

FILED  
DEC 12 2006  
SPOKANE COUNTY DISTRICT COURT

THE DISTRICT COURT OF THE STATE OF WASHINGTON  
IN AND FOR THE COUNTY OF SPOKANE

STATE OF WASHINGTON,	)	<i>NO:</i>
<i>Plaintiff</i>	)	<b>AFFIDAVIT FOR SEARCH WARRANT</b>
<i>vs.</i>	)	<i>for evidence of:</i>
Richard and Theresa Kim	)	Homicide
18425 E. Eagle Ridge Ln.	)	
Spokane WA.	)	
	)	
<i>Defendant</i>	)	

**DETECTIVE DOUGLAS C. MARSKE**, being first duly sworn on oath, deposes and says:

(1) Background Of Affiant:

Detective Douglas C. Marske is a sworn deputy sheriff for the County of Spokane and has been employed in that capacity since May 1988. He has attended the Spokane Police Academy and has received training in all areas of law-enforcement including but not limited to homicide, assault, robbery, burglary, theft, possession of stolen property, fraud, forgery, money-laundering, criminal profiteering, and asset forfeiture. From December 1994 to August 1998 he was assigned to the Spokane Regional Drug Task Force to conduct drug investigations. He has received experience and training regarding manufacture, packaging, smell, growing, appearance, possession, sale, and methods of transporting and transferring of controlled substances, to include but not limited to marijuana, cocaine, prescription drugs, L S D, hashish, methamphetamine, and heroin. Currently assigned as a major crimes investigator Detective Marske's primary responsibility is to investigate crimes against persons. Detective Marske has prepared numerous search warrants, charging documents, probable cause affidavits and has participated in hundreds of investigations.

(2) Crime or Crimes Being Investigated: Homicide

### Circumstances Supporting Probable Cause:

On December 6, 2006 [REDACTED] called the Sheriff's Office and requested they conduct a welfare check on Teresa and Richard Kim at their residence of 18425 E. Eagle Ridge Lane, Spokane WA. [REDACTED] works with Teresa Kim, and Teresa did not show up for work at Rogers High School that morning. [REDACTED] also reported that Richard Kim did not show up for his work that morning at Apria Health Services. Richard and Teresa Kim have a son named Brian P. Kim 18 years of age. Brian Kim is a student at Mt. Spokane High School.

Deputies Smoldt, Sicilia and Spink responded to the check the welfare call. When Smoldt arrived he found that Richard Kim's co-workers were on scene checking on Richard Kim because he hadn't come to work that day. There was a cell phone in the driveway that appeared to have blood on it. They found tire tracks backed up to the front door of the residence. The tire tracks appeared to have been made by a Bobcat type vehicle. They found that all the doors to the residence were locked. That they spoke to Jessica Kim, the daughter of Richard and Teresa Kim and sister of Brian Kim. She told them that Brian Kim is Bi-Polar and was told by their parents that he had to move out after the first of the year.

Deputy Smoldt looked into the entryway foyer and saw blood on the floor. He also saw a bucket with a sponge in it.

Deputies Smoldt, Sicilia and Spink made forced entry into the house through a garage man door. Two vehicles were found in the garage. They were identified as the vehicles belonging to Richard and Teresa Kim. A department of licensing check showed that Brian Kim owns a red Chevrolet Sprint, Washington License 054 SNZ. This vehicle was not located at the residence.

The deputies found blood in the house in the foyer near the front door. They saw a bloody sweater and a bloody brown coat in this same area. They saw blood in the foyer closet, and shoes and other items appeared to have been removed from the closet in an attempt to clean up.

The deputies saw a gun safe in the master bedroom that had been forced open. They did not find Richard or Teresa Kim in the house. They observed a green metal outbuilding adjacent to the house. In the outbuilding they saw a bobcat vehicle. They made entry in to the outbuilding and found two deceased persons in the bucket of the bobcat.

Detective Sherar contacted Jessica Kim by phone. She stated that she had spoken to both her parents on December 5, 2006. That Brian Kim has an explosive temper and has directed it toward their parents in the past. Detective Dresback checked Brian Kim's criminal history and found a history of violence toward his parents.

Deputy Dan Sicilia spoke to [REDACTED]. [REDACTED] identified herself as Brian Kim's girlfriend. [REDACTED] stated that Brian Kim had picked her up for school at about 0800 hours on December 6, 2006. Brian Kim told her that his parents had gone out for a walk the night before and didn't return home. Kim told her that his parents had done this type of thing before.

Brian Kim and his vehicle were located at Mt. Spokane High School where he is a student. Kim has use of locker #1752 at the school as verified by school personnel.

Your affiant knows from training and experience that; trace evidence such as hairs, fibers, and fingernails are often found at the scene of crimes, and can be compared by laboratory personnel and assist in the identification of victims, suspects and potential witnesses; that bodily fluids such as blood and saliva are often found at the scene of homicides, and can be compared by laboratory personnel and assist in the identification of victims, suspects and potential witnesses; that clothing, jewelry and other articles that have been worn by the victim, suspects, or potential witnesses at the scene often contain trace evidence and bodily fluids; that fingerprints on articles can be compared by laboratory personnel and assist in the identification of victims, suspects and potential witnesses; that weapons or other articles that could have been used as weapons often are located at the scenes of homicides;

WHEREFORE, your affiant requests that a search warrant issue for the purpose of searching:

(x) PREMISES, described as follows: 18425 E. Eagle Ridge Ln. Spokane WA. Described as a yellow two story house with white trim and a green metal shop building located adjacent to the main house. Located in the County of Spokane, State of Washington, and any and all rooms, attics, basements and other parts therein, the surrounding grounds, any garages, storage rooms, trash containers and any outbuildings of any kind located thereon.

(x) LOCKER # 1752 located at Mt. Spokane High School: Currently used by Brian P. Kim.

(x) VEHICLES, described as follows: a red 1988 Chevrolet Sprint bearing Washington license 054SNZ registered to Brian P. Kim at 18425 E. Eagle Ridge Lane.

Any vehicles that can be specifically connected to an occupant or permanent resident of the location to be searched prior to searching said vehicle or vehicles, including but not limited to: Two vehicles belonging to Richard and Teresa Kim located in the garage of the residence.

(x) PERSONS, described as follows: Brian P. Kim. W/M DOB 5/9/1988

AND TO SEIZE:

Bodies believed to be those of Richard and Teresa Kim

Blood and bodily fluids and items containing blood and/or bodily fluids

Trace evidence including but not limited to hairs, fibers, fingernails and any other transferable materials that can assist in identification of the suspect.

Any fingerprints and or articles that could have fingerprints on them.

Shoe and tire impressions or any item containing shoe or tire impressions

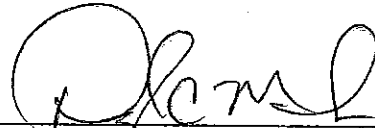
Clothing and jewelry.

Firearms, bullets, shell casings, weapons and/or other articles that could have been used as weapons.

Documents of indicia, including but not limited to identification, receipts, mailings, writings, and other items/articles that will assist in identifying the victim and individuals associated with the victim or suspect.

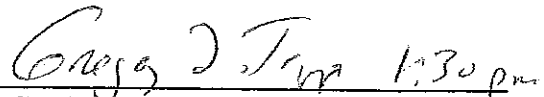
Digital media storage devices that could be used to store writings, and other items/articles that will assist in identifying the victim and individuals associated with the victim or suspect.

Any other evidence of homicide that can be readily identified as such at the time of the execution of the search warrant:



**DETECTIVE DOUGLAS C. MARSKE**  
**AFFIANT PEACE OFFICER**

Subscribed and sworn to before me this 6<sup>th</sup> day of December, 2006.



**JUDGE / COURT COMMISSIONER**  
**Spokane County District Court**

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SPokane COUNTY DISTRICT COURT

THE DISTRICT COURT OF THE STATE OF WASHINGTON  
IN AND FOR THE COUNTY OF SPOKANE

STATE OF WASHINGTON,  
*Plaintiff*

vs.

Richard and Theresa Kim  
18425 E. Eagle Ridge Ln.  
Spokane WA.

Defendant

)  
) NO.  
) SEARCH WARRANT  
) *for evidence of;*  
)  
) Homicide  
)  
)  
)  
)  
)

TO ANY PEACE OFFICER OF THE STATE OF WASHINGTON:

WHEREAS, Detective Douglas C. Marske has this day signed an affidavit on oath before the undersigned, a Judge or Court Commissioner of the District Court in and for the County of Spokane, swearing that he has reason to believe a crime has been or is being committed, to wit:  
Homicide

And that evidence of said felony is located:

(x) On the premises, located at: 18425 E. Eagle Ridge Ln. Spokane WA. described as a yellow two story house with white trim and a green metal shop building located adjacent to the main house. Located in the County of Spokane, State of Washington, and any and all rooms, attics, basements and other parts therein, the surrounding grounds, any garages, storage rooms, trash containers and any outbuildings of any kind located thereon.

(x) Upon locker # 1752 located at Mt. Spokane High School: Currently used by Brian P. Kim.

(x) Upon or in the vehicle(s), described as follows: a red 1988 Chevrolet Sprint bearing Washington license 054SNZ registered to Brian P. Kim at 18425 E. Eagle Ridge Lane. Any vehicles that can be specifically connected to an occupant or permanent resident of the location to be searched prior to searching said vehicle or vehicles, including but not limited to: Two vehicles belonging to Richard and Teresa Kim located in the garage of the residence.

(X) Upon the following person(s), : Brian P. Kim. W/M DOB 5/9/1988

WHEREAS, the undersigned finds that there is probable cause to believe said facts contained in the affidavit to be true, and that evidence of a crime is present in or on the above-described premises, vehicles or persons and that grounds for the issuance of a search warrant exist,

THEREFORE, in the name of the STATE OF WASHINGTON, you are hereby commanded within ten (10) days to

- (x) Enter onto the aforementioned premises
- (x) Enter into the aforementioned vehicles
- (x) Detained the aforementioned persons

With the necessary and proper assistance, and there diligently search the same for and seize:

Bodies believed to be those of Richard and Teresa Kim

Blood and bodily fluids and items containing blood and/or bodily fluids

Trace evidence including but not limited to hairs, fibers, fingernails and any other transferable materials that can assist in identification of the suspect.

Any fingerprints and or articles that could have fingerprints on them.

Shoe and tire impressions or any item containing shoe or tire impressions

Clothing and jewelry.

Firearms, bullets, shell casings, weapons and/or other articles that could have been used as weapons.

Documents of indicia, including but not limited to identification, receipts, mailings, writings, and other items/articles that will assist in identifying the victim and individuals associated with the victim or suspect.

Digital media storage devices that could be used to store writings, and other items/articles that will assist in identifying the victim and individuals associated with the victim or suspect.

Any other evidence of homicide that can be readily identified as such, at the time of the execution of the search warrant.

All of which are evidence of the commission, an attempt to commit, or a conspiracy to commit an offense under the Revised Code Of Washington: and to make a return of said warrant not later than three (3) days from date of execution of the search warrant to the undersigned Judge, showing all acts and things done thereunder with a written inventory of any properties taken and the name of the person or persons in whose possession the same were found. If no person is found in the possession of said property, the inventory shall so state.

The peace officer taking property under this warrant shall inventory the property in writing in the presence of the person from whose possession or premises the property is taken or in the presence of at least one other person other than the officer making the inventory of the evidence seized. This person may be another peace officer.

A copy of this warrant shall be served on the person or persons found in possession of the property described and those persons shall be given a receipt for the evidence seized. If no person is present, a copy of the warrant shall be left in the residence with a receipt for the evidence.

GIVEN UNDER MY HAND this 6<sup>th</sup> day of December 2006,

at 1:30 a.m./p.m.

George J. Tom  
JUDGE / COURT COMMISSIONER  
Spokane County District Court

The subject of the search warrant may request that a search warrant and accompanying papers not be filed. Unless there is an objection within seven days after execution of the search warrant, the search warrant and all accompanying papers will be filed and become available for public inspection.

The state objects to the filing of this search warrant and accompanying papers.

YES \_\_\_\_\_

NO  \_\_\_\_\_