

SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN BERNARDINO  
SAN BERNARDINO JUSTICE CENTER DISTRICT

THE PEOPLE OF THE STATE OF CALIFORNIA,	)	
	)	
Plaintiff	)	FIRST AMENDED
	)	
vs.	)	FELONY COMPLAINT
	)	
Douglas Kircher (FSB20003118)	)	
	)	
Defendant	)	DA CASE NO. 2020-00-0042726
	)	

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The undersigned is informed and believes that:

COUNT 1

On or about September 11, 2020, in the above named judicial district, the crime of ATTEMPTED MURDER OF A PEACE OFFICER/FIREFIGHTER/CUSTODIAL OFFICER-WILLFUL, DELIBERATE, PREMEDITATED, in violation of PENAL CODE SECTION 664/187(a), a felony, was committed by Douglas Kircher, who did unlawfully attempt to murder Deputy Pepler and Deputy David Negron , who was a peace officer engaged in the performance of duty and this was known, and reasonably should have been known, by the defendant(s).

It is further alleged, within the meaning of Penal Code Section 664(e) and (f), that the above offense was willful, deliberate and premeditated.

"NOTICE: The above offense is a serious felony within the meaning of Penal Code section 1192.7(c) and a violent felony within the meaning of Penal Code section 667.5(c)."

It is further alleged as to count(s) 1, 2, 3, 4, 5, 6, 7, 9, 10 that at the time of the commission of the above offense, the defendant(s) Douglas Kircher, was released from custody on bail or Own Recognizance in Case Number FSB20002422 within the meaning of Penal Code section 12022.1(b).

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## COUNT 2

On or about September 11, 2020, in the above named judicial district, the crime of ATTEMPTED WILLFUL, DELIBERATE, AND PREMEDITATED ATTEMPTED MURDER, in violation of PENAL CODE SECTION 664/187(a), a felony, was committed by Douglas Kircher, who did unlawfully and with malice aforethought attempt to murder John Doe, John Doe and John Doe, a human being.

It is further alleged that the aforesaid attempted murder was committed willfully, deliberately and with premeditation within the meaning of Penal Code section 664(a).

It is further alleged as to count(s) 1, 2, 3, 4, 5, 6, 7, 9, 10 that at the time of the commission of the above offense, the defendant(s) Douglas Kircher, was released from custody on bail or Own Recognizance in Case Number FSB20002422 within the meaning of Penal Code section 12022.1(b).

"NOTICE: The above offense is a serious felony within the meaning of Penal Code section 1192.7(c) and a violent felony within the meaning of Penal Code section 667.5(c)."

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## COUNT 3

On or about September 11, 2020, in the above named judicial district, the crime of SHOOTING AT AN INHABITED DWELLING/OCCUPIED MOTOR VEHICLE/OCCUPIED AIRCRAFT/ETC, in violation of PENAL CODE SECTION 246, a felony, was committed by Douglas Kircher, who did willfully, unlawfully, and maliciously discharge a firearm at an occupied aircraft.

"NOTICE: The above offense is a serious felony within the meaning of Penal Code section 1192.7(c) and a violent felony within the meaning of Penal Code section 667.5(c)."

"NOTICE: It is further alleged that, pursuant to Penal Code section 1203.095, there is a presumptive minimal jail time required if you are convicted of this charge."

"NOTICE: The above offense is a serious felony within the meaning of Penal Code section 1192.7(c)."

It is further alleged as to count(s) 1, 2, 3, 4, 5, 6, 7, 9, 10 that at the time of the commission of the above offense, the defendant(s) Douglas Kircher, was released from custody on bail or Own Recognizance in Case Number FSB20002422 within the meaning of Penal Code section 12022.1(b).

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#### COUNT 4

On or about September 11, 2020, in the above named judicial district, the crime of DISCHARGE OF FIREARM WITH GROSS NEGLIGENCE, in violation of PENAL CODE SECTION 246.3(a), a felony, was committed by Douglas Kircher, who did willfully and unlawfully discharge a firearm in a grossly negligent manner which could result in injury and death to a person.

"NOTICE: The above offense is a serious felony within the meaning of Penal Code section 1192.7(c) and a violent felony within the meaning of Penal Code section 667.5(c)."

"NOTICE: The above offense is a serious felony within the meaning of Penal Code section 1192.7(c)."

It is further alleged as to count(s) 1, 2, 3, 4, 5, 6, 7, 9, 10 that at the time of the commission of the above offense, the defendant(s) Douglas Kircher, was released from custody on bail or Own Recognizance in Case Number FSB20002422 within the meaning of Penal Code section 12022.1(b).

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#### COUNT 5

On or about September 11, 2020, in the above named judicial district, the crime of VANDALISM OVER \$400 DAMAGE-DAMAGE/DESTROY, in violation of PENAL CODE SECTION 594(a), a felony, was committed by Douglas Kircher, who did unlawfully and maliciously damage and destroy real and personal property, to wit, helicopter and interview room not his/her own, belonging to Deputy Peppler , the amount of said damage being over \$400.00.

It is further alleged as to count(s) 1, 2, 3, 4, 5, 6, 7, 9, 10 that at the time of the commission of the above offense, the defendant(s) Douglas Kircher, was released from custody on bail or Own Recognizance in Case Number FSB20002422 within the meaning of Penal Code section 12022.1(b).

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#### COUNT 6

On or about September 11, 2020, in the above named judicial district, the crime of RESISTING EXECUTIVE OFFICER, in violation of PENAL CODE SECTION 69, a felony, was committed by Douglas Kircher, who did unlawfully attempt by means of threats and violence to deter and prevent Mark Ramirez , who was then and there an executive officer, from performing a

duty imposed upon such officer by law, and did knowingly resist by the use of force and violence said executive officer in the performance of his/her duty.

It is further alleged as to count(s) 1, 2, 3, 4, 5, 6, 7, 9, 10 that at the time of the commission of the above offense, the defendant(s) Douglas Kircher, was released from custody on bail or Own Recognizance in Case Number FSB20002422 within the meaning of Penal Code section 12022.1(b).

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#### COUNT 7

On or about September 11, 2020, in the above named judicial district, the crime of RESISTING EXECUTIVE OFFICER, in violation of PENAL CODE SECTION 69, a felony, was committed by Douglas Kircher, who did unlawfully attempt by means of threats and violence to deter and prevent S Lenihan , who was then and there an executive officer, from performing a duty imposed upon such officer by law, and did knowingly resist by the use of force and violence said executive officer in the performance of his/her duty.

It is further alleged as to count(s) 1, 2, 3, 4, 5, 6, 7, 9, 10 that at the time of the commission of the above offense, the defendant(s) Douglas Kircher, was released from custody on bail or Own Recognizance in Case Number FSB20002422 within the meaning of Penal Code section 12022.1(b).

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#### COUNT 8

On or about September 11, 2020, in the above named judicial district, the crime of INDECENT EXPOSURE, in violation of PENAL CODE SECTION 314(1), a misdemeanor, was committed by Douglas Kircher, who did willfully, unlawfully, and lewdly expose his/her person, and

the private parts thereof, in a public place, and in a place where there were present other persons to be offended and annoyed thereby.

"NOTICE: Conviction of this offense will require you to register pursuant to Penal Code section 290. Willful failure to register is a crime."

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### COUNT 9

On or about September 11, 2020, in the above named judicial district, the crime of POSSESSION OF FIREARM BY A FELON, in violation of PENAL CODE SECTION 29800(a)(1), a felony, was committed by Douglas Kircher, who did unlawfully own, purchase, receive, possess, and have custody and control of a firearm, to wit, Rifle, the said defendant(s) having been convicted of a felony under the laws of the United States, the state of California and any other state, government and county:

Court Case	Code/Statute	Conv Date	County	State	Court Type
FSB18000564	29800	06/06/2018	San Bernardino	CA	Superior

It is further alleged as to count(s) 1, 2, 3, 4, 5, 6, 7, 9, 10 that at the time of the commission of the above offense, the defendant(s) Douglas Kircher, was released from custody on bail or Own Recognizance in Case Number FSB20002422 within the meaning of Penal Code section 12022.1(b).

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### COUNT 10

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On or about September 11, 2020, in the above named judicial district, the crime of UNLAWFUL POSSESSION OF AMMUNITION, in violation of PENAL CODE SECTION 30305(a)(1), a felony, was committed by Douglas Kircher, who did unlawfully own, possess and have under control ammunition and reloaded ammunition.

It is further alleged that the defendant is prohibited from owning or possessing a firearm pursuant to Chapter 2 and 3 of Division 9 and sections 8100 and 8103 of the Welfare and Institutions Code.

It is further alleged as to count(s) 1, 2, 3, 4, 5, 6, 7, 9, 10 that at the time of the commission of the above offense, the defendant(s) Douglas Kircher, was released from custody on bail or Own Recognizance in Case Number FSB20002422 within the meaning of Penal Code section 12022.1(b).

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**NOTICE TO DEFENDANT AND DEFENDANT'S ATTORNEY**

Pursuant to Penal Code Sections 1054.5.(b), the People are hereby informally requesting that defense counsel provide discovery to the People as required by Penal Code Section 1054.3.

**NOTICE TO ATTORNEY**

The materials accompanying this notice may include information about witnesses. If so, these materials are disclosed to you pursuant to Penal Code section 1054.2 which provides: "No attorney may disclose or permit to be disclosed to a defendant the address or telephone number of a victim or witness whose name is disclosed to the attorney pursuant to subdivision (a) of Section 1054.1 unless specifically permitted to do so by the court after a hearing and a showing of good cause."

I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT AND THAT THIS COMPLAINT CONSISTS OF 10 COUNT(S).

Executed at San Bernardino, California, on September 16, 2020.

Jill M Gregory  
Jill M Gregory  
DECLARANT AND COMPLAINANT

Agency: Yucaipa Sheriff Station

Prelim Est. 00:00

Defendant	Birth Date	Booking No.	CII No.	NCIC
Douglas Kircher	08/10/1970	2009340955		