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SUPERIOR COURT OF WASHINGTON FOR KING COUNTY

THE STATE OF WASHINGTON,)	
)	
)	Plaintiff,
v.)	No. 17-1-03953-1 KNT
)	
SALVADOR DIAZ-GARCIA,)	INFORMATION
)	
)	Defendant.
)	

I, Daniel T. Satterberg, Prosecuting Attorney for King County in the name and by the authority of the State of Washington, do accuse SALVADOR DIAZ-GARCIA of the following crime[s]: **Assault In The Second Degree, Rape In The Second Degree**, committed as follows:

Count 1 Assault In The Second Degree

That the defendant SALVADOR DIAZ-GARCIA in King County, Washington, on or about June 25, 2017, did intentionally assault another and thereby recklessly inflict substantial bodily harm upon J.W. (4/26/98);

Contrary to RCW 9A.36.021(1)(a), and against the peace and dignity of the State of Washington.

Count 2 Rape In The Second Degree

That the defendant SALVADOR DIAZ-GARCIA in King County, Washington, on or about June 25, 2017, did engage in sexual intercourse with another person named J.W. (4/26/98),

1 under circumstances where J.W. (4/26/98) was incapable of consenting to sexual intercourse by
2 reason of being mentally incapacitated or physically helpless;

3 Contrary to RCW 9A.44.050(1)(b), and against the peace and dignity of the State of
4 Washington.

5 DANIEL T. SATTERBERG

6 Prosecuting Attorney

7
8 By: 

9 Nicole L. Weston, WSBA #34071

10 Senior Deputy Prosecuting Attorney

1
2 CAUSE NO. 17-1-03953-1 KNT

3 PROSECUTING ATTORNEY CASE SUMMARY AND REQUEST FOR BAIL AND/OR
4 CONDITIONS OF RELEASE

5 The State incorporates by reference the Certification for Determination of Probable Cause
6 prepared by Detective Marylisa Priebe-Olson of the King County Sheriff's Office for case
7 number C17031435.

8
9 Pursuant to CrR 2.2(b)(2)(ii) and (iv), the State requests a warrant because the defendant
10 is currently in custody and is likely to commit a violent offense. At first appearance the court set
11 bail at \$25,000.00. At that time the court was unaware that there was actually DNA recovered
12 from the Rape Kit. Also at the time of first appearance it does not appear that the court was
13 unaware of the level of injuries that was inflicted on the victim. The victim has multiple
14 lacerations and multiple fractures to her face. Given that the victim and the defendant were total
15 strangers, the complete violent nature of the assault, and the newly learned information regarding
16 the DNA, the State respectfully requests that bail be set in the amount of \$250,000.00. The State
17 is extremely concerned for community safety. At the time of filing the State is unaware of any
18 criminal convictions for the defendant. The State is seeking a Sexual Assault Protection Order
19 for the victim.

20
21 Signed and dated by me this 3rd day of July, 2017.

22 

23 Nicole L. Weston, WSBA #34071
24 Senior Deputy Prosecuting Attorney

Prosecuting Attorney Case
Summary and Request for Bail
and/or Conditions of Release - 1

Daniel T. Satterberg, Prosecuting Attorney
CRIMINAL DIVISION
Maleng Regional Justice Center
401 4th Avenue North, Suite 2A
Kent, WA 98032-4429
(206) 477-3757 FAX (206) 205-7475

1 CAUSE NO.

2 CERTIFICATION FOR DETERMINATION OF PROBABLE CAUSE

3 That Marylisa Priebe-Olson is a(n) Detective with the King County
4 Sheriff's Office and has reviewed the investigation conducted in the King
County Sheriff's case number(s) C1703435;

5 There is probable cause to believe that Salvador Diaz Garcia 2-36-94
6 committed the crime(s) of Assault 1(RCW 9A.36.011), Rape 1(RCW 9A.44.040),
Assault 2 (RCW 9A.36.021), and Rape 2 (RCW9A.44.050) .

7 This belief is predicated on the following facts and circumstances:

8 This incident occurred on 6-25-17 at about 2115 hrs. at the Discovery Landing Apartment Cabana gym,
9 located at 15405 DES MOINES MEMORIAL DR S Burien, King County, WA 98148. V-JW was born
10 on 4-26-98, 19 years old at the time of this incident, and did not know her attacker. Diaz Garcia, Salvador
(S-Diaz) was born on 2-6-94 and lives at the Maple Point Apartments located at 15421 DES MOINES
MEM DR S. # E104 Burien, WA 98148. The apartment complexes are located next to each other.

11 On 06/25/2017 at about 2203 hrs. Deputy Capalungan was dispatched to a call for assistance at V-JW's
12 apartment. V-JW's mother reported that V-JW came home with a bloody head, missing teeth, and only
13 wearing her tank top. Deputy Capalungan contacted V-JW who had obvious extensive injuries to her
14 head. V-JW's right ear was torn and dangling, she had damaged/missing front teeth, numerous cuts on her
15 head, and her upper lip was torn. She was bleeding from her multiple head injuries and unable to talk. V-
16 JW was transported via TriMed to Harborview hospital.

17 V-JW, mother W-Denise said at about 2150 hrs. she was sleeping in her living room, when she heard a
18 loud knock on the door. W-Denise answered the door and V-JW was standing there, missing her shorts
19 and underwear. V-JW was just wearing a black tank top. V-JW was covered in blood and when asked
20 what happened, V-JW said she was ok. RP-Williams told her she wasn't ok. RP-Williams said that V-
21 JW began telling her different stories like she was confused due to the extensive injuries. V-JW kept
22 stumbling around the living room, using the wall to stand, saying that she was ok and just wanted to go to
23 sleep. RP-Denise called 911 for help.

24 On 6-26-17 your affiant contacted V-JW at Harborview Hospital. V-JW had stiches in her upper lip,
25 lower lip, forehead, and left ear. V-JW had chipped front teeth and a black eye. V-JW had a hard time
talking because of the extensive injuries to her face. A social worker at Harborview advised that V-JW
had a broken orbital bone, broken jaw, broken nose, and lacerated left ear. V-JW said on 6-25-17 at about
2100 hrs. a Hispanic male, about 6 foot tall followed her home, after getting off the bus at S 156th and Des
Moines Memorial Dr S in Burien. V-JW said she went to the Cabana to work out and the Hispanic male
said he lived there too, wanted to work out, and asked to be let inside. V-JW asked if he lived there and
he gave her an apartment number so she let him in. V-JW said she was on the treadmill and he was in and
out of the gym. V-JW said he was behind her asking her what station on the TV she likes to watch and
she asked him to not to stand behind her. V-JW said she remembered going to leave and the next thing
she remembered was waking up at Harborview. V-JW said about a month ago the same male grabbed her
butt and ran off. V-JW said she had seen the Hispanic male him with a woman and kids near the
apartment complex as well. V-JW had a sexual assault kit done since she had only her tank top on and no

Certification for Determination
of Probable Cause

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1 other clothes. V-JW complained that her neck hurt and a red mark was seen on her neck consistent with
2 strangulation. V-JW said the Hispanic male had a mustache and chin hair. She said his complexion was
3 Carmel color and he had a Spanish accent. V-JW said that the Hispanic male was on his phone talking to
someone about her being afraid of him when she was working out in the gym. V-JW had never spoken
with the Hispanic male prior to this date.

4 Your affiant went to the crime scene, the gym at Discovery Landing Apartments located at 15405 Des
5 Moines Memorial Dr. S in Burien, WA. There was blood all over the front of the treadmill, on the
6 elliptical next to the treadmill, on the carpet, on the walls, and on the windows. One kettlebell with blood
7 on it, was found on the treadmill. A second larger kettlebell with blood on it, was found on the Kettlebell
rack behind the treadmill. Being hit with a kettlebell is consistent with the blunt force trauma V-JW
suffered to her face and ear.

8 Your affiant contacted W-Vargas who saw a Hispanic male, fitting the suspect description, watching girls
9 at the Maple Point Apartments on 6-25-17 about 40 minutes before V-JW was assaulted. The witness
10 took a video of the suspect and called 911. The witness and suspect were gone before the police arrived.
The Hispanic male fit the description of the suspect that assaulted V-JW.

11 On 6-28-17 Det. Olmsted contacted the manager of Maple Point Apartments and viewed their
12 surveillance video. A Hispanic male fitting the suspect description was seen on video the evening of 6-
13 25-17 at about 2050 hrs. The Hispanic male was watching young girls in the pool and going into the gym
14 of that apartment complex. The Hispanic male was wearing a grey short sleeve t-shirt with a possible
emblem on it, long grey or dark pants, tennis shoes, and a watch. The Hispanic male fit the description of
the male who assaulted V-JW. The male in the video taken by W-Vargas is the same male that is in the
surveillance video by the pool and gym are of the Maple Point Apartments.

15 On 6-29-17 Sgt. Turi contacted the apartment manager of the Maple Point Apartments and also viewed
16 the surveillance video. The manager advised that two Hispanic males living in #E-104 look like the man
17 in the surveillance video by the pool and gym. Sgt. Turi and your affiant contacted the resident of #E-
104, W-Roche. She said that S-Diaz and W-Adrian lived at the residence and were not home.

18 On 6-29-17 1305 hrs. W-Adrian called your affiant. I advised him that we were investigating an assault
19 that occurred on Sunday and wanted to meet with him to show him a photo to see if he who knew who the
20 person was. W-Adrian agreed to meet with Sgt. Turi at his work. Sgt. Turi met with Adrian who looked
at a still photo taken from the surveillance video at Maple Point Apartments, and stated it was a photo of
S-Diaz.

21 On 6-29-17 Det. Olmstead showed a montage to 12 year old witness that saw a Hispanic male that
22 matched V-JW's description, inside the cabana while she was getting water right before V-JW was
23 assaulted. The 12 year old witness was read the montage instructions and immediately pointed to #2/S-
24 Diaz saying that was him.
25

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1 On 6-29-17 V-JW completed a sketch of the suspect and said the suspect who attacked her had a silver
2 chain on his neck and a small mole on his left cheek. She described his hair combed straight down on his
3 forehead. After the sketch was completed, V-JW was shown a montage by Det. Walford. V-JW read the
4 montage instructions, looked at the montage, and pointed at #2/S-Diaz. Det. Waldord asked what it was
5 about #2 and she said he "looks very similar." After your affiant and Det. Olmstead left the apartment V-
6 JW told Det. Walford that #2/S-Diaz looked just like the person who assaulted her.

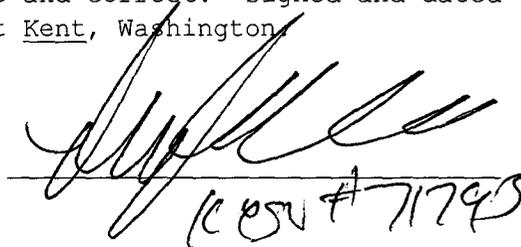
7 On 6-29-17 at 1641 hrs. Sgt. Ben Myers advised S-Diaz had been taken into custody in front of his
8 apartment. S-Diaz was read his rights by Sgt. Chad Myers. At about 1523 hrs. your affiant read S-Diaz
9 his Miranda rights which he verbally stated he understood, initialed, and signed that he understood his
10 rights. S-Diaz denied leaving his apartment on 6-25-17 in the evening. When he was told we had video
11 surveillance of him outside of his apartment with him wearing clothes different than what he said he was
12 wearing, he asked to see the image. Det. Olmstead showed him a still photo taken from the surveillance
13 camera at Maple Point Apartments. S-Diaz did not deny it was him and asked for an attorney.

14 On 6-29-17 at about 2040 hrs. a Search Warrant was served at S-Diaz apartment. Det. Olmstead
15 recovered black pants in S-Diaz closet. The pants looked like the pants he had worn in the surveillance
16 video and like what V-JW described her attacker wearing. The black pants had stains on them believed to
17 be blood. W-Rocha, S-Diaz fiancé gave your affiant a statement saying on 6-25-17 at about 2100 hrs S-
18 Diaz left their apartment wearing black pants, Nike tennis shoes, and a t-shirt. W-Rocha said he did not
19 tell her where he was going and came home about an hour later sweating, breathing hard, and acting in a
20 way that scared her. W-Rocha said he would not tell her where he was and said he had been at the gym.

21 Harborview Medical Records show V-JW injuries were comprised of a right ear laceration, left eyebrow
22 laceration, right hairline laceration, left ZMA fracture with depression into the temporalis muscle, Left
23 Anterior and lateral Maxillary sinus wall fracture, left orbital rim fracture with involvement of the
24 infraorbital nerve with fracture fragments abutting the interior rectus muscle with small amount of left
25 extraconal hemorrhage, , and open comminuted Left Mandibular body fracture with extension into the
parasympysis and into the roots of multiple teeth.

Your affiant took V-JW's sexual assault kit to the WA State Crime Lab. Scientist Reid advised she
located a low level male DNA on the perineal swabs in V-JW's sexual assault kit. V-JW had not had
consensual sexual contact with anyone for more than a week prior to her assault. Thus, any Male DNA
found in the perineal swabs indicate sexual contact by her assailant.

Under penalty of perjury under the laws of the State of Washington,
I certify that the foregoing is true and correct. Signed and dated
By me this 2nd day of July, 2017, at Kent, Washington



10050 # 71795

Certification for Determination
of Probable Cause

Prosecuting Attorney
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Seattle, Washington 98104-2312
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SUPERFORM

CCN/JCN NUMBER	B/A NUMBER	PCN NUMBER
AGENCY: <input checked="" type="checkbox"/> UNINCORPORATED KING COUNTY <input type="checkbox"/> CITY OF	C 1 7 0 3 1 4 3 5	CASE NUMBER
<input checked="" type="checkbox"/> FELONY <input type="checkbox"/> MISDEMEANOR	COURT	FILE NUMBER
	KC Superior	

DATE OF ARREST/TIME 06/29/2017 16:30	BOOKING DATE/TIME	ARREST LOCATION 15600 BLK Des Moines Memorial DR S
NAME (LAST, FIRST, MIDDLE/JR., SR.) DIAZ GARCIA, SALVADOR		ALIAS, NICKNAMES
IDENTITY IN DOUBT? No	DOB 02/06/1994	SEX M
RACE W	HGT 5'11"	WGT 165
EYES BRO	HAIR BLK	SKIN TONE
SCARS, MARKS, TATOOS, DEFORMITIES		ARMED/DANGEROUS No
LAST KNOWN ADDRESS 15421 DES MOINES MEMORIAL DR #E104, BURIEN, WA 98148	CITY STATE ZIP	RESIDENCE PHONE BUSINESS PHONE CITIZENSHIP
OCCUPATION FRAMER	EMPLOYER, SCHOOL (ADDRESS, SHOP/UNION NUMBER)	SOCIAL SECURITY NUMBER
DRIVER'S LICENSE NUMBER	STATE AFIS #	FBI # STATE ID #
VEHICLE LICENSE #	STATE YEAR MAKE MODEL	VEHICLE LOCATION TOW COMPANY
PERSON TO CONTACT IN CASE OF EMERGENCY	RELATIONSHIP ADDRESS	CITY STATE PHONE
1) OFFENSE <input type="checkbox"/> DV INV Assault	RCW/ORD # 9A.36.011	COURT/CAU # KC Superior
2) OFFENSE <input type="checkbox"/> DV	RCW/ORD #	COURT/CAU #
3) OFFENSE <input type="checkbox"/> DV	RCW/ORD #	COURT/CAU #
4) OFFENSE <input type="checkbox"/> DV	RCW/ORD #	COURT/CAU #
DATE TIME OF VIOLATION 6/25/2017	CRIMINAL TRAFFIC CITE ATTACHED? No	ACCOMPLICES
LIST VALUABLE ITEMS OR PROPERTY LEFT FOR ARRESTEE AT JAIL		
LIST VALUABLE ITEMS OR PROPERTY ENTERED INTO EVIDENCE YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> IF YES DESCRIBE (SIMPLE DESCRIPTION, IDENTIFYING MARKS, SERIAL#) Wrist Watch		
TOTAL CASH OF ARRESTEE	WAS CASH TAKEN INTO EVIDENCE? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	SIGNATURE OF JAIL STAFF RECEIVING ITEMS/SERIAL #
ARRESTING OFFICER/SERIAL # Myers, Chad J / 03697	TRANSPORTING OFFICER/SERIAL # Myers, Chad J / 03697	SUPERVISOR SIGNATURE/SERIAL #
SUPERFORM COMPLETED BY (SIGNATURE/SERIAL #) Myers, Chad J / 03697	CONTACT PERSON FOR ADDITIONAL INFORMATION (NAME/SERIAL #/PHONE) 81076	

MISDEMEANOR BOOKINGS: Complete to this line. FELONY BOOKINGS Complete both sides.
OBJECTION TO RELEASE (MISDEMEANOR OR FELON IS ON REVERSE SIDE)

C O U L T	SUPERIOR COURT FILING INFO.	<input type="checkbox"/> IN CUSTODY <input type="checkbox"/> AT LARGE <input type="checkbox"/> OUT ON BOND	COURT CAUSE (STAMP OR WRITE)
	COURT/DIST CT.NO.	DIST CT. BOND \$	SUP. CT. DATE WARRANT NUMBER
W E A R R A N D T I E N F O	WARRANT DATE	OFF CODE OFFENSE	AMOUNT OF BAIL \$
	POLICE AGENCY ISSUING	COURT	FELONY <input type="checkbox"/> MISD <input type="checkbox"/> BENCH <input type="checkbox"/> ARREST <input type="checkbox"/>
	PERSON APPROVING EXTRADITION	SEAKING-LOCAL ONLY WACIC-STATE WIDE <input type="checkbox"/>	NCIC-WILL EXTRADITE FROM ID OR ONLY <input type="checkbox"/>
	CCN# 1953541	DOE _____	DOC _____
	WAC# _____	TOE _____	TOC _____
	NIC# _____	OP# _____	OP# _____
	590655		