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**Monday, January 30, 2012**

**Steve Moore**  
Sheriff-Coroner  
Public Administrator

**NEWS RELEASE  
FOR IMMEDIATE RELEASE**

**SHERIFF STEVE MOORE'S STATEMENT:**

Two weeks ago today I was made aware of a plan to have Death Row inmate Mr. Shermantine brought to San Joaquin and Calaveras Counties to identify possible burial sites of homicide victims. Upon learning of this plan I expressed my grave concern for the safety of county residents if he should be able to make a successful escape attempt. Because of this concern I contacted the Director of CDCR Mr. Cate for additional information regarding which agency was conducting the investigation which prompted this unusual action and what type of security arrangements were going to be made.

Director Cate indicated to me that the request was at the direction of the FBI and the local agencies, and they were looking into assisting them if possible.

I then contacted my colleague at FBI Sacramento, Supervising Special Agent Mr. Herb Brown, and asked if the FBI was conducting an investigation involving Mr. Shermantine. Agent Brown said the FBI was not conducting any investigation, but had told Calaveras County Sheriff's Office that they would be able to provide support from their ERT Evidence Recovery Team should they desire.

I next contacted District Attorney Willet asking if their office was conducting an investigation, coordinating such a plan or were they aware of

any and what agency was involved. Mr. Willet told me that he was not aware of any investigation being conducted by his office or of any other agency doing so.

I was then able to make contact with Calaveras County Sheriff Kuntz to see what information of any investigation he had involving his agency. Sheriff Kuntz said they were not conducting any investigation, however, if there were any decedents located in Calaveras County they would need the assistance of the FBI ERT Team as they did not have the necessary resources to handle such a task.

As this was the first I had been aware of such a plan coupled with the information that no established agency of jurisdiction was conducting any such investigation, my level of concern was heightened for the safety of the county residents. I then re-contacted CDCR Director Cate and requested a meeting involving the impacted agencies to clarify what, in fact, was taking place and who was coordinating the effort. Further, I asked that until such clarification could be made and security plans reviewed, Mr. Shermantine not be transported to San Joaquin County.

Director Cate indicated there was a meeting on Wednesday of that week to follow up on the transportation plans but that he understood my request and asked that I call for a meeting of all the players in order to get full clarification.

I was subsequently contacted by DDA Tom Testa regarding the situation. Mr. Testa said he was aware that Mr. Rinek and Mr. Padilla had been in contact with Mr. Shermantine regarding his offer to point out potential burial sites. I told Mr. Testa that I was totally unaware of who Mr. Rinek was. Mr. Testa said he was a private investigator and former FBI Agent who had interviewed Mr. Shermantine. I told Mr. Testa I was holding a meeting of all the involved agencies and asked that if possible he should attend the meeting. Mr. Testa asked if Mr. Rinek could be invited and I agreed that if Mr. Rinek wished to do so he could attend the meeting at 10:00 o'clock, giving the agency representatives an opportunity to sort things through

before meeting with him. Mr. Testa advised he would extend the invitation.

On Friday, January 20, at my request representatives from CDCR, the San Joaquin District Attorney, FBI, Calaveras Sheriff and San Joaquin County Sheriff met at my office to discuss the situation and all possible alternatives. During the meeting it was established that none of the local law enforcement agencies nor the FBI had requested or were conducting any investigation or had made an official request to have Mr. Shermantine brought to either San Joaquin or Calaveras counties to point out potential burial sites.

Mr. Testa said it was Mr. Rinek and Mr. Padilla who were the persons involved and were exploring the transportation of Mr. Shermantine with CDCR. Mr. Testa further related it was his belief that Mr. Shermantine was a changed man and that if we were going to be able to recover any decedents, Mr. Shermantine was now calling the shots which may require multiple transportations. Mr. Testa also related that Mr. Rinek had declined the invitation for 10:00 o'clock.

At the end of the meeting District Attorney Willet, Calaveras Sheriff Kuntz and myself agreed to forward a letter to be drafted by Mr. Willet to CDCR requesting that they complete the planning process for such transportation in the future should circumstances dictate such action.

As Sheriff/Coroner it is one of my responsibilities to recover any decedent whenever possible, but that responsibility does not relieve me of my duty to provide for the safety and security of all county residents.

I still have grave concerns that should Mr. Shermantine be brought out of Death Row there exists a great potential of an escape attempt or potential suicide by cop in an attempt by Mr. Shermantine to defeat justice as he has nothing to lose.

I acutely recall the fear expressed by this community when Mr. Herzog was going to be paroled back to San Joaquin County and believe that there

would be even greater fear on the part of county residents should Mr. Shermantine utilize any transportation as an opportunity to make a successful escape.

I believe it only reasonable and prudent to explore any and all available information regarding potential burial sites before making a final decision on the transportation of Mr. Shermantine.

This previous week Record reporter Scott Smith spoke with my homicide investigators providing information from his previous correspondence from Mr. Shermantine and a recent letter giving new directions to a possible burial site in Calaveras County. From that information San Joaquin homicide investigators teamed up with Calaveras County investigators who had secured permission from the property owner to conduct a search of the provided location. That search utilizing cadaver dogs, metal detectors and digging up the site did not reveal any remains.

In order for us to be successful in making the recovery of any decedents, all parties need to communicate, coordinate and cooperate in order to bring closure for all the families. I would welcome any and all cooperation from either Mr. Rinek, Mr. Padilla, The Record or any other persons who may have information that will allow us to make such recoveries, to include the transportation of Mr. Shermantine to point out the potential burial sites should that be the only alternative. We have received phone calls from Mr. Padilla and encourage him to schedule a meeting with homicide investigators this week.

However, any actions we take must be conducted in such a manner as to provide for the safety and security of all persons involved and the safeguarding of the civil rights of any potential defendants as we seek to bring much needed closure for the victims' families.

My only desire is to successfully accomplish both missions, that of recovering any and all decedents while providing for the overall safety and security of San Joaquin County Residents. In light of the letter I received

this morning from the office of the State Public Defender, which is representing Mr. Shermantine in his appeals, I would welcome a review by the Attorney General's Office and stand ready to work collaboratively with them in any way to support the completion of the appeals process.