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SUPERIOR COURT OF CALIFORNIA
COUNTY OF RIVERSIDE

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SUPERIOR COURT, STATE OF CALIFORNIA
COUNTY OF RIVERSIDE

People of the State of Calif

v.

Krista Faye McCary, DOB: 3/12/85

Case #: RIF 1101077

) Declaration in Support of Arrest Warrant

The undersigned, Greg Rowe, declares that he is a Detective with the Riverside Police Department.

On 05/1/2011, Riverside PD was dispatched to [REDACTED] in the City of Riverside, CA. Upon arrival Jeffrey Hall was found deceased on the couch with a gunshot wound to the left side of his head. There were five children, ages 10, 9, 7, 3 and 2 months, in the residence along with their mother, Krista McCary. Those subjects were removed from the residence and transported to the Magnolia Police Station for interviews.

Detective Roberta Hopewell conducted interviews with four of the five children (2 month old was not interviewed). During the interviews, three of the four children knew where Krista and Jeffrey kept their gun and the youngest S [REDACTED] (3 year old) knew the gun was in the house. The oldest child, J [REDACTED], admitted during the interview that he was tired of his dad hitting him and his mom. J [REDACTED] said he thought his dad was cheating on his mom and thought he might have to choose which person he would live with. J [REDACTED] told Detective Hopewell he knew his mom and dad had a gun and knew where they kept it. J [REDACTED] said he went into his mom and dad's closet. He got the gun, a Rossi .357 revolver, from a low shelf in the closet. J [REDACTED] said, "it was right there on the shelf". J [REDACTED] told Detective Hopewell that he went downstairs with the gun, pulled the hammer back, aimed the gun at his dad's ear while he was asleep and shot him. J [REDACTED] said he went upstairs and hid the gun under his bed.

Detective Hopewell asked S [REDACTED] (9 year old) about the guns that were in the house. S [REDACTED] described the gun as small and black. She said mom keeps it on the shelf behind the jewelry box. S [REDACTED] said all the kids knew where mom kept the gun. S [REDACTED] said mom had a small gun and dad had a big one (Rifle also found in the closet). S [REDACTED] said all the guns are kept in the closet. S [REDACTED] said she has been target practicing with mom and dad, but was told not to touch the gun.

Detective Hopewell talked to M [REDACTED] (7 year old) who said she knew mom had a gun in the house and dad had a gun. M [REDACTED] said mom kept the gun in her closet where the clothes, jewelry and other important stuff are. M [REDACTED] described the gun as black and silver. M [REDACTED] described the gun sitting on a low shelf. M [REDACTED] put her hand up to her forehead and said that was how high the shelf was. M [REDACTED] said dad had a big gun that she saw him shoot at target practice and that he keeps in the closet.

IMAGED

The residence at [REDACTED] was filthy. There was dirty clothing on the floors everywhere. You couldn't walk through the upstairs rooms without stepping on clothing on the floor. The bedrooms smelled like urine. The bedroom mattresses, pillows and blankets were stained and soiled. The floors were dirty and didn't appear to have been vacuumed in a long time. The bathrooms up stairs were also filthy.

Officers located the .357 Magnum revolver under a bed in [REDACTED] room. Officers also located an empty holster on the described lower shelf in the closet of the master bedroom. A bolt action rifle was also found in a locked case on a higher shelf in the closet. There were several edged weapons in the closet of the master bedroom that were also accessible to the children

The down stairs was very dirty, empty beer bottles around the area, a NSM (National Socialist Movement) flag and California Republic Flag were hanging in the living room. A .22 caliber rifle was located in the garage leaning against a wall, accessible to the children. The rifle was unloaded. There was an unlocked cabinet in the garage with ammunition approximately 10 feet from the rifle. The cabinet contained .22 caliber long rifle ammunition as well as several edged weapons that were accessible to the children.

I interviewed Krista about any abuse in the house against the children. Krista said Jeffrey has been violent with [REDACTED] and herself. Krista said Jeffrey kicks, hits and yells at [REDACTED] more than the other children. Krista said that Jeffrey did these things to punish [REDACTED]. Krista said [REDACTED] would get punished for being too loud or getting in Jeffrey's way. Krista said Jeffrey would get out of control when he punished [REDACTED] including punching and kicking him several times in the back. Krista said [REDACTED] would get punished on a daily basis, but not always with the extreme punching and kicking. Krista said Jeffrey would also punish the girls, but not like he would punish [REDACTED]. Krista said the girls would get yelled at, pushed and spanked by Jeffrey for their punishment.

I interviewed Krista about the weapons that were in the house. Krista said there were two guns that she knew of that were registered to Jeffrey (No registration located). Krista said there was a rifle that was kept somewhere in the closet and they also had a black revolver in a holster. Krista said the revolver was located on a lower shelf in the closet. Krista admitted that the revolver was on a low shelf where the kids had access to it. Krista said Jeffrey kept it there so he had access to it. Krista said she did not think the children knew where the gun was kept. I advised her that three out of the four children that were interviewed said they all knew where the gun was located and described its location. Krista said she had never seen her children playing with the gun, but said they must have saw it while playing in her closet. She said she tries to keep the closet door closed. Krista admitted the closet doesn't have a lock on it. I advised her that there was so much junk and clothes on the floor that I did not think the closet door could shut. Krista just acted surprised that the children knew about the gun. Krista said Jeffrey did bring the gun out occasionally and put it on the nightstand for protection. Krista said Jeffrey took [REDACTED] target shooting when they went on a border trip, so [REDACTED] knew how to shoot guns.

The conditions of the apartment were filthy and not sanitary for the four children and infant to live in. The residence was also unsafe with loaded weapons as well as edged weapons readily accessible to all the children. There appeared to be some abuse of the children by Jeffrey according to Krista, although there were no bruises found at the time of the interviews. There have been numerous contacts to this family by Child Protective Services (CPS), but most of the allegations were unfounded due to a bitter child custody dispute over [REDACTED] and [REDACTED] by Jeffrey's ex-wife.

Wherefore, declarant prays that an Arrest Warrant issue for the arrest, day or night, for Krista Faye McCary for 12035(b)(1) PC (Criminal Storage of firearms) and 273a PC (Child neglect). Description of Krista Faye McCary: Female, 5'03" tall, weight 200 lbs., Caucasian, brown hair, green eyes; DOB: 03/12/1985; Address: [REDACTED] Riverside, CA 92507.

LAW ENFORCEMENT:

I declare, under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: 05/11/11

Greg Rowe
Signature

Greg Rowe
Print Name

JUDICIAL OFFICER:

Approved Disapproved

Bail: \$25,000 Date: 5-17-2011

James T. Warren, Retired
Signature Setting by Allegiance

James T. Warren
Print Name