

CENTRAL AREA COMMAND (CAC/SO) Telephone: 209-525-7117

STANISLAUS COUNTY SHERIFF'S DEPARTMENT - Controlled Document

Jan 23, 2025

Duplication or Reissuance Controlled by Law (PC13302)

Case No  
S25002812

250 E Hackett Rd  
Modesto, CA 95358

Followup

☐

Printed by: S01514 Released Date: 01/23/2025 To: STANISLAUS COUNTY DISTRICT ATTORNEY

Victim's Name BYRD, SCOTT	Location of Occurrence 705 PARADISE RD MODESTO CA 95351
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----- FELONY -----  
----- OFFENSE INFORMATION -----  
460(B) PC                      BURGLARY; SECOND DEGREE

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Start Date ... 01/22/2025    Start Time ... 1915    End Date ... 01/22/2025    End Time ... 2037  
Report Date .. 01/23/2025    Report Time .. 0220                      Class ..... 5266  
How Cleared: CLOSED BY ARREST    Date: 01/23/2025

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----- PARTY INFORMATION -----  
VI    BYRD, SCOTT  
DOB: 07/16/1979 Age: 45/45(I) Race: W Sex: M Hgt:    Wgt:    Hair:    Eyes:  
Hair Style:    Facial Hair:    Glasses:    Build:    Marital:  
DLState: CA    DL#: CA    OtherPhone#:  
Approx Age: 45 Chg Lvl:  
Home: 2005 GINNYWOOD WAY MODESTO CA 95355                      unknown  
Mobile: 209 505 9244

ME    CAPILLA, COURTNEY LEGH  
DOB: 09/23/1976 Age: 48/48(I) Race: W Sex: F Hgt:    Wgt:    Hair:    Eyes:  
Hair Style:    Facial Hair:    Glasses:    Build:    Marital:  
DLState: CA    DL#:    OtherPhone#:  
Approx Age: 48 Chg Lvl:  
Home: 705 PARADISE RD MODESTO CA 95351  
Mobile: 209 872 0429

WI    LOPEZ CRUZ, JAIME  
DOB: 08/23/1977 Age: 47/47(I) Race: H Sex: M Hgt:    Wgt:    Hair:    Eyes:  
Hair Style:    Facial Hair:    Glasses:    Build:    Marital:  
DLState: CA    DL#: Y2949428    OtherPhone#:  
Approx Age: 47 Chg Lvl:  
Home: 1422 TENAYA DR MODESTO CA 95354  
Mobile: 510 576 9209

----- SPECIAL CATEGORY -----  
None

----- MODUS -----  
Involves: BURGLARY    Homicide:    Burglary: ATTEMPT FORCE  
Theft:    Physical:    Gen Time: NIGHT (1800 TO 0600)  
Loc Type: CHURCH    Occupancy:    Over 60: 0    Under 60: 1  
Security: N    Device:    Act on Premises:  
Entry Level:    Entry Point:    Entry Loc:  
Exit Level:    Exit Point:    Exit Loc:

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SUSPECT INFORMATION

AR ORTIZ, ELISA JUANITA

DOB: 10/12/1976 Age: 48/48(I) Race: H Sex: F Hgt: 501 Wgt: 160 Hair: BRO Eyes: BRO

Hair Style: Facial Hair: UNS Glasses: Build: SMA Marital:

DLState: CA DL#: A9392612 OtherPhone#:

Approx Age: 48 Chg Lvl: FEL

Marks: NONE

Home: UNKOWN MODESTO

unknown

Mobile: unknown

Arrest Address: 705 PARADISE RD MODESTO CA 95351

Arrestee type: BOOKED Booking No: 1557384 Clets Notified:

Court Date: Court Time: Court Location:

460(B) PC BURGLARY; SECOND DEGREE

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- - - - - PROPERTY REPORT - - - - -

None

- - - - - VEHICLE INVOLVED REPORT - - - - -

None

- - - - - ID UNIT REPORT - - - - -

None

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Victim's Name  
BYRD, SCOTTLocation of Occurrence  
705 PARADISE RD MODESTO CA 95351

----- NARRATIVE -----

**SYNOPSIS:**

The following report is in regard to the arrest of Elisa Juanita Ortiz (10-12-1976) for 460(B) PC-Burglary. Deputies were dispatched for a possible assault and trespassing incident at 705 Paradise Rd in the city of Modesto. During the investigation it was determined Ortiz had entered on to the property of a church and made access through an unlocked door into the church. She entered into the bedroom of the groundskeeper who lived on scene and attempted to take multiple items before she was discovered by the groundskeeper. She fled out of the same door and the groundskeeper followed her. The groundskeeper followed her in an attempt to see what she had in her bag. As Ortiz was trying to walk away and leave the property the groundskeeper kept blocking her path and was reaching for items that Ortiz was carrying. At this time, it was unknown if anything had actually been taken. As Ortiz continued walking away the groundskeeper kept following her, blocking her path and reaching for the bag. At one point Ortiz swung her arm at the groundskeeper to keep her away. Ortiz walked off the property being ushered off by one of the other deacons, and the groundskeeper when inside. The groundskeeper stated as a result of her blocking Ortiz's path and Ortiz swinging her arm at her, her necklace was broken, and she sustained some red marks on her chest. Ortiz was not confirmed to have taken anything off of the property and she was arrested and booked for 460(B)-Burglary, without incident. The charge of 211 PC-Robbery was sent to the District Attorney's Office for review.

**NARRATIVE:**

On 01-22-2025 at approximately 2020 hours I was dispatched to 705 Paradise Rd (Anchored Bible Church) for firefighters stating they had been flagged down in regard to a possible assault incident. While in route to the call for service there was an update in the call that a subject by the name of Scott Bird (07-16-1979) was calling in stating there was an assault, and an unknown female had been on the property without permission. He wanted her arrested for trespassing.

When I arrived on scene I was assisted by Deputy Guerra with this investigation. I contacted the initial reporting party Elisa Juanita Otiz (10-12-1976). She had been assessed by AMR personnel, and they located no injuries on her person. Elisa was ultimately determined to be the suspect in this case but at this time she was one of the reporting parties.

Elisa had a plastic shopping bag, and an orange draw string bag filled with miscellaneous items of her property. She provided a statement as to what occurred.

**STATEMENT OF ELISA ORTIZ:**

She was walking on the sidewalk when she looked over at the church. She saw the gate was open and there was a small child walking with a male in the back portion of the church. The two disappeared in between two buildings and she wanted to check on the child. She walked on to the property and entered the outside area between the two buildings. A female subject from the church came out from the area

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----- NARRATIVE -----

between the buildings and started yelling at her that she did not belong on the property. The female was later determined to be Courtney Legh Capilla (09-23-1976). Courtney kept yelling at Elisa and tried to grab her at one point. Elisa kept trying to leave and Courtney kept blocking her path so she could not leave. Elisa was finally able to get away from Courtney and then she flagged down firefighters.

**NARRATIVE CONTINUED:**

After speaking with Elisa I had Deputy Guerra stand by with her and I went and spoke to Courtney.

**STATEMENT IN SUMMARY OF COURTNEY:**

Courtney lives inside the church and serves as a groundskeeper for the property. At approximately 1915 hours she was inside of the office building that doubles as her sleeping quarters, and she got up to make herself some food. As she was returned down the hallway, she noticed a figure standing outside of the door to her room and the door to enter the building was slightly ajar. She began yelling at the subject and the subject walked out of the door. The subject was Elisa. Elisa walked out of the door holding the bags that she had initially come on to the property with. Courtney followed Elisa out of office building and out to the parking lot. Courtney assumed Elisa might have some of her belongings because she had exited her room. Courtney continued following Elisa and reached for the bags she was holding multiple times to see if any of the items inside were hers. Courtney kept grabbing at the bags and blocking Elisa's path from exiting and then Elisa used her right hand to grab at her chest in an attempt to make Courtney get away. Courtney stated a necklace she was wearing broke as a result, and she wanted charges pressed against Elisa for the assault. She signed a Citizens Arrest for Elisa. Pictures were taken of Courtney, and they were uploaded. She did not request an ambulance.

**NARRATIVE CONTINUED:**

After speaking with Courtney I spoke with the Deacon of the Hispanic next door who assisted in getting Elisa off of the property. Jaime Lopez Cruz (08-23-1977) was the subject Elisa had been looking at because he had his son with him when they entered the church.

**STATEMENT OF JAIME:**

At 1914 hours he was inside the church when he heard yelling coming from outside. He walked outside and saw Elisa and Courtney arguing and, in an attempt, to deescalate he ushered Elisa off of the property and Courtney went back inside.

**NARRATIVE CONTINUED:**

I then spoke to the owner and Pastor of the church, Scott Douglas Bird (07-16-1979). Scott was notified over the phone about the incident. He has access to the cameras on the property and provided me the

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----- NARRATIVE -----

video. The following will be what I witness on the ring doorbell camera which was later uploaded to evidence.

**RING CAMERA VIDEO:**

The video is time stamped on 01/22/2025 at 1914 hours. It shows Elisa walking from the right side of the screen to the left of it. Courtney stated when she is home, she leaves the door unlocked. In the video Elisa is holding the white grocery bag and orange bag she arrived with. Elisa looks around and then enters into the office buildings on the top left portion of the screen. Elisa leaves the door unlocked and she is inside the building for approximately 15 seconds. Elisa exits the building and Courtney's dog follows her. Elisa starts to walk toward the right of the screen and Courtney exits the office.

Courtney starts walking towards Elisa and is yelling at her. Stating she was in her room and why she is on the property. Elisa stops and begins yelling at Courtney as well. The two continue to argue and Courtney reaches towards one of the bags that Elisa is holding. Elisa pulls her arm back and swings it at Courtney, telling her to get away from her. Elisa keeps telling Courtney to get away from her and Courtney persists in trying to get the bag from her and blocking her path to get off of the property. Elisa keeps trying to walk away and she places her left arm out in order to create space between her and Courtney. Courtney then uses her right hand to push Elisa back and the two go out of view. Courtney walks back to the office and Elisa walks off.

**NARRATIVE CONTINUED:**

After viewing the camera footage, I went inside the property and checked the room Courtney spoke of. In looking at the room I saw it was ransacked and in disarray. Courtney stated she had cleaned up some of the mess but not the rest and she could not confirm if anything had been taken. The room and hallway were documented. Scott signed a citizen's arrest for Elisa being on the property and I later advised her she could not return per his request.

I went back to my patrol car to speak with Elisa. I had Deputy Guerra detain her earlier after I determined she was the primary suspect in this criminal offense, and he placed her in the back of my car per my request. I read Elisa her Miranda rights via my department issued Miranda card and she did not want to provide a statement. I advised Elisa she was going to be arrested and a search incident to arrest revealed no other criminal offenses.

I had Catherine check the bags Elisa had, and she confirmed none of her personal items were in them. Deputy Guerra transported Elisa's personal belongings to another location per her request.

I transported and booked Elisa without incident and her identity had been confirmed via prior booking photos.

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----- NARRATIVE -----

END OF REPORT.

**INJURY:**

Catherine had some small red marks on her chest due to what she described Ortiz had done to her.

**EVIDENCE:**

BWC.

Pictures of the scene and Catherine were taken and uploaded.

**RECCOMENDATIONS:**

Forward to District Attorney's office for prosecution and review of the charge of 211 PC.

**DISPOSITION:**

This case is closed by arrest.