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AFFIDAVIT FOR SEARCH WARRANT

OCT 23 2009
JEANNE HICKS, Clerk
Dr. [Signature]
Deputy

Yavapai County)
) ss.
Arizona)

No. V1300 SW 2009 80023

Your affiant, **Detective Ross Diskin**, a peace officer in the State of Arizona, being first duly sworn upon oath, deposes and says:

That on or about October 08, 2009, in Yavapai County, Arizona, the crime(s) of Negligent Homicide ARS 13-1102 (was is being)* committed by:

James Arthur Ray a white male, 200 lbs, 6'1" with brown hair and brown eyes with a date of birth of [redacted] and a social security number [redacted]

In the following manner:

With Criminal Negligence the person causes the deaths of Kirby Brown a white female with a birth date of [redacted], James Shore a male with a date of birth of [redacted] and Liz Neuman with a birth date of [redacted].

That affiant has probable cause to believe and he does believe that there is now in the possession of:

James Arthur Ray a white male, 200 lbs, 6'1" with brown hair and brown eyes with a date of birth of [redacted] and a social security number [redacted]

And in and upon the premises and building(s), and adjoining the same, and in a vehicle(s) described as: (Describe persons, premises, building and vehicles with particularity.)

The Yavapai County Sheriff's Office evidence items 1000 through and including item 1047 under DR 09-040205 currently in the custody of the Yavapai County Sheriff's Office Property and Evidence Section located at 255 E. Gurley St., Prescott, Yavapai County, AZ.

Certain property or things: (One or more of the following categories must be used, as circumstances dictate. See 13-3912)

- which were stolen or embezzled
- were used as a means of committing a public offense
- are being possessed with the intent to use them as a means of committing a public offense
- are in the possession of _____ to whom it was delivered for the purpose of concealing it or preventing it being discovered
- consist of some items or constitute some evidence which tends to show that a particular person has committed a public offense

That said property or things are described as follows: (List all with as much particularity as possible)

On October 14th 2009 the Carlsbad Police Department served a search warrant on James Ray International, 5927 Balfour Court, suite #104, Carlsbad California. The Yavapai County Sheriff's Office assisted with the search warrant. All evidence items seized were turned over to the Yavapai County Sheriff's Office. Your affiant is requesting permission to photograph, copy, forensically examine, and test these items for evidentiary purposes. The seized items that are now in the possession of the Yavapai County Sheriff's Office are:

#1000- Dell Tower Computer, service tag 4P614J1.

#1001- Green backpack, "Ful" brand, containing miscellaneous papers including retreat
waivers completed by Spiritual Warrior participants.

#1002- Dell Tower computer, service tag 9PJSKH1

#1003- Orange file labeled "Spiritual Warrior 2009".

#1004- Purple file labeled "SPW 05" containing miscellaneous papers and a roster of participants.

#1005- Purple file labeled "SPW 10/06" containing event release forms.

#1006- Sony Cybershot camera with battery, charger and video card.

#1007- Blue expandable file folder labeled "Spiritual Warrior Oct 03-08 2009" with roster and waivers.

#1008- Dell XPS computer tower, service tag 4KM3LH1.

#1009- Apple laptop computer, serial number W89070EN.

#1010- "G-Raid" 1000GB external hard drive.

#1011- "G-Raid" 500GB external hard drive.

#1012- DVD-R labeled "Firewalk Prep".

#1013- File folders containing client's information, A through B.

#1014- File folders containing client's information, C through Donna Franklin.

#1015- File folders containing client's information, Fredrick through McNamee.

#1016- File folders containing client's information, R through Swenson.

#1017- File folders containing client's information, Maybry through Pulos.

#1018- File folders containing client's information, Sacino through Weeden.

#1019- File folders containing client's information, Weinmaster through XYZ.

#1020- 2 pieces of paper, "James Ray Int Event Matrix."

#1021- Papers and emails in reference to a Peru trip.

#1022- Paper with event details, "SW sent 2 months prior".

#1023- Harmonic Wealth Training Manual.

#1024- Dell Tower computer, service tag B47RYB1.

#1025- Dell Tower computer Dimension 9150, JNQS591.

#1026- 2 notebooks, Intro Events, Operations.

#1027- Paper, "Spiritual Warrior Event Vitals Oct 3rd - 8, 2009"

#1028- Black notebook, Event Coordinator, Event Procedures Training.

#1029- 2 notebooks and 4 journals.

#1030- Termination letter written by Amy Hall.

#1031- Red notebook, "Administration, Human Resources, New Team Member Training Manual".

#1032- Letter to James Ray International from Angel Valley.

#1033- Practical Mysticism Fire Walk Instructions.

#1034- Brown folder, "Weekly Leadership Team Meeting."

#1035- Brown folder, "WWS Conference Call Script."

#1036- Brown folder, "January Biz Developing Meeting."

#1037- Miscellaneous folders, employee documents and event descriptions.

#1038- Miscellaneous folders, "Stock Lawsuits", "Ken Browning", "Shawn Lawler", "Charity", "Tim Doyle".

#1039- Back-up storage media for server, 8 disks (most recent).

#1040- Back-up storage media for server, 6 disks (end of year 2007/2008).

Items 1041 to 1047 are components for the server:

#1041- Server EX01UMWAVE exc mail.

#1042- Server DC and file server.

#1043- Server AP001 file maker.

#1044- Server DB Counterpoint POS.

#1045- Server Array O1 top.

#1046- Server Array O2 bottom.

#1047- SCSI cables to connect server components.

REGULAR INFORMATION FORM

I received my peace officer certification in December of 2001 after graduating from the Northern Arizona Regional Training Academy (NARTA). I received a promotion to the position of Detective in January of 2006. Since becoming a detective in 2006, I have primarily been assigned cases involving child victims. I have worked numerous cases involving child abuse, child molestation, and sexual exploitation of children. In January of 2006 I attended and successfully completed "Investigation and Prosecution of Child Sexual Exploitation" (Prescott Valley, AZ). Also in January of 2006 I attended the "17th Statewide Child Abuse Prevention Conference" (Mesa, AZ). In February of 2006 I attended "The Reid Techniques of Interviewing and Interrogation" (Phoenix, AZ). In March of 2006 I attended the "4th Statewide Sexual Abuse Conference" (Phoenix, AZ). In July of 2006 I attended and successfully completed a course in "Child Abuse and Exploitation on the Internet" (Las Vegas, NV). In November of 2006 I attended and successfully completed "Advanced Forensic Interview Training of Children Who Alleged Abuse" (Phoenix, AZ). In January of 2008 I attended the "19th Statewide Child Abuse Prevention Conference" (Mesa, AZ). In October of 2008 I attended the Arizona Homicide Investigator's Association annual conference (Las Vegas, NV). In June of 2009 I completed "Buried Body Recovery" school at NARTA. In July of 2009 I completed "Basic Shooting Reconstruction" school at NARTA. In August of 2009 I completed "Criminal Investigations Utilizing Cellular Technologies" in Gilbert, AZ.

On October 08, 2009 at approximately 5:25 p.m., The Yavapai County Sheriff's Office responded to the Angel Valley Retreat in Sedona Arizona, located at 13850 Angel Valley Road off of highway 89A, for a report of numerous people in various stages of medical distress.

Yavapai County Sheriff's Office detectives were advised of one male, James Shore, and one female, Kirby Brown, had died after being transported to the Verde Valley Medical Center. Detectives were also advised that other participants were in altered levels of consciousness and having difficulty breathing.

Your affiant learned that James Arthur Ray was the Facilitator for this event at the Angel Valley Spiritual Retreat Center in Sedona Arizona. The event was called the "Spiritual Warrior" program. The event was scheduled for October 3rd through the 8th 2009. James Arthur Ray was in charge of the proceedings in the Sweat Lodge. Witnesses who had participated in the two hour sweat lodge ceremony told officers that James Arthur Ray told the participants they would feel like they were going to die, but they would not die. Witnesses described the event as "super heated and so hot they could not breathe." James Arthur Ray told participants to push themselves and would only allow participants to leave by telling them they could only leave when the flap (opening) was up. James Arthur Ray controlled when the flap would open.

Doctor Fischione, Chief Medical Examiner for Maricopa County, told Det. Mike Poling that the extreme heat caused by a sweat lodge can cause hyperthermia to the body as was described by staff members as having to hose off participants with water to cool them as they left the lodge.

It is unknown how James Ray learned how to facilitate a Sweat Lodge. Some of the witnesses said James Ray claimed to have been trained by Native Americans.

Your affiant talked to Theodore "Ted" and Debra Mercer. Ted Mercer built the sweat lodge for James Ray and was the "fire tender" (person responsible for heating the rocks and bringing them to the door of the tent under the direction of the facilitator). Debra would use a pitch fork to pass the rocks into the tent. Someone inside would take the pitch fork, deposit the rock in the center of the tent, and then return the pitch fork. Debra and Ted were not allowed to go inside the lodge and could only see inside when the door flap was open between rounds. Debra and Ted have a 17 YOA daughter, Sarah Mercer, who was present outside of the sweat lodge during the event.

Witness Ted Mercer told your affiant that he has assisted with "six to eight sweat lodges" and has experienced problems on three occasions. He stated all three times he was working with facilitator James Arthur Ray. Ted Mercer has only assisted James Ray with three sweat lodges. Ted told me someone qualified to do Sweat Lodges would probably have called ambulances after the other two sweat lodges he did with James Ray. Ted Mercer told me he brought in the hot rocks (to the door of the tent) at the direction of James Arthur Ray. The rocks are called "grandfathers" and James Ray would tell Ted Mercer how many "grandfathers" to bring in at the beginning of each round. The number of rocks requested by James Ray would determine how hot the sweat lodge would get. This year's sweat lodge consisted of eight rounds. Ted Mercer told me the past two years people would exit the sweat lodge in medical distress. Ted said medical personnel should have been called in previous years but were not. Ted indicated James Ray's sweat lodges are much hotter and way more intense than the other sweat lodges he has assisted with. James Ray's sweat lodges are two hours long which is longer than the other sweat lodges he has assisted with. Ted estimated 55 people were in the sweat lodge. Ted said the normal number of people for a sweat lodge is 15 people but James Ray always has large groups of people in the sweat lodge. For these reasons, Ted said he did not plan on helping James Ray with the sweat lodge this year but he has been out of work and needed the money and James Ray had a nurse on staff that he believed would assist if there were problems.

Ted Mercer stated people did not have to stay in the lodge the whole time but were encouraged to do so to bring them to the next level of consciousness. Ted Mercer told me James Ray continued to encourage people to stay inside the sweat lodge. Ted heard James Ray say, "You are not going to die, you might think you are, but you're not going to die." Ted indicated James Ray said this three times during the sweat lodge.

Ted said the participants fasted for two days prior to the sweat lodge and didn't drink enough water. Ted said there was not a safety plan for the event.

Theodore Mercer's wife, Debra Mercer, told your affiant that James Arthur Ray was advised by participants that two participants were unconscious. This was between the 7th and 8th rounds. Debra Mercer did not know who made this statement but she could hear it from outside the lodge. Debra said James Ray's response to this was that they would be okay and there is only one more round. James Ray did not seem overly concerned that the two participants were unconscious.

Debra told me that after the 4th round two people had to be dragged out of the tent. Debra explained that participants would drag participants who were in medical distress to the door of the tent. Debra and other people would then drag the participants the rest of the way out. Debra said one of the participants came out of the tent after the 4th round. This participant believed he was having a heart attack and believed he was going to die. He kept saying, "I don't want to die, I don't want to die." Instead of summoning medical aid, James Ray stated "It's a good day to die".

Debra also stated there were problems with the sweat lodge the previous two years. Debra took pictures of participants outside the sweat lodge in 2008. Debra later emailed those pictures to me and it appears by the photos that some participants are in medical distress and possibly unconscious.

Debra said the rest of the occupants exited the tent after the 8th round. Debra was concerned about the previous comments that there were two people passed out after the 7th round. Debra observed James Ray sitting in a chair in the shade. Debra looked inside the tent and observed three people were at the back of the tent. Debra was able to drag one of the females out of the tent (possibly Liz Neuman who later died from her injuries). Two people were now inside (James Shore and Kirby Brown). Debra told James Ray that two people were still inside. Debra told James Ray she needed to open up the back of the tent. James Ray told her it would be "sacrilegious" to open up the back of the tent and she could only do it if it was necessary. Debra opened up the back of the tent but needed someone to hold the tent open so she could drag out Kirby Brown. Someone eventually held open the tent and she dragged Kirby out. Kirby wasn't breathing. She obtained more assistance and was able to drag out James Shore. At this time a female Debra believed was the nurse employed by James Ray was next to Kirby. The female said Kirby wasn't breathing and asked Debra what to do.

On 10/09/09 Detective S. Surak interviewed Sarah Mercer 17 years of age, he asked if she had participated in the event and she stated that she was outside of the sweat lodge assisting people as they came out of the lodge by putting cool water on them and providing drinking water and electrolytes. Sarah stated that she was never inside of the lodge and she

stated that toward the end of the ceremony someone had said that there were people that were unconscious in the lodge. Sarah said that they told James Ray that and he said "good, good". Sarah stated that when they asked Ray if they should get the unconscious people out of the lodge he stated "no they will be fine; we only have one more round". Sarah went on to say that at the end once everyone was out of the lodge her mother looked into the lodge and saw three people still in the lodge and they appeared to be unconscious and her mother asked for help to get them out and no one responded so Sarah and her mother went to the back of the sweat lodge and pulled the back of the lodge up and pulled the people out. Sarah stated that there were three people back there, one was a real big guy that she remembers and that his lips were purple and blue and face was purple and blue. Sarah stated that there was a girl sitting next to the big guy and they were holding hands, but she was face down in the dirt, she stated she had to walk away after that. Det. Surak asked if it was James Ray that said it was good that people were unconscious, she stated yes that he said it was a good thing and to just leave them in there for the last round, they would be fine. Det. Surak asked how long the rounds last and was told 15 minutes and Sarah went on to say that it was another 15 minutes after everyone was out to get to the people that were still in the lodge unconscious. Sarah could not remember anything else other than this was supposed to be a peaceful experience and it was not.

At the conclusion of the ceremony three people were found unconscious in the back of the sweat lodge. CPR was initiated on Kirby Brown and James Shore, who were pronounced deceased on arrival or shortly after arriving at Verde Valley Medical Center. Information from the family of Kirby Brown was she was in good physical condition prior to attending the sweat lodge ceremony. Sidney Spencer was transported to Flagstaff Medical Center by helicopter. Information from Verde Valley Medical Center was they ruled out carbon monoxide as a contributor to the death or illnesses of the people being brought in from this event.

Your affiant and detectives from the Yavapai County Sheriff's Office spoke to most of the participants/customers of the retreat which totaled over 50 people. There were no indications explaining why there were deaths and why people were getting sick other than it was extremely hot inside the sweat lodge. Several of the participants indicated James Ray continued to encourage people to stay inside the lodge. Witnesses said James Ray sat right next to the door and people would have to crawl past him to leave the sweat lodge. It appeared, based on the interviews, participants thought highly of James Ray and didn't want to let him down by leaving the sweat lodge. Several participants indicated they were not told what to do if they had medical problems during the event.

Your affiant learned the group may or may not have been fasting (depending on their unique spiritual journey) the day before (Wednesday October 07, 2009). The interviews of the participants indicated most of them participated in the "Vision Quest" which was 36 hours of fasting which lasted until Thursday morning. On Thursday morning October 08, 2009 the group ate breakfast and was told to hydrate. This was the only meal prior to the sweat lodge at 3:00 PM.

In the early evening hours, approximately between 3:00 p.m. and 5:00 p.m. the group of 50-60 people participated in a "Sweat Lodge" where a small hut (60' in diameter) was constructed of short wooden poles with blankets and tarps covering the hut. Rocks from outside the hut were heated by a wood fire and transported inside the hut where water was placed on the hot rocks. The hut was filled with these hot rocks while chanting was taking place.

Your affiant learned the time an individual spent in the sweat lodge was based on the individual's preference. The emphasis was on trying to push ones self past their self-imposed and conditioned borders.

On 10/08/09 Detective S. Surak interviewed Lou Caci who had been injured in the event and was at the Verde Valley Medical Center. Caci was located in the I.C.U. area of V.V.M.C. Caci advised Det. Surak that he had attended several of James Ray's events and that this was not the first time he had been involved in a Sweat Lodge. Caci advised Det Surak that he had done another sweat lodge with Ray back in 2003. When asked how this one differed Caci stated that it was a lot hotter than the last sweat lodge he had done with Ray in 2003. When asked how he was injured he stated that he had gotten so hot that he was "delirious" and was trying to get out of the lodge and put his hand into the hot rocks in the middle of the lodge. He said he didn't even realize what he had done until he did it and as soon as he did he was able to get out of the lodge. Caci also stated that he had come out at about round 4 or 5 and went back in for the last round. Caci said that he observed what he called a large woman unconscious and advised Ray and nothing was done. Caci stated that he and another person at the end of the last round pulled this woman from the Lodge. Caci advised Surak that he felt James Ray could have conducted the sweat lodge better than he did and that there should have been doctors and nurses on scene to assist in case of emergencies. Lou Caci also attended James Ray's "Modern Magick" program in March of 2008. Caci was instructed to break a brick with his hand. Caci broke the brick but also broke his hand. Caci described breaking the brick and his hand as an "amazing experience".

Det. Pam Edgerton interviewed Melinda Martin on 10/09/09. Melinda is employed by James Arthur Ray. Melinda attended the sweat lodge event. Melinda said James Ray did not have anyone on staff to render medical aid. Melinda stated James Ray did not hire or make arrangements for any medical personnel to assist with any injuries or emergencies.

Detectives learned the following information from different sources, including, Amy Hall (former James Ray employee), Melinda Martin, and family members of Colleen Conaway. On 07/25/09 Colleen Conaway participated in a James Ray event in San Diego. During this event James Ray and his staff would make the participants look like homeless people, take their identification, and drop them off in San Diego. The purpose of the event was for the participants to pretend they were homeless. Amy Hall, a James Ray employee who resigned

after the sweat lodge incident, told us some participants would actually dig through garbage to find something to eat after only a few hours. Colleen Conaway went inside the Horton Plaza mall, went up to the third story, and jumped to her death. Colleen's sister told me Colleen was not suicidal and the friends and family couldn't understand why she would do this. Colleen was dressed as a homeless person and didn't have identification. Another participant witnessed the suicide but would not give his address or information to law enforcement because he didn't want to come out of character. Colleen did not return to the bus and James Ray's staff notified mall security. Mall security advised James Ray's staff of the suicide. It was eventually determined that the suicide victim was Colleen. Melinda remembered a staff meeting about the event. **The staff was not told Colleen was dead. James Ray told staff members that if anyone asked them where Colleen was they were to say that Colleen left and wasn't coming back.** It is unknown which staff members knew of Colleen's death. Staff members Amy Hall and Melinda Martin did not know about the July death until after the deaths at the sweat lodge. On 10/20/09 Melinda Martin called Det. Edgerton to say she had just found out 10/19/09 that Colleen had died during the San Diego event.

Sgt. Tom Boelts interviewed Dawn Gordon on 10/12/09. Dawn was sitting in the back of the sweat lodge next to James Shore and Kirby Brown during the event. **Dawn said James Shore helped drag a female in medical distress out of the tent but James did not leave. Later she could hear Kirby Brown gurgling. She could hear James Shore saying he needed help getting Kirby out. No one responded. James was apparently too weak to get Kirby out.** Dawn was also too weak to help.

On 10/10/09 Daniel R. Foxx left the following comment on Prescottnews.com in response to an article on prescottnews.com:

*"I was in Spiritual Warrior with James A Ray at the Angel Valley Resort in October 2005. I left the sweatbox in fear after less than 1 hour. I witnessed most people stay in it for much longer. **I remember one man came out swinging and punched a woman!** Soon after that he was rushed to a hospital VIA ambulance! Why were there no red Flags raised then? Why did 2 people have to lose their lives?! :-(*

If you haven't heard, he is responsible now for the death of 2 people. I experienced his harsh and what i felt was selfish acts. I felt as if he was making himself to be a profit. I am available for further questions if need be. I feel as though he deserves to be charged with their deaths".

I sent Daniel Foxx an email asking him to call me. He sent me the following response via email:

"The only information I can give is that it wasn't the first time 911/Ambulance was called after a James Ray Sweat Lodge. Check Spiritual Warrior 2005."

On October 13, 2009 Detective Mike Poling spoke to 34 year old, Mickey Reynolds about his experience while attending the 2005 "Spiritual Warrior" Retreat in Sedona Arizona.

Mickey has attended other seminars presented by James Ray and began with the "Harmonic Wealth" seminar. The experiences lead up to the final "Spiritual Warrior" retreat. Mickey was part of the "Dream Team" (participants acting as coaches and participants) during their spiritual journey.

Mickey told Detective Poling he felt safe entering the sweat lodge and said it was "implied" by James Ray that it was safe since he himself had done this before. Mickey said there were no safety procedures discussed if there was a problem inside the sweat lodge. The only air allowed into the lodge was when the entrance flap was opened to allow the rocks to be brought in and then it was shut again. Each session was started when additional rocks were brought in.

Mickey told Detective Poling he had stayed inside the sweat lodge for 6 sessions or an estimated four (4) hours. The minute Mickey exited the sweat lodge; Mickey dropped and needed to be hosed down with water. Mickey heard the Rock tenders claiming, "This guy (James Ray) is crazy." Mickey understood them using 60 stones when the rock tenders thought 20 stones were enough.

Mickey told Detective Poling he was sitting outside the sweat house while the final session was being held and heard participants inside the lodge "screaming" to get out. Mickey heard James Ray tell the participants, "NO."

Mickey informed Detective Poling a friend, Daniel Phankuch, had to be taken by ambulance to the hospital. Mickey's 60 year old father was also experiencing problems and vomiting.

Mickey informed Detective Poling there were no safety measures to include medical staff (nurses or doctors). Mickey felt the heat was extreme with an estimation of 150 degrees. Mickey said he felt this situation was "reckless" and attempted to bring this to James Ray's attention. Mickey's concerns were said to be over looked by James Ray and Mickey ceased following James Ray's leadership.

The above incident Mickey Reynolds described occurred in 2005, prior to the Mercers assisting James Ray with the sweat lodge.

On 10/13/09 your affiant received a call from Shawn Hank. Shawn was a James Ray follower from 2002 until 2005. Shawn said he believed James Ray helped him and Shawn had written testimonials that are still on James Ray's website. Shawn made the comment that he would have even "Drank the Kool-aid". Shawn was upset because he heard on the news that this was the first incident involving James Ray and the sweat lodge. Shawn said

this wasn't true. Shawn said he attended the Spiritual Warrior program and someone had to be transported to the hospital. Shawn believed the year was 2005. I asked Shawn why he stopped being a James Ray follower. Shawn stated James Ray started the "wealth society" in 2005 and appeared to only be interested in helping people with a lot of money. James Ray was charging \$60,000 a year (per person) for people to subscribe to a year of his seminars. Shawn Hank has the money to be able to do this but he realized James Ray became more interested in money than spiritual things.

Det. Shonna Willingham later interviewed Beverley Bunn. Beverley is a Dentist and was a participant at the Angel Valley sweat lodge. Beverley was also interviewed by the media (Associated Press) and gave the same account during both interviews. Beverley believed James Ray pushed people too hard during the sweat lodge. Beverley said participants fasted prior to the sweat lodge and also participated in physically and mentally strenuous events. In one of the events James Ray played the role of "God" and when anyone did anything he didn't like James would point to them and say "You're dead." The participant would then have to play dead until James Ray decided they could live again.

During the sweat lodge, Beverley remembers hearing someone say, "I can't get her to move, I can't get her to wake up." James Ray replied, "Leave her alone, she'll be dealt with in the next round." This confirms the statements made by the Mercers. At one point, someone lifted up the side of the tent to get air. James reprimanded the person and said this was "sacrilegious". We determined through other interviews that the person lifting up the tarp to get air was one of the victims, James Shore. Beverley also stated that James Ray was saying things like, "You may think that you're going to die but you're not going to die." This further confirms the Mercer's statements.

Melissa Phillips was interviewed by Det. Shonna Willingham and remembered James Ray saying during the 2009 sweat lodge that participants, "Had to surrender to death to survive it." Participants were told that they were not allowed to talk during the sweat lodge and only the "master" (James Ray) could talk. Melissa observed participants dragging other participants, who were in medical distress, out of the sweat lodge. Melissa was transported to the hospital after the sweat lodge. At a follow-up visit with her doctor in Canada she learned she had burns all over her body from the heat of the sweat lodge.

Since the sweat lodge deaths, several people have contacted the Sheriff's Office with information about "Modern Magick". Modern Magick is an event held by James Ray in Hawaii. During this event participants are told to break bricks with their hands. Several people reported there were no instructions or training on how to break these bricks without being injured. There were no doctors or nurses employed by James Ray on site to treat the injured. Bronwen Richards is a nurse who attended Modern Magick in 2008. She reports that both she and her husband broke bones during this event. Bronwen estimated 16 people were being treated in the local emergency room with broken bones from attending the James Ray event. Participants of this event who asked for a refund were not given a

refund.

On 10/22/2009 at approximately 1323hrs Detective John Johnson spoke to Jeanne Armstrong by phone. Jeanne said that while James Ray was talking about the experience he described it as the most intense thing they did. She said that he didn't give any health warnings other than people might feel nauseous and want to throw up. She said he told people that it was important they not try to leave until between rounds so they didn't fall in the pit during darkness of each round. He told them they needed to stay hydrated. She said a female participant asked "I have high blood pressure, will it raise my blood pressure, should I go in?" She said James Ray told the woman "that's up to you I think it's like exercise and might raise your blood pressure."

Jeanne said she sat 4-5 people away from the flap. She said it was like intense exercise to her and she stayed through the last round. She said during one of the rounds a male subject got up and tried to leave during the round. She said he tripped and burned his hand on the hot rocks. She said he was screaming from the pain. She said James Ray asked "what was that" and then "let's get him out" after being told what happened. She said people tried to help him out and he didn't want help leaving. She said James Ray told him "it will be faster if they help you out." She said she thought that subject returned for the last round.

Jeanne said she heard someone yell "Ami is passed out" and "I need help." Jeanne said people were yelling things including a male voice say "let's get some guys over there." She said the voice came from the area James Ray was in and she thought it might have been him.

Jeanne said it was very loud in the sweat lodge with people yelling things and James Ray talking at the beginning of each event. She said people were encouraging each other to stay and make it through it.

Jeanne said after the last round she was one of the last people out. She said she heard someone yell "I need help over here." She said she went, identified herself as a doctor, and then helped a female subject Sidney. She said someone told her that they were doing CPR on someone else. She said she left someone else with Sidney and went to perform CPR. She said she identified herself as a doctor again and after asking was told EMS was enroute. She said she assisted with CPR for some minutes. She said someone rotated in to relieve her from doing compressions. She said she stood up and James Ray came over to her. She said James Ray asked her what else they could do at that point. She said she told James she needed an AED (Automatic External Defibrillator) if one was available. She said James Ray left looking for an AED.

Detective Wendy Parkison previously interviewed Jeanne Armstrong on 10/08/09, the night of the sweat lodge deaths. Detective Parkison prepared the following summary of that interview:

"Jeanne has done some James Ray events in the past however this is the first time for a Vision Quest and sweat lodge. Jeanne states she is a doctor and works for an immediate care clinic in Avon, Indiana. She had dinner Tuesday night and didn't eat food or drink water until Thursday morning. James Ray told them to drink a lot of water".

"I asked how many people she thought were in the lodge, she guessed about 50. I drew a diagram of the lodge and she drew an x to the West of the flap. She said she was close enough to the flap she could feel air when it was open. She said she was to the left of Christine Mattern. I asked if she experienced any problems breathing or any other difficulties. She said it was hot, like a sauna. She did not consider it a major discomfort. Jeanne stayed in the lodge the whole time."

"I asked her if prior to going in to the lodge if anyone discussed what to do if anyone panicked or got sick. She said she doesn't recall. She said people in there spoke out. I asked her about that. She said when the door was open they left. I asked if anyone instructed them to stay. She said before the lodge they were told to let someone know (if assistance was needed) but you don't usually remove people before the flap opens because of hot rocks (when the flap was closed it was too dark to see)."

"I asked if she heard anyone get denied a request to leave. She said no. I asked if when the flap was closed if anyone got denied. She said she was "in my own world". She said she heard people say they wanted to leave and she heard people encouraging them to stay strong. She said the whole group did that and that was what this was about. She said no one got yelled at or humiliated for leaving. She said it was group encouragement. Jeanne said she felt she could leave if she wanted to".

"She said it was really hot and she was sweating. But the ground was cooler. She said the flap was open each time for a long time and towards the last round she believes it was open at least 7 minutes. She said people would be leaving and people would be coming back in."

"I asked when she first recognized a problem. She said it wasn't until they were out of the lodge. She said she was laying there getting wet and she heard someone say they needed medical attention and someone was getting CPR. She said she worked on (CPR) both James Shore and Kirby Brown. She said they were behind the sweat lodge and she doesn't know how they got there."

"I asked if anyone knew she was a medical doctor prior going into the sweat lodge. She said some people did because at some point you share what you do. I asked if anyone asked her to be available if there were problems. She said no, she is attending (participant)."

"I asked how she was directed to where Kirby and James were. She said she thinks someone said they needed help and asked where the nurse was. She told them she was a

doctor and asked what they needed. I asked what the condition of James and Kirby were when she saw them. She said they appeared to be in full cardiac arrest with no pulse and CPR was being performed already. She said she took over for one person as they were getting tired. She said at some point she switched with the person who was doing CPR on Kirby. She said neither James nor Kirby ever responded. I asked if she could tell what their issues were. She said she doesn't know when she saw them they were full arrest. She said both were a little cyanotic, their faces were a little dusky and she attributed that to having no pulse, not breathing and having CPR being performed. She said when she took over for the person doing CPR on Kirby she heard someone say they could feel a pulse (on Kirby) and that her color was better. Jeanne said she stopped to check and realized the only reason there was color was because she (Jeanne) was doing effective CPR."

"She could not say how long Kirby and James had been in that condition. I asked if she saw dilated pupils and she said she did not check that. She said at that point the job is to do CPR until the paramedics arrived. She said those two were the only ones in that condition. I asked if she rendered aid to anyone else and she said yes. She said she assisted with Sidney (Spencer). They asked her to come look at Sidney because she had some frothy sputum. Jeanne said she did a sternal rub to see if she would respond to pain. She said she was doing that when she heard the call for help over by Kirby and James. She said she triaged and because Sidney had a pulse and was breathing on her own she went over to where Kirby and James were. She said there were still people assisting Sidney. She said Sidney was incoherent. I asked what the frothy sputum was indicative of and she said it could be pulmonary edema. She said initially it looked more like spit."

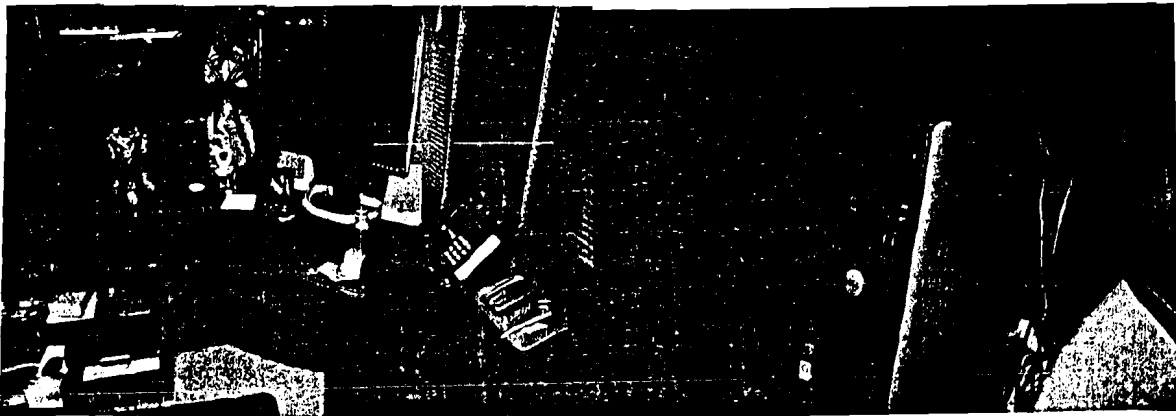
"Jeanne said after they took the full arrest victims she checked on the people that were still sitting on the ground making sure they had blankets and stayed warm in case they had heat exhaustion. Once the paramedics got there she stayed out of their way other than holding up I.V bags."

"I asked if there was anything she thought could help with this investigation. She said she doesn't know but obviously something out of the ordinary. Jeanne said she really didn't look forward to doing the sweat lodge and that getting hot is not something she likes to do however it was her choice to do it. She said it was just the luck of the draw in her position in the sweat lodge and that she controlled her breathing and laid on the ground. She said this sweat lodge for her was more comfortable than some of the sauna's she has been in."

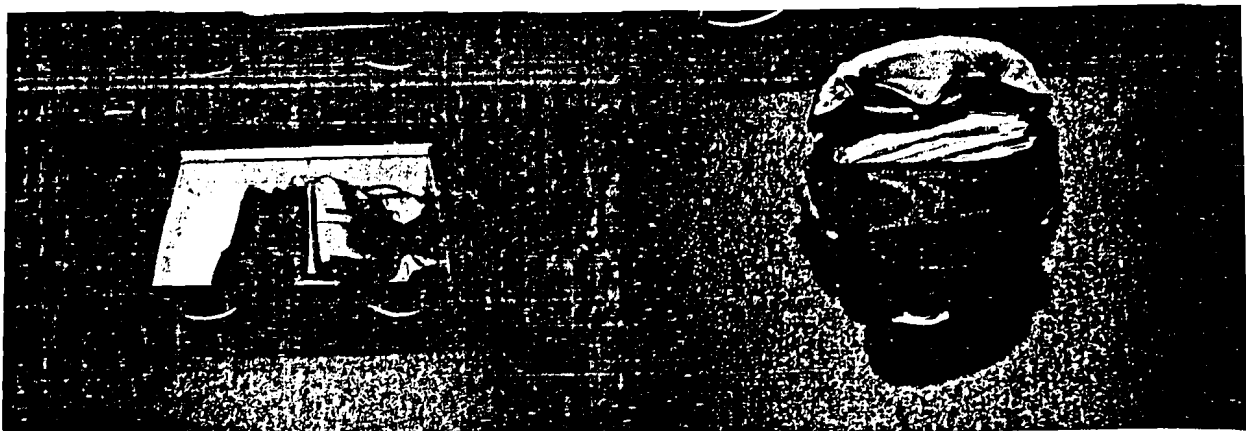
James Ray and his staff, to date, have declined to answer questions from law enforcement in relation to the sweat lodge.

The below items were not thoroughly searched, only examined long enough to determine if they were of evidentiary value. Your affiant is requesting to examine the following items for the following reasons:

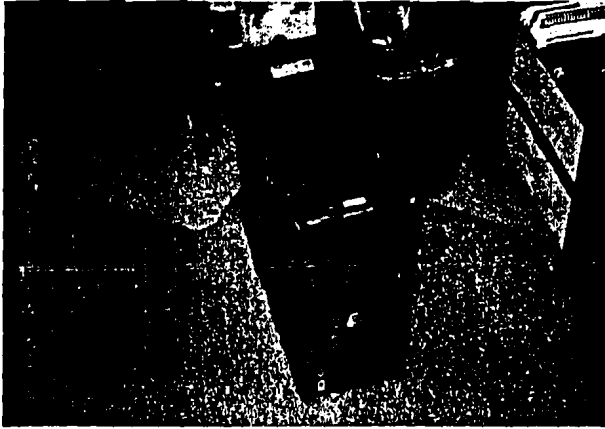
#1000- Dell Tower Computer, service tag 4P614J1. Taken from James Ray's office. This computer is used by James Arthur Ray. We believe incriminating or exculpatory evidence will be located on this computer, such as, email to other employees discussing prior and future events, lists of participants, documents on how to conduct sweat lodges, complaints or suggestions from prior members who were injured, and/or any other details about events and participants.



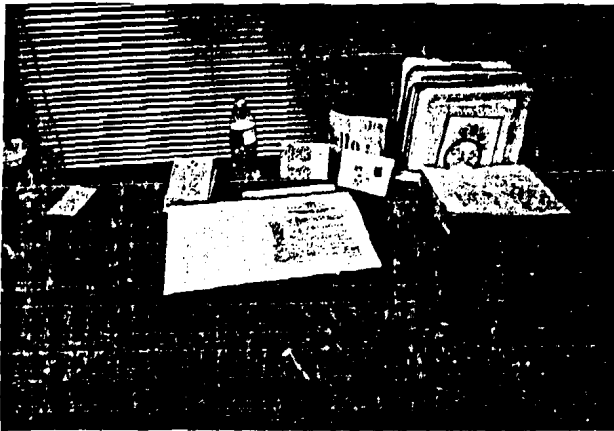
#1001- Green backpack, "Ful" brand, containing miscellaneous papers including retreat waivers completed by Spiritual Warrior participants. This item was located in Megan Fredrickson office.- Megan appears to be James Ray's second in command.- The documents in this backpack contain the medical release forms for participants of Spiritual Warrior 2009.



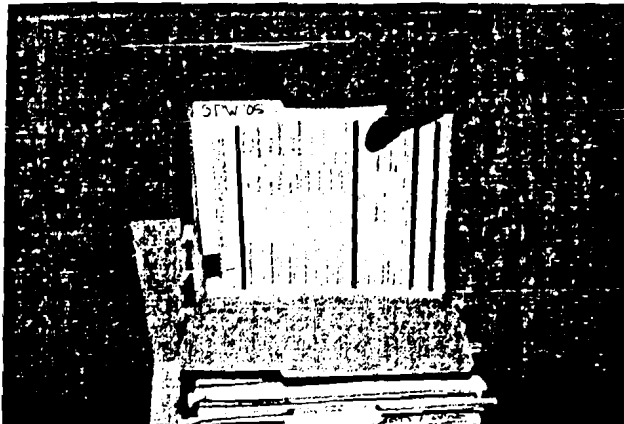
#1002- Dell Tower computer, service tag 9PJSKH1. This computer was taken from the office of Megan Fredrickson. We believe the same reasons exist to search this computer as detailed under item #1000.



#1003- Orange file labeled "Spiritual Warrior 2009". Found in Megan Fredrickson's office. This file contains information about Spiritual Warrior 2009.

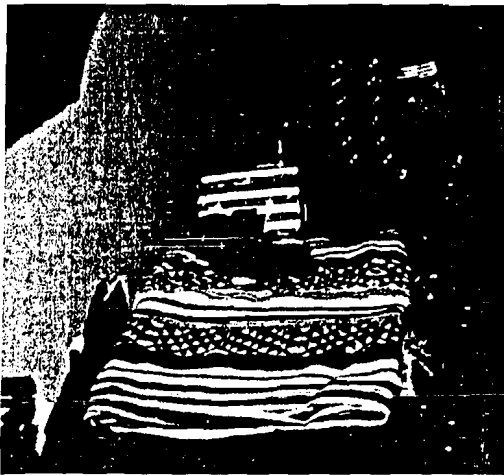


#1004- Purple file labeled "SPW 05" containing miscellaneous papers and a roster of participants. Found in Megan Fredrickson's office. This file appears to contain participant information for Spiritual Warrior 2005.



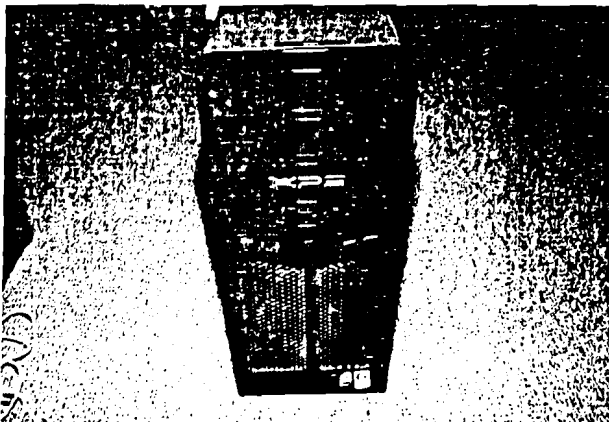
#1005- Purple file labeled "SPW 10/06" containing event release forms. Found in Megan Fredrickson's office. This file appears to contain participant information for Spiritual Warrior 2006.

#1006- Sony Cybershot camera with battery, charger and video card. Found in Josh Fredrickson's office. Josh is Megan's husband. Josh identified himself as being the person in charge when we served the search warrant. Megan and James Ray were not there. Josh told me he creates video of James Ray's events. Josh attended Spiritual Warrior 2009 and was in the sweat lodge. It is believed Josh's camera will contain pictures and/or video of James Ray events, including Spiritual Warrior 2009.

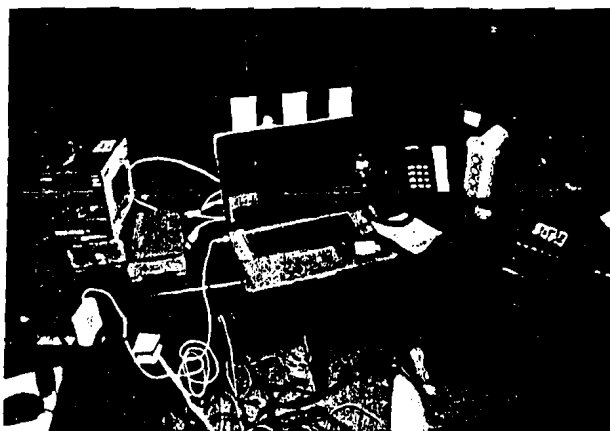


#1007- Blue expandable file folder labeled "Spiritual Warrior Oct 03-08 2009" with roster and waivers. Found on Josh Fredrickson's desk. This folder outlines the activities for Spiritual Warrior 2009.

#1008- Dell XPS computer tower, service tag 4KM3LH1. Found in Josh Fredrickson's office. We believe the same reasons exist that evidence will be found on this computer as detailed under item #1000.



#1009- Apple laptop computer, serial number W89070EN. This laptop was found on Josh Fredrickson's desk. Josh said this is his personal computer. Two external hard drives (#1010 and #1011) were found next to this laptop. One of the external hard drives was plugged into this laptop. This is consistent with downloading video of James Ray events, which is what Josh said his job was.

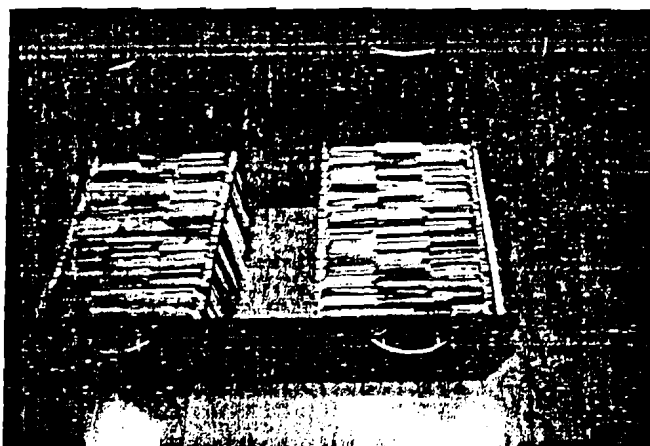


#1010- "G-Raid" 1000GB external hard drive. Found on Josh Fredrickson's desk. This hard drive is believed to contain video or other data of James Ray events.

#1011- "G-Raid" 500GB external hard drive. Found next to item #1010.

#1012- DVD-R labeled "Firewalk Prep". Found on Josh Fredrickson's desk. The "Firewalk" is an activity done at a James Ray event. We would like to search this DVD to determine if any safety procedures were in place or if any emergency plans existed should someone become injured during the Firewalk event.

#1013- File folders containing client's information, A through B. Items #1013 through #1019 are James Ray International customer's files located in file cabinets in the same area as several employee's cubicals. There appears to be hundreds of different customer files. These files will allow investigators to identify potential witnesses of other James Ray events and will provide contact information for identifying these witnesses.



#1014- File folders containing client's information, C through Donna Franklin.

#1015- File folders containing client's information, Fredrick through McNamee.

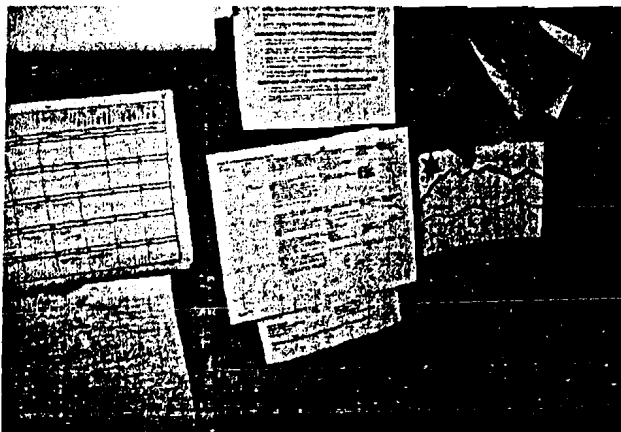
#1016- File folders containing client's information, R through Swenson.

#1017- File folders containing client's information, Maybry through Pulos.

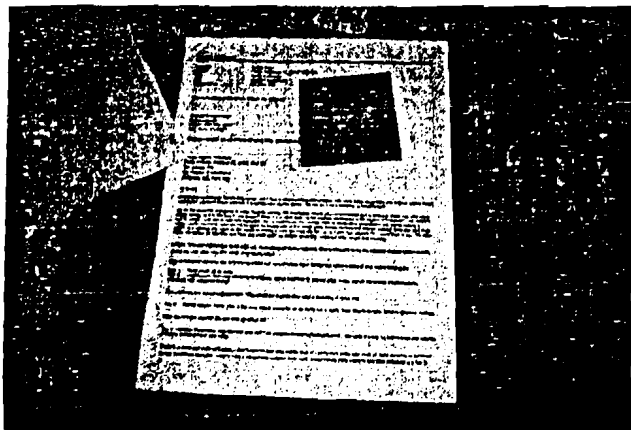
#1018- File folders containing client's information, Sacino through Weeden.

#1019- File folders containing client's information, Weinmaster through XYZ.

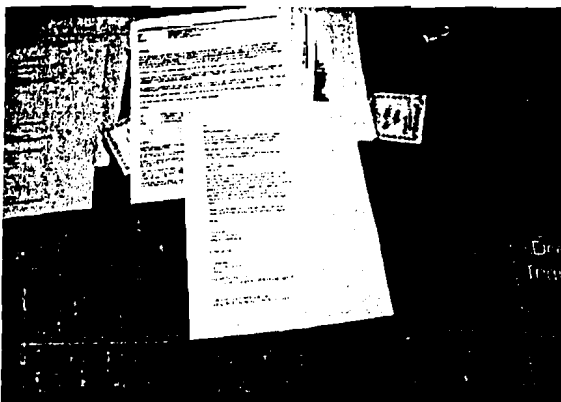
#1020- 2 pieces of paper, "James Ray Int Event Matrix. Found on Rossina's desk. These items appear to have information about James Ray International events and specific keys to the presentation.



#1021- Papers and emails in reference to a Peru trip. Found on Rebecca's desk. James Ray has told participants he learned how to do a sweat lodge by Native Americans. He also told participants he learned from shaman in South America. We are requesting to search these documents to find out the purpose of James Ray's trip to Peru and if the purpose was to learn how to conduct ceremonies such as sweat lodges or other ceremonies used at James Ray's events.



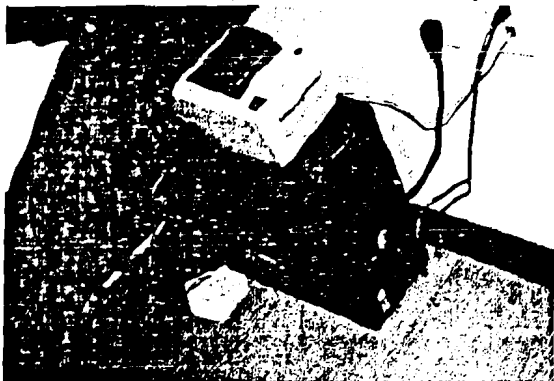
#1022- Paper with event details, "SW sent 2 months prior". Found on Rebecca's desk. Appears to be details sent to Spiritual Warrior participants prior to the event.



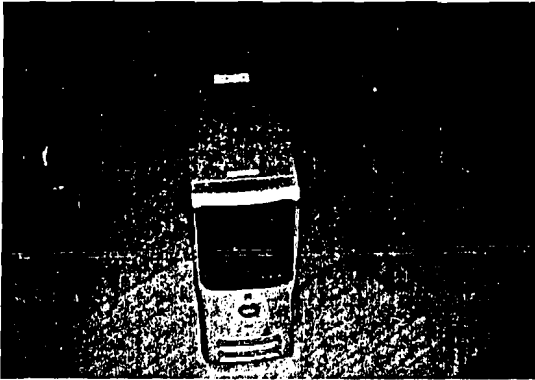
#1023- Harmonic Wealth Training Manual. Found on Rebecca's desk. "Harmonic Wealth" is one of the principals taught by James Ray. James Ray facilitated a conference call with all the participants of Spiritual Warrior 2009 after the deaths of James Shore and Kirby Brown. During this conference call, James Ray told participants they should only surround themselves with "Harmonic Wealth minded individuals". Reviewing the "Harmonic Wealth Training Manual" will help investigators understand the mindset of James Ray and the participants of the sweat lodge.



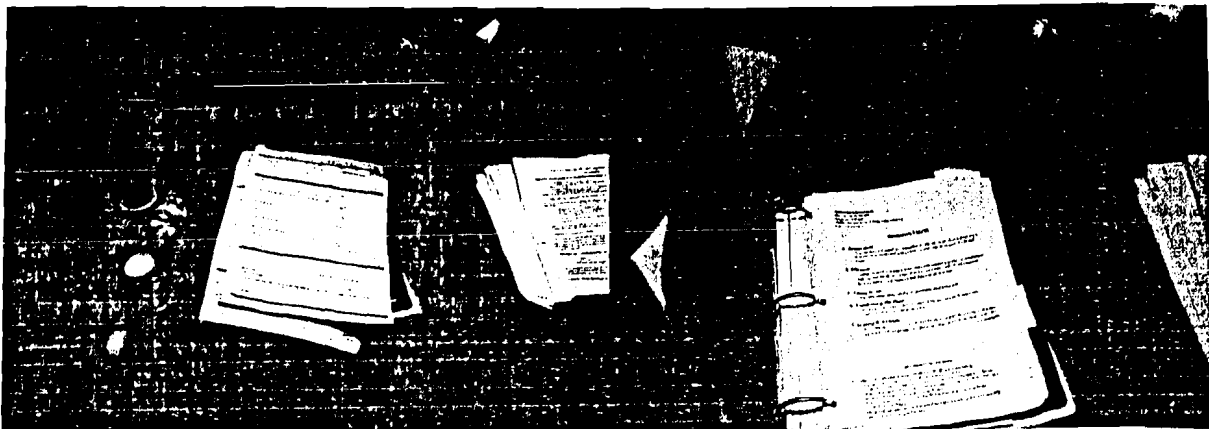
#1024- Dell Tower computer, service tag B47RYB1. Found under Rebecca's desk. Rebecca, "Becca", told me she answers phones for James Ray International and takes complaints from customers who want a refund. Becca told me Tina Hefner is responsible for what happens with these complaints or requests for refunds. It is believed probable cause exists and information about these complaints would likely be stored on Becca's computer.



#1025- Dell Tower computer Dimension 9150, JNQS591. Found under Tina Hefner's desk. It appears, based on interviews with Becca and former James Ray employees, that Tina Hefner is responsible for documenting complaints about injuries at James Ray events or requests for refunds. It is believed evidence of these complaints will be located on Tina Hefner's computer.

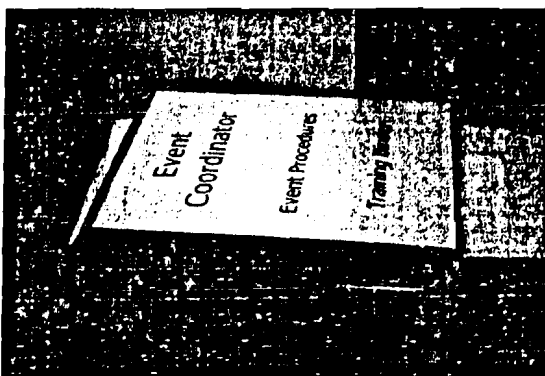


#1026- 2 notebooks, Intro Events, Operations. Found on top of the receptionist's file cabinet. These notebooks appear to contain details about James Ray events, employee organizational charts, staff itineraries for events and a price "investment" list for James Ray events .



#1027- Paper, "Spiritual Warrior Event Vitals Oct 3rd - 8, 2009". Found in the Storage/Supply closet next to the entrance. This paper contains details about Spiritual Warrior 2009.

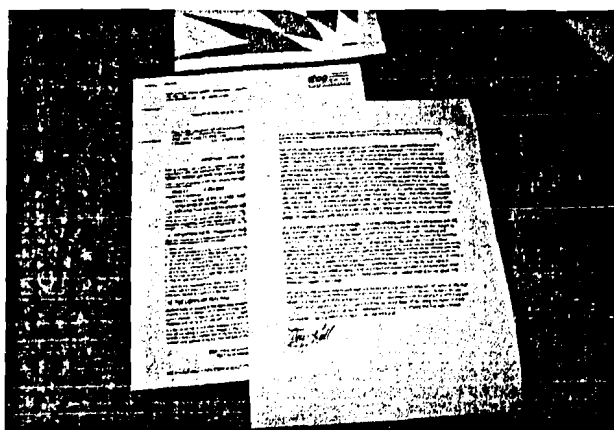
#1028- Black notebook, Event Coordinator, Event Procedures Training. Found in supply closet next to entrance. This notebook appears to contain details about James Ray event procedures and team member training checklists for different James Ray events.



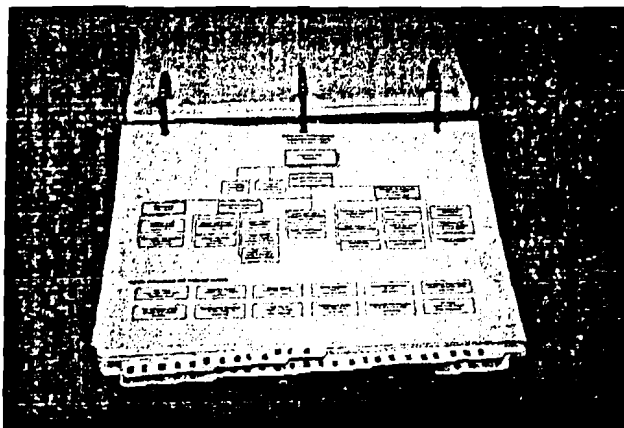
#1029- 2 notebooks and 4 journals. Found in file cabinet in Megan Fredrickson's office. These items contain details about James Ray events, hand written notes about events, pre-event checklists, and Modern Magick participation guide for 2008 in Hawaii.



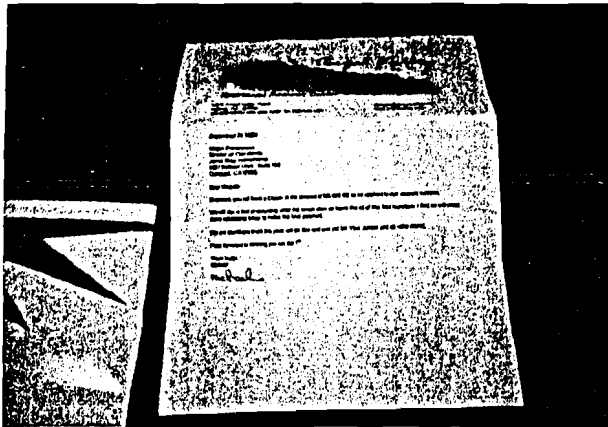
#1030- Termination letter written by Amy Hall. Found in Megan's office on top of desk. Amy Hall contacted us and stated she resigned after the Spiritual Warrior sweat lodge deaths. Amy was a James Ray International employee.



#1031- Red notebook, "Administration, Human Resources, New Team Member Training Manual". Found in Megan's office in file cabinet next to desk. This notebook appears to contain information about how employees are trained and an employee flow chart similar to a chain of command.



#1032- Letter to James Ray International from Angel Valley. Found in Megan's office on top of desk. This letter contains communication between the owners of Angel Valley and James Ray and money owed to James Ray by Angel Valley.



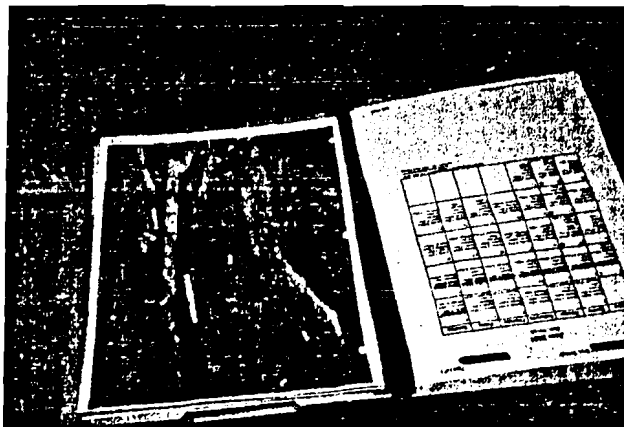
Dear Megan:

Enclosed you will find a Check in the amount of \$35,000.00 to be applied to our account balance.

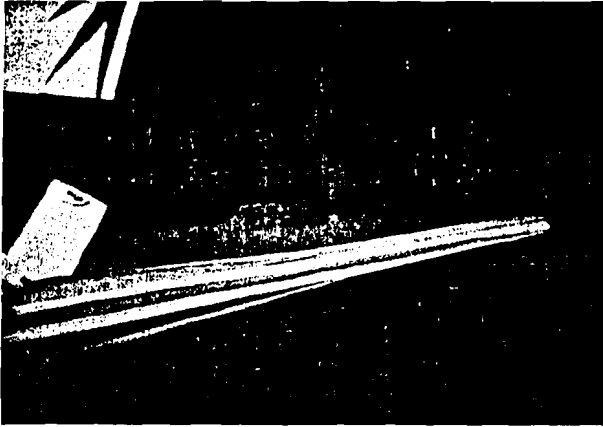
We will do a final accounting after the event when we have the all of the final numbers. I feel we will need some additional time to make the final payment.

We are confident that this year will be the best year yet for You, James and all who attend.

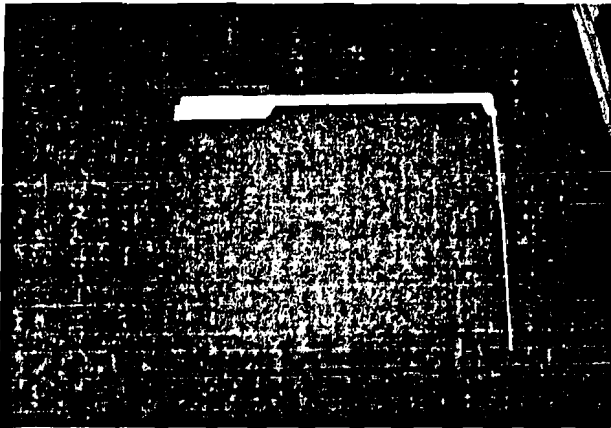
#1033- Practical Mysticism Fire Walk Instructions. Found in Megan's office on top of desk. This item appears to be instructions for a James Ray event.



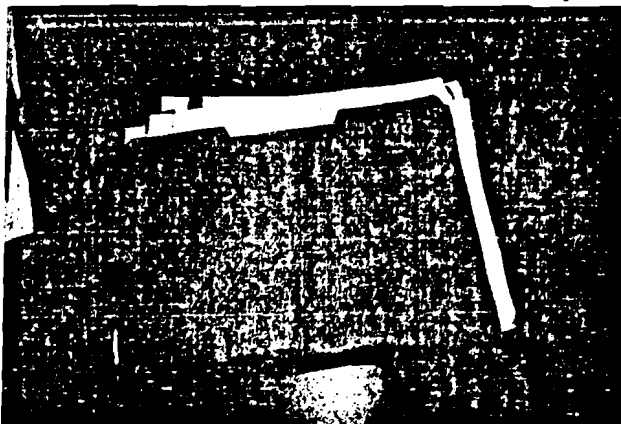
#1034- Brown folder, "Weekly Leadership Team Meeting." Found in Megan's office on top of desk. This folder appears to contain information about the James Ray International Business Plan, instruction guide for employees, and leadership team agendas.



#1035- Brown folder, "WWS Conference Call Script." Found in Megan's office on top of desk. This item contains scripts for three different World Wealth Society conference calls.

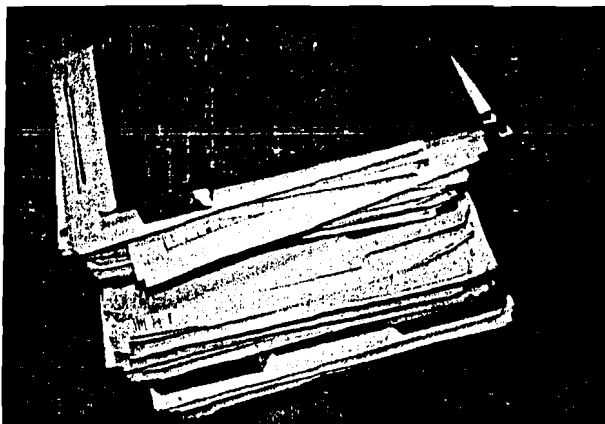


#1036- Brown folder, "January Biz Developing Meeting." Found in Megan's office on top of desk. This item appears to contain a schedule for a Modern Magick event and email communication about different James Ray events.

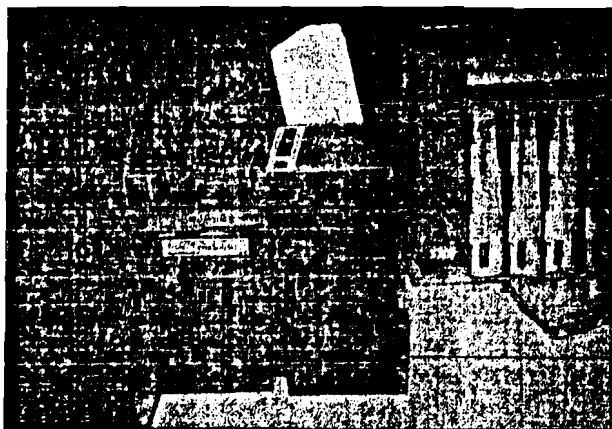


#1037- Miscellaneous folders, employee documents and event descriptions. Found in Megan's office in box next to printer files. These documents appear to be financial documents for James Ray International and information about employee meetings.

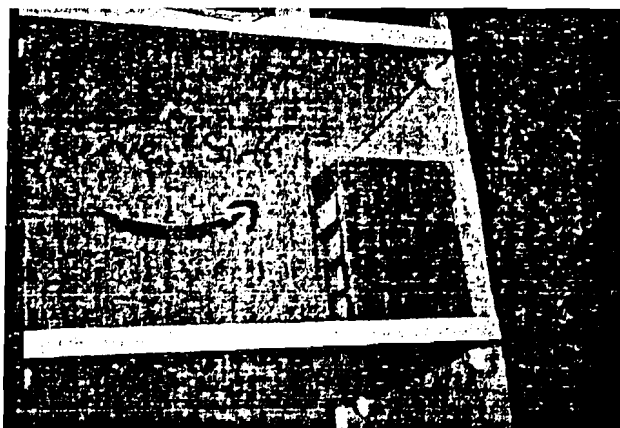
#1038- Miscellaneous folders, "Stock Lawsuits", "Ken Browning", "Shawn Lawler", "Charity", "Tim Doyle". Found in Alex's office in 4 drawer file cabinet in the third drawer on the right side. These folders appear to show other possible victims of James Ray.



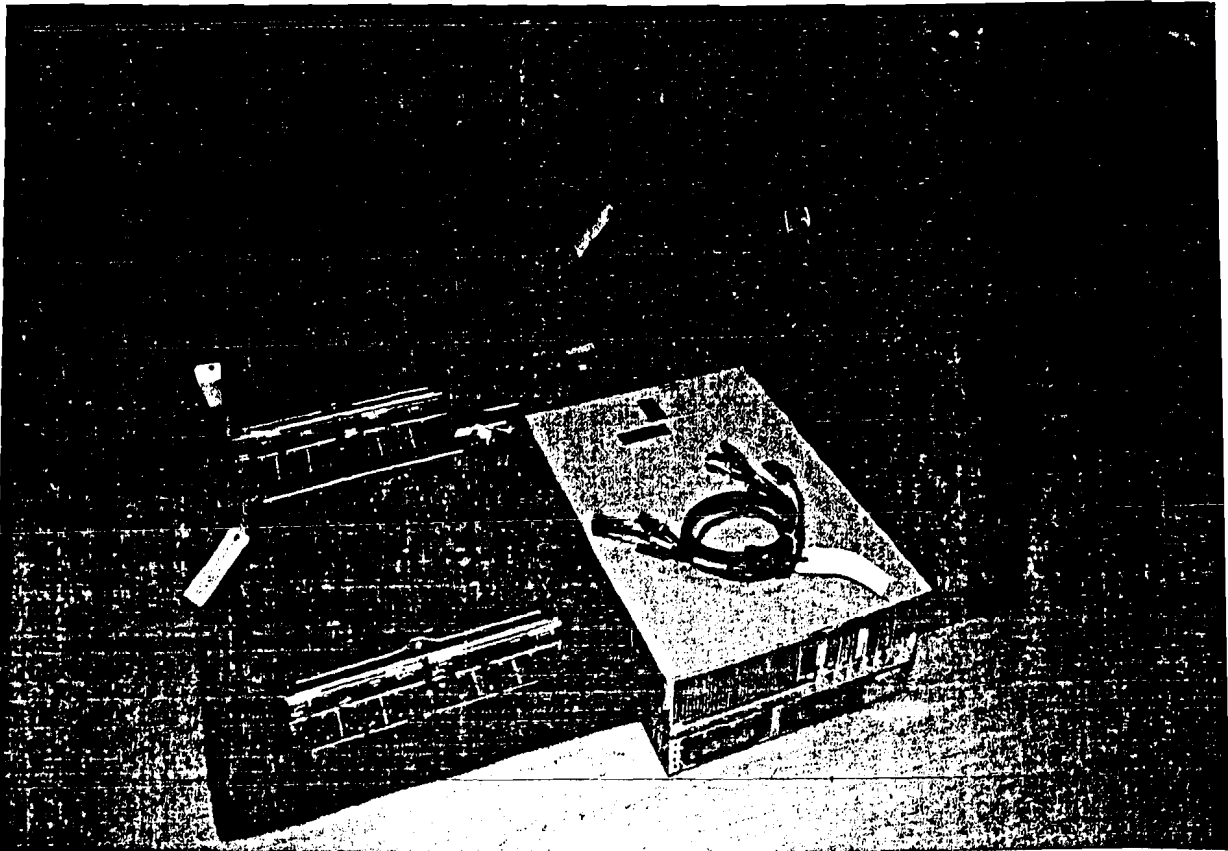
#1039- Back-up storage media for server, 8 disks (most recent). Found in kitchen storage cabinet next to refrigerator.



#1040- Back-up storage media for server, 6 disks (end of year 2007/2008). Found in kitchen storage cabinet next to refrigerator.



Items 1041 to 1047 are components for the server. Found in server room past kitchen. This server contains all email communication sent and received by employees. This server stores scans of documents. Several current and former employees said all documents are now scanned and stored on the server. While serving the search warrant, I asked Josh Fredrickson where the employee contact information was stored. Josh called Megan and asked her where the employee files are stored. I could hear this conversation. Megan told Josh the employee files had recently been scanned into the server and then shredded. Employees and former employees of James Ray International are witnesses in this case. Their identity and contact information is evidence in this case. The only place these documents exist is on the server. Items 1039 and 1040 are back up disks from this server.



#1041- Server EX01UMWAVE exc mail.

#1042- Server DC and file server.

#1043- Server AP001 file maker.

#1044- Server DB Counterpoint POS.

#1045- Server Array 01 top.

#1046- Server Array 02 bottom.

#1047- SCSI cables to connect server components.

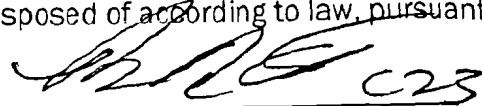
Your affiant is also requesting permission to search all items seized for financial documents or evidence and documentation of money received by James Ray International. The Yavapai County Sheriff's Office is investigating financial gain as a possible motive for the offense.

Based on your affiant's training and experience in investigating crimes involving the use of computers, your affiant is aware that computer files can be disguised in any number of ingenious ways, the simplest of which is to give files a misleading name (e.g. pesto.recipe in lieu of blackmail photos.jpg) or a false extension (.doc in lieu of .jpg or .gz). In addition, relevant data might be erased or hidden; there might be booby traps that destroy or alter data if certain procedures are not scrupulously followed; certain files and programs might not be accessible at all without the proper software, which may not be available on the computer that is being searched; there may simply be too much information to be examined at the site; or data might be encrypted or compressed, requiring passwords, keycards or other external devices to retrieve. In this case, your affiant has no information to suggest whether or not the computer media for which search and seizure is requested has been subjected to any such misleading names, booby traps, hidden files, etc.

Accordingly, searching computer systems often requires the use of precise, scientific procedures which are designed to maintain the integrity of the evidence, and which require searching files that, on their surface, do not appear to contain relevant information, in order to determine whether relevant information responsive to the search warrant is hidden with the file. In order to do an appropriate and thorough search, off-site examination and segregation of the computer storage media seized is necessary.

THE SEARCH WARRANT IS HEREBY INCORPORATED HEREIN BY THIS REFERENCE

Wherefore, affiant prays that a search warrant issue commanding that an immediate search be made of the persons, premises and buildings, and vehicles described herein for the property and things herein described, and that the same be retained in the custody of affiant or in custody of the agency which affiant represents and disposed of according to law, pursuant to ARS 13-3920.



Detective Ross Diskin C23
Affiant Badge or ID
Yavapai County Sheriff's Office
Law Enforcement Agency

SUBSCRIBED AND SWORN to before me October 23rd, 2009. *2 1:02 PM*



Yavapai County Superior Court Judge