

Introduction to Factual Basis:

The scope of Joseph DeAngelo's crime spree is simply staggering, encompassing 13 known murders and almost 50 rapes between 1975-1986. His monikers reflect the sweeping geographical impact of his crimes – the Visalia Ransacker, the East Area Rapist, the Original Night Stalker and the Golden State Killer. Each time he escaped, slipping away silently into the night, leaving communities terrified for years. Pain followed wherever he went. For over 40 years, the biggest question remained unanswered – who was this serial killer and rapist?

Detectives from counties throughout the state poured endless resources into answering that one question. Even after retiring, detectives continued investigating a case that haunted them. Generations of detectives never gave up and neither did the prosecutors from those counties. Over time, DNA testing proved a connection between the murders of Lyman and Charlene Smith, Keith and Patrice Harrington, Manuela Witthuhn, Cheri Domingo, Greg Sanchez, and Janelle Cruz; and a connection to dozens of rapes in central and northern California. Based on DNA and circumstantial evidence, all were committed by the same person.

In June 2016, the Sacramento Sheriff's Office partnered with the FBI and other law enforcement agencies in offering a \$50,000 reward for information leading to the identification of this person. This announcement came at a press conference held 40 years after the first known rape in Sacramento.

Within a few months of that press conference, Sacramento District Attorney Anne Marie Schubert convened a meeting of all involved counties, including the Elected District Attorneys, asking each to dedicate more resources to answer that question.

In the fall of 2017, Contra Costa Assistant Chief Investigator Paul Holes asked District Attorney Schubert to assist in using a new DNA tool-investigative genetic genealogy-to possibly develop a lead in this case. Investigator Steve Rhodss of the Ventura County D.A.'s Office located an unopened sexual assault kit collected from the murders of Lyman and Charlene Smith, in which Charlene was sexually assaulted.

In January of 2018, semen from the vaginal sample in Charlene's kit was used to develop a specialized DNA profile intended for investigative genetic genealogy. That DNA profile was then uploaded to a publicly available genetic genealogy database where a list of names of potential relatives of the killer was provided. No DNA or other genetic information from these potential relatives was shared with law enforcement.

A working group comprised of Paul Holes, Steve Kramer, Division Counsel from the LA field Office of the FBI, Genealogist Barbra Rae Venter, and Sacramento District Attorney's Office Lt. Kirk Campbell and Investigative Assistant Monica Czajkowski began the laborious process of building family trees. On 3/18/18, Sacramento D.A. Investigative Assistant Czajkowski notified the team, "we just found another guy..." and the answer to the one question that had gone unanswered for over 40 years revealed itself. This investigation revealed the following about Joseph DeAngelo:

- DeAngelo grew up in Rancho Cordova;
- DeAngelo served in the military;
- DeAngelo was engaged to a woman named “Bonnie” (a name uttered by the killer to his victims)
- DeAngelo had been employed as a police officer near Visalia during the Ransacking series;
- DeAngelo left Tulare County after the Officer McGowan shooting;
- DeAngelo then worked as an Auburn Police Officer during the same time period as the East Area Rapist series but was fired after shoplifting dog repellent and a hammer;
- DeAngelo then moved to Southern California before returning to Sacramento.

The Sacramento Sheriff’s Department began following Joseph DeAngelo, as he rode his motorcycle on the freeway, weaving through traffic at high speeds and using counter surveillance techniques. On April 23, 2018, using an empty garbage truck, detectives collected trash discarded by Joseph DeAngelo from his garbage can, which was placed on the public street for collection. The Sacramento County District Attorney Crime Lab tested tissue found in that trash and developed a DNA profile that matched not only the Defendant but also matched the DNA profile of the perpetrator in three Contra Costa rapes and eight murders in Southern California. On April 24, 2018, Joseph DeAngelo was arrested while standing on the driveway of his residence in Citrus Heights.

Detectives interviewed the defendant after his arrest, confronting him with the sexual assaults in the East Area Rapist series and the murders of Brian and Katie Maggiore. They mentioned the overwhelming DNA evidence against him for the murder of Lyman and Charlene Smith in Ventura and Cheri Domingo and Greg Sanchez in Santa Barbara.

When the detectives left him alone in the room, Joseph DeAngelo knew he had been caught. So, he decided to do the same thing he had done 39 years prior when store security stopped him for shoplifting dog repellent and a hammer. In 1979, he fought with security and tried to run away. They tied him to a chair and he pretended to have a heart attack. When the deputies arrived, he started rolling around in his chair, talking in circles and screaming incoherent comments. DeAngelo then asked to speak to the deputies privately, telling them that he was an Auburn Police Officer and admitted that he just pretended to act crazy to avoid getting in trouble.

Sitting alone in the interview room on April 24, 2018, Joseph DeAngelo started talking to himself and said, “I did all that... I didn’t have the strength to push him out. He made me. He went with me. It was like, in my head, I mean, he’s a part of me. I didn’t want to do those things. I pushed Jerry out and had a happy life. I did all those things. I’ve destroyed all their lives ... I raped. So now I gotta pay the price.”

So today, 45 years after the defendant’s crime spree began, the People and the defendant are prepared to proceed to a resolution of these cases.

Factual Basis: Count 1 (Claude Snelling); and uncharged kidnapping of Beth Snelling

Claude Snelling was a Journalism Professor at the College of the Sequoias in 1975 and the father of 16-year-old Beth Snelling who had become a target of the Visalia Ransacker in the weeks and months leading up to September of 1975.

Around 2:20 am on **September 11, 1975**, Beth Snelling woke up to a man covering her nose and mouth with his hand whispering in a low raspy voice, “You are coming with me. Don’t scream or I’ll stab you.” The man then pulled Beth from her bedroom using his right hand and pulled a revolver from his back using his left hand. She described the man as a 5’8” to 5’11” tall white male adult with a stocky build and round face, wearing a ski mask with the eyes and nose cut out. Joseph DeAngelo was 5’11”, weighed 205 pounds and was left handed. DeAngelo took Beth from her bedroom into the family room where he pointed the revolver at her and said, “Don’t scream or I’ll shoot you.” DeAngelo forced Beth from the residence using the rear door located between the kitchen and the family room.

At this point Beth heard her father, Claude Snelling, yell out “Hey” and begin running towards her and DeAngelo. Beth witnessed DeAngelo shoot her father twice from a distance of ten feet using his left hand to shoot. DeAngelo then turned, pointed the revolver in the direction of Beth, and kicked her in the face three times before running out of the family’s back yard.

A bullet was collected from Claude Snelling during the autopsy which matched bullets fired from a .38 Miroku revolver stolen from Patrick Mono August 31, 1975, during a prior ransacking. Mr, Mono identified DeAngelo from a photo stack in 2018, from a face-to-face contact with DeAngelo when Mono caught and chased DeAngelo during a prowling incident at Mono’s residence, which occurred on November 23, 1975.

Beth Snelling also identified DeAngelo from a photo stack in 2018, from an incident when she observed his face peeking into her bedroom window approximately one month prior to the murder of her father. Five other witnesses also identified DeAngelo in 2018 from photo stacks based on individual face-to-face contact with DeAngelo during prowling and ransackings events from 1975.

Factual Basis: Counts 2 & 3 (Brian and Katie Maggiore)

Brian Maggiore was stationed at Mather Air Force Base and had recently married Katie. Shortly after **9:00 pm on 2/2/78 (Thursday)**, they took their dog for a walk eastbound on La Alegria Drive, which was in the City of Rancho Cordova and the County of Sacramento. Twelve homes in the immediate area reported incidents in the days leading up to February 2nd that were classic East Area Rapist prowling activities. This area was within a mile of multiple E.A.R. sexual assaults.

Around 9:00 pm, 17-year old Benny P. was jogging northbound on West La Loma. He saw Brian and Katie walking west on La Alegria with their dog towards him. Benny described seeing a white male, wearing a brown padded jacket hiding in the dark near some bushes in front of a house on the opposite side of the street. Benny kept jogging north. As Brian and Katie continued walking they would have encountered this white male.

Minutes later, Brian and Katie Maggiore ended up in the backyard of a home located on La Gloria Way being chased by the defendant, Joseph DeAngelo.

13-year old David K. was hanging out on the second floor of his home when he heard a gunshot. Looking out his 2nd story window into his backyard, he saw Joseph DeAngelo run across an opening where the fence had fallen because of a recent storm into his neighbor's yard, which was located on La Alegria Way. The defendant fired his handgun as he ran towards the patio area where he fired another shot that struck Brian. The bullet entered Brian's upper chest and tore through his trachea before entering the spinal canal and exiting the body. When the defendant fired this fatal shot, he did so unlawfully and with malice aforethought. The defendant's decision to kill Brian Maggiore was willful, deliberate and premeditated as evidenced by his pursuit of the victims, the defendant firing multiple shots as he pursued them, and his choice to target vital parts of Brian's body to hit.

While her husband was being murdered, Katie Maggiore fled down the east side of the house. Nicholas O., who was the homeowner heard a woman screaming "Help me! Help me!" Katie reached the side gate, but it was locked. As she frantically tried to escape, the defendant caught up and shot Katie from behind to the top of her head. When the defendant fired this fatal shot, he did so unlawfully and with malice aforethought. The defendant's decision to kill Katie Maggiore was willful, deliberate and premeditated as evidenced by the fact that he had already killed Brian, but he chose to also pursue and eliminate the only remaining person who had seen him. Joseph DeAngelo made the cold and calculated decision to kill Katie and chose to do so by selecting a fatal location to shoot, the top of her head.

Pre-tied shoelaces were found just a few feet away from Brian Maggiore's body. Nicholas O. told the deputies that the shoelaces did not belong to him. These shoelaces, which had been dropped were pre-tied with a granny knot allowing for quick cinching. Shoelaces using the same knots were used in many of the East Area Rapist incidents.

Factual Basis: Counts 4 & 5 (Dr. Debra Manning and Dr. Robert Offerman)

On the weekend of December 29-30, 1979, Debra Manning was staying at Robert Offerman's condominium located in the City of Goleta, in the County of Santa Barbara. Debra and Robert had planned a tennis match with friends on the morning of December 30, 1979. Their friends, William and Joan O. arrived at the Offerman residence at approximately 11:07 a.m., and there was no answer at the door. William found an open sliding glass door leading into the living room. He entered the home and discovered Debra and Robert in the bedroom, deceased.

In the early morning hours of December 30, 1979, the defendant, Joseph DeAngelo climbed a fence and entered the backyard/patio area of Robert's condominium. The defendant peered into a bedroom window where he could easily see down the hallway and into the master bedroom where Robert and Debra lie asleep in bed. The defendant then pried open the rear sliding glass door that led into the living room. When the defendant entered the locked Offerman home, he did so with the intent to rape and murder Debra Manning, to murder Robert Offerman, and to take items from the home.

The defendant found Robert and Debra asleep in bed. He tied both their wrists with white nylon cord. He inserted his penis into Debra's vagina without her consent and raped her. After raping her, the defendant fired his handgun into the back of Debra's head. The bullet entered the back of her head and lodged in her brain. The defendant left Debra lying face down on the bed, with her arms behind her back, and her wrists bound with the white nylon cord. When the defendant fired this fatal shot, he did so unlawfully and with malice aforethought. The defendant's decision to kill Debra Manning was willful, deliberate and premeditated as evidenced by him firing his handgun at a vital part of Debra's body as she lay with her hands bound.

Robert was able to remove the bindings from his wrists and stood to confront the defendant. The defendant fired his handgun four times at Robert. Three bullets hit Robert. The first struck his lower neck and upper right chest and exited through his upper right back. As he started to fall, a second bullet struck Robert in the upper left chest area, lacerating the aorta, penetrating the right lung and lodged in the right side of his chest. This was a lethal wound. A third bullet struck him in the left lower back area and exited through his left buttocks. The defendant fired a fourth bullet but missed Robert and it lodged in the clothes dresser. Robert was found on the floor of the master bedroom with the nylon cord clutched in his left hand. When the defendant fired at Robert he did so unlawfully and with malice aforethought. The defendant's decision to kill Robert Offerman was willful, deliberate and premeditated as evidenced by firing multiple gunshots at vital parts of Robert's body.

MURDER OF CHARLENE AND LYMAN SMITH
Factual Basis: Counts 8 and 9, Ventura County, March 13, 1980

On March 16, 1980, 43-year-old Lyman Smith, a former Deputy District Attorney for the County of Ventura, and his 34-year-old wife, Charlene Smith, were found tied up, bloody, and dead in their bed, at their home located at 573 High Point Drive, Ventura. They were last known to be alive the evening of March 13th, when Charlene Smith had a conversation with her former mother-in-law, Isabelle, about getting ready for dinner and taking the children skiing. Isabelle said Charlene sounded the happiest she had ever heard her.

Three days later, on the afternoon of Sunday, March 16, 1980, Lyman Smith's 12-year-old son, Gary, rode his bike to his father's and stepmother's home to do chores. He knocked on the door, got no answer, and then entered through the unlocked front door. Gary saw couch cushions on the floor in the living room. Drawers were opened, and the Smiths' normally well-kept home had been ransacked or, as Gary described it, "made to look as though it had been ransacked." A carton of milk and box of crackers were left out and open. Dirty dishes and a knife were on the counter, near the sink. Gary walked to the master bedroom, where an alarm clock was still beeping. There, he found his father and stepmother, bloody and still, lying underneath the bed covers. Young Gary called police, and then he waited outside for them to come.

A massive investigation led by the Ventura Police Department, which later included the Ventura Sheriff's Office, the Ventura County District Attorney's Bureau of Investigation, and the Federal Bureau of Investigation, has determined that this defendant entered and burglarized the home of Lyman and Charlene Smith in the late night hours of March 13, 1980. The defendant accosted the Smiths in their bedroom, and either he tied Lyman Smith's wrists together behind his back and his ankles together with drapery cord, or he forced Charlene Smith to do so. The defendant then tightly tied Charlene Smith's wrists behind her back, and at some point tied her ankles together, also with drapery cord. That night, with her husband tied up, the defendant raped Charlene Smith, against her will, by means of force, violence, duress, menace, and fear of unlawful bodily injury to herself and her husband. The defendant left his semen inside of Charlene's vagina, a sample of which was collected during her autopsy. The defendant ransacked the Smiths' home, and he stole jewelry Charlene was known to wear.

During his commission of burglary that night, the defendant murdered Lyman Smith while Mr. Smith was lying face down, nude, on the right side of the master bed. This murder was

willful, premeditated, deliberate, and committed with malice aforethought. Both of Mr. Smith's wrists and ankles were still bound, his wrists tied behind his back, unable to move. The defendant struck Mr. Smith with a log of firewood, causing blunt force injuries to the back, right portion of his head, with a depressed skull fracture and extensive tearing of the scalp. Mr. Smith also suffered at least one massive blow to his left leg.

During his commission of burglary, and during his commission of or immediately after the rape of Mrs. Smith, the defendant also willfully, with premeditation, deliberation, and malice aforethought, murdered her, while she was lying in bed next to her husband, nude from the waist down. Charlene's wrists and ankles were still bound, her wrists tied behind her back. The defendant struck Mrs. Smith with the same log of firewood he used to murder her husband, causing extreme subdural hemorrhaging and tearing of her scalp, and a massive depressed skull fracture across the base of her skull.

The defendant left his murder weapon, the wood log, laying on the bed near the victims' feet, atop the covers. Similar logs of firewood were stacked outside the North wall of the Smiths' home, just a few feet away from their master bathroom window, which gave a clear view into their bedroom.

The semen detected from the vaginal swab collected during the autopsy was analyzed for DNA. A single source DNA profile was generated from the sperm cell fraction of this vaginal swab. This DNA profile is identical to the DNA profile of the defendant, Joseph DeAngelo. The probability that another person randomly selected from the population will have the same DNA profile is approximately 1 in 4.7 octillion (4.7×10^{27}) Caucasians, 1.5 octillion (1.5×10^{27}) Hispanics and 1.1 nonillion (1.1×10^{30}) African Americans.

Factual Basis: Counts 10 & 11 (Patrice and Keith Harrington)

Keith and Patrice Harrington lived in a gated community in Dana Point, Orange County, California. The property was owned by Keith's father, Roger Harrington. Keith was a 24-year-old, fourth-year medical school student. Patrice was a 28-year-old pediatric trauma nurse. They were newlyweds, having been married only three months.

On Tuesday, 8/19/80, Roger spent all day at Keith and Patrice's home installing a sprinkler system. Roger left the house at 6:00 p.m. At 11:00 p.m., Patrice's sister called. Patrice told her sister that she and Keith were already in bed. The call lasted approximately five minutes.

Between the evening hours of 8/19/80 and 8/21/80 at 6:30 p.m., Joseph DeAngelo unlawfully entered the Harrington residence with the intent to rape Patrice Harrington, to kill both Patrice and Keith Harrington, and to steal from them. DeAngelo bound the wrists and ankles of both and raped Patrice. DeAngelo then murdered both Keith and Patrice in the First Degree by bludgeoning each of them multiple times in the head. Both Patrice and Keith died from brain contusions due to massive skull fractures and blunt force trauma to the head.

DeAngelo's decision to kill Patrice and Keith Harrington was willful, deliberate and premeditated, as evidenced by the nature and extent of the fatal injuries inflicted and the fact that the defendant, at the time, had already committed numerous other killings in a similar fashion. DeAngelo's intent to steal and rape also was demonstrated by evidence found at the scene and the fact that he already had committed a very large number of rapes and thefts in a similar manner.

On Thursday, 8/21/80 at 6:30 p.m., Roger returned to the residence and found Keith and Patrice in their bed – murdered. Their bodies were face down on the bed, covered with a comforter. Patrice was wearing a robe and Keith was nude. Pieces of brown cord were located on the bed. A small, knotted piece of brown rope was located on the bedroom floor. Ligation marks were observed on the wrists of both bodies and on the ankles of Patrice's body. A slight mark was on Keith's ankle. Patrice slept with her small baby blanket, which was found between Keith and Patrice's murdered bodies. Patrice's purse was observed open in the kitchen. Pieces of bread were found on the counter.

Semen stains were noted on the back of Patrice's right leg and on the comforter. Vaginal swabs from Patrice also were collected. A mixture of DNA consistent with one foreign major contributor and one minor contributor (Keith Harrington) was generated from the sperm fraction of the vaginal swab.

On March 12, 2020, a buccal swab was obtained from the defendant, Joseph DeAngelo. The DNA profile from Joseph DeAngelo matches the foreign major DNA profile from the sperm fraction. The probability of choosing an individual, at random, who could be the foreign major contributor is more rare than one in one trillion unrelated individuals.

Factual Basis: Count 12 (Manuela Witthuhn)

Manuela Witthuhn lived with her husband David Witthuhn in an upper-middle class community in Irvine, Orange County, California. She was 28 years old.

On February 1, 1981, David was admitted to the hospital due to a stomach virus. On February 5, 1981, Manuela had dinner at her parents' house, visited David at the hospital, and went home. David called Manuela at approximately 11:00 p.m. to make sure she got home safely. That was the last time he spoke to her. David was to be released from the hospital the next day. Manuela told her neighbors that she was sleeping in a sleeping bag because she was cold without David there, and was excited for him to come home.

After Manuela had gone to bed that night, she was attacked by Joseph DeAngelo, who had unlawfully entered her residence with the intent to rape her, kill her, and steal from her. DeAngelo bound her wrists and ankles and raped her. DeAngelo murdered her in the First Degree by bludgeoning her multiple times in her head causing cerebral contusions and hemorrhage due to depressed skull fractures. DeAngelo's decision to kill Manuela Witthuhn was willful, deliberate and premeditated as evidenced by the nature and extent of the fatal injuries inflicted and the fact that the defendant, at that time, already had committed numerous other killings in a similar fashion. DeAngelo's intent to steal and rape also was demonstrated by evidence found at the scene and the fact that he already had committed a very large number of rapes and thefts in a similar manner.

David unsuccessfully attempted to contact Manuela the morning of February 6, 1981. He became worried and called Manuela's father who called Manuela's mother. Manuela's mother went to the Witthuhn home and found her daughter murdered, face down on the bed. Her body was partially inside her sleeping bag and she was wearing only a bathrobe. There were ligature marks on her wrists and ankles. There was vomit on the bed and bruising on her body. DeAngelo had removed the bindings and had taken them from the scene.

Jewelry and other items were missing from the residence, as well as the lamp next to her bed. The answering machine cassette tape was stolen from the answering machine.

Semen was found on Manuela's vaginal samples, bathrobe and sleeping bag. A partial DNA profile was generated from the sperm fraction of the vaginal sample.

On March 12, 2020, a buccal swab was obtained from the defendant Joseph DeAngelo. The DNA profile from DeAngelo matches the partial DNA profile from the sperm fraction of the vaginal sample from Manuela Witthuhn. The probability of choosing an individual, at random, who could be the source of the DNA obtained from this sperm fraction is more rare than one in one trillion unrelated individuals.

Factual Basis: Count 13 (Janelle Cruz)

Janelle Cruz was 18 years old and lived with her mother, stepfather and 6-year-old brother in the Northwood Village Community of Irvine, Orange County, California.

On 5/4/86, her family had left for a vacation in Mexico, but Janelle remained home. A male friend from work visited her that evening, as she was afraid to be alone. He left her house at approximately 11:00 p.m. Prior to leaving, both he and Janelle heard noises outside her house. They did not see anyone and ultimately attributed the noises to either a cat or the washer or dryer.

Between 5/4/86 and 5/5/86, Joseph DeAngelo unlawfully entered the Cruz residence with the intent to bind Janelle's wrists and ankles, rape Janelle, kill her, and steal. DeAngelo attacked her, beat her, and raped her. He murdered her in the First Degree by bludgeoning her multiple times in her face and head, causing subdural hemorrhage with cerebral lacerations, due to crushing skull fractures.

DeAngelo's decision to kill Janelle Cruz was willful, deliberate and premeditated as evidenced by the nature and extent of the fatal injuries inflicted and the fact that the defendant, at the time, already had committed numerous other killings in a similar fashion. DeAngelo's intent to rape and steal also was demonstrated by evidence found at the scene and the fact that he already had committed a very large number of rapes and thefts in a similar manner.

In the afternoon of May 5, 1986, a real estate agent, who had listed the Cruz' home for sale, found Janelle's murdered body lying face up in her bed and summoned the police. Her head, neck, and the upper portion of her torso were covered with a comforter. She was brutally beaten. She suffered numerous lacerations and contusions to her face and head. She had bruising to her eyes, nose, and lips. Three of her teeth had been knocked out and she had swallowed a significant amount of blood. There was a wound near her right wrist. Blue fiber was observed between the fingers of her right hand, on the inside of her right forearm, on the palm of her left hand, on her upper left hand, and on her outer left forearm.

Dr. Richards, the Autopsy Surgeon, advised that the weapon used to murder Janelle would be something similar to the size of a hammer, however, not necessarily a hammer. A pipe wrench which belonged to the Cruz family was stolen. The wrench was last seen on the ground in their backyard a few days prior to Janelle's murder.

Semen was located between Janelle's upper legs and around her buttocks. Vaginal swabs from Janelle also were collected during the autopsy. A mixture of DNA consistent with one foreign male contributor and a female contributor (Janelle Cruz) was generated from the sperm fraction of the vaginal swab.

In December of 1996, the Orange County Sheriff's Crime Laboratory established DNA matches to the Harrington, Witthuhn and Cruz cases. In 1998, the Orange County Sheriff's Crime Lab matched all Orange County cases to Ventura's case. In June of 2001, again, the same laboratory confirmed that the DNA from the Contra Costa rape cases matched to the Orange County and Ventura rape/murders. In April of 2011, the California Department of Justice conducted additional DNA testing on Santa Barbara's Domingo/Sanchez murder case. DOJ uploaded the DNA from the Santa Barbara case into the CODIS database; the results of which linked the DNA from the Santa Barbara murder case to the Contra Costa, Orange County, and Ventura cases.

On March 12, 2020, a buccal swab was taken from the defendant, Joseph DeAngelo. The DNA profile from Joseph DeAngelo matched the DNA to the foreign male contributor from the sperm fraction. The probability of choosing an individual, at random, who could be a possible contributor is more rare than one in one trillion unrelated individuals.

Factual Basis: Count 14, Jane Doe # 1/Patricia Doe

On the evening of **September 4, 1976**, Jane Doe #1/Patricia Doe went to her parent's residence located on Crestview Drive in the City of Carmichael and the County of Sacramento.

The victim went to her parent's residence to do some laundry. At approximately 11:15 pm, she loaded the clean clothes into her car that was parked on the street in front of the residence. After placing the laundry inside the car, she turned around and was suddenly confronted by Joseph DeAngelo, who told her, "don't you scream!" DeAngelo immediately punched her in the face and broke her nose. After the victim fell to the ground, the defendant dragged her to the side yard of the residence, which was not within view of the street. At this point, DeAngelo forced her face down onto the ground and tied her hands behind her back with some shoelaces that he had brought with him. At knife point, DeAngelo led her into the residence while threatening to slit her throat. He said, "All I want is your car so I can get to Bakersfield."

Joseph DeAngelo unlawfully kidnapped and carried the victim away with the intent to commit robbery within the meaning of Penal Code section 209 and used a knife to do so. DeAngelo's decision to move the victim away from the driveway down the side yard and ultimately into the house was more than merely incidental as it substantially increased the risk of harm to her above and beyond the crime of robbery itself. This movement fundamentally changed her environment and greatly minimized the chances of someone seeing the crime or hearing the victim's cries. It increased the possibility of further crimes being committed against her.

Once inside the house, DeAngelo held a knife to her throat and placed his penis in her hands, which were still bound behind her back and forced her to masturbate him. The victim said his penis felt greasy, like he had rubbed lotion on it. Joseph DeAngelo then raped and sodomized the victim as she screamed in pain. After forcing the victim to orally copulate him at knife point, DeAngelo continued to sexually assault her multiple times before tying her legs to an electric organ. The defendant then ransacked the house as he took a beer from the refrigerator and drank it. DeAngelo drove away from the scene in the victim's car and stole her purse.

Factual Basis: Uncharged Attempted Murder of Detective William McGowen

The Visalia Ransacker committed over 100 burglaries between April of 1974 and December of 1975 in the city of Visalia. Following the murder of Claude Snelling efforts to apprehend the Ransacker increased which included a plan to trap him during a prowling incident based at locations where he might be expected turn return.

On the evening of **December 10, 1975**, in an area that had recent ransacker activity, the Visalia police department set up a perimeter and set out to wait and see if the Ransacker would return. Detective William McGowen held a position in a garage of a residence where he believed the Ransacker might make an appearance based on prowling incidents that had occurred at that residence in the recent past. While positioned in the garage, Det. McGowen observed a subject walk down the side of the garage towards the rear of the residence. Det. McGowen described the subject as a white male adult, 5'10", with light blond hair and a round baby face. Based on his observations, McGowen later assisted in the creation of a composite sketch that clearly resembled Joseph DeAngelo. Det. McGowen approached the DeAngelo from behind with a flashlight. When the DeAngelo turned, Det. McGowen observed that he was wearing a black ski cap that appeared to be a mask rolled up. Det. McGowen had his firearm out and announced himself as a police officer stating, "Police, what are you doing in here?" DeAngelo began screaming, "Oh my God! Don't hurt me, Oh my God, don't hurt me". DeAngelo removed the ski cap and then started running through the backyard of the residence towards the fence. Det. McGowen shot into the ground as a warning but DeAngelo continued to run. Eventually DeAngelo stopped on the other side of a slat fence and Det. McGowen illuminated his face. DeAngelo stated, "I give up see, see, I've got my hands up". Det. McGowen observed DeAngelo's right hand and demanded DeAngelo raise his left hand that was out of view. Det. McGowen began to climb the fence to detain DeAngelo. DeAngelo pulled a revolver from his left jacket pocket and shot at McGowen hitting his flashlight. DeAngelo then ran off into the dark. Det. McGowen received several cuts to his face that required medical attention.