



Is there any current or pending litigation regarding this matter? (If yes, please explain):

As far as I know, there is no pending litigation against the sheriff's office or the district attorney for failure to take prudent police action to find the body of Kristin Smart.

Please list the agencies, officials, or persons contacted previously to attempt to resolve this complaint, including the names, titles, phone numbers, contact dates, and resulting action or disposition.

Over the past eighteen years, the San Luis Obispo Sheriff's office and the Cal Poly police unit have been contacted on several occasions by Stan and Denise Smart, parents of Kristin Smart. And, over the long eighteen year period since Kristin has been gone, there have been countless citizens that have inquired and demanded justice from both the district attorney and sheriff's office regarding this case. This includes, but is not limited to Dennis Mahon who worked for years to find clues regarding Kristin's disappearance. Undersheriff Steve Bolts told Dennis Mahon the investigators "took a vote" to determine on whether they were to dig or not dig up the back yard of 529 E. Branch St. Apparently, when the ballots were counted, the majority did not want to dig up the backyard patio.

How would you like to see this matter resolved?

I'd like to see the police do their job!

1. Contact all the neighbors around the Flores home at 529 E. Branch St. to gain permission to search with cadaver dogs, soil sample evidence and ground penetrating radar (GPR). GPR is much more effective than it was fourteen years ago.
2. The sheriff should have a one-on-one conversation with Dr. Arpad Vass at the Oak Ridge National Laboratory to gain as much information as possible about soil testing and the science of "order mortis."
3. The sheriff should investigate the credentials of Det. Paul Dostie and his cadaver dog Buster. Buster has over 200 documented finds of clandestine graves and is currently the subject of an article being written by a nationally syndicated journalist with the Associated Press.
4. The sheriff should obtain federal wire tap authority on all members of the Flores family, then knock on their door with a search warrant.

**DECLARATION:**

THE INFORMATION PRESENTED IN THIS COMPLAINT FORM IS TRUE, CORRECT AND COMPLETE TO THE BEST OF MY KNOWLEDGE.

DATE: October 13, 2014

SIGNATURE: David Smallwood

*This complaint is hereby submitted on behalf of myself and all the citizens of San Luis Obispo County.*

# The California Register

Monday, October 13, 2014

Dear Grand Jury Members,

I've enclosed the latest copy of The California Register along with my official and formal complaint regarding the failure of law enforcement to prosecute the Kristin Smart disappearance.

I sincerely believe that Sheriff Ian S. Parkinson desires to find Kristin's body and bring those involved with her possible murder and disappearance to justice. And, I know from my own sources that his office has expended money, time and effort to solve the case.

But, I'm a results-oriented man and so far, there has been little or no result in this case. When I discovered that owners and neighbors were more than willing to allow the sheriff's office a voluntary search of the property that adjoins the Flores property, but no action was taken by the sheriff to contact them.... I began to wonder.

When the sheriff's office failed to follow-up on the credentials of both Detective Paul Dostie and his dog Buster, things were not adding up.

In 2010, right after his appointment to sheriff, he told an audience member during a presentation that he was sending out samples for DNA testing. It's my understanding the samples have yet to be tested... this has now been four years. The DNA lab in Orange County would have returned results within ten days.

I know that our sheriff has put some new people on the investigation and brought in former FBI agent Jeff Rineck to participate in some capacity. This case has gone on so long that investigators tend to retire rather than solve the case.

Should the sheriff be summoned by the Grand Jury to address these issues, he will undoubtedly attack the messenger. He will probably say that nothing in the paper can be corroborated. Of course he would be right since there is no effort to corroborate anything by his office.

After this issue of the paper went out, I was receiving a phone call every ten minutes for three days when it tapered off to one every 30 minutes. People are demanding answers on behalf of the Smart family. It's way past time for this case to be resolved.

After I personally witnessed Buster the cadaver dog alert right along the property line of the Flores home on East Branch Street, I'm convinced the remains of a human body are there. And based on all we know, it's most likely the body of Kristin Denise Smart.

I ask the Grand Jury take decisive action to pressure law enforcement agencies to conduct aggressive and effective measures to solve this case. It is simply outrageous this case has taken this long to solve.

Most Respectfully and Sincerely,

David Smallwood  
Publisher and Editor  
The California Register Newspaper







## GRAND JURY

October 21, 2014

David Smallwood  
[REDACTED]

Dear Mr. Smallwood,

The Grand Jury received your letter on October 16, 2014. The Grand Jury will review the information you have provided, verify that this matter is within its jurisdiction, and determine whether a full investigation is warranted. Any allegations of criminal wrongdoing may be forwarded to the County District Attorney's Office for possible investigation and prosecution.

Due to its strict confidentiality requirements, you might not receive any further communication from the Grand Jury. By law, the Grand Jury cannot communicate the results of investigations to you personally, but the final reports of all Grand Jury investigations are available to the public when published, generally prior to the conclusion of the Grand Jury's term in June.

Thank you for your interest in San Luis Obispo County.

Sincerely,

Larry Herbst, Foreperson  
2014/15 San Luis Obispo County Grand Jury

LH#20