

COURT COPY

**SUPERIOR COURT OF CALIFORNIA
COUNTY OF LOS ANGELES**

PROBATION OFFICER'S REPORT

THE PEOPLE OF THE STATE OF CALIFORNIA,

REPORT SEQUENCE NO.: 01

Plaintiff

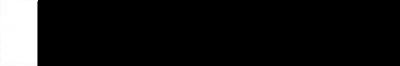
vs

CONRAD ROBERT MURRAY

Defendant

HEARING DATE 11/29/2011	COURT-DEPT/DIV CEN-107	COURT CASE NO./DEF. ID SA073164-01
JUDGE PASTOR	ATTORNEY FLANGAN	PROSECUTOR WALGREN
DPO ZEREKA	AREA OFFICE CAI	

ADDRESS UPON RELEASE



BIRTH DATE 02/19/1953	GENDER MALE	ETHNICITY BLACK
DRIVER'S LICENSE - EXPIRATION DATE: A5965981 02/19/2016		
PROBATION NO. X- 2082274	SID NO. A30820911	MAIN NO. 33078251
CITIZENSHIP STATUS NATURALIZED		
ALIEN REGISTRATION NO.: 040231745		
ESTIMATED DAYS IN JAIL THIS CASE: 41 BOOKING NO.: 2926725		
CUSTODY STATUS: IN CUSTODY - COUNTY JAIL		
RELEASE DATE: N/A		

PROBATION AND SENTENCING REPORT**RECOMMENDATION:**

- ☐ PROBATION ☐ CDCR-DIV OF JUVENILE JUSTICE
- ☒ DENIAL ☐ DIAGNOSTIC STUDY
- ☐ COUNTY JAIL ☐ VIC707.2
- ☒ STATE PRISON ☐ PC1203.03
- ☐ OTHER: _____ ☐ 730 EC

PRESENT OFFENSE: LEGAL HISTORY

CHARGED with the crimes of (INCLUDE PRIORS, ENHANCEMENTS OR SPECIAL CIRCUMSTANCES)
COUNT 01: 192(B) PC (INVOLUNTARY MANSLAUGHTER), A SERIOUS FELONY WITHIN THE MEANING OF PENAL CODE SECTION 1192.7(C).

CONVICTED of the crimes of (INCLUDE PRIORS, ENHANCEMENTS OR SPECIAL CIRCUMSTANCES)
COUNT 01: 192(B) PC (INVOLUNTARY MANSLAUGHTER), A SERIOUS FELONY WITHIN THE MEANING OF PENAL CODE SECTION 1192.7(C).

CONVICTED BY JURY	DATE OF CONVICTION 11/07/2011	COUNT(S) CONTINUED TO P&S ONE (1)
PROPOSED PLEA AGREEMENT N/A	SOURCES OF INFORMATION D.A. PACKET; TCIS; CII	
DATE(S) OF OFFENSE 06/25/2009	TIME(S) 11:00	
DEFENDANT: <input checked="" type="checkbox"/> N/A <input type="checkbox"/> SENTENCED TO STATE PRISON/COUNTY JAIL ON CASE (SEE PRIOR RECORD SECTION) <input type="checkbox"/> ON FORMAL/SUMMARY PROBATION <input type="checkbox"/> PENDING NEW CASE _____ <input type="checkbox"/> PENDING PROBATION VIOLATION <input type="checkbox"/> ON PAROLE - REMAINING TIME		HOLDS/WARRANTS <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES

**PRESENT OFFENSE:
(CONTINUED)****SOURCES OF INFORMATION (THIS PAGE)**☒ POLICE REPORT (S) ☒ DISTRICT ATTORNEY
☒ COURT RECORDS ☐ OTHER:

ARREST DATE	TIME	BOOKED AS	OFFENSE	LOCATION OF ARREST	ARRESTING AGENCY
02/08/2010	10:00	CONRAD MURRAY	192(B).PC	11701 S. LA CIENEGA BLVD.	LOS ANGELES SHERIFF'S OFFICE
11/07/2011	14:00	CONRAD MURRAY	192(B) PC	210 W. TEMPLE ST., LOS ANGELES, CA	LOS ANGELES SHERIFF'S OFFICE
				SUPERIOR COURT	LOS ANGELES CENTRAL CRIMINAL

CO-DEFENDANT(S)	COURT CASE NO.	DISPOSITION
N/A		

ELEMENTS AND RELEVANT CIRCUMSTANCES OF THE OFFENSE:

ON JUNE 25, 2009, THE DEFENDANT COMMITTED THE CRIME OF "INVOLUNTARY MANSLAUGHTER," IN VIOLATION OF PENAL CODE SECTION 192(B), IN THAT HE DID UNLAWFULLY, AND WITHOUT MALICE OR DUE CAUTION, KILL THE VICTIM, MICHAEL JACKSON.

ACCORDING TO THE INFORMATION PROVIDED BY THE DISTRICT ATTORNEY'S OFFICE, ON 06/25/2009 AT APPROXIMATELY 12:22 HOURS, LOS ANGELES FIRE DEPARTMENT RESCUE RECEIVED AN EMERGENCY CALL AND WERE DEPLOYED TO THE VICTIM'S RESIDENCE. FIRE DEPARTMENT RECORDS INDICATE PARAMEDICS RESPONDED TO THE SCENE WITHIN FIVE MINUTES OF THE CALL. UPON ARRIVAL, THE PARAMEDICS WERE MET BY THE DEFENDANT, CONRAD MURRAY, WHO IDENTIFIED HIMSELF AS THE VICTIM'S PERSONAL PHYSICIAN. THE DEFENDANT INFORMED THE PARAMEDICS THAT THE VICTIM HAD STOPPED BREATHING AND THAT HE HAD BEEN ADMINISTERING CARDIOPULMONARY RESUSCITATION (CPR). THE PARAMEDICS DETERMINED THE VICTIM WAS NOT BREATHING AND WAS "ASYSTOLE (FLAT LINING)." THE DEFENDANT ADVISED PARAMEDICS HE HAD GIVEN THE VICTIM ONE DOSE OF LORAZEPAM (ATIVAN) BEFORE THE VICTIM STOPPED BREATHING. THE PARAMEDICS BEGAN CARING FOR THE VICTIM, HOWEVER, THEY WERE UNSUCCESSFUL IN RESUSCITATING HIM. THE PARAMEDICS ATTEMPTED TO PRONOUNCE THE

1 VICTIM'S DEATH ON MULTIPLE OCCASIONS; HOWEVER, THE DEFENDANT REPEATEDLY ASKED FOR
2 RESUSCITATION EFFORTS TO BE CONTINUED AND FOR THE VICTIM TO BE TRANSPORTED TO UCLA MEDICAL
3 CENTER. AT THAT POINT DR. MURRAY (DEFENDANT) ASSUMED CARE FOR THE VICTIM; THE RESCUE
4 AMBULANCE TRANSPORTED THE DEFENDANT AND THE VICTIM TO UCLA MEDICAL CENTER.

5 UPON ARRIVAL TO UCLA MEDICAL CENTER, THE DEFENDANT MET WITH
6 DR. COOPER, THE PHYSICIAN IN CHARGE OF THE EMERGENCY ROOM. THE DEFENDANT TOLD DR. COOPER
7 THAT HE HAD GIVEN THE VICTIM TWO SEPARATE DOSES OF LORAZEPAM (ATIVAN) DURING THE COURSE OF
8 THE NIGHT. DR. COOPER AND HER MEDICAL TEAM ATTEMPTED TO REVIVE THE VICTIM WITHOUT SUCCESS.
9 DR. COOPER PRONOUNCED THE VICTIM'S DEATH AT 14:26 HOURS. MEDICAL RECORDS INDICATE THE
10 DEFENDANT NEVER ADVISED THE HOSPITAL MEDICAL STAFF OR FIRE DEPARTMENT PERSONNEL OF
11 ADMINISTERING PROPOFOL (DIPRIVAN) TO THE VICTIM. A SHORT WHILE LATER, LOS ANGELES COUNTY
12 CORONER'S INVESTIGATORS ARRIVED ON THE SCENE, BUT THEY WERE UNABLE TO LOCATE THE DEFENDANT
13 FOR FURTHER QUESTIONING.

14 CORONER INVESTIGATORS AND POLICE DETECTIVES RESPONDED TO THE
15 VICTIM'S RESIDENCE FOR AN INVESTIGATION. A SEARCH OF THE VICTIM'S RESIDENCE, SPECIFICALLY THE
16 VICTIM'S BEDSIDE, REVEALED NUMEROUS BOTTLES OF MEDICATIONS PRESCRIBED BY THE DEFENDANT, AND
17 OTHER DOCTORS. AN EMPTY VIAL OF PROPOFOL (DIPRIVAN) WAS FOUND ON THE FLOOR NEXT TO THE
18 VICTIM'S BED.

19 ON JUNE 27, 2009, POLICE DETECTIVES INTERVIEWED THE DEFENDANT, WHO
20 REPORTED HE HAD BEEN TREATING THE VICTIM FOR INSOMNIA FOR APPROXIMATELY SIX WEEKS. THE
21 DEFENDANT STATED THAT HE HAD BEEN ADMINISTERING 50 MG OF PROPOFOL (DIPRIVAN), DILUTED WITH
22 LIDOCAINE (XYLOCAINE) TO THE VICTIM EVERY NIGHT VIA INTRAVENOUS DRIP TO ASSIST THE VICTIM IN
23 SLEEPING. THE DEFENDANT NOTED THAT HE FELT THE VICTIM MAY HAVE BEEN FORMING AN ADDICTION TO
24 PROPOFOL (DIPRIVAN) AND HE WAS TRYING TO WEAN THE VICTIM OFF THE DRUG. THE DEFENDANT
25 INDICATED THAT ON JUNE 25, 2009, AT APPROXIMATELY 01:30 HOURS, HE TRIED TO INDUCE SLEEP WITHOUT
26 THE USE OF PROPOFOL. HE NOTED THAT AT APPROXIMATELY 01:30 HOURS, HE GAVE THE VICTIM A 10 MG
27 TAB OF DIAZEPAM (VALIUM), BUT THE VICTIM WAS STILL UNABLE TO SLEEP. DOCTOR MURRAY STATED
28 THAT AT APPROXIMATELY 02:00 HOURS, HE INJECTED THE VICTIM WITH 2 MG OF LORAZEPAM (ATIVAN)

1 THROUGH AN IV. THE DEFENDANT NOTED THAT THE VICTIM WAS STILL UNABLE TO SLEEP, AND AT 03:00
2 HOURS, HE ADMINISTERED 2 MG OF MIDAZOLAM (VERSED) TO THE VICTIM THROUGH AN IV. THE VICTIM
3 REMAINED AWAKE, AND AT 05:00 HOURS, THE DEFENDANT ADMINISTERED ANOTHER DOSE OF 2 MG OF
4 LORAZEPAM (ATIVAN). THE DEFENDANT INDICATED AT 07:30, HE ADMINISTERED A SECOND 2 MG DOSE OF
5 MIDAZOLAM, HOWEVER, THE VICTIM REMAINED AWAKE. DOCTOR MURRAY STATED THAT DURING THIS
6 PERIOD, THE VICTIM CONTINUALLY DEMANDED AND REQUESTED PROPOFOL. ACCORDING TO THE
7 DEFENDANT, AT APPROXIMATELY 10:40 HOURS, HE ADMINISTERED 25 MG OF PROPOFOL (DIPRIVAN), DILUTED
8 WITH LIDOCAINE (XYLOCAINE), VIA AN IV DRIP AND THE VICTIM FINALLY WENT TO SLEEP.

9 THE DEFENDANT REPORTED THAT AFTER THE VICTIM WAS ASLEEP FOR ABOUT
10 10 MINUTES, HE LEFT THE VICTIM'S BEDSIDE TO USE THE RESTROOM. HE STATED HE WAS ONLY OUT OF THE
11 ROOM FOR ABOUT TWO MINUTES, AND UPON HIS RETURN, HE NOTICED THE VICTIM WAS NO LONGER
12 BREATHING. THE DEFENDANT SAID HE IMMEDIATELY BEGAN ADMINISTERING CPR. THE DEFENDANT
13 INDICATED HE THEN CALLED THE VICTIM'S PERSONAL ASSISTANT, MICHAEL AMIR WILLIAMS, AND
14 REQUESTED THE PERSONAL ASSISTANT SEND SECURITY UPSTAIRS FOR AN EMERGENCY. THE SECURITY
15 DETAIL DID NOT IMMEDIATELY RESPOND; THE DEFENDANT RAN DOWNSTAIRS TO THE KITCHEN AND ASKED
16 THE CHEF TO SEND UP THE VICTIM'S ELDEST SON, PRINCE JACKSON. HE THEN RETURNED TO THE VICTIM'S
17 BEDSIDE AND CONTINUED CPR. THE DEFENDANT INDICATED THAT SECURITY GUARD ALBERTO ALVAREZ
18 EVENTUALLY RESPONDED AND CALLED 911 ON HIS CELL PHONE. THE DEFENDANT STATED THAT HE
19 CONTINUED CPR WHILE WAITING FOR THE AMBULANCE. HE NOTED THAT THE PARAMEDICS WERE UNABLE
20 TO RESUSCITATE THE VICTIM, AND THEY ATTEMPTED TO PRONOUNCE DEATH. HOWEVER, THE DEFENDANT
21 REFUSED TO ALLOW THE PARAMEDICS TO PRONOUNCE DEATH. HE THEN ASSUMED CARE FROM THE
22 PARAMEDICS AND ACCOMPANIED THEM TO THE HOSPITAL.

23 DURING A SUBSEQUENT INTERVIEW, THE SECURITY GUARD, ALBERTO
24 ALVAREZ, INDICATED THAT AS HE ARRIVED ON THE SCENE, DOCTOR MURRAY GRABBED SEVERAL BOTTLES
25 (VIALS) OF MEDICINE STATING, "PUT THESE IN THE BAG." THE SECURITY GUARD FURTHER INDICATED HE
26 OBSERVED THE DEFENDANT REMOVE ONE OF THE IV BAGS FROM THE IV STAND AND PLACE IT INTO A BLUE
27 CANVAS BAG. HE NOTED THE IV BAG CONTAINED A MILKY LIQUID SUBSTANCE. THE SECURITY GUARD
28 INDICATED THAT THE DEFENDANT INSTRUCTED HIM TO CALL 911 ONLY AFTER HE HAD PLACED THE IV BAG

1 INTO THE BLUE CANVAS BAG. IT SHOULD BE NOTED THAT IN A LATER SEARCH OF THE DEFENDANT'S
2 MEDICAL BAG, DETECTIVES UNCOVERED SEVERAL BOTTLES OF PROPOFOL, AMONG VARIOUS OTHER DRUGS.

3 DURING THE COURSE OF THE INVESTIGATION, LOS ANGELES POLICE
4 DETECTIVES OBTAINED THE DEFENDANT'S CELLULAR TELEPHONE RECORDS. IN THE POLICE REPORT,
5 DETECTIVES NOTE THAT THE DEFENDANT REPORTED THAT HE OBSERVED THE VICTIM WAS NOT BREATHING
6 AT APPROXIMATELY 11:00 HOURS. HOWEVER, THE DEFENDANT'S PHONE RECORDS INDICATE THE
7 DEFENDANT WAS ON THE TELEPHONE WITH THREE SEPARATE CALLERS FOR APPROXIMATELY 47 MINUTES,
8 STARTING AT 11:18 HOURS UNTIL 12:05 HOURS. ON JULY 21, 2009, DETECTIVES INTERVIEWED WITNESS
9 SADE A., WHO HAD RECEIVED A TELEPHONE CALL FROM THE DEFENDANT ON JUNE 25, AT APPROXIMATELY
10 11:51 PM. THE WITNESS STATED SHE HAD TALKED TO THE DEFENDANT FOR APPROXIMATELY FIVE MINUTES
11 WHEN SHE REALIZED HE WAS NO LONGER ON THE PHONE. THE WITNESS INDICATED SHE HEARD COUGHING
12 AND MUMBLING; SHE THEN WAITED FIVE ADDITIONAL MINUTES BEFORE HANGING UP.

13 POLICE DETECTIVES CONTINUED THE INVESTIGATION AND INTERVIEWED
14 MEMBERS OF THE LOS ANGELES CITY FIRE DEPARTMENT WHO RESPONDED TO THE INCIDENT. ON JULY 1,
15 2009, POLICE DETECTIVES INTERVIEWED RICHARD SENNEF, WHO WAS THE ATTENDING PARAMEDIC AT THE
16 SCENE. THE PARAMEDIC REPORTED THAT UPON ARRIVAL, HE ASKED THE DEFENDANT WHAT THE VICTIM'S
17 UNDERLYING MEDICAL CONDITION WAS. THE DEFENDANT REPORTEDLY STATED THAT HE WAS TREATING
18 THE VICTIM FOR DEHYDRATION AND EXHAUSTION. WHEN THE PARAMEDIC ASKED THE DEFENDANT IF THE
19 VICTIM WAS TAKING ANY DRUGS, THE DEFENDANT INDICATED HE HAD ONLY GIVEN THE VICTIM
20 LORAZEPAM (ATTIVAN). THE PARAMEDIC THEN ASKED THE DEFENDANT HOW LONG THE VICTIM HAD "BEEN
21 DOWN." THE DEFENDANT REPLIED, "THIS JUST HAPPENED, RIGHT WHEN I CALLED YOU." THE PARAMEDIC
22 NOTED THAT THE VICTIM'S EYES WERE FIXED AND DILATED. HE FURTHER NOTED THE VICTIM'S SKIN WAS
23 COOL TO THE TOUCH AND HIS HANDS WERE BLUE. DETECTIVES THEN INTERVIEWED PARAMEDIC MARTIN
24 BLOUNT, WHO HAD ALSO RESPONDED TO THE SCENE. THE PARAMEDIC NOTED THAT THE DEFENDANT HAD
25 ADVISED HIM THAT THE VICTIM HAD "BEEN DOWN" FOR ONLY A MINUTE." PARAMEDIC BLOUNT NOTED THIS
26 STATEMENT WAS CONTRARY TO THE APPEARANCE OF THE VICTIM'S CONDITION, IN THAT THE VICTIM'S
27 EYES WERE FIXED AND DILATED AND HE WAS NOT WARM TO THE TOUCH. ACCORDING TO THE POLICE
28 INVESTIGATION, THREE LOS ANGELES FIRE DEPARTMENT PARAMEDICS CONCLUDED THAT THE VICTIM WAS

1 "DOWN" LONGER THAN THE DEFENDANT INDICATED. A LOS ANGELES FIRE DEPARTMENT CAPTAIN NOTED
2 THAT HE HEARD THE DEFENDANT STATE THAT THE INCIDENT WAS A "WITNESSED ARREST," WHICH WOULD
3 INDICATE THE VICTIM HAD "GONE DOWN" AT THE TIME OF THE 911 CALL. THE FIRE CAPTAIN NOTED THAT
4 THE VICTIM APPEARED TO HAVE "BEEN DOWN" LONGER THAN THE 10 MINUTES SINCE THE 911 CALL. POLICE
5 INVESTIGATION ALSO CONCLUDED THAT THE DEFENDANT NEVER INFORMED ANY MEDICAL PERSONNEL OF
6 ADMINISTERING PROPOFOL TO THE VICTIM.

7 ON AUGUST 19, 2009, THE LOS ANGELES COUNTY CHIEF MEDICAL EXAMINER,
8 DR. SATHVAGISWARAN, COMPLETED THE AUTOPSY REPORT REGARDING THE VICTIM'S DEATH.
9 DR. SATHVAGISWARAN CONCLUDED,

10
11 "THE CAUSE OF DEATH IS ACUTE PROPOFOL INTOXICATION. A CONTRIBUTORY
12 FACTOR IN THE DEATH IS BENZODIAZEPINE. THE MANNER OF DEATH IS HOMICIDE BASED ON
13 THE FOLLOWING:

- 14 1. CIRCUMSTANCES INDICATED THAT ANOTHER ADMINISTERED PROPOFOL AND THE
15 BENZODIAZEPINES.
- 16 2. THE PROPOFOL WAS ADMINISTERED IN A NON-HOSPITAL SETTING WITHOUT ANY
17 APPROPRIATE MEDICAL INDICATION.
- 18 3. THE STANDARD OF CARE FOR ADMINISTERING PROPOFOL WAS NOT MET. RECOMMENDED
19 EQUIPMENT FOR PATIENT MONITORING, PRECISION DOSING, AND RESUSCITATION WAS NOT
20 PRESENT.
- 21 4. THE CIRCUMSTANCES DO NOT SUPPORT SELF-ADMINISTRATION OF PROPOFOL."

22
23 ON FEBRUARY 8, 2010, THE LOS ANGELES DISTRICT ATTORNEY'S OFFICE FILED
24 ONE COUNT OF 192(B) PC (INVOLUNTARY MANSLAUGHTER) AGAINST THE DEFENDANT AND ISSUED A
25 WARRANT FOR HIS ARREST. BOOKING RECORDS INDICATE THE DEFENDANT WAS ARRESTED ON 02/08/2010,
26 AND RELEASED ON BOND ON 02/25/2010.

VICTIM:

SOURCES OF INFORMATION (THIS PAGE)

☐ POLICE REPORT (S) ☒ DISTRICT ATTORNEY
☐ VICTIM(S) ☐ OTHER:

NAME

KATHERINE JACKSON, LEGAL GUARDIAN OF VICTIM'S
THREE CHILDREN

COUNT(S)

01

INJURY: PROPERTY LOSS (TYPE / COST / ETC.)

LOSS OF SON'S LIFE

LOSS: ☒ YES ☐ NOESTIMATED LOSS
UNDETERMINEDRESTITUTION ALREADY MADE
NOAPPLIED FOR VICTIM RESTITUTION FUND
☐ UNK ☐ YES ☒ NO

VICTIM STATEMENT:

THE VICTIM'S MOTHER, KATHERINE JACKSON, IS NOW THE LEGAL GUARDIAN OF MICHAEL JACKSON'S THREE CHILDREN, PRINCE MICHAEL, (PRINCE) MICHAEL JOSEPH, AND PARIS MICHAEL. ON 11/22/2011, THIS OFFICER CONTACTED THE VICTIM'S MOTHER, KATHERINE JACKSON, FOR A VICTIM IMPACT STATEMENT. THE VICTIM'S MOTHER INDICATED THAT THE FAMILY IS DEVASTATED BY THE LOSS OF HER SON. SHE RELATED THAT ALL OF THE FAMILY MEMBERS FEEL ANGRY AND BETRAYED BY THE DEFENDANT. KATHERINE JACKSON RELATED THAT NOT A DAY GOES BY WHEN SHE DOES NOT THINK ABOUT HER SON. SHE ADDED THAT ALL OF HER CHILDREN, AND ALL OF HER SON'S CHILDREN THINK ABOUT MICHAEL DAILY. SHE NOTED THAT EVERY MORNING HE IS THE FIRST THING SHE THINKS ABOUT.

KATHERINE JACKSON STATED THAT MICHAEL JACKSON WAS HIS CHILDREN'S WORLD, AND THEIR WORLD COLLAPSED WHEN HE LEFT. SHE NOTED HE CAN NEVER BE REPLACED. MS. JACKSON REPORTED THAT WHILE AT THE HOSPITAL ON THE DAY OF THE INCIDENT, AFTER THE VICTIM WAS POUNCED DEAD, HIS DAUGHTER WAS CRYING AND STATED "I WANNA GO WITH YOU." THE VICTIM'S MOTHER REPORTED HOW MICHAEL JACKSON AND (CONTINUED NEXT PAGE)

RESTITUTION

TOTAL NUMBER OF VICTIMS

5

ESTIMATED LOSS TO ALL VICTIMS

UNDETERMINED

VICTIM(S) NOTIFIED OF HEARING PURSUANT TO PC 1191.1

☒ YES ☐ NO ☒ NOTIFIED BY MAIL I/O

DOES DEFENDANT HAVE INSURANCE TO COVER RESTITUTION:

☐ YES ☐ NO ☒ UNKNOWN (NOT INTERVIEWED)

INSURANCE COMPANY NAME/ADDRESS/TELEPHONE NO.

UNKNOWN

☒ ADDITIONAL VICTIM NEXT PAGE

1
2 (CONTINUED FROM PAGE 7)

3 HIS CHILDREN WERE MAKING PLANS TO ENTER THE FILM MAKING INDUSTRY, AND THEY
4 INTENDED TO BEGIN FILMING AFTER A MUSIC TOUR. SHE REFLECTED THAT THE CHILDREN
5 GREATLY MISS THEIR FATHER.

6 KATHERINE JACKSON BELIEVES THE DEFENDANT LIED TO POLICE,
7 TO THE PRESS, AND TO THE COURT. SHE NOTED THAT THERE WAS NO POSSIBLE WAY THE
8 DEFENDANT LEFT THE VICTIM'S SIDE FOR ONLY TWO MINUTES. SHE BELIEVES THAT THE
9 VICTIM HAD STOPPED BREATHING FOR A SUBSTANTIAL AMOUNT OF TIME BEFORE THE
10 DEFENDANT CALLED 911. KATHERINE JACKSON BELIEVES THE DEFENDANT DELAYED CALLING
11 911, BECAUSE HE KNEW HE WAS NEGLIGENT AND RESPONSIBLE FOR THE VICTIM'S DEATH

12 KATHERINE JACKSON NOTED THAT DURING THE TRIAL THE
13 DEFENDANT WAS BEING FILMED FOR A DOCUMENTARY, AND DURING FILMING, HE REPEATEDLY
14 STATED THAT HE DID NOTHING WRONG. MS. JACKSON FEELS THIS ADDS INSULT TO INJURY, AND
15 SHOWS THAT HE IS CLEARLY NOT REMORSEFUL. SHE CONTINUED THAT ON THE ANNIVERSARY
16 OF HER SON'S DEATH, THE DEFENDANT ARRANGED TO BE PHOTOGRAPHED AT THE CEMETERY
17 WHERE JACKSON WAS BURIED. THE FAMILY IS DEEPLY INSULTED BY THE DEFENDANT'S
18 ACTIONS. KATHERINE JACKSON FURTHER NOTED THAT THE DEFENDANT REPORTED WHILE HE
19 WAS AT THE HOSPITAL ON THE DAY OF THE INCIDENT, HE WAS CONSOLING THE FAMILY AND
20 ATTEMPTING TO COMFORT THEM. MS. JACKSON STATED THAT THIS IS NOT TRUE, AND THAT THE
21 FAMILY HAD NO CONTACT WITH THE DEFENDANT WHILE AT THE HOSPITAL. SHE ADDED THAT
22 THE FAMILY DID NOT EVEN KNOW WHO THE DEFENDANT WAS UNTIL LATER. SHE BELIEVES
23 THIS IS AN EXAMPLE OF HOW THE DEFENDANT HAS NOT BEEN TRUTHFUL. THE VICTIM'S
MOTHER BELIEVES THE DEFENDANT VIOLATED HER SON'S TRUST, AND HE FAILED TO MONITOR
THE VICTIM'S MEDICAL STATUS. (CONTINUED NEXT PAGE)

1 (CONTINUED FROM PAGE 8)

2 SHE FEELS THE FOUR YEAR MAXIMUM SENTENCE IS INSUFFICIENT BECAUSE THE DEFENDANT IS
3 RESPONSIBLE FOR HER SON'S DEATH. SHE CONCLUDED THAT THE DEFENDANT SHOULD RECEIVE
4 THE MAXIMUM SENTENCE ALLOWED BY LAW.
5

1 ADDITIONAL VICTIMS:

2 SOURCES OF INFORMATION (THIS PAGE)

3 ☐ POLICE REPORT ☒ DISTRICT ATTORNEY ☐ VICTIM(S)4 ☐ OTHER:

5 NAME JOSEPH JACKSON (VICTIM'S FATHER)		6 COUNT(S) 01	
7 INJURY: PROPERTY LOSS (TYPE / COST / ETC.) LOSS OF SON'S LIFE			
8 LOSS: <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	ESTIMATED LOSS UNDETERMINED	RESTITUTION ALREADY MADE UNKNOWN	9 APPLIED FOR VICTIM RESTITUTION FUND <input checked="" type="checkbox"/> UNK <input type="checkbox"/> YES <input type="checkbox"/> NO

10 VICTIM STATEMENT:

11 ON 11/16/2011, THIS OFFICER CONTACTED THE DEPUTY DISTRICT
12 ATTORNEY ASSIGNED TO THE CASE, DAVID WALGREN. THE DEPUTY DISTRICT ATTORNEY AGREED
13 TO ACT AS A LIAISON FOR THE VICTIM'S MOTHER, FATHER AND CHILDREN AND PROVIDE THE
14 FAMILY WITH AN OPPORTUNITY TO SUBMIT A VICTIM IMPACT STATEMENT. HOWEVER, AS OF THE
15 SUBMISSION OF THIS REPORT, THE VICTIM'S FATHER HAS NOT RESPONDED. IF THE VICTIM'S
16 FATHER RESPONDS PRIOR TO THE HEARING, THE INFORMATION WILL BE FORWARDED TO THE
17 COURT.

PRIOR RECORD:

SOURCES OF INFORMATION (THIS PAGE)

<input checked="" type="checkbox"/> CII	<input checked="" type="checkbox"/> APS	<input checked="" type="checkbox"/> TCIS
<input checked="" type="checkbox"/> CCHRS	<input checked="" type="checkbox"/> DMV	<input type="checkbox"/> DEFENDANT
<input checked="" type="checkbox"/> CWS	<input type="checkbox"/> JAIN	<input checked="" type="checkbox"/> PPT+
<input checked="" type="checkbox"/> FBI	<input type="checkbox"/> SRF	<input checked="" type="checkbox"/> PIMS
<input type="checkbox"/> OTHER:		

AKAs:

CONRAD ROBERT MURRAY; CONRAD R. MURRAY; MURRAY CONRAD.

CRIMINAL REGISTRATION INFORMATION:

OFFENDER REGISTRATION	REGISTRATION REQUIRED DUE TO PRIOR CONVICTION	REGISTRATION REQUIRED IF CONVICTION OCCURS ON THE INSTANT CHARGE
SEX OFFENDER PC 290 PC	<input type="checkbox"/>	<input type="checkbox"/>
DRUG OFFENDER H&S 11590	<input type="checkbox"/>	<input type="checkbox"/>
ARSON OFFENDER PC 457.1	<input type="checkbox"/>	<input type="checkbox"/>
CRIMINAL STREET GANG PC 186.30	<input type="checkbox"/>	<input type="checkbox"/>

JUVENILE HISTORY:

INFORMATION IS NOT AVAILABLE THROUGH PROBATION DEPARTMENT INQUIRY FIVE YEARS AFTER JUVENILE PROBATION ACTIVITY IS TERMINATED. CII RECORDS DO NOT INDICATE A JUVENILE ARREST RECORD.

ADULT HISTORY:

NONE.

DNA

- ☐ CII RECORDS INDICATE A VERIFIED DNA SAMPLE IS ON FILE WITH THE CAL-DNA DATA BANK.
- ☒ CII RECORDS DO NOT INDICATE THAT A DNA SAMPLE HAS BEEN COLLECTED.
- ☒ SHOULD DEFENDANT BE CONVICTED OF THE INSTANT FELONY CHARGES, THERE IS A REQUIREMENT PURSUANT TO 296 P.C. THAT DEFENDANT WILL NEED TO PROVIDE A DNA SAMPLE.
- ☐ OTHER:

1 **PERSONAL HISTORY:****SOURCES OF INFORMATION (THIS PAGE)**

- | | |
|--|---|
| <input type="checkbox"/> PROBATION RECORDS | <input checked="" type="checkbox"/> POLICE REPORT (S) |
| <input type="checkbox"/> DEFENDANT | <input checked="" type="checkbox"/> COURT RECORDS |
| <input type="checkbox"/> O.R. REPORT | <input checked="" type="checkbox"/> OTHER CCHRS |

4 **SUBSTANCE ABUSE:**

- 5 ☒ NO RECORD, INDICATION, OR ADMISSION OF ALCOHOL OR CONTROLLED SUBSTANCE ABUSE.
- 6 ☐ OCCASIONAL SOCIAL OR EXPERIMENTAL USE OF _____ ACKNOWLEDGED.
- 7 ☐ SEE ADDITIONAL INFORMATION BELOW: INDICATION / ADMISSION OF SIGNIFICANT SUBSTANCE ABUSE PROBLEM.

8 **ADDITIONAL INFORMATION:**

9 THE DEFENDANT WAS NOT INTERVIEWED IN ACCORDANCE WITH COURT
10 ORDERS, AND THERE IS NO RECORD OF AN O.R. INVESTIGATION. THE DEFENDANT'S SUBSTANCE
11 ABUSE HISTORY IS UNKNOWN.

20 **PHYSICAL / MENTAL / EMOTIONAL HEALTH:**

- 21 ☐ NO INDICATION OR CLAIM OF SIGNIFICANT PHYSICAL / MENTAL / EMOTIONAL HEALTH PROBLEM.
- 22 ☒ SEE ADDITIONAL INFORMATION BELOW: INDICATION / CLAIM OF SIGNIFICANT PHYSICAL / MENTAL / EMOTIONAL
23 HEALTH PROBLEM.

24 **ADDITIONAL INFORMATION:**

25 ACCORDING TO THE CONSOLIDATED CRIMINAL HISTORY REPORTING
26 SYSTEM OF THE LOS ANGELES COUNTY SHERIFF'S DEPARTMENT, THE DEFENDANT HAS BEEN
27 CLASSIFIED AS "MENTALLY DISTURBED," AND "SUICIDAL" WHILE AWAITING SENTENCING IN LOS
28 ANGELES COUNTY'S MEN'S JAIL.

PERSONAL HISTORY:
(CONTINUED)

SOURCES OF INFORMATION (THIS PAGE)

☐ PROBATION RECORDS ☒ POLICE REPORT (S)
☐ DEFENDANT ☒ COURT RECORDS
☐ O.R. REPORT ☐ OTHER:

RESIDENCE	TYPE RESIDENCE UNKNOWN	LENGTH OF OCCUPANCY UNKNOWN	MONTHLY RENT / MORTGAGE UNKNOWN	RESIDES WITH/RELATIONSHIP UNKNOWN
RESIDENTIAL STABILITY LAST FIVE YEARS STABLE		CAME TO STATE / FROM LAS VEGAS, NEVADA		CAME TO COUNTY / FROM LAS VEGAS, NEVADA

ADDITIONAL INFORMATION:

THE DEFENDANT WAS NOT INTERVIEWED IN ACCORDANCE WITH COURT ORDERS. HOWEVER, BOOKING RECORDS INDICATE THE DEFENDANT REPORTED HIS RESIDENCE AS 2425 GRASSY SPRINGS, IN LAS VEGAS NEVADA. ACCORDING TO THE POLICE REPORT, WHILE THE DEFENDANT WAS EMPLOYED AS THE VICTIM'S PERSONAL PHYSICIAN IN 2009, HE RESIDED IN SANTA MONICA CALIFORNIA WITH THE MOTHER OF HIS THEN 5 MONTH OLD CHILD.

MARRIAGE / PARENTHOOD	MARITAL STATUS UNKNOWN	NAME OF SPOUSE / COHABITANT UNKNOWN
LENGTH OF UNION UNKNOWN	NO. OF CHILDREN THIS UNION UNKNOWN	SUPPORTED BY UNKNOWN
NO. PRIOR MARRIAGES/COHABITATIONS UNKNOWN	NO. OF CHILDREN THESE UNIONS UNKNOWN	SUPPORTED BY UNKNOWN
NO. OF OTHER CHILDREN UNKNOWN	SUPPORTED BY UNKNOWN	

ADDITIONAL INFORMATION:

ACCORDING TO THE POLICE REPORT, WHILE THE DEFENDANT WAS THE VICTIM'S PERSONAL PHYSICIAN, HE WAS LIVING WITH HIS GIRLFRIEND, NICOLE ALVAREZ. HIS CURRENT MARITAL STATUS IS UNKNOWN. THE POLICE REPORT FURTHER INDICATES THAT THE DEFENDANT AND MS. ALVAREZ HAVE A MINOR CHILD IN COMMON, WHO WAS REPORTED TO BE 5 MONTHS OLD AT THE TIME OF THE INITIAL POLICE INTERVIEW (AUGUST 12, 2009).

FORMAL EDUCATION:

THE DEFENDANT WAS NOT INTERVIEWED IN ACCORDANCE WITH COURT ORDERS.

1 **PERSONAL HISTORY:**
2 **(CONTINUED)**

SOURCES OF INFORMATION (THIS PAGE)

☐ PROBATION RECORDS ☒ POLICE REPORT (S)
☐ DEFENDANT ☒ COURT RECORDS
☐ O.R. REPORT ☐ OTHER:

4 **EMPLOYMENT STATUS**

☐ EMPLOYED
☐ UNEMPLOYED

EMPLOYER AWARE OF PRESENT OFFENSE

☐ N/A ☐ YES ☐ NO

5 **PRESENT/LAST EMPLOYER/ADDRESS/PHONE**

6 **PERSONAL PHYSICIAN**

OCCUPATION

7 **MEDICAL DOCTOR,
CARDIOLOGIST**

PERIOD OF EMPLOYMENT

8 **SIX WEEKS**

GROSS MONTHLY WAGE

9 **\$150,000.**

10 ☐ VERIFIED ☐ UNVERIFIED

EMPLOYMENT STABILITY LAST 5 YEARS

11 **UNKNOWN**

TYPE OF PREVIOUS EMPLOYMENT

12 **PRIVATE PRACTICE;**

13 **ADDITIONAL INFORMATION:**

14 THE DEFENDANT WAS NOT INTERVIEWED IN ACCORDANCE WITH COURT
 15 ORDERS. ACCORDING TO THE POLICE INVESTIGATION, THE DEFENDANT WAS EMPLOYED AS THE
 16 VICTIM'S PERSONAL PHYSICIAN FOR APPROXIMATELY SIX WEEKS PRIOR TO THE VICTIM'S DEATH.
 17 HIS MOST RECENT EMPLOYMENT STATUS IS UNKNOWN. STATEMENTS IN THE POLICE REPORT
 18 FURTHER REVEALED THE DEFENDANT HAS PRACTICED MEDICINE IN THE STATES OF TEXAS AND
 19 NEVADA.

20 **FINANCIAL STATUS**

INCOME STABILITY

21 **UNKNOWN**

NET MONTHLY INCOME

22 **UNKNOWN**

23 **PRIMARY INCOME SOURCE**

24 **UNKNOWN**

SECONDARY INCOME SOURCE(S)

25 **UNKNOWN**

ESTIMATED. TOTAL ASSETS

26 **UNKNOWN**

ESTIMATED. TOTAL LIABILITIES

27 **UNKNOWN**

28 **MAJOR ASSETS / ESTIMATED VALUE**

29 **UNKNOWN**

30 **MAJOR LIABILITIES / ESTIMATED AMOUNT (MONTHLY)**

31 **UNKNOWN**

32 **ADDITIONAL INFORMATION:**

33 THE DEFENDANT WAS NOT INTERVIEWED IN ACCORDANCE WITH COURT
 34 ORDERS; HIS CURRENT FINANCIAL STATUS IS UNKNOWN.

35 **GANG ACTIVITY**

36 ☐ YES ☐ NO ☒ UNK Name of Gang: _____

37 **ADDITIONAL INFORMATION:**

1 DEFENDANT'S STATEMENT:

2 IN ACCORDANCE WITH COURT ORDERS, THE DEFENDANT IN THIS CASE
3 HAS NOT BEEN INTERVIEWED.

4 INTERESTED PARTIES:

5 ON 11/18/2011, THIS OFFICER CONTACTED THE INVESTIGATING OFFICER,
6 DETECTIVE SMITH OF THE LOS ANGELES POLICE DEPARTMENT. THE DETECTIVE STATED THAT HE
7 RECOMMENDS THE DEFENDANT RECEIVE THE MAXIMUM SENTENCE IN STATE PRISON. HE REPORTED
8 THAT THE DEFENDANT WAS NOT TRUTHFUL WITH MEDICAL PERSONNEL OR POLICE INVESTIGATORS.
9 THE DEFENDANT DID NOT INFORM ANYONE OF ADMINISTERING PROPOFOL UNTIL DAYS LATER
10 DURING A FOLLOW-UP INTERVIEW. THE DETECTIVE STATED THAT DOCTOR MURRAY WAS IN A
11 POSITION OF TRUST AND DID NOT ACT RESPONSIBLY. HE NOTED THE DEFENDANT ACTED RECKLESSLY,
12 AND WAS NOT PROPERLY MONITORING THE VICTIM'S MEDICAL STATUS ON THE NIGHT OF THE
13 INCIDENT. HE BELIEVES THAT DOCTOR MURRAY WAS SLEEPING OR ON THE PHONE WHEN THE VICTIM
14 STOPPED BREATHING. HE FURTHER CONCLUDED THAT THE DEFENDANT WAS NEGLIGENT IN
15 NUMEROUS WAYS, INCLUDING FAILURE TO PROVIDE APPROPRIATE MEDICAL EQUIPMENT, FAILURE TO
16 PROVIDE A PROPER MEDICAL SETTING, AND FAILURE TO PROPERLY RESUSCITATE THE VICTIM. THE
17 DETECTIVE ADDED THAT HIS INVESTIGATION REVEALED THE VICTIM MAY NOT HAVE BEEN
18 BREATHING FOR UP TO AN HOUR AND A HALF BEFORE PARAMEDICS ARRIVED.

19
20 ON 11/16/2011, THE DEPUTY DISTRICT ATTORNEY ASSIGNED TO THIS CASE
21 PROVIDED THIS OFFICER WITH A WRITTEN ASSESSMENT OF MICHAEL JACKSON'S DEATH BY
22 STEPHEN J. SHAFER M.D., PROFESSOR OF ANESTHESIOLOGY, COLUMBIA UNIVERSITY MEDICAL CENTER,
23 AND EDITOR AND CHIEF OF "ANESTHESIA & ANALGESIA." THE DISTRICT ATTORNEY NOTED THAT THE
24 ANALYSIS WAS SUBMITTED TO DISCOVERY AND EXAMINED IN THE TRAIL. IN TOTAL, DR. SHAFER
25 INDICATED HIS ASSESSMENT IDENTIFIED 17 EGREGIOUS VIOLATIONS OF STANDARD CARE, 10 SERIOUS
26 VIOLATIONS OF STANDARD CARE, AND 2 MINOR VIOLATIONS OF STANDARD CARE.

27 REGARDING THE PRE-PROCEDURAL SETUP, DR. SHAFER REPORTED
28 EGREGIOUS VIOLATIONS THAT INCLUDED THE FOLLOWING: 1. DR. MURRAY FAILED TO HAVE
EMERGENCY AIRWAY EQUIPMENT AVAILABLE; 2. THERE WAS NO EVIDENCE THAT DR. MURRAY HAD A

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1 "SUCTION APPARATUS" TO AID IN THE EVENT OF ASPIRATION; 3. THERE IS NO EVIDENCE THAT THE
2 DEFENDANT HAD USE OF AN INFUSION PUMP TO CONTROL THE RATE OF INFUSION OF PROPOFOL;
3 4. DR. MURRAY USED AN INADEQUATE PULSE OXIMETRY, WHICH HAD NO AUDIBLE PULSE, NO ALARM
4 AND A SMALL DISPLAY. 5. THERE IS NO EVIDENCE THAT THE DEFENDANT USED A BLOOD PRESSURE
5 CUFF TO MONITOR THE VICTIM'S BLOOD PRESSURE; 6. DR. MURRAY FAILED TO USE AN
6 ELECTROCARDIOGRAM TO MONITOR THE VICTIM'S HEART RATE; 7. THERE IS NO EVIDENCE THAT THE
7 DEFENDANT HAD EMERGENCY RESUSCITATION DRUGS AVAILABLE, AND 8. DR. MURRAY DID NOT KEEP
8 ANY RECORDS OF THE SEDATION.

9 REGARDING THE INITIATION OF THE SEDATIVE, DR. SHAFER INDICATED:
10 DR. MURRAY FAILED TO OBTAIN MEDICAL RECORDS FROM THE OTHER DOCTORS TREATING THE
11 VICTIM AND DID NOT ESTABLISH A DOCTOR-PATIENT RELATIONSHIP. DOCTOR SHAFER NOTED THAT
12 JUDGING BY HIS ACTIONS, DR. MURRAY INSTEAD HAD AN EMPLOYEE-EMPLOYER RELATIONSHIP.
13 DR. SHAFER BELIEVES THAT IF DR. MURRAY HAD A DOCTOR-PATIENT RELATIONSHIP, HE MIGHT HAVE
14 REFUSED TO ADMINISTER PROPOFOL.

15 DR. SHAFER FURTHER NOTED THAT BASED ON PHONE RECORDS, THE
16 DEFENDANT WAS TALKING ON THE PHONE 47 MINUTES AND COULD NOT HAVE BEEN GIVING
17 APPROPRIATE ATTENTION TO THE VICTIM'S MEDICAL STATUS. IF DOCTOR MURRAY HAD PAID
18 VIGILANT ATTENTION TO THE VICTIM'S BREATHING, HE WOULD HAVE RECOGNIZED THE VICTIM HAD
19 SLOWED BREATHING BEFORE THE RESPIRATORY ARREST OCCURRED.

20 REGARDING THE RESUSCITATION EFFORTS, DR. SHAFER INDICATED THE
21 FIRST INTERVENTION IN A RESPIRATORY ARREST IS TO CALL 911. IF ANOTHER PERSON IS NOT
22 AVAILABLE, THE RESPONDER SHOULD CALL 911. DR. SHAFER FURTHER NOTED THAT DR. MURRAY
23 FAILED TO CALL FOR HELP IMMEDIATELY. WHEN THE SECURITY GUARD ARRIVED ON THE SCENE, THE
24 DEFENDANT FIRST INSTRUCTED THE SECURITY GUARD TO PLACE THE BOTTLES OF SEDATIVES INTO A
25 BAG, AND THEN TO REMOVE THE PROTOCOL INFUSION VIAL FROM THE INTRAVENOUS POLE. DOCTOR
26 SHAFER NOTED THAT THESE INSTRUCTIONS DELAYED THE SECURITY GUARD'S CALL TO 911. THE
27 DEFENDANT ALSO FAILED TO INFORM THE PARAMEDICS AND PHYSICIANS THAT HE ADMINISTERED
28 PROPOFOL TO THE VICTIM. DR. SHAFER STATED "THESE FACTORS CONSTITUTE EGREGIOUS
VIOLATIONS OF STANDARD CARE THAT UNCONSCIONABLY VIOLATE THE HIPPOCRATIC OATH (I WILL

1 APPLY, FOR THE BENEFIT OF THE SICK, ALL MEASURES REQUIRED), AND THE DECLARATION OF
2 GENEVA (THE HEALTH AND LIFE OF MY PATIENT WILL BE MY FIRST CONSIDERATION)."

3 FINALLY, REGARDING THE INFUSION OF PROPOFOL, DR. SHAFER
4 INDICATED THAT THE DEFENDANT'S CLAIM TO HAVE ADMINISTERED ONLY 25 MG OF PROPOFOL IS
5 INCONSISTENT WITH THE BLOOD LEVELS AT THE AUTOPSY AND THE PROFOUND EFFECT ON THE
6 VICTIM. HE REPORTED THAT A 100 ML EMPTY BOTTLE OF PROPOFOL WAS FOUND IN DR. MURRAY'S
7 BLUE BAG, WHERE IT WAS PLACED BY THE SECURITY GUARD. DR. SHAFER WROTE, "THE MEASURED
8 PROPOFOL BLOOD LEVELS, THE EMPTY 100 ML VIAL OF PROPOFOL, AND THE ENSUING DEATH OF
9 JACKSON ALL SUPPORT THE CONCLUSION THAT JACKSON RECEIVED A LETHAL DOSE OF PROPOFOL
10 FROM MURRAY. THERE IS NO POSSIBILITY THAT JACKSON JUST RECEIVED 25 MG OF PROPOFOL, AS
11 MURRAY STATED IN HIS DEPOSITION." DR. SHAFER FURTHER OBSERVED THAT DATA AND
12 TOXICOLOGY REPORTS SUGGEST DR. MURRAY GAVE THE VICTIM A FAR HIGHER DOSE THAN THE
13 REPORTED 4 MG OF LORAZEPAM; IN FACT THE DATA SUGGESTS A MUCH HIGHER DOSE, POSSIBLY AN
14 ENTIRE 40 MG VIAL OF LORAZEPAM, CONTRIBUTED TO THE VICTIM'S DEATH. DR. SHAFER
15 CONCLUDED "JACKSON DIED FOLLOWING A LETHAL DOSE OF PROPOFOL. JACKSON ALSO RECEIVED A
16 POTENTIALLY TOXIC DOSE OF LORAZEPAM."

17 **EVALUATION:**

18 THE DEFENDANT IS A 58 YEAR OLD PHYSICIAN WITH NO PRIOR CRIMINAL
19 CONVICTIONS. IN THE CURRENT MATTER, THE DEFENDANT HAS BEEN CONVICTED OF INVOLUNTARY
20 MANSLAUGHTER, A SERIOUS FELONY. AS CHARGED, THE DEFENDANT IS ELIGIBLE FOR PROBATION.
21 HAVING SUSTAINED A FELONY CONVICTION, HE IS PRECLUDED FROM PRACTICING MEDICINE AND
22 WOULD NOT LIKELY PRESENT AN IMMEDIATE THREAT TO THE COMMUNITY. BASED UPON THE
23 AUTOPSY REPORT, THE VICTIM'S DEATH WAS A RESULT OF ACUTE PROPOFOL INTOXICATION.
24 ACCORDING TO THE CORONER'S REPORT AND THE TESTIMONY OF MEDICAL EXPERTS, THE
25 CIRCUMSTANCES DO NOT SUPPORT SELF-ADMINISTRATION OF PROPOFOL. SCIENTIFIC EVIDENCE AND
26 LAW ENFORCEMENT INVESTIGATIONS SUPPORT THE BELIEF THAT THE DEFENDANT ADMINISTERED A
27 LETHAL DOSE OF PROPOFOL TO THE VICTIM.

28 IT SHOULD ALSO BE NOTED, THAT THE FACTS OF THE CASE DO NOT
SUPPORT THE DEFENDANT'S STATEMENTS THAT HE ONLY ADMINISTERED 25 MG OF PROPOFOL, OR

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1 THAT HE ONLY LEFT THE VICTIM'S SIDE FOR A FEW MINUTES. THE EVIDENCE CLEARLY SUGGESTS HE
2 FAILED TO MONITOR THE VICTIM. IT ALSO APPEARS THAT THE DEFENDANT WITHHELD INFORMATION
3 FROM RESPONDING PARAMEDICS AND FROM EMERGENCY MEDICAL STAFF. ALL OF THESE FACTORS
4 DEVIATE FROM STANDARD MEDICAL CARE.

5 THE DEFENDANT CLAIMS THE VICTIM CONTINUALLY DEMANDED TO BE
6 ADMINISTERED PROPOFOL. HOWEVER, THIS DOES NOT MINIMIZE THE DOCTOR'S NEGLIGENT
7 CULPABILITY. IN A PROPER DOCTOR-PATIENT RELATIONSHIP, A PHYSICIAN WOULD NOT ADMINISTER
8 DRUGS BASED ON A PATIENT'S DEMANDS, RATHER, ANY MEDICATION WOULD ONLY BE
9 ADMINISTERED IN APPROPRIATE RESPONSE TO MEDICAL NEEDS.

10 BASED ON THE EVIDENCE, THE VICTIM'S DEATH WAS NOT THE RESULT OF
11 A SINGLE ACT. THE DEFENDANT IS RESPONSIBLE FOR A SERIES OF NEGLIGENT ACTIONS, WHICH HAVE
12 BEEN CATEGORIZED BY MEDICAL EXPERTS AS EGREGIOUS DEVIATIONS FROM STANDARD CARE. THE
13 VICTIM'S DEATH RESULTED NOT ONLY FROM THE DEFENDANT'S LETHAL DOSE OF PROPOFOL, BUT
14 ALSO FROM THE DEFENDANT'S FAILURE TO MONITOR THE VICTIM'S STATUS, FAILURE TO UTILIZE
15 STANDARD MEDICAL EQUIPMENT, FAILURE TO PROVIDE PROPER MEDICAL SETTING, FAILURE TO CALL
16 911 IN A TIMELY MANNER, FAILURE TO INFORM THE RESPONDING MEDICAL STAFF OF HIS
17 ADMINISTRATION OF PROPOFOL, AND FAILURE TO MAINTAIN AN APPROPRIATE DOCTOR-CLIENT
18 RELATIONSHIP. THE DEFENDANT VIOLATED MULTIPLE, PROFESSIONAL STANDARDS AND IGNORED
19 NUMEROUS, ETHICAL OBLIGATIONS. A RECOMMENDATION FOR PROBATION IS PRECLUDED BY THE
20 DEFENDANT'S EXTREME, CRIMINAL NEGLIGENCE WHICH RESULTED IN THE DEATH OF THE VICTIM
21 AND IMMENSE SUFFERING FOR THE VICTIM'S CHILDREN, FAMILY, AND THE COMMUNITY.

22 **SENTENCING CONSIDERATIONS:**

23 THE DEFENDANT IS ELIGIBLE FOR PROBATION.

24 **CIRCUMSTANCES IN AGGRAVATION:**

- 25 1. THE DEFENDANT TOOK ADVANTAGE OF A POSITION OF PUBLIC TRUST
26 OR CONFIDENCE TO COMMIT THE OFFENSE.
27 2. THE VICTIM WAS PARTICULARLY VULNERABLE.
28

CIRCUMSTANCES IN MITIGATION:

1. THE DEFENDANT HAS NO PRIOR RECORD, OR AN INSIGNIFICANT RECORD OF CRIMINAL CONDUCT, CONSIDERING THE FREQUENCY AND RECENCY OF PRIOR CRIMES.

THE CIRCUMSTANCE IN MITIGATION AND AGGRAVATION ARE SUCH THAT SHOULD THE DEFENDANT BE ORDERED TO STATE PRISON, THE MID BASE TERM IS INDICATED.

RECOMMENDATION

IT IS RECOMMENDED THAT PROBATION BE DENIED AND THAT THE DEFENDANT BE SENTENCED TO STATE PRISON WITH APPROPRIATE PRE-IMPRISONMENT CREDIT PURSUANT TO 1170 (H)(3) PC; THAT THE COURT ORDER THE DEFENDANT TO PAY \$200 RESTITUTION FINE PURSUANT TO 1202.4 PC IN A MANNER AS INSTRUCTED BY THE COURT, TOTAL AMOUNT TO INCLUDE A SERVICE CHARGE IN THE AMOUNT OF \$20.00.

RECOMMENDATION PURSUANT TO 1203.1 P.C.:

IT IS RECOMMENDED THAT THE DEFENDANT BE ORDERED, PURSUANT TO PENAL CODE 1203.1B, TO APPEAR BEFORE THE PROBATION OFFICER, OR HIS AUTHORIZED REPRESENTATIVE, TO MAKE AN INQUIRY INTO THE ABILITY OF THE DEFENDANT TO PAY ALL OR A PORTION OF THE COSTS OR SERVICES PROVIDED BY THE PROBATION OFFICER, THAT THE DEFENDANT BE ORDERED TO REPORT TO THE PROBATION OFFICER WITHIN TWO (2) WORKING DAYS OF RELEASE FROM COURT OR CUSTODY AT THE ASCOT INTAKE OFFICE AREA OFFICE AT 210 W. TEMPLE ST., RM 3-516, LOS ANGELES, CA 90012.

RESPECTFULLY SUBMITTED,

CALVIN C. REMINGTON
ACTING CHIEF PROBATION OFFICER

READ AND APPROVED BY:

BY:

ALBERT ZEREGA, DPO
TELEPHONE: (213) 974-9371
CENTRAL ADULT INVESTIGATIONS AREA OFFICE

LEON ALBERTS, SDPO
TELEPHONE: (213) 893-7941

SUBMITTED: TYPED: BY: : ()

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1 I HAVE READ AND CONSIDERED THE FOREGOING REPORT OF THE PROBATION OFFICER.
2

3 _____
4 JUDGE OF THE SUPERIOR COURT

5 _____
6 DATE

7 IF PROBATION IS GRANTED, THE DEFENDANT SHALL REPORT TO
8 ASCOT INTAKE OFFICE AREA OFFICE AT 210 W. TEMPLE ST., RM 3-516, LOS ANGELES, CA 90012.
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GRANT OF PROBATION 1203 PC

1. ☒ SERVE 365 DAYS IN THE LOS ANGELES COUNTY JAIL, ☐ CONCURRENT WITH _____ ☐ CONSECUTIVE TO _____ ☐ ALL TIME.
DEFENDANT TO RECEIVE TOTAL CUSTODY CREDIT OF _____ DAYS (CREDIT OF DAYS ACTUAL PLUS _____ DAYS GOOD TIME/WORK TIME).
2. ☐ SERVE _____ DAYS IN A ☐ RESIDENTIAL ☐ OUTPATIENT TREATMENT PROGRAM: _____
DEFENDANT TO BE RELEASED TO AN AUTHORIZED REPRESENTATIVE OF THAT PROGRAM AND IS TO COMPLY WITH ALL PROGRAM TERMS AND CONDITIONS. (013)
IF DEFENDANT LEAVES OR IS DISCHARGED FROM THE PROGRAM PRIOR TO COMPLETION, DEFENDANT IS TO REPORT TO COURT ON THE NEXT COURT DAY. (013)
3. ☒ PAY A FINE IN THE SUM OF \$ _____ PLUS PENALTY ASSESSMENTS, OR SERVE _____ ADDITIONAL DAY (S) IN COUNTY JAIL, CONSECUTIVE.
4. ☒ MAKE RESTITUTION TO VICTIM _____ PURSUANT TO PC 1202.4 (f) IN THE SUM OF \$ _____. (048)
ADDITIONALLY, 10% PER ANNUM INTEREST PURSUANT TO PC 1202.4 (f) (3) (G).
☐ IN AN AMOUNT AND IN THE MANNER AS THE PROBATION OFFICER SHALL PRESCRIBE, SUBJECT TO A HEARING IF REQUESTED. (052/060)
☐ IN THE STIPULATED SUM OF \$ _____. (051) ☐ IN A SUM STIPULATED NOT TO EXCEED \$ _____. (055)
5. ☒ PERFORM 180 (DAYS) (HOURS) OF (CAL TRANS) (COMMUNITY SERVICE), COMPLETION DATE DUE _____. (189, 190)
6. ☒ OBEY ALL LAWS, RULES, REGULATIONS AND ORDERS OF THE COURT AND OF THE PROBATION DEPARTMENT. (541/542)
7. ☐ PARTICIPATE IN A PROGRAM OF EDUCATION, TREATMENT OR REHABILITATION AIMED AT DRUG ABUSE, AS DIRECTED BY THE PROBATION OFFICER (539).
8. ☐ COOPERATE WITH THE PROBATION OFFICER IN A PLAN FOR _____. (530)
9. ☒ SEEK AND MAINTAIN TRAINING, SCHOOLING OR EMPLOYMENT AS DIRECTED BY THE PROBATION OFFICER. (500)
10. ☒ SUPPORT DEPENDENTS AS DIRECTED BY THE PROBATION OFFICER. (503)
11. ☒ REPORT TO THE PROBATION DEPARTMENT WITHIN 48 HOURS AFTER RELEASE FROM CUSTODY
ASCOT INTAKE OFFICE AREA OFFICE AT 210 W. TEMPLE ST., RM 3-516 LOS ANGELES, CA 90012 (817)
12. ☒ SUBMIT YOUR PERSON AND PROPERTY TO SEARCH AND SEIZURE AT ANY TIME OF THE DAY OR NIGHT BY ANY PROBATION OFFICER OR OTHER PEACE OFFICER, WITH OR WITHOUT A WARRANT, PROBABLE CAUSE OR REASONABLE SUSPICION. (576)
13. ☒ DO NOT OWN, USE, OR POSSESS ANY DEADLY OR DANGEROUS WEAPONS, INCLUDING ANY FIREARMS, KNIVES OR OTHER CONCEALABLE WEAPONS. (934)
☐ THIS PROHIBITION IS FOR 10 YEARS PER PENAL CODE SECTION 12021 (c) (1).
14. ☐ THE WEAPON INVOLVED IN THIS CASE IS ORDERED CONFISCATED AND DESTROYED BY THE ARRESTING AGENCY. (234)
15. ☒ USE ONLY YOUR TRUE NAME, DATE OF BIRTH AND ADDRESS, AND DO NOT GIVE FALSE INFORMATION TO ANY PEACE OFFICER AT ANY TIME. (535)
16. ☒ IF YOU LEAVE THE COUNTRY, YOU SHALL NOT RE-ENTER THE UNITED STATES ILLEGALLY. IF YOU DO RETURN, REPORT TO THE PROBATION OFFICER WITHIN (3) DAYS, AND PRESENT DOCUMENTATION WHICH PROVES YOU ARE IN THE U.S. LEGALLY. (469)
17. ☒ DO NOT OWN, USE, POSSESS, BUY OR SELL ANY CONTROLLED SUBSTANCES, OR ASSOCIATED PARAPHERNALIA, EXCEPT WITH VALID PRESCRIPTION, AND STAY AWAY FROM PLACES WHERE USERS, BUYERS, OR SELLERS CONGREGATE. DO NOT ASSOCIATE WITH PERSONS KNOWN BY YOU TO BE CONTROLLED SUBSTANCE USERS OR SELLERS, EXCEPT IN AN AUTHORIZED TREATMENT PROGRAM. (926)
18. ☐ SUBMIT TO PERIODIC CONTROLLED SUBSTANCE TESTING WHEN REQUESTED BY THE PROBATION OFFICER OR ANY OTHER PEACE OFFICER. (584)
19. ☐ REGISTER WITH YOUR LOCAL POLICE AGENCY AS A ☐ CONTROLLED SUBSTANCE - H&S 11590 (925) ☐ SEX - PC 290 (927) ☐ ARSON - PC 457.1 (902) ☐ GANG MEMBER - PC 186.30 (877) OFFENDER, CARRY PROOF OF REGISTRATION AT ALL TIMES, AND DISPLAY REGISTRATION TO ANY PEACE OFFICER UPON REQUEST.
20. ☐ ABSTAIN FROM THE PURCHASE, POSSESSION AND CONSUMPTION OF ALL ALCOHOL AND ALCOHOLIC BEVERAGES AND STAY OUT OF PLACES WHERE THEY ARE THE CHIEF ITEM OF SALE. (350)
21. ☐ NOT USE FORCE OR VIOLENCE ON THE VICTIM _____. (418)
22. ☐ DO NOT USE OR THREATEN TO USE FORCE OR VIOLENCE AGAINST ANY PERSON. DO NOT ANNOY, HARASS OR, MOLEST ANY PERSON OR WITNESS INVOLVED IN THIS CASE ESPECIALLY _____. (913)

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23. ☐ DO NOT HARASS, BOTHER, MOLEST, ANNOY OR COMMUNICATE WITH _____ AND STAY AWAY FROM SAID PERSON (S), THEIR RESIDENCE OR PLACE OF EMPLOYMENT. (413)
24. ☐ STAY _____ 100 YARDS AWAY FROM AND HAVE NO CONTACT WITH _____. (904)
25. ☐ STAY AWAY FROM LOCATION OF ARREST. (904) ☐ STAY AWAY FROM _____. (904)
26. ☐ ENROLL WITHIN 30 DAYS IN AND SUCCESSFULLY COMPLETE A 52 WEEK BATTERER'S TREATMENT PROGRAM BY THE PROBATION DEPARTMENT. ATTEND ALL COUNSELING SESSIONS, KEEP ALL PROGRAM APPOINTMENTS AND PAY ALL PROGRAM FEES IN ACCORDANCE WITH DEFENDANT'S ABILITY TO PAY. (369)
27. ☐ OBEY THE PROTECTIVE ORDER ISSUED IN THIS OR ANY OTHER CASE. (579) ☐ DEFENDANT SERVED WITH A COPY OF THE PROTECTIVE ORDER IN OPEN COURT. (578)
28. ☒ PROVIDE A DNA SAMPLE AND PALM PRINTS IMPRESSION PURSUANT TO PC SECTIONS 296 AND 296.1 (790)
29. ☒ PAY ALL OF THE FOLLOWING (CHECK ALL THAT APPLY):
- ☒ A RESTITUTION FINE OF A MINIMUM OF \$200.00 CALCULATED PER 1202.4 (b)-(e) AND A 10% RESTITUTION FINE SERVICE CHARGED PER 1202.4 (l).
 - ☒ A PROBATION REVOCATION RESTITUTION FINE IN THE SAME AMOUNT AS THE RESTITUTION FINE, PER PC 1202.44, PAYMENT IS STAYED UNTIL PROBATION IS REVOKED AND SENTENCE IMPOSED. (107)
 - ☐ A PAROLE REVOCATION RESTITUTION FINE IN THE SAME AMOUNT AS THE RESTITUTION FINE, PER PC SECTION 1202.44, PAYMENT IS STAYED UNTIL PAROLE IS REVOKED AND YOU ARE RETURNED TO PRISON. (106)
 - ☐ LAB ANALYSIS THE DEFENDANT IS TO PAY A FINE IN THE AMOUNT OF \$50.00 (11372.5 HEALTH & SAFETY, LAB ANALYSIS) PLUS A PENALTY ASSESSMENT OF \$85.00 (\$50.00 PURSUANT TO SECTION 1464 OF THE PENAL CODE AND \$35.00 SECTION 76000 GOVERNMENT CODE) (184)
 - ☒ A COURT SECURITY FEE OF \$30.00 PER PC 1465.8(A) (l) {PER COUNT}. (SF)
 - ☐ A CRIMINAL CONVICTION/FACILITIES ASSESSMENT OF \$30.00 PER GOVT. CODE SECTION 70373 (a) GC. (CC)
 - ☐ A DRUG PROGRAM OF \$150.00 (PER DRUG COUNT EXCEPT 11357 (B) H&S) PER HEALTH AND SAFETY CODE SECTION 11372.7 (a).
 - ☐ A CRIME PREVENTION FINE OF \$10.00 PER PENAL CODE SECTION 1202.5 (PC THEFT-RELATED AND VANDALISM CASES) (CP)
 - ☐ A SEX OFFENDER FINE OF ☐ \$300.00 (1ST OFFENSE) ☐ \$500 (2ND AND SUBSEQUENT OFFENSES) PER PENAL CODE 290.3, PLUS PENAL ASSESSMENT.
 - ☐ A DOMESTIC VIOLENCE PAYMENT OF ☐ \$400.00 ☐ \$ _____ PER PENAL CODE SECTION 1203.097 (a)(5). (\$400.00 MINIMUM)
 - ☐ A DEJ RESTITUTION FINE OF \$ _____ PER PENAL CODE SECTION 1001.90/PENAL CODE SECTION 1001.3. (112)

30. ☐ _____