAL)

TO BE COMPLETED BY THE ISSUING AUTHORITY



COUNTY OF MONROE

Docket Number (Issuing Authority):

Police Incident Number: PA2022-1851897

Warrant Control Number:

Continuation of:

Form with checkboxes for 'Items to be searched and seized', 'Description of premises/person(s) to be searched', 'Owner/ Occupant', and 'Violations'.

- List of items to be searched including: Any and all of the following, which may be found on his person; Blood or other bodily fluids or materials; Knives, sheaths, other weapons; Documents, records, medications, drugs; DNA, footprints, fingerprints; Four (4) samples of Bryan Kohberger's deoxyribonucleic acid (DNA); Alcoholic beverages; Data compilations; All electronic devices; Indicia of residency in, or ownership or possession of, the vehicle.

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Handwritten signature and date: 12/29/22

Commonwealth of Pennsylvania



APPLICATION FOR SEARCH WARRANT AND AUTHORIZATION

COUNTY OF MONROE

Docket Number (Issuing Authority):

Police Incident Number: PA2022-1651897

Warrant Control Number:

Tpr. Justin M. LERI
Tpr. Brian V. NOLL

Pennsylvania State Police

570-619-6800

12/29/2022

AFFIANT NAME AGENCY PHONE NUMBER DATE OF APPLICATION

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119 Lamsden Drive, Chestnuthill Twp, Monroe County- A single family residence with white siding, tan foundation, and dark colored shutters. An attached garage is located on side B. A small shed with a door and windows is located at the rear of the property along with all curtilage of property.

NAME OF OWNER, OCCUPANT OR POSSESSOR OF SAID PREMISES TO BE SEARCHED (if proper name is unknown, give alias and/or description):
Michael KOHBERGER, Maryann KOHBERGER, Bryan C. KOHBERGER

VIOLATION OF (Describe conduct or specify statute):
Criminal Homicide

DATE(S) OF VIOLATION: Clerk of Courts
11/13/2022 DEC 29 '22 PM 4:44

- Warrant Application Approved by District Attorney -- DA File No. M. Mancuso 12/29/22-3 (If DA approval required per Pa.R.Crim.P. 202(A) with assigned File No. per Pa.R.Crim.P. 507)
 Additional Pages Attached (Other than Affidavit of Probable Cause)
 Probable Cause Affidavit(s) MUST be attached (unless sealed below) Total number of pages: _____

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Signature of Affiant: [Signature] Pennsylvania State Police Troop N 13223 / 10920 Agency or Address if private Affiant Badge Number

Sworn to and subscribed before me this ___ day of ___, ___, Mag. Dist. No. _____

(SEAL)

Signature of Issuing Authority Office Address

SEARCH WARRANT TO LAW ENFORCEMENT OFFICER:

WHEREAS, facts have been sworn to or affirmed before me by written affidavit(s) attached hereto from which I have found probable cause, I do authorize you to search the premises or person described, and to seize, secure, inventory and make return according to the Pennsylvania Rules of Criminal Procedure.

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Issued under my hand this 29 day of December 2022 at 4:35 P M, o'clock.

Signature of Issuing Authority: [Signature] 43rd 31 December 2030 (SEAL) Mag. Dist. or Judicial Dist. No. Date Commission Expires:

Title of Issuing Authority: Magisterial District Judge Common Pleas Judge

For good cause stated in the affidavit(s) the Search Warrant Affidavit(s) are sealed for 60 days by my certification and signature. (Pa.R.Crim.P. 211)

Signature of Issuing Authority (Judge of the Court of Common Pleas or Appellate Court Justice or Judge). 29 December 2022 (Date) (SEAL)

TO BE COMPLETED BY THE ISSUING AUTHORITY

Commonwealth of Pennsylvania



APPLICATION FOR SEARCH WARRANT CONTINUATION PAGES

COUNTY OF MONROE

Docket Number (Issuing Authority):

Police Incident Number: PA2022-1651897

Warrant Control Number:

Continuation of:

Form with checkboxes for 'Items to be searched and seized', 'Description of premises/person(s) to be searched', 'Owner/ Occupant', and 'Violations'.

- List of items to be searched including: Bryan C. KOHBERGER, blood/fluids, weapons, documents, medications, DNA samples, electronic devices, and vehicles.

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Commonwealth of Pennsylvania



AFFIDAVIT OF PROBABLE CAUSE

COUNTY OF MONROE

Docket Number
(Issuing Authority):

Police Incident
Number: PA2022-1651897

Warrant Control
Number:

PROBABLE CAUSE BELIEF IS BASED UPON THE FOLLOWING FACTS AND CIRCUMSTANCES:

Social security numbers and financial information (e.g. PINs) should not be listed. If the identity of an account number must be established, list only the last four digits. 204 Pa. Code §§ 213.1 - 213.7.

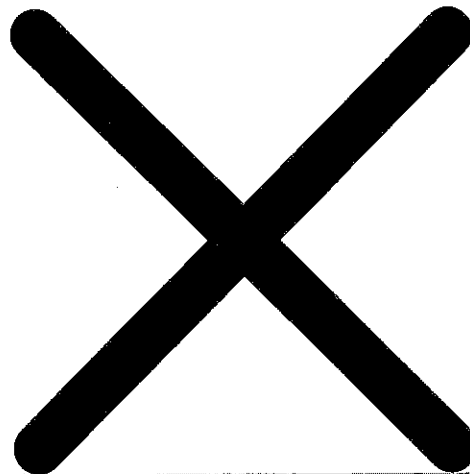
Your Affiant is Trooper Justin M. LERI of the Pennsylvania State Police, Stroudsburg Station- Criminal Investigation Unit. Since 2009, I have served as a Detective with the Lackawanna County District Attorney's Office, a Special Agent with the Pennsylvania Office of Attorney General, a Task Force Officer with the Federal Bureau of Investigation and currently as a Trooper with the Pennsylvania State Police, Troop N- Vice Unit. Throughout my career, I have conducted hundreds of criminal investigations, including numerous homicide investigations.

Your Affiant is Trooper Brian V. NOLL of the Pennsylvania State Police, Troop N Criminal Investigation Assessment Officer. I have been employed with the Pennsylvania State Police since 2008 and assigned as a Criminal Investigator since 2012. I have been assigned as the Criminal Investigation Assessment Officer since 2019. Throughout my career, I have conducted hundreds of criminal investigations, including numerous homicide investigations.

On Wednesday, December 28, 2022, the Pennsylvania State Police was requested to assist the Moscow Police Department, Moscow, ID and Federal Bureau of Investigation with a homicide investigation which occurred on Sunday, November 13, 2022. As a part of this investigation, we reviewed reports and affidavits prepared by the Moscow Police Department, establishing probable cause for issuance of search warrants related to this investigation, which are included in this affidavit of probable cause as "Exhibit A."

Furthermore, Investigators began physical surveillance of the property and area of 119 Lamsden Drive, Chestnuthill Township, and in the early morning hours of Tuesday, December 27, 2022, observed Bryan KOHBERGER walking near this residence. Additionally, KOHBERGER'S vehicle was observed entering the Indian Mountain Lakes development on December 16, 2022, and the vehicle is still believed to be on premises. Investigators are also monitoring KOHBERGER'S cellular phone which appears to be in the same vicinity of this residence. On Wednesday, December 28, 2022, while conducting surveillance, Investigators observed KOHBERGER traveling throughout Monroe County and arriving back at his residence on Lamsden Drive.

Based upon this, your Affiants believe that KOHBERGER is located inside this residence and in possession of items related to this investigation. Your affiants are requesting a search warrant be issued for the search and seizure of all items listed in the items to be searched, along with forensic processing of all items. Your Affiants are requesting all digital devices seized be forensically examined in a controlled environment at some future date, and until such examinations are complete. Additionally, based upon the serious and violent nature of these crimes, including risk of general public's safety, your Affiants are requesting a night-time search warrant be issued to execute this search warrant at any time and the affidavit of probable cause be sealed.



I, Trooper Justin M. LERI / 13223 / Trooper Brian NOLL, BEING DULY SWORN ACCORDING TO LAW, DEPOSE AND SAY THAT THE FACTS SET FORTH IN THE AFFIDAVIT ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF.

Justin M. Leri
Affiant Signature Date 12/29/2022

MPW 29 December 2022

(SEAL)

Affiant Signature

Date

Issuing Authority Signature

Date

Page of Pages

Exhibit A
Statement of Brett Payne

The below information is provided by Corporal (CPL) Brett Payne, who is a duly appointed, qualified and acting peace officer within the County of Latah, State of Idaho. CPL Payne is employed by Moscow Police Department in the official capacity or position of Corporal and has been a trained and qualified peace officer for approximately four (4) years. Cpl. Payne is being assisted by members of the Idaho State Police and agents of the Federal Bureau of Investigation.

On November 13, 2022, at approximately 4:00 p.m., Moscow Police Department (MPD) Sergeant Blaker and I responded to 1122 King Road, Moscow, Idaho, hereafter the "King Road Residence," to assist with scene security and processing of a crime scene associated with four homicides. Upon our arrival, the Idaho State Police (ISP) Forensic Team was on scene and was preparing to begin processing the scene. MPD Officer (OFC) Smith, one of the initial responding officers to the incident, advised he would walk me through the scene.

OFC Smith and I entered the King Road Residence through the bottom floor door on the north side of the building. OFC Smith and I then walked upstairs to the second floor. OFC Smith directed me down the hallway to the west bedroom on the second floor, which I later learned (through Xana's driver's license and other personal belongings found in the room) was Xana Kernodle's, hereafter "Kernodle" room. Just before this room there was a bathroom door on the south wall of the hallway. As I approached the room, I could see a body, later identified as Kernodle's, laying on the floor. Kernodle was deceased with wounds which appeared to have been caused by an edged weapon.

Also in the room was a male, later identified as Ethan Chapin, hereafter, "Chapin".

Chapin was also deceased with wounds later determined (Autopsy Report provided by Spokane

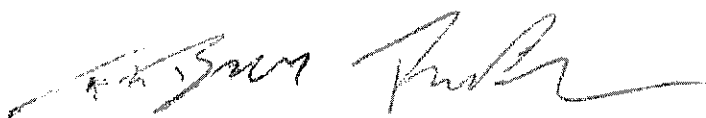
 MPW 29 December 2022

County Medical Examiner Veena Singh dated December 15, 2022), to be caused by “sharp-force injuries”.

I then followed OFC Smith upstairs to the third floor of the residence. The third floor consisted of two bedrooms and one bathroom. The bedroom on the west side of the floor was later determined to be Kaylee Goncalves, hereafter “Goncalves,” room. I later learned (from review of Officer Nunes’ body camera) there was a dog in the room when Moscow Police Officers initially responded. The dog belonged to Goncalves and her ex-boyfriend Jack Ducoeur. I found out from my interview with Jack Ducoeur on November 13, 2022, that he and Goncalves shared the dog. OFC Smith then pointed out a small bathroom on the east side of the third floor. This bathroom shared a wall with Madison Mogen’s, hereafter “Mogen” bedroom which was situated on the southeast corner of the third floor.

As I entered this bedroom, I could see two females in the single bed in the room. Both Goncalves and Mogen were deceased with visible stab wounds. I also later noticed what appeared to be a tan leather knife sheath laying on the bed next to Mogen’s right side (when viewed from the door). The sheath was later processed and had “Ka-Bar”, “USMC” and the United States Marine Corps eagle globe and anchor insignia stamped on the outside of it. The Idaho State Lab later located a single source of male DNA left on the button snap of the knife sheath.

As part of the investigation, numerous interviews were conducted by Moscow Police Department Officers, Idaho State Police Detectives, and FBI Agents. Two of the interviews included Bethany Funke (hereafter “Funke”), and Dylan Mortensen (hereafter “Mortensen”). Both Funke and Mortensen were inside the King Road Residence at the time of the homicides



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and were roommates to the victims. Funke's bedroom was located on the east side of the first floor of the King Road Residence.

Based on numerous interviews conducted by MPD Officers, ISP Detectives, and FBI Agents as well as my review of evidence, I have learned the following:

On the evening of November 12, 2022, Chapin and Kernodle are seen by Funke at the Sigma Chi house on the University of Idaho campus at 735 Nez Perce Drive from approximately 9:00 p.m. on November 12 to 1:45 a.m. on November 13. Funke also estimated that at approximately, 1:45 a.m. Chapin and Kernodle returned to the King Road Residence. Funke also stated that Chapin did not live in the King Road Residence but was a guest of Kernodle.

Goncalves and Mogen were at a local bar, the Corner Club at 202 N. Main Street, in Moscow. Goncalves and Mogen can be seen on video footage provided by the Corner Club between 10:00 p.m. on November 12 and 1:30 a.m. on November 13th. At approximately 1:30 a.m. Goncalves and Mogen can be seen on video at a local food vendor called the "Grub Truck" at 318 S. Main Street in downtown Moscow. The Grub Truck live streams video from their food truck on the streaming platform Twitch which is available for public viewing on their website. This video was captured by law enforcement. A private party (Eric Grower) reported that he provided a ride to Goncalves and Mogen at approximately 1:56 a.m. from downtown Moscow (in front of the Grub Truck) to the King Road Residence.

Mortensen and Funke both made statements during interviews that indicated the occupants of the King Road Residence were at home by 2:00 a.m. and asleep or at least in their rooms by approximately 4:00 a.m. This is with the exception of Kernodle, who received a

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Doordash order at the residence at approximately 4:00 a.m. (law enforcement identified the DoorDash delivery driver who reported this information).

Mortensen stated she originally went to sleep in her bedroom on the southeast side of the second floor. Mortensen stated she was awoken at approximately 4:00 a.m. by what she stated sounded like Goncalves playing with her dog in one of the upstairs bedrooms, which were located on the third floor. A short time later, Mortensen said she heard who she thought was Goncalves say something to the effect of "there's someone here." A review of records obtained from a forensic download of Kernodle's phone showed this could also have been Kernodle as her cellular phone indicated she was likely awake and using the TikTok app at approximately 4:12 a.m.

Mortensen stated she looked out of her bedroom but did not see anything when she heard the comment about someone being in the house. Mortensen stated she opened her door a second time when she heard what she thought was crying coming from Kernodle's room. Mortensen then said she heard a male voice say something to the effect of "its ok, I'm going to help you."

At approximately 4:17 a.m., a security camera located at 1112 King Road, a residence immediately to the northwest of 1122 King Road, picked up distorted audio of what sounded like voices or a whimper followed by a loud thud. A dog can also be heard barking numerous times starting at 4:17 a.m. The security camera is less than fifty feet from the west wall of Kernodle's bedroom.

Mortensen stated she opened her door for the third time after she heard the crying and saw a figure clad in black clothing and a mask that covered the person's mouth and nose walking towards her. Mortensen described the figure as 5'10" or taller, male, not very muscular, but



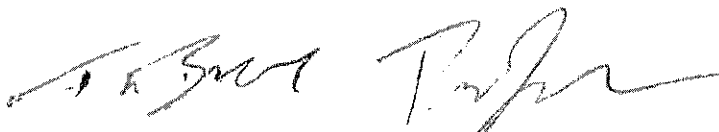
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athletically built with bushy eyebrows. The male walked past Mortensen as she stood in a “frozen shock phase.” The male walked towards the back sliding glass door. Mortensen locked herself in her room after seeing the male. Mortensen did not state that she recognized the male. This leads investigators to believe that the murderer left the scene.

The combination of Mortensen’s statements to law enforcement, reviews of forensic downloads of records from Funke and Mortensen’s phone, and video of a suspect video as described below leads investigators to believe the homicides occurred between 4:00 a.m. and 4:25 a.m.

During the processing of the crime scene, investigators found a latent shoe print. This was located during the second processing of the crime scene by the ISP Forensic Team by first using a presumptive blood test and then Amino Black, a protein stain that detects the presence of cellular material. The detected shoe print showed a diamond-shaped pattern (similar to the pattern of a Vans type shoe sole) just outside the door of Mortensen’s bedroom (located on second floor). This is consistent with Mortensen’s statement regarding the suspect’s path of travel.

As part of the investigation, an extensive search, commonly referred to in law enforcement as a “video canvass,” was conducted in the area of the King Road Residence. This video canvass was to obtain any footage from the early morning hours of November 13, 2022, in the area of the King Road Residence and surrounding neighborhoods in an effort to locate the suspect(s) or suspect vehicle(s) traveling to or leaving from the King Road Residence. This video canvass resulted in the collection of numerous surveillance videos in the area from both residential and business addresses. I have reviewed numerous videos that were collected and have had conversations with the other MPD Officers, ISP Detectives, and FBI Agents that are

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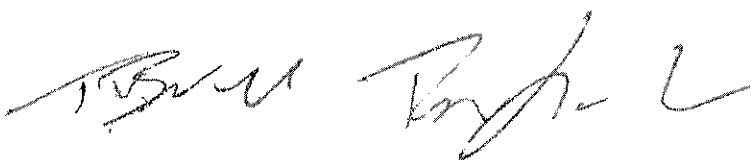
similarly reviewing footage that was obtained.

A review of camera footage indicated that a white sedan, hereafter "Suspect Vehicle 1", was observed traveling westbound in the 700 block of Indian Hills Drive in Moscow at approximately 3:26 a.m and westbound on Styner Avenue at Idaho State Highway 95 in Moscow at approximately 3:28 a.m. On this video, it appeared Suspect Vehicle 1 was not displaying a front license plate.

A review of footage from multiple videos obtained from the King Road Neighborhood showed multiple sightings of Suspect Vehicle 1 starting at 3:29 a.m. and ending at 4:20 a.m. These sightings show Suspect Vehicle 1 makes an initial three passes by the 1122 King Road residence and then leave via Walenta Drive. Based off of my experience as a Patrol Officer this is a residential neighborhood with a very limited number of vehicles that travel in the area during the early morning hours. Upon review of the video there are only a few cars that enter and exit this area during this time frame.

Suspect Vehicle 1 can be seen entering the area a fourth time a approximately 4:04 a.m. It can be seen driving eastbound on King Road, stopping and turning around in front of 500 Queen Road #52 and then driving back westbound on King Road. When Suspect Vehicle 1 is in front of the King Road Residence, it appeared to unsuccessfully attempt to park or turn around in the road. The vehicle then continued to the intersection of Queen Road and King Road where it can be seen completing a three-point turn and then driving eastbound again down Queen Road.

Suspect Vehicle 1 is next seen departing the area of the King Road Residence at approximately 4:20 a.m. at a high rate of speed. Suspect Vehicle 1 is next observed traveling southbound on Walenta Drive. Based on my knowledge of the area and review of camera footage



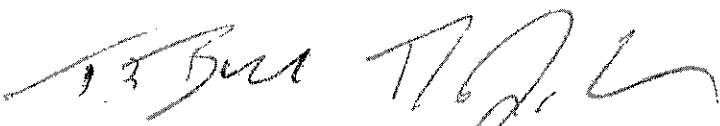
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in the neighborhood that does not show Suspect Vehicle 1 during that timeframe, I believe that Suspect Vehicle 1 likely exited the neighborhood at Palouse River Drive and Conestoga Drive. Palouse River Drive is at the southern edge of Moscow and proceeds into Whitman County, Washington. Eventually the road leads to Pullman, Washington. Pullman Washington is approximately 10 miles from Moscow, Idaho. Both Pullman and Moscow are small college towns and people commonly travel back and forth between them.

Law enforcement officers provided video footage of Suspect Vehicle 1 to forensic examiners with the Federal Bureau of Investigation that regularly utilize surveillance footage to identify the year, make, and model of an unknown vehicle that is observed by one or more cameras during the commission of a criminal offense. The Forensic Examiner has approximately 35 years law enforcement experience with twelve years at the FBI. His specific training includes identifying unique characteristics of vehicles, and he uses a database that gives visual queues of vehicles across states to identify differences between vehicles.

After reviewing the numerous observances of Suspect Vehicle 1, the forensic examiner initially believed that Suspect Vehicle 1 was a 2011-2013 Hyundai Elantra. Upon further review, they indicated it could also be a 2011-2016 Hyundai Elantra. As a result, investigators have been reviewing information on persons in possession of a vehicle that is a 2011-2016 white Hyundai Elantra.

Investigators were given access to video footage on the Washington State University (WSU) campus located in Pullman, WA. A review of that video indicated that at approximately 2:44 a.m. on November 13, 2022, a white sedan, which was consistent with the description of the White Elantra known as Suspect Vehicle 1, was observed on WSU surveillance cameras travelling north on southeast Nevada Street at northeast Stadium Way. At approximately 2:53



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a.m., a white sedan, which is consistent with the description of the White Elantra known as Suspect Vehicle 1, was observed traveling southeast on Nevada Street in Pullman, WA towards SR 270. SR 270 connects Pullman, Washington to Moscow, Idaho. This camera footage from Pullman, WA was provided to the same FBI Forensic Examiner. The Forensic Examiner identified the vehicle observed in Pullman, WA as being a 2014-2016 Hyundai Elantra.

At approximately 5:25 a.m., a white sedan, which was consistent with the description of Suspect Vehicle 1, was observed on five cameras in Pullman, WA and on WSU Campus cameras. The first camera that recorded the white sedan was located at 1300 Johnson Road in Pullman. The white sedan was observed traveling northbound on Johnson Road. Johnson Road leads directly back to West Palouse River Drive in Moscow which intersects with Conestoga Drive. The white sedan was then observed turning north on Bishop Boulevard and northwest on SR 270. At approximately 5:27 a.m., the White Elantra was observed on cameras traveling northbound on Stadium Way at Nevada Street, Stadium Way at Grimes Way, Stadium Drive at Wilson Road, and Stadium Way at Cougar Way.

Depiction showing Moscow and Pullman:



[Handwritten signature]

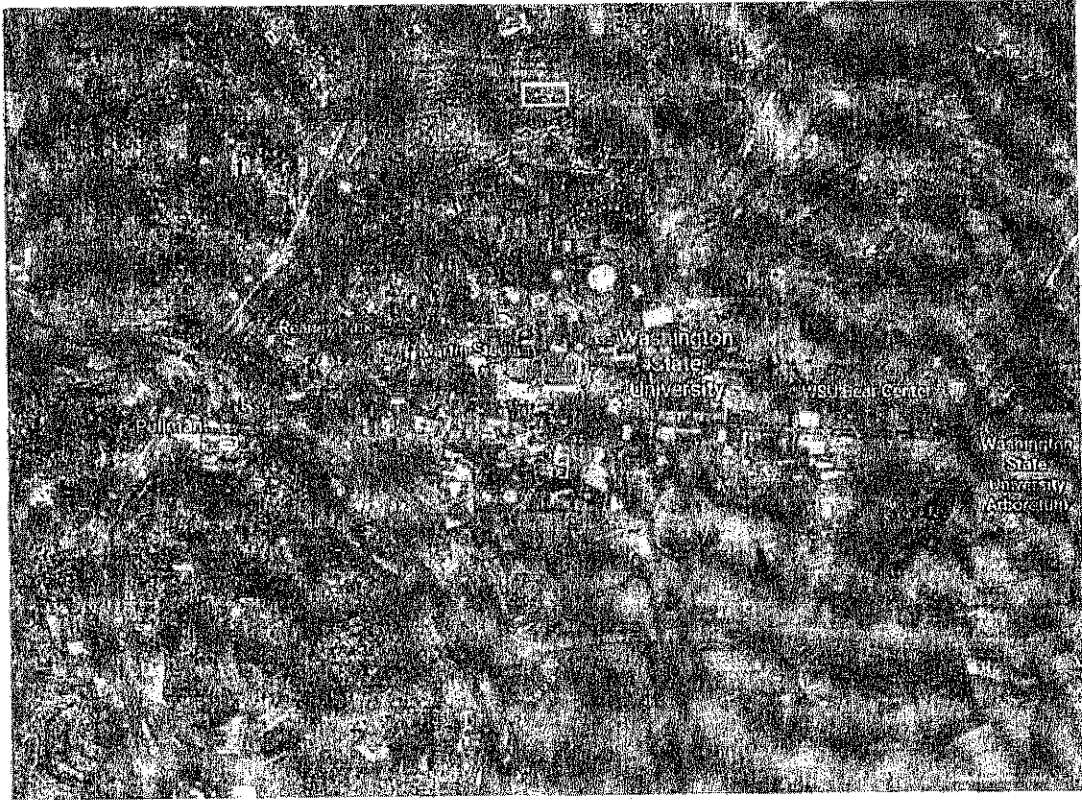
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Depiction showing White Elantra's path of travel:

Legend

- △ White Elantra seen leaving WSU Campus
- ▲ White Elantra seen Returning to WSU Campus
- 1630 NE Valley Road

Arrows are camera locations and indicate vehicle direction of travel



On November 25, 2022, MPD asked area law enforcement agencies to be on the lookout for white Hyundai Elantras in the area. On November 29, 2022, at approximately 12:28 a.m., Washington State University (WSU) Police Officer Daniel Tiengo, queried white Elantras registered at WSU. As a result of that query, he located a 2015 white Elantra with a Pennsylvania license plate LFZ-8649. This vehicle was registered to Bryan Kohberger hereafter "Kohberger" residing at 1630 NE Valley Road, Apartment 201, Pullman, Washington. 1630 NE Valley Road is approximately three-quarters of a mile from the intersection of Stadium Way and Cougar Way (last camera location that picked up the white Elantra).

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That same day at approximately 12:58 a.m., WSU Officer Curtis Whitman was looking for white Hyundai Elantra's and located a 2015 white Hyundai Elantra at 1630 NE Valley Road in Pullman in the parking lot. 1630 NE Valley Road is an apartment complex that houses WSU students. Officer Whitman also ran the car and it returned to Kohberger with a Washington tag. I reviewed Kohberger's WA state driver license information and photograph. This license indicates that Kohberger is a white male with a height of 6' and weighs 185 pounds. Additionally, the photograph of Kohberger shows that he has bushy eyebrows. Kohberger's physical description is consistent with the description of the male Mortensen saw inside the King Road Residence on November 13th.

Further investigation, including a review of Latah County Sheriff's Deputy Corporal (CPL) Duke's body cam and reports, showed that on August 21, 2022, Bryan Kohberger was detained as part of a traffic stop that occurred in Moscow, Idaho, by CPL Duke. At the time, Kohberger, who was the sole occupant, was driving a white 2015 Hyundai Elantra with Pennsylvania plate LFZ-8649 which was set to expire on November 30, 2022. During the stop, which was recorded via a law enforcement body camera, Kohberger provided his phone number as 509-592-8458, hereafter the "8458 Phone" as his cellular telephone number. Investigators conducted electronic database queries and learned that the 8458 Phone is a number issued by AT&T.

On October 14, 2022, Bryan Kohberger was detained as part of a traffic stop by a WSU Police Officer. Upon review of that body cam and report of the stop, Kohberger was the sole occupant and was driving a white 2015 Hyundai Elantra with Pennsylvania plate LFZ-8649.

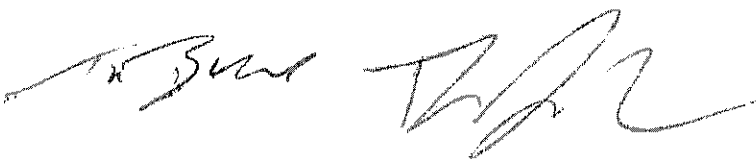
On November 18, 2022, according to WA state licensing, Kohberger registered the 2015 white Elantra with WA and later received WA plate CFB-8708. Prior to this time, the 2015 white

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Elantra was registered in Pennsylvania, which does not require a front license plate to be displayed (this was learned through communications with a Pennsylvania officer who is currently certified in the State of Pennsylvania). Based on my own experience and communication with Washington law enforcement, I know that Idaho and Washington require front and back license plates to be displayed.

Investigators believe that Kohberger is still driving the 2015 white Elantra because his vehicle was captured on December 13, 2022, by a license plate reader in Loma, Colorado (information provided by a query to a database). Kohberger's Elantra was then queried on December 15, 2022 by law enforcement in Hancock County, Indiana. On December 16, 2022 at approximately 2:26 p.m., surveillance video showed Kohberger's Elantra in Albrightsville, Pennsylvania. The sole occupant of the vehicle was a white male whose description was consistent with Kohberger. Kohberger has family in Albrightsville, Pennsylvania (learned through a TLO search and locate tool database query).

Based on information provided on the WSU website, Kohberger is currently a Ph.D Student in Criminology at Washington State University. Pursuant to records provided by a member of the interview panel for Pullman Police Department, we learned that Kohberger's past education included undergraduate degrees in psychology and cloud-based forensics. These records also showed Kohberger wrote an essay when he applied for an internship with the Pullman Police Department in the fall of 2022. Kohberger wrote in his essay he had interest in assisting rural law enforcement agencies with how to better collect and analyze technological data in public safety operations. Kohberger also posted a Reddit survey which can be found by an open-source internet search. The survey asked for participants to provide information to



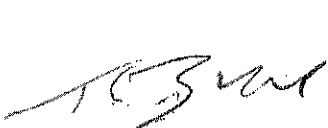

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“understand how emotions and psychological traits influence decision making when committing a crime.”

As part of this investigation, law enforcement obtained search warrants to determine cellular devices that utilized cellular towers in close proximity to the King Road Residence on November 13, 2022, between 3:00 a.m. and 5:00 a.m. After determining that Kohberger was associated to both the 2015 White Elantra and the 8458 Phone, investigators reviewed these search warrant returns. A query of the 8458 Phone in these returns did not show the 8458 Phone utilizing cellular tower resources in close proximity to the King Road Residence between 3:00 a.m. and 5:00 a.m.

Based on my training, experience, and conversations with law enforcement officers that specialize in the utilization of cellular telephone records as part of investigations, individuals can either leave their cellular telephone at a different location before committing a crime or turn their cellular telephone off prior to going to a location to commit a crime. This is done by subjects in an effort to avoid alerting law enforcement that a cellular device associated with them was in a particular area where a crime is committed. I also know that on numerous occasions, subjects will surveil an area where they intend to commit a crime prior to the date of the crime. Depending on the circumstances, this could be done a few days before or for several months prior to the commission of a crime. During these types of surveillance, it is possible that an individual would not leave their cellular telephone at a separate location or turn it off since they do not plan to commit the offense on that particular day.

On December 23, 2022, I applied for and was granted a search warrant for historical phone records between November 12, 2022 at 12:00 a.m. and November 14, at 12:00 a.m. for the

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8458 Phone held by the phone provider AT&T (approximately 24 hours preceding and following the times of the homicides).

On December 23, 2022, pursuant to that search warrant, I received records for the 8458 Phone from AT&T. These records indicated that the 8458 Phone is subscribed to Bryan Kohberger at an address in Albrightsville, Pennsylvania and the account has been open since June 23, 2022. These records also included historical cell site location information (CSLI) for the 8458 Phone. After receiving this information, I consulted with an FBI Special Agent (SA) that is certified as a member of the Cellular Analysis Survey Team (CAST). Members of CAST are certified with the FBI to provide expert testimony in the field of historical CSLI and are required to pass extensive training that includes both written and practical examinations prior to be certified with CAST as well as the completion of yearly certification requirements. Additionally, the FBI CAST SA that I consulted with has over fifteen years of federal law enforcement experience, which includes six years with the FBI. From information provided by CAST, I was able to determine estimated locations for the 8458 Phone from November 12, 2022, to November 13, 2022, the time period authorized by the court.

On November 13, 2022, at approximately 2:42 a.m., the 8458 Phone was utilizing cellular resources that provide coverage to 1630 Northeast Valley Road, Apt G201, Pullman, WA, hereafter the "Kohberger Residence." At approximately 2:47 a.m., the 8458 Phone utilized cellular resources that provide coverage southeast of the Kohberger Residence consistent with the 8458 Phone leaving the Kohberger Residence and traveling south through Pullman, WA. This is consistent with the movement of the white Elantra. At approximately 2:47 a.m. the 8458 Phone stops reporting to the network, which is consistent with either the phone being in an area without cellular coverage, the connection to the network is disabled (such as putting the phone in



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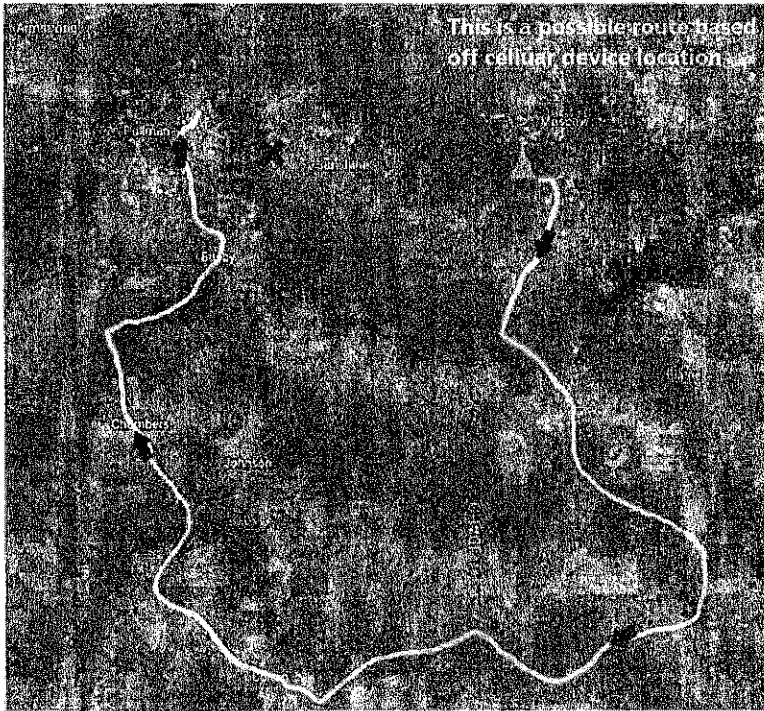
airplane mode), or that the phone is turned off. The 8458 Phone does not report to the network again until approximately 4:48 a.m. at which time it utilized cellular resources that provide coverage to ID state highway 95 south of Moscow, ID near Blaine, ID (town north of Genesee). Between 4:50 a.m. and 5:26 a.m., the phone utilizes cellular resources that are consistent with the 8458 Phone traveling south on ID state highway 95 to Genesee, ID, then traveling west towards Uniontown, ID, and then north back into Pullman, WA. At approximately 5:30 a.m., the 8458 Phone is utilizing resources that provide coverage to Pullman, WA and consistent with the phone traveling back to the Kohberger Residence. The 8458 Phone's movements are consistent with the movements of the white Elantra that is observed traveling north on Stadium Drive at approximately 5:27 a.m. Based on a review of the 8458 Phone's estimated locations and travel, the 8458 Phone's travel is consistent with that of the white Elantra.

Further review indicated that the 8458 Phone utilized cellular resources on November 13, 2022, that are consistent with the 8458 Phone leaving the area of the Kohberger Residence at approximately 9:00 a.m. and traveling to Moscow, ID. Specifically, the 8458 Phone utilized cellular resources that would provide coverage to the King Road Residence between 9:12 a.m. and 9:21 a.m. The 8458 Phone next utilized cellular resources that are consistent with the 8458 Phone traveling back to the area of the Kohberger Residence and arriving to the area at approximately 9:32 a.m.

Below is a depiction (not to scale) of the possible route taken based off of cellular site locations:

A handwritten signature in black ink, appearing to be 'T. W. B. W.', located at the bottom left of the page.

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Investigators found that the 8458 Phone did connect to a cell phone tower that provides service to Moscow on November 14, 2022, but investigators do not believe the 8458 Phone was in Moscow on that date. The 8458 Phone has not connected to any towers that provide service to Moscow since that date.

Based on my training, experience, and the facts of the investigation thus far, I believe that Kohberger, the user of the 8458 Phone, was likely the driver of the white Elantra that is observed departing Pullman, WA and that this vehicle is likely Suspect Vehicle 1. Additionally, the route of travel of the 8458 Phone during the early morning hours of November 13, 2022 and the lack of the 8458 Phone reporting to AT&T between 2:47 a.m. and 4:48 a.m. is consistent with Kohberger attempting to conceal his location during the quadruple homicide that occurred at the King Road Residence.

T. B. W. *T. B. W.*

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On December 23, 2022, I was granted a search warrant for Kohberger's historical CSLI from June 23, 2022 to current, prospective location information, and a Pen Register/Trap and Trace on the 8458 Phone to aid in efforts to determine if Kohberger stalked any of the victims in this case prior to the offense, conducted surveillance on the King Road Residence, was in contact with any of the victim's associates before or after the alleged offense, any locations that may contain evidence of the murders that occurred on November 13, 2022, the location of the white Elantra registered to Kohberger, as well as the location of Kohberger.

On December 23, 2022, pursuant to that search warrant, I received historical records for the 8458 Phone from AT&T from the time the account was opened in June 2022. After consulting with CAST SA, I was able to determine estimated locations for the 8458 Phone from June 2022 to present, the time period authorized by the court. The records for the 8458 Phone show the 8458 Phone utilizing cellular resources that provide coverage to the area of 1122 King Road on at least twelve occasions prior to November 13, 2022. All of these occasions, except for one, occurred in the late evening and early morning hours of their respective days.

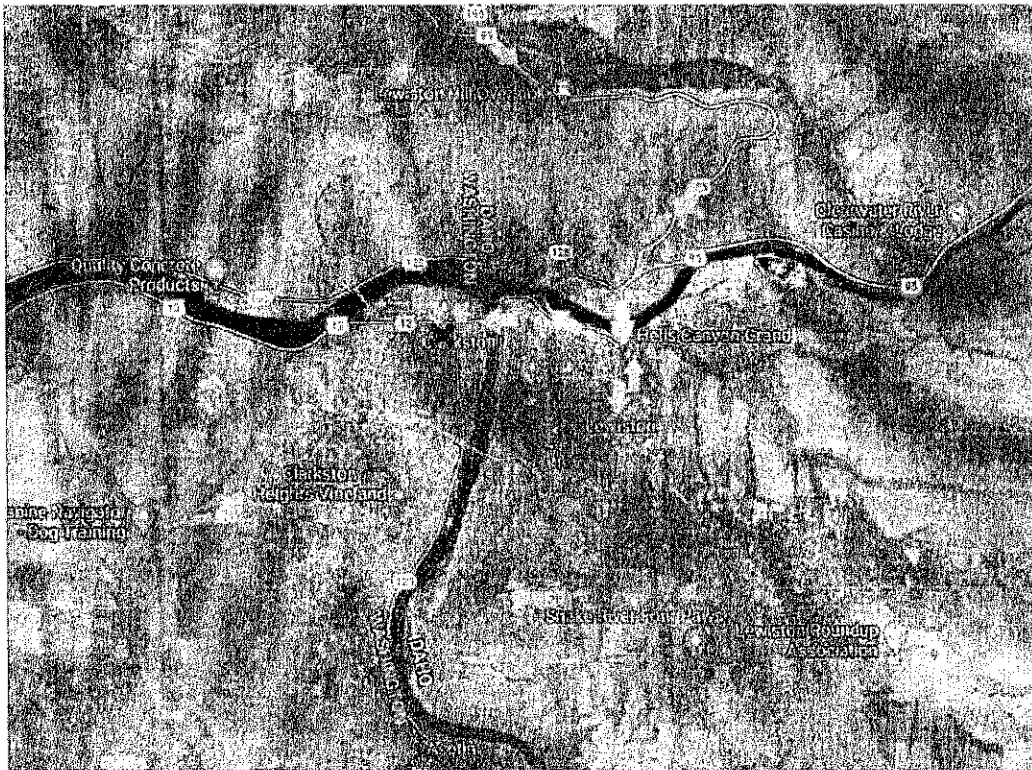
One of these occasions, on August 21, 2022, the 8458 Phone utilized cellular resources providing coverage to the King Road Residence from approximately 10:34 p.m. to 11:35 p.m. At approximately 11:37 p.m., Kohberger was stopped by Latah County Sheriff's Deputy Corporal Duke, as mentioned above. The 8548 Phone was utilizing cellular resources consistent with the location of the traffic stop during this time (Farm Road and Pullman Highway).

Further analysis of the cellular data provided showed the 8458 Phone utilized cellular resources on November 13, 2022, consistent with the Phone travelling from Pullman, Washington to Lewiston, Idaho via US Highway 195. At approximately 12:36 p.m., the 8458 Phone utilized cellular resources that would provide coverage to Kate's Cup of Joe coffee stand

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located at 810 Port Drive, Clarkston, WA. Surveillance footage from the US Chef's Store located at 820 Port Drive, Clarkston, WA and adjacent to Kate's Cup of Joe showed a white Elantra, consistent with Suspect Vehicle 1, drive past Kate's Cup of Joe at a time consistent with the cellular data from the 8548 Phone.

At approximately 12:46 p.m., the 8458 Phone then utilized cellular data in the area of the Albertson's grocery store at 400 Bridge Street in Clarkston, Washington. Surveillance footage obtained from the Albertson's showed Kohberger exit the white Elantra, consistent with Suspect Vehicle 1, at approximately 12:49 p.m. Interior surveillance cameras showed Kohberger walk through the store, purchase unknown items at the checkout, and leave at approximately 1:04 p.m. Kohberger's possible path of travel is depicted below (not to scale):



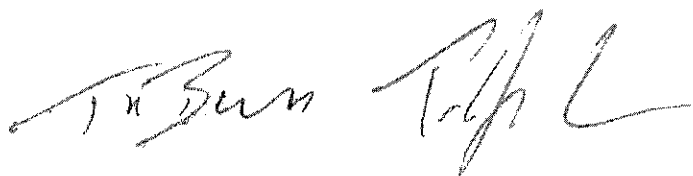
TRB *DR-2*

Additional analysis of records for the 8458 Phone indicated that between approximately 5:32 p.m. and 5:36 p.m., the 8458 Phone utilized cellular resources that provide coverage to Johnson, ID. The 8458 Phone then stops reporting to the network from approximately 5:36 p.m. to 8:30 p.m. That is consistent with the 8458 Phone being the area that the 8458 Phone traveled in the hours immediately following the suspected time the homicides occurred.

Based off the above information, I am seeking a search warrant for Kohberger's person and his parents' residence located at 119 Lamsden Drive, Albrightsville, PA, 18210. 119 Lamsden Drive, Albrightsville, PA is a single family, two-story residence white in color. There is a two-car garage located on the west side of the residence. This is the location Kohberger is currently believed to be at based off cellular phone data received in previous warrants. Based off information gathered during this investigation, it is believed Kohberger's mother Maryann Kohberger, Father Michael Kohberger, and sister Amanda Kohberger currently reside in the residence. In addition, I am seeking a warrant for all outbuildings and sheds located on the property.

It is also believed Kohberger's white Hyundai Elantra (Suspect Vehicle 1) is stored in the two-car garage on the west side of the residence. Based off the above facts, I am requesting a search warrant for Kohberger's white 2015 Hyundai Elantra bearing VIN number 5NPDH4AE6FH579860 for wherever it is found. The Hyundai Elantra is registered solely to Kohberger.

Based on my experience or the experience of investigators trained in forensic technology, I provide the following:



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Many electronic devices, particularly newer mobile devices and laptops, offer their users the ability to unlock the device through biometric features in lieu of a numeric or alphanumeric passcode or password. These biometric features include fingerprint scanners, facial recognition features, and iris recognition features. Some devices offer a combination of these biometric features, and the user of such devices can select which features they would like to utilize.

If a device is equipped with a fingerprint scanner, a user may enable the ability to unlock the device through his or her fingerprints. For example, Apple offers a feature called “Touch ID,” which allows a user to register up to five fingerprints that can unlock a device. Once a fingerprint is registered, a user can unlock the device by pressing the relevant finger to the device’s Touch ID sensor, which is found in the round button (often referred to as the “home” button) located at the bottom center of the front of the device. The fingerprint sensors found on devices produced by other manufacturers have different names but operate similarly to Touch ID.

If a device is equipped with a facial recognition feature, a user may enable the ability to unlock the device through his or her face. For example, this feature is available on certain Android devices and is called “Trusted Face.” During the Trusted Face registration process, the user holds the device in front of his or her face. The device’s front-facing camera then analyzes and records data based on the user’s facial characteristics. The device can then be unlocked if the front-facing camera detects a face with characteristics that match those of the registered face. Facial recognition features found on devices produced by other manufacturers have different names but operate similarly to Trusted Face.

If a device is equipped with an iris recognition feature, a user may enable the ability to unlock the device with his or her irises. For example, on certain Microsoft devices, this feature is



called "Windows Hello." During the Windows Hello registration, a user registers his or her irises by holding the device in front of his or her face. The device then directs an infrared light toward the user's face and activates an infrared-sensitive camera to record data based on patterns within the user's irises. The device can then be unlocked if the infrared-sensitive camera detects the registered irises. Iris recognition features found on devices produced by other manufacturers have different names but operate similarly to Windows Hello.

Users of electronic devices often enable the aforementioned biometric features because they are considered to be a more convenient way to unlock a device than by entering a numeric or alphanumeric passcode or password. Moreover, in some instances, biometric features are considered to be a more secure way to protect a device's contents. This is particularly true when the users of a device are engaged in criminal activities and thus have a heightened concern about securing the contents of a device.

As discussed in this affidavit, based on my training and experience I believe that one or more digital devices will be found during the search. The passcode or password that would unlock the device(s) subject to search under this warrant is not known to law enforcement. Thus, law enforcement personnel may not otherwise be able to access the data contained within the device(s), making the use of biometric features necessary to the execution of the search authorized by this warrant.

I also know from my training and experience, as well as from information found in publicly available materials including those published by device manufacturers, that biometric features will not unlock a device in some circumstances even if such features are enabled. This can occur when a device has been restarted, inactive, or has not been unlocked for a certain period of time. For example, Apple devices cannot be unlocked using Touch ID when (1) more

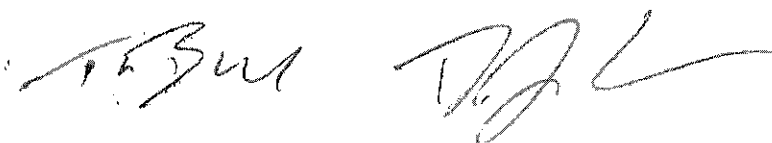


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than 48 hours has elapsed since the device was last unlocked or (2) when the device has not been unlocked using a fingerprint for 8 hours and the passcode or password has not been entered in the last 6 days. Similarly, certain Android devices cannot be unlocked with Trusted Face if the device has remained inactive for four hours. Biometric features from other brands carry similar restrictions. Thus, in the event law enforcement personnel encounter a locked device equipped with biometric features, the opportunity to unlock the device through a biometric feature may exist for only a short time.

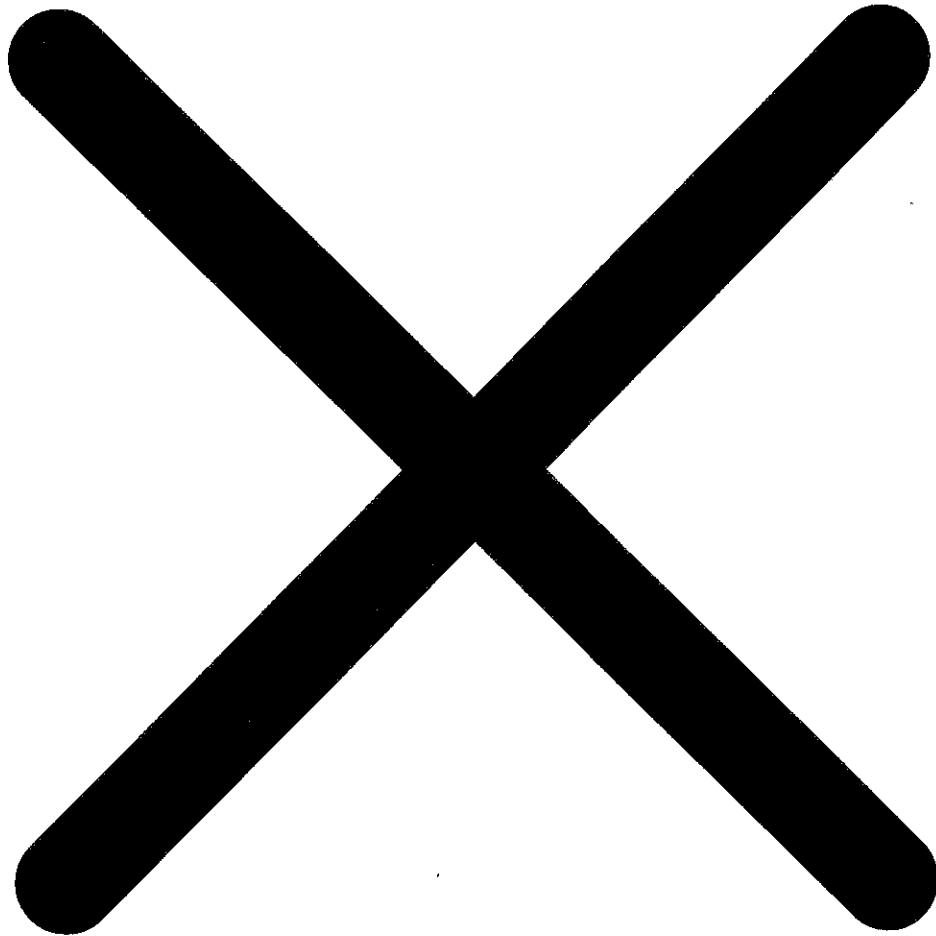
In my training and experience, the person who is in possession of a device or has the device among his or her belongings at the time the device is found is likely a user of the device. However, in my training and experience, that person may not be the only user of the device whose physical characteristics are among those that will unlock the device via biometric features, and it is also possible that the person in whose possession the device is found is not actually a user of that device at all. Furthermore, in my training and experience, I know that in some cases it may not be possible to know with certainty who is the user of a given device, such as if the device is found in a common area of a premises without any identifying information on the exterior of the device. Thus, it will likely be necessary for law enforcement to have the ability to require any individual, who is found at the Subject Premises and reasonably believed by law enforcement to be a user of the device, to unlock the device using biometric features in the same manner as discussed above.

Due to the foregoing, if law enforcement personnel encounter a device that is subject to seizure pursuant to this warrant and may be unlocked using one of the aforementioned biometric features, the warrant I am applying for would permit law enforcement personnel to (1) press or swipe the fingers (including thumbs) of any individual, who is found at the subject premises and



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reasonably believed by law enforcement to be a user of the device(s), to the fingerprint scanner of the device(s) found at the premises; (2) hold the device(s) found at the premises in front of the face to those same individuals and activate the facial recognition feature; and/or (3) hold the device(s) found at the premises in front of the face of those same individuals and activate the iris recognition feature, for the purpose of attempting to unlock the device(s) in order to search the contents as authorized by this warrant.



T. Bull *DR*

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