

Staged Crime Scene

California v. Charles B. Davis (2007)

This case involves a triple homicide in a small one-bedroom apartment. The victims were all stabbed to death and include Dana Beckmeyer, 44, WFA, who lived in the Oceanside apartment where the stabbings took place; Adrian Anthony Vanengalen, 55, WMA, of San Marcos; and Bruce Carriker, 57, WMA, of Vista, California. They were all either tweaked out on methamphetamine, high on marijuana, or drunk.

The man suspected by police and ultimately put on trial was Charles B. Davis, 57, BMA, who had recently moved in with Beckmeyer. According to Mallory and Davis (2006):

Charles Davis was calm and collected when he called police from a liquor store to surrender after a grisly triple murder in his home early yesterday, Vista sheriff's officials said.

The 58-year-old man called at 7 a.m. from a pay phone in Vista to say he knew why homicide investigators were searching for him and he was ready to cooperate.

Oceanside police had been searching for Davis since 3:30 a.m., when neighbors discovered the victims in a downstairs unit of the Windrift Apartments in the Ocean Hills neighborhood.

However, right from the start there were discrepancies, not the least of which was the fact that Charles Davis had no history of violence and no actual motive for killing any of the people in the apartment. As Figueroa (2006) explains, he pled not guilty to the killings:

The 57-year-old man accused in the stabbing deaths of three adults in an upscale Oceanside apartment complex last week pleaded not guilty Tuesday afternoon to three counts of murder.

Dressed in a jail uniform and wearing glasses, Charles Bernard Davis smiled and nodded at what appeared to be a handful of supporters soon after entering the glass enclosure where people in custody are generally kept during their arraignments in the Vista courthouse....

Police have not said what may have led to the knife attacks in the apartment complex in the 3500 block of Windrift Way, on the far east end of southern Oceanside. Police have identified the victims as Dana Beckmeyer, 44, who lived at the apartment where the stabbings took place; Adrian Anthony Vanengalen, 55, of San Marcos; and Bruce Carriker, 57, of Vista.

CONTENTS

Forensic Examination Report

Findings

Discussion

On the morning of Davis' arrest, an Oceanside police detective said Davis was unemployed, had been romantically linked to the woman and had been living in her apartment for at least several weeks.

At about 6:30 a.m. Friday—about three hours after the discovery of the bodies—Davis contacted police and told them he wanted to surrender in connection with the early morning killings.

Davis is charged with the three slayings, as well as the personal use of a knife. The charges also include an allegation of multiple killings—a special circumstance that could make Davis a candidate for the death penalty...

Davis has no prison record in either California or Massachusetts, where he lived more than a decade ago, according to the Department of Corrections in both states.

Before the killings, Davis had lived in another apartment less than a hundred feet away with his daughter, Cherish Putnam. He had moved to Oceanside about a year earlier to reconnect with his estranged daughter, with whom he had lost contact when she was an infant. He lived with her for a few weeks, then he met and moved in with Beckmeyer. Relations between Putnam and Beckmeyer were heavily strained as a result of the new romantic development between Beckmeyer and Davis. In fact, Putnam became a suspect in acts of vandalism that were committed against Beckmeyer's car.

Putnam was also a key witness and even admitted to participating in some of the events that evening, but when the time came she refused to testify at her father's trial for fear of implicating herself ("Daughter of Murder Defendant Takes the Fifth," 2007):

The adult daughter of a man on trial for allegedly killing three people in an Oceanside apartment refused Wednesday to testify in his defense, citing constitutional protections against self-incrimination.

The refusal of Cherish Putnam to answer questions from defense attorney Sloan Ostbye displayed a classic clash of constitutional rights—those of a defendant who faces life in prison without parole if convicted against those of a witness who does not want to risk possible prosecution on charges of being an accessory after the fact.

Witnesses who have already testified said Putnam was with her father, Charles Bernard Davis, for several hours after the stabbing deaths last May 12 of his 44-year-old roommate, Dana Beckmeyer, and two men, Adrian Van Engelen, 55, and Bruce Carriker, 57.

Defense attorney Sloan Ostbye told Judge Timothy Casserly that Putnam's refusal to testify meant she'd be unable to call 10 witnesses, including some who'd talk about a knife possibly being thrown off the Oceanside Pier.

Deputy District Attorney Steven Carver told the judge that Putnam has said that her father showed up at her home and told her what he'd done, and that they, along with the woman's roommate, went to the pier.

Later, they went to the apartment of a friend of Putnam, who excused herself for a short time and went to her father's residence to see if a crime had actually occurred, Carver said.

She contacted police and was standing next to an Oceanside police lieutenant when she called her father, who offered to surrender during that phone call, the prosecutor said.

Davis, 58, was arrested shortly afterward.

The judge suggested to Carver that he grant Putnam immunity from prosecution.

“You haven’t arrested her, you haven’t charged her,” Casserly said. “She’s getting de-facto immunity, anyway.”

Her testimony would provide jurors with a fuller picture of what happened and remove an issue that could be raised on appeal, the judge said.

Carver said he had no authority to grant immunity, and doing so could damage her credibility to jurors.

“The right thing would be for her to testify, but I don’t think I can make her do that,” the judge said.

Witnesses in the case have testified that Davis moved from Buffalo early last year to be closer to Putnam, whom he hadn’t seen since she was a toddler, and her children. He met Beckmeyer several weeks later and moved into her apartment on Windrift Way.

Detectives testified that Davis told them he loved Beckmeyer, but his affections were not returned. Beckmeyer asked him to leave for the night when Van Engelen and Carriker came to visit, they said.

All three bled to death in the apartment from numerous stab wounds, according to Dr. Christopher Swalwell, who performed an autopsy for the county Medical Examiner’s Office.

Beckmeyer and Van Engelen had methamphetamine in their system, and Carriker’s blood-alcohol level was .16, twice the legal limit, according to the coroner.

The defense, which called several witnesses before Putnam, will bring in a criminalist from Alaska next Tuesday, then rest its case.

The author prepared the following case report for the defense and testified to each of the findings at trial. Moreover, under cross-examination, the author was asked to opine as to whether or not this was a stranger crime. This was a clear invitation to give profiling testimony, which the author explained to the judge from the witness stand. The judge advised the author to answer anyway. The author then testified that the behavioral evidence and the subsequent staging strongly supported the conclusion that the offender was not a stranger.

Charles B. Davis was ultimately convicted of second-degree murder for all three homicides.

FORENSIC EXAMINATION REPORT

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Date: February 14, 2007

Re: *California v. Charles B. Davis*

This case, *CA v. Charles B. Davis*, involves the triple homicide of Dana Beckmeyer, 44; Adrian Anthony "Andy" Van Engelen, 55; and Bruce Carriker, 57, on May 12, 2006 in Vista, California. According to police reports, all three victims were found dead as the result of sharp-force injuries in the home of Dana Beckmeyer, 3560 Windrift Way, Apt. #235, Vista, California, in the early morning hours of May 12, 2006.

The above attorneys asked this examiner, Brent E. Turvey, M.S., of Forensic Solutions LLC of Sitka, Alaska, to perform a crime analysis of this case. A crime analysis examines and interprets the behavioral evidence in a particular crime. Crime analysis requires examination and analysis of the forensic evidence, victimology, and crime scene characteristics in a particular case or series of cases (Turvey, 2002).

On December 30, 2006, this examiner began to receive case material related to this matter from Deputy Public Defender Sloan Ostbye, including, but not limited to, the following:

1. Police/investigative reports and notes
2. Crime scene documentation, including sketches, reports, notes, photos, and video
3. Photographs and video of Cherish Putman's apartment
4. Photographs and video of Cherish Putman's vehicle
5. Photographs of Mr. Davis's bag found in the trunk of that vehicle
6. Photographs of the location where police ultimately picked up Mr. Davis
7. Photographs of the knife alleged to have been used to kill the victims, the pier where it was disposed, and its recovery
8. Crime lab reports, forensic analysis, and related documentation
9. Bloodstain pattern analysis reports, notes, and photos
10. Autopsy reports and photos for all three victims
11. Eyewitness statements regarding the crime scene discovery and events before police involvement, between approximately 12:30 a.m. and 2:30 a.m.

On February 12, 2007, this examiner received a mirror copy of Dana Beckmeyer's personal hard drive from Deputy Public Defender Michael Washington for examination.

FINDINGS

A careful review of the facts, evidence, and information provided supports the following conclusions:

Conclusion 1: The victim in this case was extremely high risk, resulting in a greatly expanded suspect pool.

Conclusion 2: The crime scene in this case appears to have been *staged* to implicate Charles B. Davis.

DISCUSSION

Conclusion 1: The victim in this case was extremely high risk, resulting in a greatly expanded suspect pool.

Victimology is the study of available victim information for the purposes of assessing their risk of becoming the victim of a particular type of crime. There are two kinds of victim risk to assess: *lifestyle risk* and *incident risk*. *Lifestyle risk* is a term that refers to the overall risk present by virtue of an individual's personality and his or her personal, professional, and social environments. *Incident risk* is a more specific term that refers to the risk present at the moment an offender initially acquires a victim, by virtue of the victim's state of mind and the hazards of the immediate environment (Burgess and Hazelwood, 1995; Turvey, 2002).

Each type of victim risk may be generally characterized in one of three ways: low, medium, or high. The term *low-risk victim* refers to an individual whose personal, professional, and social life does not normally expose him or her to a possibility of suffering harm or loss. The term *medium-risk victim* refers to an individual whose personal, professional, and social life can expose him or her to a possibility of suffering harm or loss. The term *high-risk victim* refers to an individual whose personal, professional, and social life continuously exposes him or her to the danger of suffering harm or loss (Burgess and Hazelwood, 1995; Turvey, 2002).

In this case, we have victims with a high lifestyle risk and a high incident risk. This would be owing to at least the least the following factors:

1. The victim who owned the residence (Dana Beckmeyer) was extremely promiscuous, engaging in sexual activity with a variety of male companions.
2. The victim who owned the residence (Dana Beckmeyer) suffered from either a major depressive disorder or a generalized anxiety disorder, as she had a prescription for Lexapro. Citalopram (a.k.a. Celexa) was also detected in her system. These medications are generally prescribed to people who are so depressed or full of anxiety that they are unable to function in their daily lives.
3. Dana Beckmeyer had been drinking heavily and tested positive for amphetamines, methamphetamine, and cannabinoids, which would have been taken in the interval before her death. This implies increased risk from both the danger related to procuring illegal drugs and their side effects in combination with alcohol.
4. Adrian Van Engelen tested positive for meprobamate, a drug prescribed for anxiety disorders.
5. Adrian Van Engelen had been drinking and tested positive for amphetamines and methamphetamine. This implies increased risk from both the danger related to procuring illegal drugs and their side effects in combination with alcohol.
6. Bruce Carriker had been drinking heavily just before his death.
7. Both male victims were willing to put themselves in a foreign environment with a female who was both promiscuous and a habitual user of alcohol and illicit drugs, as well as engage in those activities collectively.

Given the combined lifestyle and incident risks in this case, this examiner concludes that the number of potential suspects for the homicide in this case extends well beyond the immediate environment.

Conclusion 2: The crime scene in this case appears to have been *staged* to implicate Charles B. Davis.

The *simulated*, or *staged*, crime scene is that in which the physical evidence has been purposefully altered to mislead authorities or redirect the investigation (Turvey, 2002, p. 249). Evidence may be added, relocated, removed, obscured, or even obliterated to serve this purpose.

The evidence found at the crime scene in this case is most consistent with having been *staged* to implicate Charles B. Davis. This is based on a careful consideration of the following observations and inconsistencies in the evidence:

1. The person who committed the murders in this case would have had sustained various amounts of bloody transfer from stabbing the victims. Consequently, there would be mixtures of the victim's blood on the offender's hands, forearms, clothing, and exposed skin.
2. Dan Kinkade found the door at the crime scene to be closed and locked. There would have been blood on the offender's hands, which would have transferred onto the doorknob when the offender closed and locked it. No blood is observed on the interior or exterior doorknob at the crime scene. This suggests three possibilities: the offender was wearing gloves and removed them before leaving the victim's apartment; the offender cleaned up the bloody transfer that was left behind; or more than one person was at the scene with the offender and the other person closed and locked the door. The fact that gloves were *not* found in association with this crime, while other bloody clothing items *were* found, suggests that gloves were not used. Further, there is no evidence that the doorknob was cleaned off. This leaves the possibility that at least one other person was present when the victims were killed, and this person closed and locked the door for the offender. This final possibility appears to be the most likely.
3. According to witness statements, Charles Davis knocked on Cherish Putnam's apartment door—3549 Windrift Way, Apt. #223, Vista, California—at approximately 12:30 a.m. Cherish Putnam is his daughter. Ms. Putnam's door is approximately 100 feet from the door of Dana Beckmeyer. Crime scene photos clearly show a bloodstain smear pattern on the outside of Ms. Putnam's door, up and to the left of the exterior doorknob. However, witnesses stated that Charles Davis's hands were not bloody when he entered her apartment and that he did not wash his hands or shower subsequently. This is inconsistent with the ability to leave behind a bloody smear on any door at any time when entering or exiting a residence. This suggests the strong possibility that someone other than Mr. Davis placed the bloody smear on the door.
4. According to witness statements, Charles Davis prepared a bag of clothing and was given access to a vehicle. However, the evidence is clear that he left

on foot and without the belongings he had allegedly prepared. This would seem to be contradictory.

5. According to witness statements, Cherish Putnam and her roommate Christina Mauga allegedly aided Charles Davis in concealing his connection to the crime by helping him clean up at a gas station. Ms. Mauga stated that she sprayed gasoline on Mr. Davis's hands, and he rubbed them together to clean them off. However, no blood was found on the door of the victim's apartment or in Ms. Putnam's vehicle. Moreover, investigators did not note detecting the smell of gasoline in relation to Ms. Putnam's vehicle or objects touched by Mr. Bernard subsequent to this alleged cleaning event.
6. According to witness statements, Cherish Putnam and her roommate Christina Mauga allegedly aided Charles Davis in concealing his connection to the crime by driving with him to a pier in Oceanside to dispose of the alleged murder weapon, a K-Bar knife. However, after giving multiple false statements to investigators, Ms. Mauga lead the police to the location where the knife had been disposed of. In fact, Ms. Mauga stated that she disposed of the knife by dropping it in such a fashion that she would be able to find it later.
7. According to witness statements, Cherish Putnam waited for an extended period of time before investigating the Beckmeyer residence after initially being woken by her father. Moreover, she did not call the police but rather some neighbors (Kelly and Dan Kinkade), so that the neighbor would actually investigate the scene and find the bodies. The enlistment of an impartial witness to assist with "discovering" the crime is a classic feature of crime scene staging.
8. According to forensic reports, the jacket recovered from the dumpster in association with this crime has DNA from the victims' blood, as well as unidentified bloodstains. It is common in cases involving sharp-force weapons for offenders to injure themselves and bleed at the scene or on their own clothing. Charles Davis has been excluded as the source of the unidentified bloodstains on this clothing. These facts are consistent with the possibility that an unidentified assailant killed the victims, injured himself or herself, and bled on the jacket.

FIGURE IV.1

Charles B. Davis, pictured here with glasses and a graying beard, sits listening in court with Michael Washington, one of his attorneys.



FIGURE IV.2

Charles Davis is supposed to have packed a tote after stabbing three people to death with no evidence of cleanup and without leaving any blood evidence behind. He is then supposed to have placed it into a car that he did not use to leave the scene; he actually left on foot and was picked up by police at a bench across the street from a liquor store.

**FIGURE IV.3**

When Charles Davis was arrested, only hours after the killing, police found these pictures of his daughter among his few possessions.

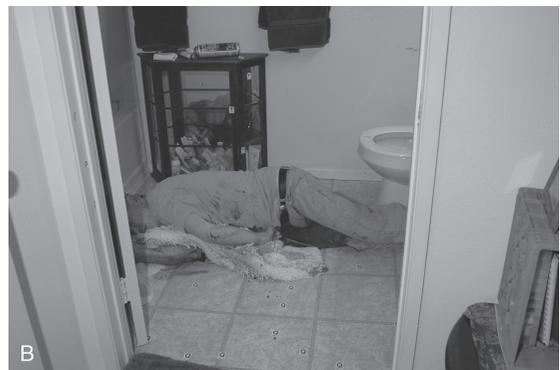
**FIGURE IV.4**

Dana Beckmeyer was found stabbed to death in her kitchen.



**FIGURE IV.5**

Dana Beckmeyer suffered multiple deep stab wounds, including those to her left shoulder. Note the lividity on her face indicating that she died in the position she was found.

**FIGURE IV.6**

The other two victims were found stabbed to death in the living and in the bathroom.

REFERENCES

- "Daughter of Murder Defendant Takes the Fifth." (2007) *San Diego Union-Tribune*, February 14.
- Figueroa, T. (2006) "Man Pleads Not Guilty in Oceanside Triple Slaying," *North County Times*, May 13.
- Mallory, T., and Davis, K. (2006) "Two Men, Woman Are Found Dead in Apartment," *San Diego Union-Tribune*, May 13.

