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FILED
YOLO SUPERIOR COURT

FEB 16 2017

By B. GRIFFITH
Deputy

8 SUPERIOR COURT OF THE STATE OF CALIFORNIA
9 COUNTY OF YOLO

11 THE PEOPLE OF THE STATE OF
12 CALIFORNIA,

13 Plaintiff,

14 vs.

15 LAUREN KIRK-COHELO

16 Defendant(s)

Dept. 1 Case No. 17-0877

MOTION TO DENY BAIL

Date: February 16, 2017

Time: 1:30 pm

18 The below points and authorities show that bail should be denied in this case due to the
19 extreme public safety risk.

20 **I. FACTS OF THE CASE**

21 This case alleges the substantial, felony vandalism of a mosque in Davis, California
22 which the People have alleged is a hate crime. In connection with a search warrant of
23 Ms. Cohelo's residence her telephone and Twitter account were searched to reveal
24 communications that raise grave concerns for public safety:

- 25 • Defendant openly praised Dylan Roof, convicted of killing nine African
26 Americans in a church in South Carolina;
- 27 • Defendant tweeted (the day after the crime): "Had fun last night ... im a hero
28 and no one will ever know how funny it was";

- 1 • In her messages dated shortly before the crime she was asked whether she had
2 ever “killed anything?” to which she responded: “No but i want to i have
3 dreams and aspirations” and “I would like to killl ... many people”
- 4 • In that same conversation, Ms. Cohelo was messaged: “I’m hoping for a race
5 war so I could show my true talents,” to which Cohelo responded: “You’re so
6 hot.”
- 7 • Her internet searches focused on topics concerning hate and violence including
8 “throw jew down the well,” “gas jews,” “quebec mosque shooters” “alexandre
9 bissonnette” and “hate is good.”
- 10 • The internet searched included many for “davis mosque” the target in this case
11 but also other potential targets like “danville ca mosque”;
- 12 • “Sandwiched” between searches for “davis mosque” was a search for
13 “bombvest”

14 The People rely on the declaration of Daniel Lafond, the arresting officer, which is
15 attached hereto.

16 **II. POINTS AND AUTHORITIES**

17 **Bail Should be Denied in This Case Under Proposition Four.**

18 Proposition Four allows for the denail of bail in this case, which describes two
19 circumstances in which bail can be denied: (1) felony acts of violence where “there is substantial
20 likelihood the person’s release would result in great bodily harm to others,” and (2) any felony in
21 which there is “clear and convincing evidence that the person has threatened another with great
22 bodily harm and that there is a substantial likelihood that the person would carry out the threat if
23 released.” (*In re Bright* (1993) 13 Cal.App.4th 1664, 1667, fn. 4.)

24 Further, California law calls for the facts of the case to be considered when setting bail---
25 beyond the mere description of the count alleged. Section 1275 of the Penal Code places added
26 emphasis on Serious and Violent crimes. Section 1275 of the Penal Code requires:
27

28 (a) In setting, reducing, or denying bail, the judge or magistrate shall take into

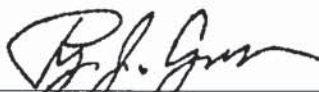
1 consideration the protection of the public, the seriousness of the offense charged, the
2 previous criminal record of the defendant, and the probability of his or her appearing
3 at trial or hearing of the case. The public safety shall be the primary consideration.

4 In setting, reducing or denying bail, court is primarily concerned with public safety. (*In*
5 *re Weiner* (App. 4 Dist. 1995) 38 Cal.Rptr.2d 172, 32 Cal.App.4th 441, review denied.) Public
6 safety, not the certainty of the defendant's appearance in court, is the primary factor for a trial
7 court to consider in the setting of bail. (*In re McSherry* (App. 2 Dist. 2003) 5 Cal.Rptr.3d 497,
8 112 Cal.App.4th 856, rehearing denied, review denied.)

9 Here, the risk to public safety is palpable and alarming. It is one thing to harbor hateful
10 thoughts. Here, however, Ms. Cohelo has shown she is willing to act on her racist and hateful
11 beliefs, that she sees herself as a "hero" doing it, that she harbors a desire to "kill many people"
12 that she is collaborating with like-minded people and she is at least looking for information on
13 devices to cause mass damage (the "bombvest").

14 For the foregoing reasons, the People respectfully request that bail be denied in this case.

15 Respectfully submitted on February 16, 2017.

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17 

18 Ryan S. Couzens/215818
19 Deputy District Attorney
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17-877

YOLO COUNTY SUPERIOR COURT

Department _____

State of California

FILED
YOLO SUPERIOR COURT

FEB 14 2017

BY *D. La Fond*
DEPUTY

People of the State of California)

Vs.)

Lauren Kirk-Coehlo)

Defendant)

Case Number: 17-0309

Charges: 594(a)(b)(1) PC
422.75(a) PC

DECLARATION OF ARRESTING OFFICER
(Penal Code Section 1269c and 1275.1)

I, Daniel La Fond, a peace officer employed by the City of Davis, hereby make this application for the setting of a higher bail in the above entitled matter. I have arrested Lauren Kirk-Coehlo with a warrant in the County of Yolo for the crimes of 594(a)(b)(1) PC and 422.75(a) PC. The amount of bail set forth in the bail schedule is \$40,000.

For reasons set forth below, I have reasonable cause to believe that the amount of bail set forth in the schedule for the offenses charges is insufficient to assure the above-named person's appearance. The facts and circumstances in support of my belief are as follows:

I have been investigating Lauren Kirk-Coehlo in regards to the hate motivated vandalism that occurred at the Davis Islamic Center located at 539 Russell Boulevard in Davis. The investigation into the suspect, Kirk-Coehlo has raised many public concerns. During the service of a search warrant at her residence by the FBI and Davis Police, Kirk-Coehlo's wireless telephone was seized. Subsequent search warrants into the telephone and her Twitter account revealed Kirk-Coehlo was praising Dylann Roof (Convicted of killing 9 African Americans in Charleston, South Carolina in the African American Emanuel Church) While glorifying Roof she posts, "3 cheers for Dylan Roof" then post how intelligent Roof was in interviews. The party she is sending private messages back and forth with on Twitter asks her if she had ever killed anything. Kirk-Coehlo replied, "No but I have dreams and aspirations" "I would like to kill" "many people". Sent in 3 separate messages.

A search of Kirk-Coehlo's wireless telephone showed her making derogatory remarks using the terms; "Jews, Mexicans and Niggers" on a regular basis. She also converses via text with her mother about her "mental problems" and made several searches about the Davis Mosque, Woodland Mosque and other Mosques in the country. Kirk-Coehlo made several searches about the suspect, Alexandre Bissonnette who last week killed 6 people and injured 19 in a Mosque in Quebec, Canada. Kirk-Coehlo's search history also found her looking up details about a "bombvest".

Based on Kirk-Coehlo's hate motivated vandalism along with her glorification of Roof and Bissonnette who recently killed African Americans and Muslims in their place of worship, along with her own statement of having dreams and aspirations of killing concern law enforcement. Further, her own mention of her own mental problems, along with her recent search for information in relation to a "bombvest", I believe Kirk-Coehlo is an immediate danger to the public. I do not believe the \$40,000 is sufficient bail in this case and I respectfully request that Kirk-Coehlo's bail be increased substantially to reflect the serious nature of her crime.

Kirk-Coehlo's response Twitter messages indicating how much "fun she had" while keeping in mind her posted dreams and aspirations to kill many people prompted a meeting on 2/13/17 between Davis Police, FBI and the Yolo DAs office in which it was determined an arrest warrant would be sought along with this request for a bail enhancement.

Based on all of the above, I request that bail be set at \$1,000,000.

It () is () is not requested that no bail be set. Further, it () is () is not requested that any monies applied toward this bail by the above-named subject be reviewed as to the origin and legitimacy of those funds.

I declare under penalty of perjury that the foregoing is true and correct to the best of my information and belief.

County of Yolo

Dated: 2/14/17

By: 

Declarant

DETERMINATION BY MAGISTRATE
(Penal Code Sections 1269c and 1275.1)

Bail to remain per schedule: \$ _____

Bail reset in the amount of: 1 MILLION

No bail set

Dated: 2/14/17 By: [Signature]



FRESNO
FRESNO
AMUEL T. McADAM Magistrate

Officer: _____ Badge #: _____

SUPERIOR COURT No. 17-0877

PROOF OF SERVICE

I, ELIZABETH RODRIGUEZ, declare:

I am a citizen of the United States and a resident of the county of Yolo; I am over the age of eighteen years and not a party to the within entitled action; my business address is 301 Second Street, Woodland, California 95695. On February 16, 2017, I served the within document: MOTION TO DENY BAIL

by placing a true copy of the above document in a sealed envelope and deposited the same in the United States mail at Woodland, California, addressed as follows:

STEVEN C. SABBADINI
ATTORNEY AT LAW
823 NORTH STREET
WOODLAND, CA 95695

DAVID W. DRATMAN
ATTORNEY AT LAW
1007 7TH ST 305
SACRAMENTO, CA 95814

I declare under penalty of perjury that the foregoing is true and correct.

Executed on February 16, 2017 at Woodland, California.


ELIZABETH RODRIGUEZ