

Case Summary Report

Agency: APD

Case Number: 2011-0004077

Date: 9/10/2019 12:40:09

Last Modified: 2/7/2011 23:22:28

Incident Information

Date/Time Reported 02/07/2011 19:52	Date/Time Occurred 02/07/2011 19:52	Date/Time Found 02/07/2011 19:52	Officer (SC1093) SCHERLEN, JUSTIN RYAN
Incident Location 6037 Ward St, Amarillo, TX 79110			

2038

Charges

1	Charge Type State	Description MENTAL/DISTURBED PERSON	Statute INTERNAL	UCR 999	<input type="checkbox"/> Att <input checked="" type="checkbox"/> Com
Alcohol, Drugs or Computers Used <input type="checkbox"/> Alcohol <input type="checkbox"/> Drugs <input type="checkbox"/> Computers		Location Type RESIDENCE/HOME	Premises Entered	Forced Entry <input type="checkbox"/> Yes <input type="checkbox"/> No	Weapons 1.
Entry	Exit	Criminal Activity			2.
Bias Motivation		Bias Target	Bias Circumstances		Hate Group

Victims

Seq. # 1	Type INDIVIDUAL	Injuries None	Residency Status Resident		Ethnicity Non-Hispanic
Name (Last, First, M) ATOR, SETH AARON			Race W	Sex M	DOB
Address 6037 WARD ST, AMARILLO, TX 79110					Age 27
Home Phone (806) 352-0566				Business Phone	
Employer Name/Address				Business Phone	
Victim of Crimes 1				Height	Weight

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Property

Seq. # 1	Description 1 BLACK DOUBLE-EDGED MACHETE	Serial Number	Make/Model
Owner ATOR, SETH AARON		License / State	Color BLACK
Status EVIDENCE	Status Officer (SC1093) SCHERLEN, JUSTIN RYAN	Quantity 1.00	Units of Measure
Value \$1.00			
Gun Type	Caliber	Finish	Grip
		Gun Stock	
Condition	Gun Test <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Test Type	Sight Test <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
		Sight Type	
Property Notes			
Seq. # 2	Description 1 MICRO CASSETTE OF CONVERSATION	Serial Number	Make/Model
Owner WARREN, DEBRA SUE		License / State	Color
Status EVIDENCE	Status Officer (SC1093) SCHERLEN, JUSTIN RYAN	Quantity 1.00	Units of Measure
Value \$1.00			
Gun Type	Caliber	Finish	Grip
		Gun Stock	
Condition	Gun Test <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Test Type	Sight Test <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
		Sight Type	
Property Notes			

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Notes/Narratives

Notes/Continuation

There is no video for this incident.

On February 7, 2011 at approximately 2125 Officer Scherlen and I were requested to respond to 6037 Ward reference a mental health call. We were advised by officers that the subject was acting paranoid and aggressive toward his mother who also lives at this residence. When we arrived, I spoke with Debra Sue Warren, WF , who lives at 6037 Ward, has DL , and home # 806-206-0222. Debra reported that her son, who was pointed out as Seth Aaron Ator wm 9-27-82, had been displaying paranoid tendencies. He is becoming delusional, believing in governmental conspiracies. He is believing that the government is working with his family to spy on him by use of the television, radio, and anything electronic in the house. It is this belief that has led Seth to go around the house, and unplug all the electrical appliances in the house. This concurred with the conversation that I had with Seth. When I spoke to him, it was clear that Seth believes the police and family are invading his privacy. He believes that he is being stalked by government officials. Debra explained to officers that he is refusing to take his mental health medications. She believes that Seth is a danger to himself as he Seth is now suffering from a dementative mental capacity as compared to how he normally acts. Debra had recorded the conversation that she had with Seth prior to officers arrival. This conversation was on cassette tape, having been recorded with a micro recorder. I listened to portion of this recording. Seth had been excessively vulgar to his mother. Seth threatened that if the police were called, that he was use a "shotty", indicative of a shotgun. Seth did not indicate exactly how he would use the shotgun, but indicated in his words that it would be used on police or himself. He then goes on to tell how his mother would have to be knelt in front of a coffin the next time that she sees him, if the police were contacted. I felt that Seth was in danger of himself. Seth had previously given Officer Quiles consent to search his room. Debra, who is the owner of the home, had admitted that Seth has never had any expectation of privacy while he is living under her roof. This is partly for her knowledge of Seths history of narcotic use. She looks through his things to ensure that he is not using narcotics anymore. Debra also gave consent to search Seths room and anywhere in the home that officers felt appropriate. When Officer Quiles and I entered the home, and went to Seths room, we began to search of any firearms that Seth may have access to. Over the past several weeks, Seth has told his mother that he has teflon bullets for his gun. Teflon coated bullets are believed to some of the general public to pierce body armor or bullet proof vests that are used by police. Seth has also told his mother several times over the past few weeks that when he dies, he has been planning to end his life by suicide by cop, forcing the police to shoot him. Once Officer Quiles and I looked under the mattress in his room, we found that the box-spring portion of the bed was used by placing the box spring of two twin beds together. In between these box springs was a black, double-edged machete. This alarmed Debra, and revealed to me that over the past month, Seth has told her several times that he is going to chop her and family friends up with a machete, but she had not been alarmed in the past because she did not believe that he owned one or had access to one. After she began to think about that, she asked to show officers her backyard. She directed Officer Quiles and I toward what appeared to be a dilapidated shed. Once to the shed, it appeared to have once been set up as a rear residence or apartment. Debra told of how Seth has been spending a great deal of time in this shed, hours on end. She asked us to search this apartment for her. Upon inspecting the apartment, that was clearly unkempt for apartment use, Officer Quiles and I discovered under a mattress that had been placed over the floor in the once living room area of this building a large hole. Seth had removed a portion of the floor, accessing the dirt earth below. Seth had burrowed into the earth in what appeared to me to be a dug out shelter/fallout shelter/strong hold area on the property. This alarmed me because of Debra's report of her son's mention of suicide by cop. There seemed to be some indication of some planned stand-off with police. The only firearm in the home was hidden away by Debra. She felt comfortable with requesting that a family friend store this item for her, and stated that it would be out of the house after police left. Debra completed a sworn document of the declarant portion of mental health detention paperwork, ensuring that her son would be given a mental health evaluation. Once this was completed, and handed over to Officer Jensen. Seth, in handcuffs was transported to NWTSH ER for such an evaluation. Seth remained frustrated with police, and made the accusation several times that his civil liberties had been violated by the government spying on him. He disagreed with this detention, and accused me of illegally arresting him. Seth received an evaluation, and was later admitted into the Pavilion for mental health treatment. I contacted Sgt. Gabel regarding this event. I was advised to draw out a floor plan of the house, as best that I could remember it, and the shed, and made arrangements to speak with SWAT unit on the following day regarding this incident. I later booked the machete that was confiscated at the scene, along with the cassette recordings made by Debra, into the evidence room at the APD. There is currently nothing further to report at this time. This report was typed in at 2304 on February 7, 2011. SC1093

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Supplement Information

Supplement Date	Supplement Type	Supplement Officer
02/08/2011 01:43:11	ADDITIONAL OFFICER	(QU1356) QUILES, RAFAEL
Contact Name		Supervising Officer
		(GA178) GABEL, CURTIS LEO

2058

Supplement Notes

Ofc. Quiles #1356

#11-4077 Supplement:

There is not audio and video of this incident. My patrol unit is 7013.

On Monday, February 7, 2011, I was assigned to the south side of Amarillo. At approximately 1959 hours, I was dispatched to 6037 Ward reference a verbal fight. I was advised by dispatch that the parties involved were a mother and son. Upon arriving at the residence, I knocked on the door. A WF came outside very quickly and stated to me, in a panicked tone, that we needed to go get him. She motioned with me to come around the side of the house. I believed that the `him` she was speaking about was her son and that he had possibly ran out of the back door. I began to go through the backyard and look for an individual. I noticed that the back gate had been opened. By the time I had reached the gate and went out of it and looked to the left and right, I heard a male subject`s voice begin to speak. I did not recognize this voice as being another officer, therefore I believed it possibly was the suspect. I turned around and noticed a WM in a dark colored hoodie-style sweat top coming out from the back door. I began to speak with him. I identified him only as Seth Ator. Seth had a strong odor of alcohol emitting from his person. His speech was also somewhat slurred; however, I was able to communicate and understand him clearly. I escorted him to the back of the patrol car where he was properly secured. Prior to securing him in the patrol car, permission was requested to search his person. His sweat top was very loose, and I was in fear that he may or may not be carrying a weapon. For my safety and his safety, I requested permission to search his person. He granted permission to search him. No weapons or contraband was found on his person. Seth was detained in the back of the patrol car while we spoke to his mother. After speaking to his mother, I believed this was possibly going to be just a verbal fight between mother and son. His mother, who I identified only as Ms. Warren, was on the phone with her daughter while she was speaking with me. It was very difficult for me to communicate with her while she was on the cell phone. She would, from time to time, take the cell phone down and speak to me, and then put it back to her ear and speak to her daughter. She stated to me that she wanted him gone and that she did not want him to come back home. She also informed me that the daughter she was speaking to on the phone was going to get a room at a motel for him to stay at. Seth had informed me that he had been drinking tonight. He stated he had drank 2 tall boy cans of beer as well as 4 to 5 shots of tequila. I believed he was in no shape to get behind the wheel of a vehicle and drive to any motel. I was going to drive him to the hotel as soon as we found out where reservations were being made at. While waiting on a phone call come back, his mother informed us that he had made some statements that she was concerned about. When I asked her what kind of statements, she produced a voice recorder with a tape inside of it. She rewound it to the beginning of the conversation in which you can hear a man`s voice and a woman`s voice speaking on the tape recorder. She stated that the woman`s voice was hers and that the man`s voice was her son`s, Seth. Originally, they were in an argument. Upon listening to it further, the male voice on the tape says something to the effect about `call the mother fucking cops, I don`t care.` This is said repetitively back to back about calling the fucking cops. After listening to the tape a little bit further, the male voice says that 911 will bow down before him. The next statement made is that 911 and whoever comes out will bow down before me. It also stated that you, as well as them, will bow your head before a casket goes 6-ft. deep, but it won`t be yours. I began to gain some concern as the statements may possibly have been suicidal statements. A little bit later on the tape, something is said to the effect of `call the cops, I`ll sit my time in the car and I`ll sit my time in County. I`ve got a shotty to get me through County and when I get out GPS won`t be able to find me.` This was about the time I pushed stop on the voice recorder. The statements led me to believe that Seth might be a danger to himself and/or others around him. I contacted CIT Ofc. Scherlen and ran the situation by him. Ofc. Scherlen advised me to ask questions to Seth to determine his thought process at this time. I asked Seth, specifically, if he had anything to live for, and he stated he had to work tomorrow. I further asked him if he was feeling like hurting himself or others. After asking him this question, he repeated it to me. He then began to speak

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about his Constitutional Right about employing a lawyer prior to speaking to me. I advised him that I was not questioning him about any crime, and that he did not need a lawyer to visit with me. I informed him that he was not under arrest at this time, and that he was not being charged with a crime, nor was he a suspect in a crime. I informed him that he did not need a lawyer present to speak with me about the question I was asking him. I asked him if he understood and he stated yes. He began to speak with me a little bit. He informed me that he was not feeling like hurting himself. He also began to inform me that he was familiar with the "tactic" I was trying to use. He began to speak to me about law enforcement tactics while questioning suspects. I informed him he was not a suspect in anything; I was just wanting to visit with him. I then asked him what it meant when he said 911 will bow before me. He looked at me and said I did not make that statement in your presence. I informed him that I knew he did not make this statement in my presence; however, I was curious as to what he meant by that statement. He then began to say that he did not make that statement in his presence. This alarmed me slightly as originally he had said your presence and now he was stating my presence. He said this several times, and then stated that he did not know where I had heard that from. I asked him if he recalled making that statement at all tonight, and he stated again about the police tactics that he was familiar with the tactic I was trying to use. I moved on and asked him what he meant by everyone will bow before a casket before it goes 6-ft. under and that the casket will not be yours. At this time, he began to speak to me about incriminating questions I was asking him. I again informed him he was not under arrest, and that I was just curious about what the statements meant. He again began to speak to me about law enforcement practices and policies. He also stated something to the effect of things standing up in a court of law and what can and cannot be proven in a court of law. When I asked Seth what the portion of the conversation was about GPS not being able to find him, he replied with 'What does GPS mean, those are just letters in the alphabet.' I informed him that GPS stood for Global Positioning System, in which he asked me what that entails. I replied I did not know what it entailed; that's why I was asking him. He informed me that GPS entails the use of computers and cell phones. He said he does not own either a cell phone or a computer so that no one could track him. I began to get a weird feeling right at this time while speaking with Seth. He began to get a look in his eye and I began to fear that he may try to attack me from the patrol car. At this time, I took a more aggressive stance and bladed my right side of my body away from him. The right side of my body is where my duty weapon is at on my duty belt. I felt if he made an attempt to grab for this, it would be further away from him. I then tried again to see what he meant by the 911 will bow down before me statement in which he began to ramble on about Constitutional Rights and wishing to invoke his Miranda Rights. I asked him if he wanted me to read him his Miranda Rights as if he felt he was being interrogated. He stated he did not want his Miranda Rights read to him, and did not answer me if he felt that I was interrogating him. I then recontacted Ofc. Scherlen and informed him of the conversation I had with Seth. I informed Ofc. Scherlen that I felt that Seth was an individual that felt as "big brother" was watching him. While doing this, I stepped away from earshot of Seth as well as Ms. Warren. When I walked back and spoke with Ms. Warren, she informed me that Seth had been unplugging the TVs in the house, as he believed that people were watching him through the TV. He believed that his sister in Houston, and other relatives out of the state, were able to watch him as what he did in the house. She informed me he also believed that there were cameras throughout the house recording his every movement. While waiting for Ofc. Scherlen to arrive, Seth began to knock on the window of the patrol car. I opened it and asked him if he was okay. He asked me what was going on and stated that it did not appear as if I was investigating by questioning a witness any more. I informed him I was not questioning a witness and what he had meant. He further asked me what was going on right now, and I informed him I had concern for his safety as well as the safety of others around him. He began to very quickly speak and attempt to, yet again, educate me on the law. I informed him that Ofc. Scherlen was on his way and would like to visit with Seth a little bit more in depth. About that time, Ofc. Scherlen arrived. He began to speak with Seth, and I stepped back to allow him to speak with him. Ofc. Scherlen informed me that he agreed with me and that he believed that Seth was possibly a danger to himself and/or others. His mother was willing to become a declarant on the mental health emergency detention paperwork. This was filled out. Due to the statements made about the "shotty" and another statement made about a 9 MM pistol to his mother, I requested permission from her to search the residence for weapons. She also informed me that Seth had told her on numerous occasions he is in possession of teflon-tipped ammunition. She did grant us permission to search the house for these weapons and the only thing found was a machete. Underneath the bed, where Seth sleeps, in between the two twin box springs, was a black handled and black bladed machete-style knife. Ofc. Scherlen collected this as well as the tape from the tape recorder to book in as evidence reference this case. For more information, please see Ofc. Scherlen's original report. There is nothing further at this time.

Ofc. Quiles #1356

2/8/11 0219

lw

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Agency: APD

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Date: 9/10/2019 12:40:09

Last Modified: 2/7/2011 23:22:28

Supplement Information

Supplement Date 02/08/2011 04:23:39	Supplement Type ADDITIONAL OFFICER	Supplement Officer (CA1143) CASTILLO, JUSTIN R
Contact Name		Supervising Officer (WI693) WILLIAMS, STEVEN R

2058

Supplement Notes

Supplement Ofc Castillo 1143

There is no video for this supplement. On Monday February 7, 2011 at approx 1145 pm I was sent to relieve Ofc J Scherlen at NWTH. Ofc Scherlen had a Seth Ator, WM, 9-27-82 for a mental health evaluation. Seth Ator was handcuffed to the bed and I was told he was very disorderly. I saw an alert that was placed on Seth Ator due to his pending charge of arson against the Post Office earlier in the evening and know him to be a dangerous individual that has extreme anti-government views. Seth was released into my custody and I was told he needed to give a urine sample. Seth refused and the nurses were forced to put a catheter in his penis to get the sample. Seth claimed it was against his religion to give a urine sample and claimed the nurses sexually assaulted him by taking the sample. No one did anything to Seth and the sample was taken without incident. Seth then made statements about religion and kept praying to his God that all the police in Amarillo would get cancer and die horrible deaths. After he was accepted to the Pavillion he was escorted to that building where he made the additional comment to security that, "the police can't be everywhere." I took this as a threat against the public and believe he will attempt to harm the police and the public. Nothing further. Ofc Castillo 1143 02082011 0441 am

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Supplement Information

Supplement Date 02/08/2011 09:08:27	Supplement Type FOLLOW UP INVESTIGATION	Supplement Officer (KE763) KELLEY, TAMMY T
Contact Name		Supervising Officer (BU488) BURGESS, JAMES A

2058

Supplement Notes

No criminal charges to be filed. No further. Declare this case CLOSED. TK 763 020811 0908

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Supplement Information

Supplement Date	Supplement Type	Supplement Officer
02/08/2011 13:18:47	ADDITIONAL OFFICER	(JE1086) JENSEN, NEIL K
Contact Name		Supervising Officer

2058

Supplement Notes

On February 7, 2011 at approximately 2125 Officer Scherlen and I were requested by Officer Quiles to 6037 Ward reference a mental health call. As we arrived we were advised by Officer Quiles that a subject identified as Seth Aaron Ator, WM 9-27-82, was acting aggressive toward his mother Debra Warren, WF, and acting paranoid. I was advised by both Officer Quiles and Mrs. Warren that her son had gone around the residence and unplugged all electric devices because he believes the government is trying to track him through the usage of the electronic equipment. Mrs. Warren advised that he had been threatening to cut her up with a machete. Mrs. Warren appeared shaken and scared of her son, Seth. I asked Mrs. Warren if she would be willing to complete declarant paper work for an emergency mental health detention. Mrs. Warren agreed to it. Mrs. Warren stated that she is quite scared of Seth and advised that she was trying to have him move out this Friday. Mrs. Warren advised she knows that Seth has a mental health disorder, but she could not give the name or type of disorder he had. Mrs. Warren advised that a mental health disease runs in the family. After Mrs. Warren had completed the emergency declarant paper work, Seth was placed into the back seat of our squad car. Other officers were given permission by Mrs. Warren to search the residence for weapons. While sitting in the squad car with Seth, he became agitated with me because of what he had heard about an incident that happened on Polk St. and was trying to blame me personally for the death of one of the subjects. Seth then skipped to a completely different topic, the Superbowl, and became nice and congenial toward me. However, Seth's attitude changed again and became accusatory toward me, stating that I had unlawfully detained him and that I had to let him go. I tried to explain that he was being detained for a mental health evaluation, but he would not listen. Seth calmed down again and tried to make polite conversation with me, by asking questions about the computer in the car. At this point I was aware that Seth was having some type of mental difficulty, but I was unsure of whether it was drug induced or was actually a mental deficiency. Officer Scherlen had returned from searching the house and asked to speak with me. Officer Scherlen advised, as he held a machete, that he had found it in Seth's bedroom. Officer Scherlen also advised the search revealed some kind of shelter which Seth had dug underneath a shed in the back yard. Officer Scherlen and I transported Seth to Northwest Texas Hospital where the remainder of the mental health papers were completed. While at the hospital, Seth became arrogant and mouthy toward nursing staff. Seth used profanity toward any one who tried to speak with him. Seth also would attempt to belittle the nurses, fire fighters, and officers for their services that they perform for the public. It seemed as though Seth was trying to entice a fight with anyone that he could. Seth threatened officer's family with bodily harm and sexual assault. Seth had become quite manic while in the ER. Eventually Seth was medicated and eventually admitted into the Pavilion for care. Nothing further at this time. Off. N. Jensen 1086 2-8-11 1337

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Supplement Date 02/08/2011 17:43:10	Supplement Type FOLLOW UP INVESTIGATION	Supplement Officer (SC1093) SCHERLEN, JUSTIN RYAN
Contact Name		Supervising Officer (GA178) GABEL, CURTIS LEO

2058

Supplement Notes

There is no audio or video for this follow-up investigation. On February 8, 2011, Officer Jensen and I were working together as a two-man CIT unit. I had previously made contact with SWAT team unit. I handed over the typed version of the original narrative of this report to SWAT Sargeant Williams. I also handed over a hand-drafted diagram of the house and shed on the property from 6037 Ward. I gave the pertinent information over to SWAT. I also contacted Sargeant Barbee regarding this incident. I was informed that he had been in touch with Debra Warren. Debra was highly concerned for her safety and feared that when Seth got out of the Pavilion that he would return back to the residence on Ward and assault her or kill her with his mental health presentation, and his recent comments about murdering her. She wished Seth to be given a trespass warning. Officer Jensen and I relocated to NWTTHS Pavilion and made contact with Seth. Seth was given a written trespass warning keeping him from the property on Ward. Seth understood that he is no longer able to return there. He was told to find another residence, as he does not belong there. His mother validated that Seth had not ever paid any rent or utilities on her property, as Seth has refused to contribute to income in the home, since he has been of legal adult age. Seth agreed to the trespass warning and stated that he would only go there to get his car, which was legally parked, in front of the home on public property. This written version of the trespass warning was later transported to the home and Ward and handed over to Debra. Debra allowed me to take several photos around the home, inside the home, and of the property indicating the floor plan of the residence and the shed with the tunnel for purposes of SWAT. Debra was still very frightened of her son. She agreed to let CIT officers know when she is informed that Seth is out of the Pavilion. She also agreed to contact 911 in case of any emergency involved her and her son. The photos were later turned into the appropriate location at the APD. There is currently nothing further to report. This was typed in at 1802 on February 8, 2011. SC1093