

EXHIBIT 2

FACTUAL BASIS ON CHARGED COUNTS (AND CRIMES OF FORCE & VIOLENCE ON SAME OCCASION)

INTRODUCTORY FACTUAL BASIS:

The scope of Joseph DeAngelo's crime spree is simply staggering, encompassing 13 known murders and almost 50 rapes between 1975 and 1986. His monikers reflects 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. For over 40 years the biggest question remained unanswered: Who was the serial killer and rapist?

Detectives from counties throughout the state poured endless resources into answering that one question. Even after retiring, detectives continued to investigate the case that haunted. Generations of law enforcement never gave up and neither did the Prosecutors from those counties. In June of 2016, the Sacramento Sheriff's Department partnered with the FBI and other law enforcement agencies by 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 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. Those DAs' offices responded. Ventura, Orange, Santa Barbara, Tulare, Alameda, Contra Costa, Stanislaus, San Joaquin, Santa Clara and Sacramento answered the call.

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, IGG, to possibly develop a lead in the case. Investigator Holes collaborated with the Ventura County District Attorney's Office, which had located an unopened sexual assault kit collected from the homicides 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. The DNA profile can be uploaded to a publicly available genetic genealogy database where a list of names of potential relatives of the killer was provided. No DNA and no other genetic information from these potential relatives was shared with law enforcement.

A working group comprised of Paul Holes, Steve Kramer, division counsel for the LA field office of the FBI, Genealogist Barbara Rae Venter and Sacramento District Attorney's Office Lieutenant Kirk Campbell and Investigative Assistant Monica Czajkowski began the laborious process of building family trees. On March 18th, 2018, Sacramento DA Investigative Assistant Czajkowski notified the team, quote, "We just found another guy," and the answer to that one question that has gone unanswered for over 40 years revealed itself.

This investigation uncovered the following about Joseph DeAngelo: He grew up in Rancho Cordova. He served in the military. He was engaged to a woman named Bonnie, a name uttered during an EAR sexual assault in Yolo County. He was employed as a police officer near Visalia during the ransacking series. He left Tulare County after the McGowen shooting, and then he worked as an Auburn Police Officer during the same time period as the East Area Rapist series, but was fired for shoplifting dog repellent. The defendant then moved to Southern California before returning to Sacramento.

The Sacramento Sheriff's Department began following Joseph DeAngelo. On April the 23rd, 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 the 24th, 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 in the murder of Brian and Katie Maggiore. They mentioned the overwhelming DNA evidence against him regarding the murders of the Smiths in Ventura and Cheri Domingo and Greg Sanchez in Santa Barbara. Just a few hours before the interview, detectives observed DeAngelo vigorously working in the yard, jumping in and out of his truck and lifting heavy objects. Just the week before, he was seen racing his motorcycle on the freeway at high rates of speed, weaving in and out of traffic and performing sophisticated counter-surveillance maneuvers. Now, sitting in the interview room, he feigned feeble incoherence, but this wasn't the first time he did so.

When store security detained DeAngelo in 1979 for shoplifting dog repellent and a hammer, he pretended to suffer a heart attack and then fought with them, to the point where they had to tie him down to a chair. When the deputies arrived he rolled around in his chair, talked in circles and screamed incoherently. Later that day, DeAngelo admitted to the deputies that he just pretended to act crazy to avoid getting in trouble.

A short while later while sitting alone in the interview room on April the 24th, 2018, Joseph DeAngelo began to talk to himself and, among other things, 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, so, now, I got to pay the price.

COUNT 1: The 9/11/75 murder of Claude Snelling in Visalia, Tulare County

Claude Snelling was a journalism professor at the College of Sequoias in 1975 and the father of 16-year-old Beth Snelling, who had become a target of the Visalia Ransacker in the months and weeks leading up to September of 1975. Around 2:20 a.m. 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're 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 5 foot 8 to 5 foot 11, a white male adult, with a stocky build and a round face wearing a ski mask with the eyes and nose cut out. Joseph DeAngelo was 5-11 at that time, weighed 205 pounds and was left-handed.

DeAngelo took Beth from her bedroom and 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 began running towards her and DeAngelo. Beth witnessed DeAngelo shoot her father twice from a distance of ten feet using his left hand. DeAngelo then turned and pointed the revolver in the direction of Beth and kicked her three times in the face before running out of the family's back yard.

A bullet collected from Claude Snelling during the autopsy matched bullets fired from a .38 Miroku revolver stolen from Patrick Mono's residence on August 31st, 1975, during a prior ransacking. Mr. Mono identified Joseph DeAngelo from a photo stack in 2018 from a face-to-face contact that he had with DeAngelo when he had interrupted him during a prowling and chased him afterwards, and he got to look at his face. That prowling took place on November 23rd, 1975. Beth Snelling also identified DeAngelo from a photo stack in 2018 from an incident where she had observed him 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 contacts with DeAngelo during prowling and ransacking events occurring around Visalia in 1975.

Defendant also admitted violating the Penal Code by kidnapping Beth Snelling. (6/29/20 Reporter's Transcript, pp. 33-34.)

COUNTS 2 & 3: The 2/2/78 murders of Katie and Brian Maggiore in Rancho Cordova, Sacramento County

Brian Maggiore was stationed at Mather Air Force Base and had recently married Katie. Shortly after 9:00 p.m. on February the 2nd, 1978, they took their poodle for a walk eastbound on La Alegria Drive, located in the City of Rancho Cordova, in the County of Sacramento. In the days leading up to February the 2nd, 12 homes in the immediate area reported incidents consistent with classic East Area Rapist prowling activities. This area was within a mile of multiple EAR sexual assaults.

Around 9:00 p.m. 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 back yard of a home located on La Gloria Way being chased by the defendant, Joseph DeAngelo.

Thirteen-year-old David K. was hanging out on the second floor of his home when he heard a gunshot. Looking out his second-story window into his back yard, David saw Joseph DeAngelo run across an opening, where the fence had fallen because of a recent storm, into his neighbor's yard. 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.

While her husband was being murdered, Katie fled down the east side of the house. The homeowner, Nicholas O., 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.

Upon hearing the gunshots, 16-year-old Carl N. ran to his front yard and saw Joseph DeAngelo jump over the gate where Katie had just been shot. The defendant was now wearing a ski-cap type mask, a brown military jacket and holding a gun. DeAngelo began his frantic escape from the area, running through the winding streets and hopping fences. Deputies found pre-tied shoelaces just a few feet away from Brian Maggiore's body. Nicolas 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.

Joseph DeAngelo sexually assaulted Jane Doe Number 13 four months later in San Ramon. He stole a bicycle that he used to arrive at and escape from that sexual assault scene. Next to where the bicycle had been stolen, detectives found a dropped pair of pre-tied shoelaces.

COUNTS 4 & 5: The 12/30/79 murders of Debra Alexandria Manning and Robert Offerman in Goleta, Santa Barbara County

On the weekend of December 29th and 30th, 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 30th. Their friends, William and Joan, arrived at the Offerman residence just after eleven o'clock, 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, both deceased.

In the early-morning hours of December 30th, 1979, the defendant, Joseph DeAngelo, climbed a fence and entered the back patio area of Robert's condominium. The defendant peered into a bedroom where he could easily see down the hallway and into the master bedroom where

Robert and Debra lie asleep. 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 a 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 laid 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 his aorta, penetrating his right lung and lodged in the right side of his chest. This was a lethal wound. A third bullet struck Robert in the left lower back area and exited through his left buttocks. The defendant then fired a fourth bullet but missed Robert, and it lodged in a clothes dresser. Robert was found on the floor of the master bedroom with a 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.

The defendant rummaged through the refrigerator at Robert's home and ate leftover turkey he found wrapped in plastic. A discarded turkey bone was located just inside the sliding glass door where the defendant broke into the home, and a plastic bag containing scraps of cooked turkey was found on the patio just outside that same sliding glass door. The defendant stole a Minolta pocket camera and a doctor's medical bag from the home. The defendant also broke into an adjoining condominium which was vacant at the time. He left similar nylon cord, as the kind he used to tie Debra and Robert's wrists in the master bedroom and bathroom next door. The defendant also left similar nylon cord on the patio of another nearby condominium.

COUNTS 6 & 7: The 7/27/81 murders of Cheri Domingo and Greg Sanchez in Goleta, Santa Barbara County

On the evening of July 26, 1981, Cheri Domingo was house-sitting for a relative at a home on Toltec Way in the City of Goleta, in the County of Santa Barbara. The home was listed for sale, and there'd been an open house earlier that day. Greg Sanchez, Cheri's friend, came over to spend the night on July 26. The home on Toltec Way is located approximately half a mile from the Offerman residence. San Jose Creek, a heavily-wooded dry creek bed, runs alongside both properties.

In the late morning on July 27th, 1981, a realtor arrived at the home on Toltec Way to show the house to a potential buyer. The realtor tried to use his pass key to open the front door, but the security chain was still engaged from the inside. The realtor walked around the house and found a rear sliding glass door open. He went inside and saw Greg on the bedroom floor, obviously deceased, and called 911.

In the early-morning hours of July 27th, 1981, the defendant, Joseph DeAngelo, removed a screen from an unlocked bathroom window at the home where Cheri and Greg were asleep in the master bedroom. The defendant reached inside the window and unlocked a door that leads into the bathroom from the rear yard. When the defendant entered the locked home on Toltec Way, he did so with the intent to rape and murder Cheri Domingo and to murder Greg Sanchez.

As the defendant entered the master bedroom, he encountered Greg Sanchez, who was still in bed. The defendant fired his handgun at Greg. The bullet struck Greg's left cheek. This was a nonfatal wound. Greg, bleeding from the gunshot wound to his face, stood up to encounter the defendant. The defendant then forcefully beat Greg in the head with a blunt instrument, delivering 24 wounds and tears. None of these wounds was instantaneously lethal, and Greg later died due to massive brain damage and hemorrhaging from the blunt-force trauma. After beating Greg to death, the defendant emptied the hanging clothes from the closet on top of Greg to conceal his body. When the defendant savagely beat Greg 24 times in the head, the defendant did so unlawfully and with malice aforethought. The defendant's decision to kill Greg Sanchez was willful, deliberate and premeditated, as evidenced by beating him in the head at least 24 times causing massive brain damage and bleeding after shooting him once in the face was unsuccessful in killing him.

The defendant forced Cheri onto her stomach in bed. He tied her wrists together, then brought her ankles to her wrists and bound them to her wrists. The defendant inserted his penis into Cheri's vagina without her consent and raped her. The defendant then beat Cheri in the head more than ten times with the same weapon he used to kill Greg. One of the blows to Cheri's head caused a large gaping wound and massive skull fracture on the right side of her head which would have caused instantaneous death. The defendant removed the bindings from Cheri's

wrists and ankles and covered her body with a blanket from the bed. A short length of hemp twine was found on the floor next to where Cheri lie.

The blanket covering Cheri's body was later tested for biological evidence. Semen stains on the blanket were analyzed. The major male DNA profile from the stains was determined to be consistent with the defendant's DNA profile. The probability that another person randomly selected from the population will have the same DNA profile is approximately 1 in 530 quintillion African Americans, 1 in 2.8 quintillion Caucasians and 1 in 3.4 quintillion Hispanics. This provides strong evidence that the defendant, Joseph DeAngelo, is the source of the DNA from the semen stains on this blanket.

When the defendant savagely beat Cheri more than ten times in the head, the defendant did so unlawfully and with malice aforethought. The defendant's decision to kill Cheri Domingo was willful, deliberate and premeditated, as evidenced by tying her wrists and ankles together and beating her in the head at least ten times with a blunt instrument.

COUNTS 8 & 9: The 3/13-16/80 murders of Charlene Smith and Lyman Smith in Ventura County

On March 16th, 1980, 43-year-old Lyman Smith, who was a former 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, in 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 that Charlene sounded the happiest she had ever heard her.

Three days later, on the afternoon of Sunday, March 16th, 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, 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 a 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, and there he found his father and his stepmother bloody and still, lying underneath their covers. Young Gary called the police and waited outside for help 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, Joseph DeAngelo, entered and burglarized the home of Lyman and Charlene Smith sometime between the late-night hours of March 13th, 1980, and March 16th, 1980. This 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, and then the defendant tightly tied Charlene Smith's wrists together behind her back and at some point also tied her ankles together, again with drapery cord.

That night while her husband was 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 Charlene's vagina, two samples of which were later collected by Dr. Claus Speth during her autopsy. One of those samples ultimately led to the identification of this defendant as her rapist and killer.

That night, the defendant also ransacked the Smith's home and he stole jewelry that Charlene Smith 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 behind his back, he was 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 and 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 Charlene Smith while she was lying in bed next to her husband, nude from the waist down. Charlene's wrists and ankles were also still bound, her wrists tied behind her back. The defendant struck Charlene Smith with the same log of firewood he used to murder her husband, causing extensive 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 firewood log, laying on the bed near his victims' feet atop the covers. Similar logs of firewood were stacked just 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 of Charlene Smith 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 Caucasians, 1 in 1.5 octillion Hispanics and 1 in 1.1 nonillion African Americans.

COUNTS 10 & 11: The 8/19-21/80 murders of Patrice Harrington and Keith Harrington in Dana Point, Orange County

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, August 19th, 1980, Roger spent all day at Keith and Patrice's home installing a sprinkler system. Roger left the house at approximately 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 August 19th, 1980, and August 21st, 1980, at 6:30 p.m., Joseph DeAngelo unlawfully entered the Harrington residence with the intent to commit rape of 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 had already committed a very large number of rapes and thefts in a similar manner.

On Thursday, August 21st, 1980, at 6:30 p.m., their father, 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. Ligature 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, her husband, Keith Harrington, was generated from the sperm fraction of the vaginal swab. On March 12th, 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 have been the foreign major contributor is more rare than 1 in 1 trillion unrelated individuals.

COUNT 12: The 2/6/81 murder of Manuela Witthuhn in Irvine, Orange County

Manuela Witthuhn lived with her husband David in an upper-middle-class community in Irvine, Orange County, California. She was only 28 years old. On February 1st, 1981, David was admitted to the hospital due to a stomach virus. On February 5th, 1981, Manuela had dinner at her parents' house. She visited David at the hospital and then she went home. David called Manuela at approximately 11:00 p.m. to be 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 being there and she was excited for him to come home from the hospital.

After Manuela had gone to bed that night, she was attacked by Joseph DeAngelo, who unlawfully entered her residence with the intent to rape her, to kill her and to steal from her. DeAngelo bound her wrists and ankles, and he raped her. DeAngelo murdered her in the first degree by bludgeoning her multiple times on her head, causing cerebral contusions and hemorrhage due to a depressed skull fracture.

DeAngelo's decision to kill Manuela 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 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 had already committed a very large number of rapes and theft in a similar manner.

David unsuccessfully attempted to contact Manuela on the morning of February 6, 1981. He became worried and he 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. There were ligature marks on her wrists and her 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 12th,

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 1 in 1 trillion unrelated individuals.

COUNT 13: The 5/5/86 murder of Janelle Cruz in Irvine, Orange County

Janelle Cruz was 18 years old and lived with her mother, her stepfather and six-year-old brother in the Northwood Village Community of Irvine, Orange County, California. On May 4th, 1986, her family had left her by herself for a vacation out of the country, and Janelle remained home alone. A male friend from work visited her that evening because she was afraid to be alone and he left her at the house at approximately 11:00 p.m. Prior to leaving, both he and Janelle heard noises outside of the house. They did not see anyone and they ultimately attributed the noise to either a cat or a washer or dryer.

Between May 4th, 1986, and May 5th of 1986, defendant DeAngelo, unlawfully entered the Cruz residence with the intent to bind Janelle's wrists, her ankles, to rape her, to kill her and to steal from her. He attacked her, he beat her, and he raped her. He murdered her in the first degree by bludgeoning her multiple times in her face and her head, causing subdural hemorrhage with cerebral lacerations due to crushing skull fractures.

DeAngelo's decision to kill Janelle Cruz was willful. It was deliberate. It was premeditated, and it was 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 rape and to steal also was demonstrated by evidence found at the

scene and the fact that he had already committed a very large number of rapes and thefts in a similar manner.

In the afternoon of May 5th, 1986, a real estate agent who had listed the Cruz home for sale found Janelle's body lying face up in her bed and summoned the police. Her head, her 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, her nose and her 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.

The autopsy surgeon, Dr. Richards, advised that the weapon used to murder Janelle would have been something similar to a hammer, however, not necessarily a hammer. A pipe wrench which had belonged to the Cruz family had recently been stolen. The wrench was last seen on the ground in their back yard 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 Lab 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 the Ventura case. In June of 2001, again, the same lab 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 victim case. Those DOJ uploads to the DNA database from the Santa Barbara case were put into CODIS and the results linked the DNA from the Santa Barbara murder case to the Contra Costa, Orange County and Ventura cases. On March 12th, 2020, a buccal swab was taken from defendant DeAngelo, and the DNA profile from that buccal swab matched the DNA to the foreign male contributor from the sperm fraction of Janelle Cruz. The probability of choosing an individual at random who could be a possible contributor is more rare than 1 in 1 trillion unrelated individuals.

COUNT 14: The 9/4/76 kidnapping for robbery of Jane Doe #1 in Carmichael, Sacramento County

On the evening of September the 4th, 1976, Jane Doe Number 1 went to her parents' residence located on Crestview Drive in the City of Carmichael, County of Sacramento. The victim went to her parents' residence to do some laundry. At approximately 11:15 p.m., she loaded the clean clothes into her car that was parked in 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 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 into the ground and tied her hands behind her back with some shoelaces that he brought with him. At knifepoint, 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 to greatly minimize the chances of someone seeing the crime or hearing the victim's cries and 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. DeAngelo then raped and sodomized the victim as she screamed in pain. After forcing the victim to orally copulate him at knifepoint, DeAngelo continued to sexually assault her multiple times before tying her legs to an electrical piano. While sexually assaulting the victim, he taunted and threatened her by repeatedly saying things like, "You better do it right, or I'll kill you." "Have you ever done this before?" "Do you like to -- " quote, unquote, "-- fuck?" "With who?" After the sexual assaults, the defendant ransacked the house and drank beer from the refrigerator. DeAngelo drove away from the scene in the victim's car and stole her purse.

In addition to the kidnapping for robbery that was charged, the defendant's conduct also was a violation of Penal Code sections 261 and 211, rape and robbery, which defendant admitted. (6/29/20 Reporter's Transcript [hereinafter R.T.], p. 114.)

COUNT 15: The 4/2/77 kidnapping for robbery of Jane Doe #2 in Orangevale, Sacramento County

Jane Doe Number 2 lived in a home with her children in a single-story house on Richdale Way, in the City of Orangevale, County of Sacramento. Occasionally her boyfriend, John Doe Number 1, stayed overnight. Around 3:15 a.m. on April the 2nd, 1977, the victim woke up and

saw a man at the foot of her bed holding a very bright flashlight aimed at her and her boyfriend. That man was Joseph DeAngelo, who stated, "Do you see this gun? Stop. Don't move. Lay on your stomachs. I have a .45 with 14 shots, two clips. I want your money."

DeAngelo threw shoelaces on the bed and told the victim to tie up her boyfriend's wrists behind his back. DeAngelo said, "Don't make any sudden moves or I'll kill you like I did some people in Bakersfield." Pinning the victim's arms behind her back, the defendant led her out of the bedroom. A few minutes later DeAngelo returned to the boyfriend and placed a cup and a saucer on his back. DeAngelo unlawfully kidnapped and carried away Jane Doe Number 2 with the intent to commit robbery, within the meaning of Penal Code Section 209. He used a gun to do so. He forced the victim into the family room. His decision to move her away from the male partner was more than merely incidental to the crime of robbery itself and substantially increased harm to her. It was done to both physically and psychologically cripple her will. This movement fundamentally changed her environment and greatly minimized the chances of her escape by removing the threat of someone else who might have stopped him, and it exposed her to greater injury.

DeAngelo knelt beside her and put his penis into her bound hands, forcing her to masturbate him. Joseph DeAngelo then turned her over, removed her underwear and said, "You have to tell me the truth, and if you don't I'll find out and kill you both. Did you fuck tonight?" After orally copulating her, Joseph DeAngelo placed a pair of high heels on the victim's feet and vaginally raped her. After the first sexual assault she could hear him eating something in the kitchen. About 20 minutes later DeAngelo returned and vaginally raped her again. He tried multiple positions and continued to rape her until he finally left.

After several hours the boyfriend was able to get off the bed, wake up the victim's son, who was sleeping in another room, and run to a neighbor's house for help. Joseph DeAngelo spent hours in their home, eating their food, terrorizing them and then stole money from their residence.

In addition to the kidnapping for robbery that was charged, the defendant's conduct also was a violation of Penal Code section 261 (rape) and sections 211 and 236, robbery and false imprisonment of Jane Doe #2 and John Doe #1, which defendant admitted. (R.T., p. 117)

COUNT 16: The 4/15/77 kidnapping for robbery of Jane Doe #3 in Carmichael, Sacramento County

Jane Doe Number 3 stayed over at her fiance's, John Doe Number 2's residence, located on Cherrelyn Way, in the City of Carmichael, County of Sacramento. The home was located next door to a house with a for sale sign on it. On April the 15th, 1977, at approximately 2:00 a.m., both victims were awakened by a bright light in their faces. Joseph DeAngelo stood at the foot of their bed and said, "Don't turn around. I have a .45, and I will shoot you if you move." DeAngelo handed Jane Doe Number 3 some shoelaces to tie up her fiance and then he tied her up as well.

After DeAngelo ransacked the house, he ordered the victim help him find her purse. He forced her down the hallway and threatened, "If I hear one noise out of you, I'll blow his head off." She felt the cold blade of a knife against her neck. Joseph DeAngelo unlawfully kidnapped and carried away Jane Doe with the intent to commit robbery, within the meaning of Penal Code Section 209, using both a knife and a gun to do so. His decision to move her away from her fiance 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 escape by removing the threat of someone who might have stopped his felonious crimes and it increased the possibility of further crimes being inflicted upon her.

DeAngelo took the victim to the living room, where there was a robe covering a lamp. In several of the other cases, DeAngelo placed a towel over a lamp or television to create soft lighting. After DeAngelo's arrest in April of 2018, detectives found a towel draped over his computer monitor, creating the same soft lighting. DeAngelo left the victim in the living room and returned to the bedroom, where he placed dishes on top of John Doe Number 2's back and warned him, "If I hear these dishes fall, I'll cut her throat."

Back in the living room, Jane Doe Number 3 heard a zipper unzip, followed by swishing noises. DeAngelo placed his penis in her hands, which were tied behind her back, and made her masturbate him. He then rolled her over and committed vaginal rape. After approximately a minute the victim heard her fiance knock something over. DeAngelo got up and went to the bedroom. When he came back DeAngelo forced the victim to orally copulate him before raping her several more times and forcing his penis into her rectum. When she cried out in pain, he told her to shut up. Sexually assaulting the victim did not sufficiently satiate his sadistic proclivities, because he also taunted the victim, telling her things like, "You didn't know you would be sucking my dick tonight." "Do you know what I'm doing? Where am I doing it?" and demanded that she say, "In my butt." He spent several hours in the house terrorizing the victims, taking their cash and rings. After hearing DeAngelo walk out the back door, the victim crawled to the kitchen and got a knife to cut off her bindings before freeing her fiance.

In addition to the kidnapping for robbery that was charged, the defendant's conduct also was a violation of Penal Code sections 261 (rape) and sections 211 and 236, robbery and false imprisonment of Jane Doe #3 and John Doe #2, which defendant admitted. (R.T., pp. 120-121.)

COUNT 17: The 5/3/77 kidnapping for robbery of Jane Doe #4 in Sacramento, Sacramento County

Jane Doe Number 4 lived with her husband, John Doe Number 3, and their young sons on La Riviera Drive in the City of Sacramento, County of Sacramento. Their two-story house backed up to the levee of the American River. At approximately 3:00 a.m. on May the 3rd, 1977, both victims were awakened by a bright light in their faces. Joseph DeAngelo stood at the foot of their bed. Pointing the flashlight at his right hand, DeAngelo showed a handgun and threatened, "Don't make a move. All I want is money. I got a .45 caliber. I'll kill you if you move." The defendant pressed the gun against John Doe Number 3's head and told him to roll over onto his stomach. DeAngelo handed Jane Doe Number 4 some shoelaces to tie up her husband, and then he tied her up as well. DeAngelo continued to threaten the husband, "If you try to grab me, I'll kill you and shoot your wife and then everyone in the house."

At gunpoint, DeAngelo ordered the victim to help him find her purse. Forcing her upstairs, Joseph DeAngelo unlawfully kidnapped and carried Jane Doe Number 4 away, with the intent to commit robbery, within the meaning of Penal Code Section 209. His decision to move her upstairs away from her husband 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 escape by removing the threat of someone who might have been able to stop his conduct and increased the possibility of further crimes being inflicted upon her.

After forcing Jane Doe Number 4 onto the living room floor, DeAngelo turned to the husband. DeAngelo placed a cup and a saucer on his black and threatened, "If I hear this move I'll kill you and everyone in the house." When DeAngelo returned to the victim he made her masturbate him, with her hands still tied behind her back, saying things like, "Do it like you're doing it to your husband." Joseph DeAngelo then vaginally raped her. When he finished assaulting her, DeAngelo turned the victim onto her stomach and placed two glass objects on her back. He then spent time eating in the kitchen before he went back to raping and sodomizing her. DeAngelo only stopped the sexual assault when he went into the kitchen to eat more food. After each meal he would return to vaginally rape the victim, yet again. After the last sexual assault, DeAngelo placed the gun to her head and said, "You don't want to die, do you?" and called her a bitch.

Before leaving, the defendant took a knife from the house. John Doe Number 3 waited approximately 20 minutes before he was able to call for help. On January the 20th, 1978, Jane Doe Number 4 answered the phone and heard only oohs and ahh sounds on the phone. She handed the phone to her husband, who heard DeAngelo say, "I've not struck in a while. You will be my next victim. I'm going to fuck you in the butt. See you soon," and hung up.

In addition to the kidnapping for robbery that was charged, the defendant's conduct also was a violation of Penal Code section 261 (rape) and sections 211 and 236, robbery and false imprisonment of Jane Doe #4 and John Doe #3, which defendant admitted. (R.T., pp. 124-125.)

COUNT 18: The 5/14/77 kidnapping for robbery of Jane Doe #5 in Citrus Heights, Sacramento County

Jane Doe Number 5 and her husband, John Doe Number 4, were asleep in their home on Merlindale Drive in the City of Citrus Heights, County of Sacramento. They were awakened by

a male who was wearing a mask holding a gun and a flashlight. It was Joseph DeAngelo. DeAngelo told them, "You make a sound, and I'll kill you. I have a .45, and I'll kill you if you move." DeAngelo put a gun to John Doe Number 4's head and forced Jane Doe Number 5 to bind her husband's hands and feet with shoelaces. DeAngelo then bound her hands and feet. He told them, "I'm going to take your money, and I want some food, and then I will leave in my van." They told him to look for money in a wallet. He took the money and then was heard rummaging around in other rooms of the house. He then returned to the bedroom, placed dishes on John Doe Number 4's back and said, "If I hear these move, I'll slit her throat. I'll cut off her ear, and I'll bring it back to you."

He told Jane Doe Number 5 that he could not find her purse and ordered her to get up. He moved her from the bedroom to the living room and forced her to lay on the floor. She could hear him going through her purse and rifling through the kitchen. DeAngelo unlawfully kidnapped and carried away Jane Doe Number 5 with the intent to commit robbery, within the meaning of Penal Code Section 209, using both a gun and a knife to do so. His decision to move her away from her husband was more than incidental, as it substantially increased the risk of harm to her. DeAngelo returned to the living room, placed a towel over the front of the television set and turned it on, allowing dim light into the room. He then placed a saucer and a plate on her back and told her, "I'm going to take a break and have some food."

He eventually returned to the living room and blindfolded her. She heard him unzip his pants. She began to cry. DeAngelo told her, "Shut up, or I'll slit your throat." DeAngelo then straddled her back and placed his penis into her hands, forcing her to masturbate him. He then removed her underwear and repeatedly vaginally raped her. When he was done DeAngelo placed the dishes on her back again. He began to remove her wedding ring and band from her

finger, and she begged him not to take it. In response, he held a gun to her head and took the rings from her finger before leaving.

In addition to the kidnapping for robbery that was charged, the defendant's conduct also was a violation of Penal Code section 261 (rape) and sections 211 and 236, robbery and false imprisonment of Jane Doe #5 and John Doe #4, which defendant admitted. (R.T., p. 128.)

COUNT 19: The 5/17/77 kidnapping for robbery of Jane Doe #6 in Carmichael, Sacramento County

Jane Doe Number 6 and her husband, John Doe Number 5, were asleep in their room on Sandbar Circle in the City of Carmichael, in the County of Sacramento. They got to bed at 11:00 p.m., and their two young children were already asleep in the home. They were later awakened by a masked male holding a gun and shining a flashlight in their eyes. John Doe Number 5 knew immediately that it was the East Area Rapist and pretended to be asleep while he figured out what he should do. John Doe Number 5 was correct: It was the East Area Rapist, Joseph DeAngelo.

DeAngelo ordered them to roll over onto their stomachs and told them he was going to take all of their money and jewelry. He threw some shoelaces on John Doe's back and told his wife to bind his hands and feet. DeAngelo then bound her hands and feet and placed a coin bag onto John Doe Number 5's back and ordered him not to move. He said, "I'm going to go and eat and get everything I need. If I hear this, I'll kill everything in the house." DeAngelo began rummaging throughout the house. He then returned to the master bedroom and asked Jane Doe Number 6 where her purse was. She stated it was on the refrigerator. He grabbed her and said, "You're going with me."

He took her to the family room where she saw that an afghan had been draped over a lamp. DeAngelo retrieved a knife from the kitchen, held the knife to her throat and said, "If you do everything I ask, I won't hurt you." He demanded more money and she told him where there was some additional money located. DeAngelo unlawfully kidnapped and carried away Jane Doe Number 6 with the intent to commit robbery, within the meaning of Penal Code Section 209, using both a gun and a knife to do so. His decision to move her away from her husband was more than merely incidental, as it substantially increased the risk of harm to her above and beyond the crime of robbery itself.

After finding more money, DeAngelo returned to the family room. Jane Doe Number 6 heard the sound of a zipper and DeAngelo said, "Do what I want you to do." He straddled her back and forced his penis into her hands, which was sticky with lotion. DeAngelo forced her to orally copulate him and then vaginally raped her. He then forced her to orally copulate him a second time. During the act, the oral copulation, he told her, "If you don't swallow every drop, I'll kill everyone in this house." DeAngelo ejaculated in her mouth, and she swallowed it, fearing that he would kill her and her family if she did not. He raped her again before binding her feet and placing dishes on her back and told her that he better not hear the dishes or he would kill for the first time. DeAngelo eventually left, taking money with him.

In addition to the kidnapping for robbery that was charged, the defendant's conduct also was a violation of Penal Code sections 261 (rape) and sections 211 and 236, robbery and false imprisonment of Jane Doe #6 and John Doe #5, which defendant admitted. (R.T., pp. 131-132.)

COUNT 20: The 5/28/77 kidnapping for robbery of Jane Doe #7 in Sacramento, Sacramento County

John Doe Number 6 worked the swing shift and arrived home at 12:30 a.m. His wife and young son were already asleep in their house on Palmer House Drive, in Sacramento County. He joined his wife in their bed and went to sleep. Later, both of them woke up and heard a rattling sound in the door and heard the door slide open. They saw a masked male coming through their door carrying a flashlight and a large-caliber weapon. The man, Joseph DeAngelo, told them, "Lay perfectly still or I will kill all of you. I will kill you. I will kill her. I will kill your little boy." DeAngelo ordered Jane Doe Number 7 to bind her husband's hands and feet with cord that he had brought with him. After binding Jane Doe's hands and feet, he removed shoelaces from shoes that were in the closet and re-tied the bindings. He repeatedly stated that he just wanted food and money and began rummaging through the house.

DeAngelo walked down the hall and into other rooms before returning and placing dishes on John Doe Number 6's back. He held a knife to his neck and said, "Don't make a move or I will kill everyone in the house. As I promised before, I'm only going to get food and money, then go to my van and eat it. If I hear a sound, I'll come in and kill everyone." DeAngelo then forced Jane Doe Number 7 into the living room at gunpoint, where he already had a towel laid out on the floor. He bound, blindfolded and gagged her before rummaging through other rooms of the house. DeAngelo unlawfully kidnapped and carried away Jane Doe Number 7 with the intent to commit robbery, within the meaning of Penal Code Section 209, and used a gun and a knife to do so. His decision to move her away from her husband was more than merely incidental, as it substantially increased the risk of harm to her, above and beyond the crime of robbery itself. The movement greatly minimized the chances of escape by removing the threat of

someone who might be able to stop his crimes and increased the possibility of further crimes being inflicted upon her.

DeAngelo eventually returned to the living room and Jane Doe Number 7 heard the sound of a zipper. He masturbated before vaginally raping her the first time. DeAngelo forced her to change positions before raping her a second time and then sodomizing her, placing his penis in her anus. After he was finished DeAngelo can be heard rifling through the other rooms. Eventually they no longer heard him in the house. John Doe Number 6 waited, rolled over and knocked the dishes off his back. He was able to get the telephone receiver off and dial the phone with his hands still bound behind his back.

In addition to the kidnapping for robbery that was charged, the defendant's conduct also was a violation of Penal Code section 261 (rape) and sections 211 and 236, robbery and false imprisonment of Jane Doe #7 and John Doe #6, which defendant admitted. (R.T., p. 135.)

COUNT 21: The 10/1/77 kidnapping for robbery of Jane Doe #8 in Sacramento, Sacramento County

On October 1st, 1977, Jane Doe Number 8 and her boyfriend, John Doe Number 7, fell asleep in their bedroom. They lived in a duplex on Tuolomne Drive in the County of Sacramento. They were awakened by a masked male suspect who was holding a gun and a flashlight. The man was Joseph DeAngelo. DeAngelo said, "Shut up. Don't make a move or I'll kill you. I want your dope. I know you have some, and I'll look for it, and I'll find it." He spoke in a harsh whisper through clenched teeth. DeAngelo told Jane Doe Number 8 to tie her boyfriend's hands together with shoelaces. He then tied her hands behind her back and tied both of their feet, also with shoelaces.

DeAngelo left the bedroom and can be heard going through the house, opening drawers, closing the drapes and opening the sliding glass door. DeAngelo returned to the bedroom and forced Jane Doe Number 8 to get up and go into the living room. She saw that he was pointing a gun at her and did as she was told. When they got to the living room, he told her to lay face down on the carpet. She noticed that the living room lamp was on and her boyfriend's robe had been draped over it. She heard a ripping sound and then DeAngelo placed a towel around her eyes. He held a gun to her head, saying, "Don't move. Don't even breathe or I will blow your brains out." Joseph DeAngelo unlawfully kidnapped and carried away Jane Doe Number 8 with the intent to commit robbery, within the meaning of Penal Code Section 209, using both a gun and a knife to do so. His decision to move her away from her boyfriend was more than merely incidental, as it substantially increased the risk of harm to her, above and beyond the crime of robbery itself. John Doe Number 7 called out from the bedroom, asking if she was okay. DeAngelo told her to say yes, and she did. DeAngelo went into the bedroom and placed dishes and a salt shaker on John Doe Number 7's back and told him not to move or he would kill him.

DeAngelo returned to the living room and straddled Jane Doe Number 8's back, putting his penis in her hands and forcing her to masturbate him. He then rolled her over and vaginally raped her and forced her to change positions, raping her again while holding a knife to her neck. When he was done, he re-tied her feet and eventually left. DeAngelo took her wallet, money and driver's license.

In addition to the kidnapping for robbery that was charged, the defendant's conduct also was a violation of Penal Code section 261 (rape) and sections 211 and 236, robbery and false imprisonment of Jane Doe #8 and John Doe #7, which defendant admitted. (R.T., pp. 138-139.)

COUNT 22: The 10/21/77 kidnapping for robbery of Jane Doe #9 in Sacramento, Sacramento County

Jane Doe Number 9 and her husband, John Doe Number 8, were asleep in their room on Goldrun Avenue in Sacramento County. Their two children were also asleep in their own rooms. Jane Doe Number 9 was awakened by a masked man standing in their bedroom holding a gun, shining a flashlight in their eyes. He told her to wake her husband. When she did, the man told them that he would blow their brains out if they moved. The man in the bedroom holding the gun was Joseph DeAngelo. DeAngelo ordered Jane Doe Number 9 to roll over and gave her several shoelaces and ordered her to tie her husband's hands behind his back. DeAngelo said through clenched teeth, "I have a .357 Magnum. If you don't tie him up tight, I'm going to blow your fucking head off." During this time, he repeatedly was asking where the money was. He then bound Jane Doe Number 9's hands and feet, as well as her husband's feet.

DeAngelo rummaged through the house and repeatedly checked on the victims. He asked Jane Doe Number 9 where her purse was and she told him where it was located numerous times. He then placed dishes on John Doe Number 8's back and told him, "If I hear the dishes rattle, I'll cut your wife's throat." DeAngelo took Jane Doe Number 9 into the living room under the guise of locating her purse. A sweat shirt had been draped over the television, which had been turned on in the living room, creating dim light. After he blindfolded her, DeAngelo touched her neck with a knife and repeatedly threatened her. Joseph DeAngelo unlawfully kidnapped and carried away Jane Doe Number 9 with the intent to commit robbery, within the meaning of Penal Code Section 209, using both a gun and a knife to do so. His decision to move her away from her husband was more than merely incidental, as it substantially increased the risk of harm to her, above and beyond the crime of robbery itself. DeAngelo forced Jane Doe

Number 9 to orally copulate him and then he untied her feet and vaginally raped her and sodomized her. Three rings were taken from her hands, along with a cap and beer.

In addition to the kidnapping for robbery that was charged, the defendant's conduct also was a violation of Penal Code section 261 (rape) and sections 211 and 236, robbery and false imprisonment of Jane Doe #9 and John Doe #8, which defendant admitted. (R.T., p. 142.)

COUNT 23: The 10/7/78 kidnapping for robbery of Jane Doe #10 in Concord, Contra Costa County

On or about October 7 of 1978, in the City of Concord, in the County of Contra Costa, Jane Doe Number 10 and her husband, John Doe Number 9, went to bed at approximately 11:30 p.m. John Doe Number 9 recalled being awoken by a sound and seeing a male standing at the foot of his bed. That male was the defendant, Joseph DeAngelo. DeAngelo was holding a flashlight in his left hand and pointing a revolver at John Doe Number 9, which was held in his right hand. The defendant then said, "I just want food and money. That's all. I'll kill you if you don't do what I say." Jane Doe Number 10 woke up at this point, and the defendant told her husband to turn over and put his hands behind his back. He then threw several shoestrings at Jane Doe and told her to tie up her husband. She wasn't moving fast enough for his liking, so the defendant took over and finished the job. The defendant then went into their closet and retrieved more shoestrings from the shoes that he found. He then used those shoestrings to tie up Jane Doe's hands and her feet while pointing a knife at her throat and saying, quote, "I'll kill you if you don't do everything I say." He then told Jane Doe and her husband to remain lying face down and stated, "If you see me, I'll have to kill you."

The defendant then began going through dresser drawers, jewelry boxes and their respective wallet and purse. He continued to rummage through the house for another half hour,

returning to the bedroom. He had taken dishes from the kitchen and placed those dishes on top of both of their backs as they lie face down on the bed. He left the room again and continued to rummage through the house. He returned back to the bedroom and cut the shoestring around Jane Doe Number 10's feet. He told her to stand up and said, "Don't you look at me, or I'll cut your fucking head off." He then had her walk in front of him while holding the knife on the left side of her throat and continued to threaten her that if she did not do what he said, that he would kill her and everyone in the house, which included their baby boy who was asleep in another room. He then walked her to the family room where he blindfolded her and told her to lie face down. He returned to the bedroom to place more dishes on her husband's body and told him, quote, "If these dishes fall, I'll kill everyone in the house."

The defendant unlawfully kidnapped and forced Jane Doe at knifepoint out of her room and into the family room with the intent to commit robbery, within the meaning of Penal Code Section 209, and used a knife to do so, with her arms still tied behind her back and her husband still bound by his hands and his feet lying face down in their bedroom with dishes stacked on top of his body. The defendant's decision to move her 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 moved her out of the sight of her husband and into a completely different part of the house and increased the possibility of further crimes being committed against her.

Once in the family room the defendant told the victim, "If you don't give me a good fuck, I'll kill everyone." He then cut her nightgown in several places with a knife and proceeded to rape her, penetrating her vagina and her anus with his penis. He then forced her to orally copulate him by threatening to cut her baby boy's ear off and bringing it to her if she resisted.

The defendant then continued to rummage through the house, continued to check on John Doe, the husband, threatening that he would kill everyone in the house if he moved. He continued to tell both Jane Doe and her husband that he wanted gold and silver. He continued rummaging through the house for some time, until he finally left and never returned. Numerous pieces of jewelry and money were taken that night. The defendant was described as wearing a face mask, with the eyes and the mouth cut out and brushed suede boots.

In addition to the kidnapping for robbery that was charged, the defendant's conduct also was a violation of Penal Code section 261 (rape) and sections 211 and 236, robbery and false imprisonment of Jane Doe #10 and John Doe #9, which defendant admitted. (R.T., pp. 62-63.)

COUNT 24: The 10/13/78 kidnapping for robbery of Jane Doe #11 in Concord, Contra Costa County

On or about October 13th of 1978, in the City of Concord, in the County of Contra Costa, at approximately 4:30 a.m., Jane Doe Number 11 and her roommate and significant-other, John Doe Number 10, were awoken by their room door being swung open and a flashlight illuminating the room. The male shouted for them not to move or he would kill them. The male, Joseph DeAngelo, then directed John Doe Number 10 to lie face down and threw shoestrings at Jane Doe 11, directing her to tie him up. She complied. He then told her to lie face down and he tied her hands and legs and John Doe Number 10's legs as well. At this point Jane Doe's daughter came running into the bedroom at her mother's side, screaming. The defendant directed Jane Doe to shut her daughter up or he would kill them all. The defendant subsequently put the daughter in a bathroom, pushing a dresser in front of the door to prevent her from escaping.

After approximately 30 minutes of listening to the defendant rummage through their home, where he intermediately checked on the bindings of both victims and ordered them to stay

where they were, the defendant returned to the bedroom, dragging Jane Doe 11 from the bedroom down their hallway to the family room. The defendant unlawfully kidnapped and carried the victim down the hall and away from her bedroom with the intent to commit robbery, within the meaning of Penal Code Section 209, and used a gun to do so. With the victim still bound at the hands and feet, her significant-other still bound by his hands and feet in their bedroom, the defendant's decision to move her 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 moved her out of the sight of her roommate and significant-other into a completely different part of the house and increased the possibility of further crimes being committed against her.

Once in the family room, the defendant covered Jane Doe's face with towels. He unbound her legs, and he raped her, unlawfully penetrating her vagina with his penis. At some point during this time he returned to the bedroom and put what felt like the barrel of a gun to the back of John Doe Number 10's neck and said, "All we want is food and money, and then we'll get the hell out of here." He then covered John Doe's head with an afghan and threatened to put, "this knife in his back if he moved." The defendant left and returned to the room a number of times over the next 45 minutes. The defendant eventually left the residence through a garage door. He was described as wearing a dark face mask and brown leather gloves. Jane Doe Number 11 noticed that \$8 had been taken from her purse that was in the kitchen, a Sears radio clock and two cartons of cigarettes, both of which were in the kitchen as well. After further inventory of the home, it was discovered that the defendant had taken three bottles of Budweiser from the refrigerator and a wooden bowl from their cupboard.

In addition to the kidnapping for robbery that was charged, the defendant's conduct also was a violation of Penal Code section 261 (rape) and sections 211 and 236, robbery and false imprisonment of Jane Doe #11 and John Doe #10, which defendant admitted. (R.T., pp. 66-67.)

COUNT 25: The 10/28/78 kidnapping for robbery of Jane Doe #12 in San Ramon, Contra Costa County

On or about October 28th of 1978, Jane Doe Number 12 and her husband, John Doe Number 11, were in their bedroom asleep when she was awoken by the defendant standing in her bedroom shining a small pen-like flashlight in her face. He instructed her not to say a thing or he would kill her. He then instructed her to wake up her husband. She did as she was told and was given two pieces of rope from the defendant to tie her husband's hands behind his back. Joseph DeAngelo then tied her husband's feet, and her hands behind her back and then tied her feet together as well. They were both left face down on the bed. The defendant then asked both of them several times where the money was. Jane Doe Number 12 told him that she had about \$50 in her purse and directed him to some coins in a closet. The defendant responded several times that he would need more than that.

The defendant then went through the house for about 15 minutes and repeatedly told them not to move or he would kill them. The defendant then went to the bedroom and cut Jane Doe's 12's legs free and whispered to her, "Get out of bed. I want you away from him so you can't untie him." She managed to get out of the bed and the defendant pushed her down the hall. They got to the kitchen where he pushed her onto the floor and she lay on her stomach. Joseph DeAngelo unlawfully kidnapped and carried the victim away with the intent to commit robbery, within the meaning of Penal Code Section 209. With the victim still bound at the hands and her husband still bound by his hands and feet in their bedroom, Joseph DeAngelo's decision to move her 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 moved her out of the sight of her husband into a completely different part of the house, increasing the possibility of further crimes being committed against her. The defendant continued to wander through the house and asked Jane Doe where the money was. He then tied her feet back together at some point. He ultimately returned to the kitchen and blindfolded her with a towel and then turned the light on above the stove where she was lying on the floor of the kitchen. He left again to wander through the house.

The victim's husband noticed that the defendant had returned to the bedroom at some point and put what felt like a gun to the back of his head and told him if he moved he would kill him. The defendant then returned to the kitchen and pushed what felt like the blade of a knife against Jane Doe's throat and threatened that if she made a move he would kill her. He subsequently forced her to orally copulate him, threatening to kill her if she refused. During the course of the robbery the defendant also unlawfully and without consent penetrated the victim's vagina with his penis, raping her as she lay on the kitchen floor. He then forced her to orally copulate him again, threatening again to kill her. He ejaculated into her mouth and on the side of her face. He continued wandering through the house and made his way back into the kitchen where he again raped the victim a second time as she lay on the kitchen floor. At some point he noticed the ring on her finger, which he subsequently took off of her hand. He eventually left after the victim warned him that she was expecting a car service to pick her up early that morning and the car would be there any minute. The defendant was described as having worn tan gloves and possibly having a mask on of some sort covering his face, and a total of \$64 was taken, along with two female rings.

A sexual assault evidence kit was collected from the victim. A vaginal sample was analyzed for DNA. The DNA profile from the sperm fraction of the vaginal swab generated a single male donor consistent with a single male donor from charged Count Twenty-Six, Jane Doe Number 13, and from uncharged Count Seventy, Jane Doe Number 47, both of which were Contra Costa cases, in addition to the Orange County, Ventura and Santa Barbara cases as well. In May of 2018 the California Department of Justice notified Contra Costa Sheriff's Department Crime Laboratory of a DNA match to defendant Joseph DeAngelo.

In addition to the kidnapping for robbery that was charged, the defendant's conduct also was a violation of Penal Code section 261 (rape) and sections 211 and 236, robbery and false imprisonment of Jane Doe #12 and John Doe #11, which defendant admitted. (R.T., pp. 71-72.)

COUNT 26: The 6/11/79 kidnapping for robbery of Jane Doe #13 in Danville, Contra Costa County

On or about June 11th of 1979, in the City of Danville, in the County of Contra Costa, at approximately 4:00 a.m., the victim, Jane Doe Number 13, woke up feeling the presence of someone in her bedroom. She saw a male wearing a face mask with eyes and the mouth cut out and also wearing gloves. That male was the defendant, Joseph DeAngelo. The defendant then said to her, "Don't move. All I want is your money." He then told her to wake her husband, John Doe Number 12 and directed both of them to roll over face down on the bed. He then told Jane Doe Number 13 to tie up her husband, which she did. He then tied her up and gagged her and blindfolded her and carried her to the front room of the home and laid her face down on the floor.

The defendant unlawfully kidnapped and carried the victim away with the intent to commit robbery, within the meaning of Penal Code Section 209. With the victim still bound, blindfolded and gagged and her husband still bound by his hands and feet, lying face down in

their bedroom, the defendant's decision to physically carry her -- pick her up -- 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 moved her out of the sight of her husband into a completely different part of the house and increased the possibility of further crimes being committed against her.

While in the front room, the defendant untied her ankles and forcibly raped her, unlawfully penetrating her vagina with his penis. He then wrapped two towels around her head and re-tied her ankles. He continued rummaging through her kitchen and took beer cans out of their refrigerator. He subsequently left her home having taken approximately \$55, a diamond ring and one wedding band.

A sexual assault evidence kit was collected from the victim. A vaginal sample was analyzed for DNA. The DNA profile of the sperm fraction of the vaginal swab generated a single male donor consistent with a single male donor from charged Count Twenty-Five, Jane Doe Number 12, and from uncharged Count Seventy, Jane Doe Number 27, both of which are Contra Costa cases, in addition to the Orange County, Ventura and Santa Barbara cases. In May of 2018 the California Department of Justice notified Contra Costa Sheriff's Department Crime Laboratory of a DNA match to the defendant, Joseph DeAngelo.

In addition to the kidnapping for robbery that was charged, the defendant's conduct also was a violation of Penal Code section 261 (rape) and sections 211 and 236, robbery and false imprisonment of Jane Doe #13 and John Doe #12, which defendant admitted. (R.T., p. 75.)