



OFFICE of the DISTRICT ATTORNEY

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## **Criminal Case Update December 2018**

Thank you all for your support and efforts in making Plumas County a safe and just place to live, work and play.

It truly is an interesting time to serve in law enforcement in California as our state continues its sea change in the area of criminal justice. In the last few years we have seen established laws change. Some of the changes include many state responsibilities (such as housing inmates and prosecuting parole violations) shifting to the counties, serious felons being released early by the state, many drug and theft offenses reclassified as misdemeanors, efforts to eliminate the cash bail system, and a moratorium placed on the death penalty by the Governor. While I may not agree with many of these changes it is imperative your DA's office and public safety community accept the changes and implement them in a manner consistent with the best interests of the safety and welfare of Plumas County.

Undertaking such a mission is not without worry. In a state-wide environment where laws have shifted away from the protection of the public I am concerned as to whether we have the resources and wherewithal to maintain the high level of service our citizens rightly demand. As we strive to meet these demands I am exceptionally grateful for the continued support we receive from our many partners and the public in assuring Plumas County remains as safe and just a place as possible

Below is a sampling of recent cases. Space and resources prevent coverage of all cases but we have tried our best to follow-up on those cases which have previously been covered by Feather Publishing or have been the subject of inquiry by the public.

### People v. Harley Byrne (F18-00634)

On October 5, 2018, Harley David Byrne, age 34 of Clio, was convicted of two counts of felony domestic violence and admitted he had suffered a prior serious felony

*Our mission is to vigorously, fairly and compassionately seek justice every day.*

conviction. On December 28, 2018, Byrne was sentenced to a total term of eight years in state prison. Initially, on June 22, 2018, Byrne had been drinking when he showed up at a residence where a woman with whom he had an on and off relationship was housesitting. An argument occurred which escalated to an assault by Byrne. The victim suffered bruising and scratching. While the initial charges were pending Byrne visited his ex-wife where an argument ensued and he choked the second victim until another person intervened. I want to thank Plumas County Deputies Berg and Brubaker as well as the Plumas County DA Investigations Division for their work during this investigation. I also wish to thank the victims for their courage and patience in assisting in this prosecution to assure justice would be served.

People v. Scott Higgins (F18-00665)

On October 12, 2018 Scott Stacy Higgins, age 50 of Quincy, was convicted of felony violations of resisting an executive officer by force and felony child endangerment. On November 30, 2018, Higgins was sentenced to four years in state prison. Higgins was arrested on September 21, 2018 after numerous 911 calls were made reporting Higgins was acting erratically and he was last seen holding a syringe and dragging his 4 year old daughter down the street by the arm. Higgins resisted efforts by a neighbor to intervene. Sgt. Jeremy Beatley quickly arrived and was able to forcibly free the traumatized child while taking Higgins into custody. This was an exceptionally dangerous and volatile situation where many could have been harmed. I want to thank Sgt. Jeremy Beatley for his efforts in apprehending the defendant and doing so in a way where a young child was spared of any further injury.

People v. Robert Knight (F18-00752)

On October 26, 2018 Robert Allen Knight, age 56 of Quincy, was convicted of a felony violation of assault with a deadly weapon and a great bodily injury enhancement was also found true. On December 14, 2018, Knight was sentenced to seven years in state prison. Knight was arrested on September 14, 2018 after he approached a female acquaintance on the bike path near Gansner Park. Knight then cut the victim in the face with a box cutter – a wound requiring numerous sutures both inside and outside her mouth – and fled. The Plumas County SWAT team later located and apprehended Knight in heavy brush east of the Gansner Park softball field and the box cutter was located in a nearby field. This type of serious and public violence is very much an aberration for Plumas County and was met with a prompt and overwhelming response by local law enforcement. I, particularly, wish to thank Deputy Spencer Brubaker for his work in this investigation and Deputy Chris Driscoll for his efforts in apprehending Knight.

People v. Johnny Dagnino (F19-00107)

On February 22, 2019, Johnny Anthony Dagnino, age 43 of Doyle, California, was convicted of robbery while armed. On March 22, 2019, Dagnino was sentenced to four

years in state prison. Dagnino was convicted of robbing the Subway restaurant in Portola while armed with what turned out to be a flare pistol. I want to extend my appreciation for the coordinated response by the Plumas and Lassen County Sheriff's Office, the excellent investigation by the Plumas County Sheriff's Office investigations unit and the victim for her cooperation and calm demonstrated while awaiting law enforcement.

People v. Troy Ede (F17-00578)

On January 18, 2019, Troy Dan Ede, age 59 of Anderson, California, was convicted of felony driving under the influence causing injury. Ede is scheduled to be sentenced on March 29, 2019 whereupon he may receive a sentence of up to 16 months in state prison.

Ede was arrested on July 16, 2018 when he made a u-turn on Highway 70 in the Cromberg area hitting an oncoming car. The driver and passenger (both Quincy residents) in the other car were both injured. Ede was found to have a blood alcohol level of .14 – nearly twice the legal limit.

I want to thank CHP Officer Black for his prompt and thorough investigation and both victims for their patience and cooperation as we pushed the case through to conviction.

People v. Michael Joseph (F18-00490)

On December 19, 2018, a Plumas County jury found Michael Wayne Joseph, age 53 of Susanville, guilty of three felonies – assault with a deadly weapon, vandalism and attempting to dissuade a witness from testifying. Joseph was also found to have suffered a previous “strike” prior conviction. On January 18, 2019, the Honorable Janet Hilde sentenced Joseph to ten years and eight months in state prison

Joseph was arrested on June 29, 2018 when numerous 911 calls were made to the Sheriff's Office concerning a man brandishing a shovel in the parking lot of the Hong Kong restaurant in Portola. Responding law enforcement eventually arrested Joseph after finding him to have struck a man and a truck with shovel during a violent attack alongside Highway 70. Joseph was found to have a blood alcohol content nearly twice the legal driving limit. After his arrest, Joseph wrote to relatives seeking to have them dissuade one of the victims from testifying. The letter was intercepted and seized by the Plumas County Correctional Facility staff.

I appreciate for the hard work and just verdict from the jury as well as the investigative efforts of Deputy Bjorn Berg and the patience and perseverance of the victims and witnesses. “This incident was a shockingly violent attack in plain view of the public on a main thoroughfare in Plumas County. There is no place for this type of assaultive, criminal behavior in Plumas County and I am grateful for the efforts of all involved in assuring the defendant was held accountable for his conduct.”

**Cases of Interest**

There are a number of upcoming cases of interest. Some include:

People v. Karen Schwamb (triple homicide DUI incident on Hwy 70; 3/29/19 ruling on change of venue motion);

People v. Tonya Heill (gross vehicular manslaughter; 4/12/19 set future motions);

People v. Nicholas Phillips (arson/homicide; 4/5/19 further arraignment).

**Thank you, again for your support and efforts. Should you have any questions or comments please do not hesitate to contact me at the DA's Office.**

**Respectfully yours,**

**David Hollister**

**District Attorney**

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