

United States District Court
EASTERN DISTRICT OF WASHINGTON

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

DEC 19 2006

UNITED STATES OF AMERICA

JAMES R. LARSEN, CLERK
DEPUTY
SPOKANE, WASHINGTON

V.

CRIMINAL COMPLAINT

ELLREESE N. DANIELS

CASE NUMBER: MJ 06-308

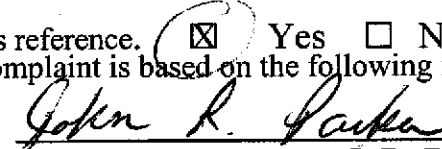
(Name & Address of Defendant)

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief.

COUNT ONE

On or about July 10, 2001, in the Okanogan-Wenatchee National Forest, in the Eastern District of Washington, Defendant ELLREESE N. DANIELS did commit a lawful act or a series of lawful acts, specifically, supervising firefighters who were working to suppress a wildfire in the Chewuch River Canyon, which was referred to as the Thirtymile Fire, in a manner that was grossly negligent, meaning in a manner that was in wanton and reckless disregard for human life, with the Defendant knowing of circumstances that reasonably would cause the Defendant to foresee that the Defendant's course of conduct in the supervision of the firefighters might place the lives of firefighters in danger, which was the proximate cause of the death of Tom Craven, a firefighter who was employed by the Forest Service, U.S. Department of Agriculture, while Tom Craven was engaged in the performance of his official duties; all in violation of Title 18, United States Code, Sections 1112 and 1114.

Continued on the attached sheet incorporated herein by this reference. Yes No
I further state that I am a Special Agent and that this complaint is based on the following facts:


Signature of Complainant J. R. Parker
Special Agent, OIG, U.S.D.A.

Sworn to before me, and subscribed in my presence

December 19, 2006

Date


Cynthia Imbrogno

United States Magistrate Judge

Name and Title of Judicial Officer

at Spokane, Washington

City and State


Signature of Judicial Officer

P61215RC.THB.wpd

COUNT TWO

On or about July 10, 2001, in the Okanogan-Wenatchee National Forest, in the Eastern District of Washington, Defendant ELLREESE N. DANIELS did commit a lawful act or a series of lawful acts, specifically, supervising firefighters who were working to suppress a wildfire in the Chewuch River Canyon, which was referred to as the Thirtymile Fire, in a manner that was grossly negligent, meaning in a manner that was in wanton and reckless disregard for human life, with the Defendant knowing of circumstances that reasonably would cause the Defendant to foresee that the Defendant's course of conduct in the supervision of the firefighters might place the lives of firefighters in danger, which was the proximate cause of the death of Karen Fitzpatrick, a firefighter who was employed by the Forest Service, U.S. Department of Agriculture, while Karen Fitzpatrick was engaged in the performance of her official duties; all in violation of Title 18, United States Code, Sections 1112 and 1114.

COUNT THREE

On or about July 10, 2001, in the Okanogan-Wenatchee National Forest, in the Eastern District of Washington, Defendant ELLREESE N. DANIELS did commit a lawful act or a series of lawful acts, specifically, supervising firefighters who were working to suppress a wildfire in the Chewuch River Canyon, which was referred to as the Thirtymile Fire, in a manner that was grossly negligent,

Criminal Complaint (Continued)

Page 3

December 19, 2006

Ellreese N. Daniels

meaning in a manner that was in wanton and reckless disregard for human life, with the Defendant knowing of circumstances that reasonably would cause the Defendant to foresee that the Defendant's course of conduct in the supervision of the firefighters might place the lives of firefighters in danger, which was the proximate cause of the death of Jessica Johnson, a firefighter who was employed by the Forest Service, U.S. Department of Agriculture, while Jessica Johnson was engaged in the performance of her official duties; all in violation of Title 18, United States Code, Sections 1112 and 1114.

COUNT FOUR

On or about July 10, 2001, in the Okanogan-Wenatchee National Forest, in the Eastern District of Washington, Defendant ELLREESE N. DANIELS did commit a lawful act or a series of lawful acts, specifically, supervising firefighters who were working to suppress a wildfire in the Chewuch River Canyon, which was referred to as the Thirtymile Fire, in a manner that was grossly negligent, meaning in a manner that was in wanton and reckless disregard for human life, with the Defendant knowing of circumstances that reasonably would cause the Defendant to foresee that the Defendant's course of conduct in the supervision of the firefighters might place the lives of firefighters in danger, which was the proximate cause of the death of Devin Weaver, a firefighter who was employed by the Forest Service, U.S. Department of Agriculture, while Devin Weaver was

Criminal Complaint (Continued)

Page 4

December 19, 2006

Ellreese N. Daniels

engaged in the performance of his official duties; all in violation of Title 18, United States Code, Sections 1112 and 1114.

COUNT FIVE

On or about July 12, 2001, in the Eastern District of Washington, in a matter within the jurisdiction of the Forest Service, U.S. Department of Agriculture, Defendant ELLREESE N. DANIELS did knowingly and intentionally make a false and fictitious material statement and representation concerning his conduct while supervising firefighters on the Thirtymile Fire; specifically, during an interview with a member of the Forest Service Safety and Accident Investigation Team and a representative of the Occupational Safety and Health Administration, while describing the events following the entrapment of a portion of the Northwest Regular # 6 firefighting crew and through the deployment of fire shelters by those crew members, the Defendant stated that he told a female firefighter to get two civilians into her fire shelter and to keep them in her shelter; when in truth and in fact the Defendant knew during the interview that he had not given any instruction to the female firefighter to get the two civilians into her fire shelter; all in violation of Title 18, United States Code, Section 1001.

COUNT SIX

On or about July 12, 2001, in the Eastern District of Washington, in a