



**U.S. Department of Justice**  
Civil Division, Federal Programs Branch

*Via U.S. Mail:*  
P.O. Box 883  
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April 3, 2015

VIA E-MAIL

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Tucson, AZ 85701  
derekbambauer@email.arizona.edu  
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Re: ACLU Found. of Ariz. v. DHS, No. 14-2052 (D. Ariz.)

Counsel:

Enclosed are additional records that U.S. Customs and Border Protection has determined to release in response to the FOIA requests submitted on January 23, 2014, by Plaintiffs in the above-referenced case. The agency has informed me that pages 1302 to 1326 are the documents described as "missing" in Ms. Bambauer's letter of January 15, 2015.

If you have any questions about these materials, please contact me at (202) 514-3338.

Sincerely,

Eric B. Beckenhauer

Corridor	Station	Border Miles by Station	Checkpoints	CANOPY	EXPANSION	OTHER IMPROVEMENTS (Voice/Data)	REQUIRE PERMANENT
West	b7E	b7E	b7E	Construction FY10/11*	Construction FY10/11*	b7E	Design stopped at 35%
				Currently not permitted	Currently not permitted		Currently not permitted
Central				Would like canopy	Estimate in process	b7E	
				Would like canopy	Needs expansion for Officer Safety		
				Done	Done		Design stopped at 35%
East							
				Requested	requested		
				Construction FY10/11*	Construction FY10/11*		Design stopped at 35%
				Requested			

# Tucson Sector Tactical Checkpoint Operations

Due to current legislative restrictions, the Tucson Sector has been prohibited from moving forward with the construction of permanent facilities pending the completion of a study conducted by the Government Accountability Office.



b7E

Tactical checkpoints are currently being used along major routes of egress from the border area in the Tucson Sector.

# **b7E** Checkpoint (Cont.)

- Permit- ADOT, Operational 2008, **b7E**
  - **b7E**
  - Conex- **b7E**
  - Canopy- **b7E**
  - Guard Shack- **b7E**
  - Fuel- **b7E**
  - Power
    - **b7E**
    - Light- Portable, **b7E**

# **b7E** Checkpoint (Cont.)

- Water
  - Potable- **b7E**
  - Non-Potable- **b7E**
- Septic
  - Agent- Latrine/Shower, Trailer
  - Public- Porta potty, **b7E**

# **b7E** Checkpoint

- Permit- ADOT, Operational 2008, **b7E**
  - **b7E**
  - **b7E**
  - **b7E**
  - Temporary Metal Canopy- **b7E**
  - Temporary Safety Water Barriers – **b7E**
  - Mobile Speed Radar Trailer – **b7E**
  - Mobile Power
    - **b7E**
    - Commercial Lights/Generators- Portable **b7E**

## **b7E** Checkpoint (Cont.)

- Water
  - Potable – **b7E**
  - Non-Potable – **b7E**  
**b7E**
- Septic
  - Agent- Latrine/Shower, Mobile Trailer
  - Hand Wash Station – Rental **b7E**
  - Public- Rental Porta Pots **b7E**
- Heat/Cool
  - Mobile Heaters **b7E**
  - Mobile Mister **b7E** and Small Porta Cool **b7E**
- Radiation Equipment
  - **b7E**
- Misc. Non-Accountable Equipment

DC b6,b7C,

10-4 Hunts

b6,b7C

DCPA b6,b7C

These are the actions taken  
by WAC station to ensure  
operational discipline @ checkpoints.

b6,b7C



**b7E**

200 S. Rex Allen Dr.  
Willcox, Az 85643



**U.S. Customs and  
Border Protection**

August 17, 2011

MEMORANDUM FOR:

**b6,b7C**  
Chief Patrol Agent  
Tucson Sector

FROM:

**b6,b7C**  
Acting Patrol Agent In Charge  
Willcox Station

**b6,b7C**

SUBJECT: Willcox Station Checkpoint Operations

I received and read your memorandum, dated August 17, 2011, regarding checkpoint operations. I fully understand the concerns that were outlined and I am ensuring there will not be another incident, as which occurred on July 24, 2011.

The two Supervisory Border Patrol Agents that made the determination to keep the checkpoints closed in the San Pedro Valley, after the inclement weather had cleared, have both been counseled about their actions that day. I have also discussed this topic with their Field Operations Supervisor, who was not on duty July 24<sup>th</sup>.

I have prepared and distributed a memorandum to all of the supervisory staff at the Willcox Station, stressing the importance of maintaining the integrity of the traffic checkpoints and the key role they play within Tucson Sector operations, as well as the National Border Patrol Strategy. Each supervisor is required to read and acknowledge receipt of the memorandum I have drafted. This memo is attached for your review.

I will ensure that the operational importance of maintaining the integrity of the Willcox checkpoints continues to be an ongoing topic for all of the agents assigned to the Station.

Attachment

b7E

200 S. Rex Allen Dr.  
Willcox, Az 85643



**U.S. Customs and  
Border Protection**

August 17, 2011

MEMORANDUM FOR: Supervisory Agents  
Willcox Station

FROM: b6,b7C  
Acting Patrol Agent In Charge  
Willcox Station

**b6,b7C**

SUBJECT: Willcox Station Checkpoint Operations

I am taking the time to remind everyone about the importance of maintaining the operational integrity of all the checkpoints within our area of operations. The checkpoints serve an integral part in the overall strategy for Tucson Sector and the National Border Patrol Strategy, by serving the critical role of "defense in depth".

I understand and completely support that we must close down the checkpoints from time-to-time, b7E, for the safety of our agents and the traveling public. We must, however, not become complacent by not bringing the checkpoints back to their operational capacity b7E. Not having our checkpoints operational allows our adversaries the opportunity to exploit this weakness and creates a breakdown in the entire operational posture. It is our job to ensure that this is kept at a minimum in order to maintain maximum effectiveness.

At this time, the Tucson Sector is experiencing historical operation gains in several facets. Daily illegal apprehension arrests have been dramatically reduced, narcotics seizures have been increased, and a consequence to illegal entry has been delivered to more illegal aliens than at any other period in Tucson Sector history. These operational gains have been achieved through the hard work and dedication of the Agents assigned to the Tucson Sector in conjunction with a sound operational strategy designed to disrupt and degrade criminal organizations within the border communities. Defense in depth plays a critical role in the operational strategy of the Tucson Sector, and the Willcox Station's operations are central to defense in depth.

The Willcox Station plays a vital role by operating all interior checkpoints in the Eastern Corridor. I expect that the supervisory staff at the Willcox Station will make decisions that support the strategy, starting with maintaining the operational integrity of all traffic checkpoints.



b7E



**U.S. Customs and  
Border Protection**

AUG 15 2011

MEMORANDUM FOR:

b6,b7C

(A) Patrol Agent In Charge  
Willcox Station

FROM:

b6,b7C

b6,b7C

Chief Patrol Agent  
Tucson Sector

SUBJECT:

Willcox Station Checkpoint Operations

On Sunday July 24, 2011, I was in the San Pedro Valley and witnessed b7E checkpoints being closed. After inquiring as to the situation, I was informed that the checkpoints were closed b7E to ensure Agent safety. I have and always will consider Agent safety paramount. b7E. I consider this a breakdown in operational integrity which erodes the faith that the public has in the Border Patrol as the nation's first line of defense, and allows our adversaries to exploit an operational weakness that results from a lack of operational discipline. We, as leaders of this organization, cannot tolerate complacency.

At this time the Tucson Sector is experiencing historical operation gains in several facets of Border Patrol operations. Daily illegal apprehension arrests have been dramatically reduced, narcotics seizures have been increased, and a consequence to illegal entry has been delivered to more illegal aliens than at any other period in Tucson Sector history. These operational gains have been achieved through the hard work and dedication of the Agents assigned to the Tucson Sector in conjunction with a sound operational strategy designed to disrupt and degrade criminal organizations within the border communities. Defense in depth plays a critical role in the operational strategy of the Tucson Sector, and the Willcox Station operations are central to defense in depth.

I am directing you to stress the operational importance of the defense in depth strategy and the critical role that the Willcox Station plays in the strategy by operating all interior checkpoints in the eastern corridor. I expect that the supervisory staff at the Willcox Station will be well versed in the strategy and make decisions that support our strategy, starting with maintaining the operational integrity of all traffic checkpoints under your purview. To confirm that this has been done, I would like a memorandum outlining your measures of compliance with my directive by August 18, 2011.

cc: PAIC b6,b7C

b6,b7C

---

**From:** b6,b7C  
**Sent:** Thursday, January 16, 2014 8:36 AM  
**To:** b6,b7C  
**Subject:** ACLU Allegations Regarding TCA Checkpoints  
**Attachments:** Probe sought of BP checkpoint.pdf

Good morning everyone,

Please take a look at the attached article regarding not just the perceived constitutionality of our checkpoints, but the actions of the agents performing inspections. This ties into the information we have been providing the agents regarding their authority while operating the point as well as recommended courses of action when encountering suspicious or uncooperative motorists.

We will discuss this in more detail at the next staff meeting and SBPA meetings but it's never a bad idea to continue reviewing the pertinent policies during musters and keep the guys on their "a game".

Thanks,

b6,b7C





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## Probe sought of Border Patrol checkpoint actions



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by Brian Skoloff, Associated Press

azfamily.com

Posted on January 15, 2014 at 7:41 PM

Updated yesterday at 7:42 PM

PHOENIX (AP) -- Border Patrol agents at southern Arizona checkpoints routinely violate the constitutional rights of U.S. citizens with illegal searches and other actions despite the agency's mandate that stops be limited to immigration enforcement, according to a complaint filed Wednesday.

The letter from the American Civil Liberties Union to the Department of Homeland Security's Office of Inspector General seeks an investigation into 12 specific cases and a review of checkpoint policies to determine if agents are complying with constitutional guidelines.

"Border residents regularly experience extended interrogation and detention not related to establishing citizenship, invasive searches, verbal harassment, and physical assault, among other abuses," ACLU of Arizona attorney James Lyall wrote. "Border Patrol checkpoints often appear to be operated as drug interdiction checkpoints, which are unconstitutional, and not for the limited purpose of verifying residence status."

Lyall said Border Patrol agents should not be conducting extended stops or searches of vehicles at the checkpoints "for non-immigration purposes, absent 'reasonable suspicion' that a crime has been committed."

The National Border Patrol Council, the union for agents, backed at the allegations, noting agents are not limited to only immigration enforcement.

"The authority of a Border Patrol agent is pretty vast," said Shawn Moran, the group's vice president, adding that the law allows them to investigate crimes including trafficking of guns and drugs.

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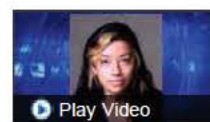
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### Event Calendar



Mo'Nique

Sat Jan 18 8:00PM

### Events Near You

Today

Tomorrow

Weekend

Chamber Music at Steinway: ASA  
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Scottsdale Celebrates MLK Jr.:  
South Scottsdale

CBP00001293

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"Running a canine around a vehicle or even detaining people so you can run that canine is not viewed as overly prolonged as long as the agent can articulate their suspicions," Moran said.

U.S. Customs and Border Protection spokesman Michael Friel said Border Patrol checkpoints along roadways are vital tools aimed at securing the nation's borders and interrupting travel routes for smugglers of guns, drugs and people.

"Our officers and agents are trained to recognize people and situations that present a potential threat or violation of law without regard to race," Friel said.

The cases cited by the ACLU occurred over the past 15 months at six Arizona checkpoints. One case says an agent pointed a gun at a man's face during a checkpoint stop when he refused to answer whether he had any weapons in his vehicle.

In another case, the ACLU said three people were detained for 30 minutes after an agent thought backpacks in their vehicle looked suspicious, and the occupants refused to consent to a search of the car. The ACLU said agents have become abusive and even threatening in such circumstances.

While some agents make mistakes, a driver's behavior can lead to a more prolonged stop, Moran said.

"Their argumentative nature might just add to whatever suspicion the agent may have already had," he said.

The ACLU filed a similar complaint seeking a probe in October, claiming agents were subjecting U.S. citizens to illegal searches, detentions and excessive force in many cases miles from Arizona's border with Mexico. That complaint came just two weeks after the federal government settled an ACLU lawsuit over similar allegations in Washington state.

While acknowledging no wrongdoing in that case, the Border Patrol agreed to retrain agents and share with advocacy groups records of every traffic stop its agents make in Washington's Olympic Peninsula along the northern border with Canada for 18 months, among other things.

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b6

---

**From:** b6  
**Sent:** Monday, August 12, 2013 8:19 AM  
**To:** b6  
**Subject:** TON "Know Your Rights" Checkpoint Meetings  
**Attachments:** 2013\_08\_12\_07\_21\_31.pdf

The attached flyer is being circulated on the TON.

I'm sure the "are your civil rights being violated?" phrase will bring out the usual suspects to the two meetings they have scheduled.

Muster topic for agents to be mindful of their conduct b7E with TON members possibly baiting them into a confrontation to be videotaped.

I don't have any further info on this yet, but will see what I can find out.

b6

b6

---

**From:** b6  
**Sent:** Thursday, August 29, 2013 11:25 AM  
**To:** b6  
**Cc:** b6  
**Subject:** TON Checkpoint Community Meetings  
**Attachments:** 2013\_08\_29\_11\_12\_56.pdf

FYI,

b6,b5 the checkpoint meeting recently held on the TON.

The meeting began with several YouTube videos of confrontational motorists at BP checkpoint; primarily videos that paint BP agents in a bad light.

A rep from the ACLU was present also; they have been distributing the attached document recently regarding BP checkpoints. We didn't get any further info as to what the ACLU rep may have said.

b6 (Sells District) advised that b6 (TON Legal Dept) was one of the presenters, and basically advised the TON members to be non-compliant at the checkpoint and not to follow BP agent instructions nor answer any questions.

I will forward along any further info we receive,

b6

b6  
Supervisory Border Patrol Agent  
Casa Grande, Arizona  
b6





# Know Your Rights at Border Checkpoints

## What You Need to Know

U.S. Customs and Border Protection (CBP) can stop, detain, or search any person or vehicle at border checkpoints in the U.S. — even those located inland and far away from the border — if they suspect there are undocumented persons in the vehicle and even if they suspect other types of criminal activity. At checkpoints located within 100 miles of an “external boundary” of the U.S., CBP officers have powers that far exceed traditional law enforcement authority permitted by the U.S. Constitution.

*CBP officers at border checkpoints can stop you and search your vehicle even if you are a U.S. citizen.*

At these checkpoints, officers may stop and search people based on minimal suspicion and may use race as a factor in deciding whether to stop and question an individual.

In some instances, federal CBP agents may act under the authority of state and local law enforcement to issue citations for criminal offenses under Arizona law, for example, for drug possession. They may also call state and local law enforcement to the scene.

## Important Definitions:

**Border Checkpoints** are places where all traffic is required to stop for the purpose of inspection for undocumented persons not lawfully admitted to the U.S. CBP officials have set up various checkpoints (permanent and temporary) within a 100 mile-wide zone from an international boundary throughout the U.S. A stop at a border checkpoint typically requires that one answer questions about their citizenship or immigration status and present identification (such as a driver's license). In some cases, the CBP officer may ask an individual to pull into an area for “secondary” inspection if they suspect someone in the vehicle is undocumented or there is illegal contraband present.

**Permanent checkpoints** are places that operate continuously and are characterized by established structures, permanent traffic revisions and traffic warning signage.

**Temporary checkpoints** are short-term operations that may operate for only a few hours at a time and typically for a tactical purpose. They are characterized by temporary structures and signage.

## Your Rights at Border Checkpoints

Remember, **you always have the right to remain silent.** Anything you say to a CBP officer can be used against you. You do not have to answer questions about your immigration or citizenship status or any suspected criminal activity. However, you should know that, for the officer, your refusal to answer questions may justify continued detention. It is ultimately your decision how to respond to questions asked by officers at border checkpoints.

If you are the driver of a car and a

law enforcement officer demands to see your driver's license, vehicle registration or proof of insurance, you must show these.

Remember, fleeing a checkpoint is a *felony* and punishable by a fine and/or imprisonment up to five years under federal law.

## For U.S. Citizens

U.S. citizens are not required to carry their passports within the borders of the U.S. You do not need to show proof of your citizenship.

If you are selected for a longer interview at the border, you have the right to an attorney. You may ask to

have the questioning stop until you have an attorney present.

## For those who are NOT U.S. Citizens

If you are 18 years or older, you must always carry U.S. immigration documents that have been issued to you, such as a visa or lawful permanent residence card (“green card”). If you are not a U.S. citizen, you must provide proof of your lawful status in the U.S. to immigration officials upon request. If you do not have immigration documents, you do not have to disclose this information. You may remain silent.



## Know Your Rights at Border Checkpoints

---

If you are selected for a longer interview at the border, you generally do not have the right to an attorney. You may ask to answer the questions at another time in the presence of an attorney, but your request does not have to be granted.

**If you fear persecution or torture in your home country, alert the officer and request an asylum interview.**

You do not have to sign any documents an immigration officer gives you, *even if they threaten to put you in jail*. **If you do sign a document without fully understanding its contents, there is a possibility you**

**are giving up the opportunity to remain in the U.S. or assert any defense against removal from the U.S.** It is best to seek counsel with an attorney before you sign *any* documents.

In some cases, a person identified as a non-U.S. citizen by a border or other immigration official may be held in an immigration detention facility while their immigration case is resolved. In some cases, you have the right to a hearing before an immigration judge. At this hearing, you may represent yourself or hire an attorney to represent you.

*Non-citizens in immigration cases do not have the right to a government-appointed attorney.* If the judge rules that you must leave the U.S., you may appeal the ruling. In some cases, you may continue to remain in the U.S. while your immigration case and appeal are pending.

*If you have been mistreated in anyway by an immigration official, whether at a border checkpoint or in a detention facility, you have the right to submit a complaint. It is always a good idea to note the names of the officers involved, the agency they work with and length of time of the detention.*

For more information, contact:

Mary Lunetta

Community Organizer

[mlunetta@acluaz.org](mailto:mlunetta@acluaz.org)

602-650-1854 ext. 107

b6

**From:** b6  
**Sent:** Friday, November 08, 2013 3:29 PM  
**To:** b6  
b6  
b6  
b6  
b6  
**Cc:** b6  
**Subject:** Complaint Regarding Professionalism at Checkpoints  
**Attachments:** Complaint - .pdf

All,

Please take a look at the attached complaint. Although it was not generated from a CAG-specific encounter, I still felt it was worth sending; simply due to the specific points the complainant makes and because of the expectation(s) that citizens in general have regarding Border Patrol Agents' comportment, professionalism and appearance.

- Note the comments he makes about if someone is going to wear the uniform....they should wear it with pride.
- Regarding his comment about the agent being on "his script" .... This is a good reminder that agents should greet the traveling public with something along these lines...."good morning, this is a U.S. Border Patrol check, please state your citizenship" ....this reinforces the authority we have to operate checkpoints.
- Lastly regarding his comments about the perceived arrogance of the agent at the point.....if the agents are professional in all their interactions, it will take away people's ability to justly complain.

Please take some time to think about this and let's discuss further at the next staff meeting and also at the supervisor meetings. I'm less concerned about his opinion(s) on fraud, waste and abuse but the other areas are worth thinking about and looking internally at our checkpoint operations.

Thanks,

b6

b6

2430 S. Swan Road  
Tucson, AZ 85711

Hello b6

My intention is two-fold. I want to be your eyes in the field, and I want to complain about a checkpoint encounter I had.

On September 2, 2013 at roughly 1615 hours I arrived at the [REDACTED] border checkpoint. As I pulled up to the checkpoint I saw two officers get out of two parked and idling patrol cars while a third agent came out from under the shade cover.

As I pulled up and 'stopped' to talk to the agent he said to me: 'Is this car new to you?' I replied: I wish. The agent's next comment to me was: 'you need to slow down, makes us think you might run the checkpoint.' I replied: 'I did (slow down).' After all was said and done I went on my way without him ever asking me if I was a U. S. citizen.

Here are my complaints and comments about the episode.

1. Two agents sitting in idling taxpayers cars wasting fuel to keep cool – fraud waste and abuse.
2. I did stop, and I deserved more respect than I was given, not to mention the condescending and arrogant attitude.
3. Had the agent not made things personal, he'd have been on his script and remembered to ask me about my citizenship.
4. The agent I was speaking with was wearing a filthy, crumpled cowboy hat that needs to be retired and replaced with his annual clothing allowance.
5. The air of superiority projected towards me was unwarranted and not appreciated.

As far as uniforms, when I was in the Navy I was required to have a squared away uniform at all times, I have that same expectation of this agent and all others. If this young man is going to wear the uniform, he should either wear it with pride, or quit his job.

I did call the supervisor of this young man that day, but I wanted to make sure that word gets to you directly. I believe there is a false sense of security on the part of the agents that a citizen wouldn't report them, and most people fear retribution. I believe that if you don't get feedback you won't know.

Thank you sir for hearing my comments and complaints.

b6



b6,b7C

**From:** b6,b7C  
**Sent:** Tuesday, November 12, 2013 5:39 PM  
**To:** b6,b7C  
**Subject:** FW: Detection Canine Mandate  
**Attachments:** TCA K9 - September 2013 (NEW).xls

**Importance:** High

All

Effective 11/17/13, all K-9 units will be assigned to the checkpoint.  
If you have any questions, please get with me ASAP.

b6,b7C – I will check with LER – not sure how that's going to work with b6,b7C.

*Ensuring that work assignments are posted 5-days in advance - effective **Nov 17, 2013**, and until further notice, Station Detection Canine Teams within Tucson Sector will be assigned to duties at Border Patrol checkpoints.* b2,b7E

b2,b7E

*Station and checkpoint supervisory personnel are responsible for assigning work and managing Canine Teams. This includes Patrol Canine Teams and Detection Canine Teams supporting operations at Ports of Entry and those performing detection activities away from a checkpoint. Station supervisory personnel must also ensure that the work assignments of Canine Instructors, who are rotationally assigned to facilitate training and certifications, are managed accordingly and closely monitored. Please be reminded that employees and supervisors are equally responsible for the proper utilization and monitoring of overtime.*

Thanks

b6,b7C  
Deputy Patrol Agent In Charge  
Casa Grande Station

b6,b7C  
b6,b7C

Title Primary Subject: b6,b7C		File Number CASE NO: b7E	Date
			Report Number
Special Agent: (Name)	(Signature)	Office	
Approved by: (Name and Title)	(Signature)	Office	

## Narrative Title: Report of Investigation

-----  
First Entry: 2005

Searched By: BPA b6,b7C

Witnessed By: BPA b6,b7C

b7E Blythe, California

CRIMINAL HISTORY:  
NegativeIMMIGRATION HISTORY:  
See below

## ENCOUNTER

b6,b7C is an illegal alien K1 overstay from b6,b7C, apprehended as a passenger in a Hyundai Accent bearing b6,b7C license plate b6,b7C driven by her current husband, b6,b7C (DOB: b6,b7C). When apprehended, she and her husband were traveling from Holtville, California, to their residence in b6,b7C.

Upon questioning, b6,b7C presented me with two b6,b7C passports, one valid and one expired. In the expired passport, a K1 visa, bearing A# b6,b7C was located. Records checks revealed that an I129F had been filed for b6,b7C by b6,b7C with a WAC# of b6,b7C. Further questioning revealed that b6,b7C had not married b6,b7C in 2005, but had instead married b6,b7C in 2007.

b6,b7C has violated her conditions of her non-immigrant status under which she was admitted by having remained in the United States for a period longer than authorized and by having married someone other than the designed I-129F petitioner.

b7E  
b6,b7C's fingerprints and biographical data were entered into the b7E database. Records checks revealed that b6,b7C has no criminal history. b6,b7C was admitted at the Las Vegas, Nevada, Port of Entry on 03/19/2005 on a valid K1 visa.

## MISCELLANEOUS:

b6,b7C is taking medication for b6,b7C. b6,b7C has been provided with a list of free legal services. The b6,b7C Consulate was contacted via fax. b6,b7C is a citizen of b6,b7C, b7E. b6,b7C at b7E reported no derogatory information concerning b6,b7C. b6,b7C released her personal property to her husband, b6,b7C.  
...(CONTINUED ON I-831)

Alien's Name	File Number	Date
Event No: b7E		
<p>DISPOSITION:</p> <p>b6,b7C is being issued a Notice To Appear and is being presented for 8 USC 1182, removal proceedings.</p>		
Signature	Title	



Title <b>b6,b7C</b>		File Number CASE NO: <b>b7E</b>	Date
			Report Number
Special Agent: (Name)	(Signature)	Office	
Approved by: (Name and Title)	(Signature)	Office	

## Narrative Title: Report of Investigation

-----  
ENCOUNTER:

On February 28, 2011, I, Border Patrol agent **b6,b7C** was assigned to work at the US Border Patrol checkpoint on Arizona Highway 95 mile marker 76. At approximately 8:50 pm PST, I was working in the primary inspection lane when a black Ford F-150 bearing **b6,b7C** approached the checkpoint.

## INTERVIEW:

I identified myself as a Border Patrol agent and performed an immigration inspection. The driver, later identified as **b6,b7C**, presented me with a current and valid Permanent Resident Card. The front seat passenger, later identified as **b6,b7C**, presented me with a **b6,b7C** Consular card bearing his name and photograph. **b6,b7C** stated that he was a citizen and national of **b6,b7C** and could not produce any immigration documents to be or remain in the United States legally. At this point, I directed the vehicle to the secondary inspection area for further investigation.

In the secondary inspection area, **b6,b7C** freely admitted to being a citizen and national of **b6,b7C** without the proper immigration documents to be or remain in the United States legally. The backseat passenger, later identified as **b6,b7C**, presented me with a **b6,b7C** passport bearing his name and photograph that contained an expired H2A visa. **b6,b7C** freely admitted that he did not possess any current or valid immigration documents to be or remain in the United States legally. The other backseat passenger, later identified as **b6,b7C**, freely admitted to being a citizen and national of **b6,b7C** without any immigration documents to be or remain in the United States legally. **b6,b7C** and **b6,b7C** were subsequently arrested and transported to the Blythe Border Patrol station for processing. The driver of the vehicle, **b6,b7C**, was also placed under arrest for transporting illegal aliens and transported to the Blythe Border Patrol station.

## DRIVER STATEMENT:

... (CONTINUED ON I-831)



Alien's Name	File Number Event No: <b>b7E</b>	Date
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The driver of the vehicle, **b6,b7C** stated that he knew the three subjects in the vehicle from working in the fields in Yuma, Arizona. **b6,b7C** stated that he was approached by an unidentified friend who also worked in the fields. The friend asked **b6,b7C** if he could transport three individuals from Yuma, Arizona to Quartzsite, Arizona. After being put in contact with **b6,b7C** and **b6,b7C** **b6,b7C** stated that he made arrangements with the three subjects to be paid \$400 total to drive them from Yuma, Arizona to Quartzsite, Arizona. **b6,b7C** stated that after arriving in Quartzsite, the three subjects would take the vehicle and continue on Interstate 10 to Tucson, Arizona. **b6,b7C** further stated that he had made arrangements to be picked up in Quartzsite, Arizona by an unknown individual and driven back to Yuma, Arizona. **b6,b7C** also stated that he knew the three subjects in the vehicle were in the country illegally from working with them in the field and because they were attempting to arrange transport to get to Interstate 10.

ILLEGAL ALIEN STATEMENTS:

**b6,b7C** stated that he was the registered owner of the vehicle the subjects were traveling in. **b6,b7C** knew **b6,b7C** and the other two subjects in the vehicle from working in the fields in Yuma, Arizona. **b6,b7C** was put in contact with **b6,b7C** by an unknown friend who also worked in the fields. After telling his friend of his and the other two subject's desire to leave Yuma, Arizona, he was put in contact with **b6,b7C** because he was told that **b6,b7C** knew how to get to Interstate 10. Even though **b6,b7C** was the registered owner of the vehicle, he stated he needed **b6,b7C** to drive them to Interstate 10 because he did not know the way. **b6,b7C** further stated that he, **b6,b7C** and **b6,b7C** made arrangements with **b6,b7C** to pay him \$400 total to be transported from Yuma, Arizona to Quartzsite, Arizona. The fee would be paid upon arrival in Quartzsite, Arizona. After arriving in Quartzsite, **b6,b7C** would drive himself and the two other subjects to Tucson, Arizona where he would drop his truck off at a relative's house. **b6,b7C** would stay in Quartzsite and find a way back to Yuma. **b6,b7C** stated that **b6,b7C** knew he and the two other subjects were illegally present in the United States because they were making arrangements to pay a fee to be transported to Interstate 10. **b6,b7C** was unsure why **b6,b7C** drove them through the US Border Patrol checkpoint on AZ Highway 95.

**b6,b7C** stated that himself, **b6,b7C** and **b6,b7C** had been working in the fields in Yuma, Arizona for about three weeks. He stated that the three of them wanted to get out of Yuma, Arizona but did not know the proper route to go in order to get to Interstate 10. **b6,b7C** approached a friend of his who also worked in the fields about their dilemma. He told the friend they were willing to pay up to \$400 to get to Interstate 10. This friend put them in contact with **b6,b7C** who he was told knew how to get to Interstate 10. **b6,b7C** and **b6,b7C** made arrangements with **b6,b7C** to pay him \$400 total in order to be transported from Yuma, Arizona to Quartzsite, Arizona. **b6,b7C** stated that **b6,b7C** was aware that all three subjects were illegally present in the United States because they were paying him to be transported to Interstate 10.

Signature	Title
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Alien's Name	File Number Event No: <b>b7E</b>	Date
<b>DISPOSITIONS:</b>  Driver: <b>b6,b7C</b> Booked for 8 USC 1324 Transporting Aliens and Released  Illegal Aliens: <b>b6,b7C</b> NTA/WA  <b>b6,b7C</b> Voluntary Return  <b>b6,b7C</b> Voluntary Return  Vehicle Information: 2005 Ford F-150 <b>b6,b7C</b> VIN: <b>b6,b7C</b> Vehicle seized for 8 USC 1324 Alien Smuggling  R/O Information: <b>b6,b7C</b>  Lienholder Information: <b>b6,b7C</b>		
Signature	Title	



Title <b>b6,b7C</b>		File Number CASE No: <b>b7E</b>	Date
Special Agent: (Name)		(Signature)	Report Number
Approved by: (Name and Title)		(Signature)	Office
			Office

## Narrative Title: Report of Investigation

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ENCOUNTER:

On Sunday, April 3, 2011, I was assigned to traffic observation duties around **b7E**. I was observing traffic at the intersection of **b7E** CA 78 provides a direct route from the United States / Mexico International Boundary to Interstate 10, which leads to major cities such as Phoenix, Arizona and Los Angeles, California. **b7E**

**b7E**

At approximately 11:50 p.m., a black Dodge Caliber (bearing **b6,b7C** license plates **b6,b7C**) approached my location. As the vehicle drove by my location, I noticed a male driver and a male passenger. The vehicle appeared to be traveling below the posted speed limit. This caught my attention as the driving conditions were excellent and there was no other traffic. **b7E**

**b7E**

As the vehicle passed by I could see inside the vehicle. Aside from the two passengers in the front it appeared that there was at least one other person hunched down in the rear seat. **b7E**

**b7E**

**b7E** **b7E** **b7E**  
**b7E** I decided to follow the vehicle to observe the occupants behavior and to conduct record checks on the vehicle license plate. The vehicle appeared to be **b7E**

**b7E**

I contacted Yuma Sector Communications (**b7E**) and conducted vehicle registration and stolen vehicle checks on the Dodge. **b7E** informed me that the registered owner of the vehicle returned to a **b6,b7C** out of **b6,b7C**. The vehicle had not been reported stolen. The driver had slowed to nearly 50mph though the posted speed limit was 65mph. He continued to slow and then speed up again. It initially appeared that he was going to pull to the side of the road and stop abruptly and attempt to abscond from the vehicle. I suspected the occupants of the vehicle were involved in some sort of illegal activity. I performed a vehicle stop, approximately one half mile south of the former immigration checkpoint, for immigration purposes.

... (CONTINUED ON I-831)

Alien's Name	File Number	Date
	Event No: b7E	

As I approached the vehicle from the passengers side I could see that the driver (later identified as b6,b7C, DOB: b6,b7C) speaking to the front seat passenger (later identified as b6,b7C, DOB: b6,b7C). The passenger was only shaking his head in the affirmative. I looked in the rear window of the vehicle and could see a large suitcase and large blue bag in the rear. As I passed the rear window I looked inside. I saw the base of a guitar with some sort of blanket covering most of it. From a distance it appeared to be another person. In English I asked the passenger of what country he was a citizen. b6,b7C did not appear to understand and simply stared forward. I repeated in Spanish. b6,b7C stared ahead. His hands were noticeably shaking. b6,b7C began to answer for b6,b7C. I asked b6,b7C to state his citizenship and he stated that he was a citizen of b6,b7C. He presented a valid Employment Authorization Document. I asked b6,b7C the same question again and he presented an identification card from b6,b7C. I asked for proper immigration documents to be in the United States but he stated he had none. I asked if he was in the United States illegally. He replied that he was in the U.S. illegally. He was arrested and taken into custody.

I questioned b6,b7C as to how he knew b6,b7C. He stated that they worked in the lettuce fields together. I asked for how long and b6,b7C stated they had worked together for the last three months. b6,b7C stated that he did not know b6,b7C was illegal present in the U.S. When I questioned b6,b7C as to how he knew b6,b7C he stated that they did not know each other and b6,b7C had just picked him at b7E. I asked b6,b7C to whom the vehicle belonged and he stated that it belonged to his girlfriend. He stated that she knew he had the vehicle and for what purpose. When questioned about his girlfriend's name, b6,b7C did not know her name. b6,b7C stated that he was going from b7E. That was where he was going to drop off b6,b7C. There is a more direct route to Indio, CA from Brawley, CA using either CA highway 86 or CA highway 111. b7E b7E b7E When presented with this information b6,b7C stated that he was not familiar with those routes but knew about CA 78. b7E b7E b7E This was the second vehicle that day that Blythe Border Patrol had encountered with illegal aliens stating that they were coming from b7E b7E

During questioning b6,b7C admitted that he and b6,b7C live together in b6,b7C. b6,b7C admitted that they took CA 78 from Brawley to Indio because they are aware that the immigration checkpoint on CA 78 recently burned down. b6,b7C admitted that he is also aware that Highways 86 and 111 are a more direct route to Indio, but they intentionally took CA 78 to circumvent the immigration checkpoints on Highways 86 and 111.

Both occupants were taken to the Blythe Border Patrol Station for processing. The vehicle was seized for transporting illegal aliens.

VEHICLE INFO:  
2008 DODGE CALIBER  
b6,b7C  
VIN: b6,b7C

Signature	Title
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Alien's Name	File Number Event No: <b>b7E</b>	Date
<b>b7E</b> R/O: <b>b6,b7C</b> <b>b6,b7C</b>		
Signature	Title	



File Number b6,b7C	Title: b6,b7C	Control Office YUM/BLY
<p>Memorandum of Investigation</p> <p>-----</p> <p>ENCOUNTER:</p> <p>On April 18, 2011, I, Border Patrol Agent b6,b7C, was assigned to traffic check duties at the 1153 checkpoint on Highway 95, located at mile marker 73.5 near Quartzite, Arizona. At approximately 11:30 pm, I was the primary agent checking traffic, when a white 1998 Saturn Sedan bearing b6,b7C plate b6,b7C driven by b6,b7C (DOB b6,b7C), approached the checkpoint and drove up to my position.</p> <p>After identifying myself as a United States Border Patrol Agent I performed an immigration inspection on b6,b7C. b6,b7C was questioned regarding his immigration status. b6,b7C stated he was a b6,b7C citizen. During questioning, b6,b7C became increasingly nervous and was unable to provide any form of identification. b6,b7C was sent to secondary inspection for further questioning.</p> <p>Once in the secondary inspection area, I asked b6,b7C to exit the vehicle. Upon exiting the vehicle I performed a terry frisk on b6,b7C. b6,b7C had a wallet that contained a b6,b7C driver's license. I asked b6,b7C if he was in the United States illegally. b6,b7C replied, "yes".</p> <p>b6,b7C was placed under arrest and was transported to the Blythe Border Patrol Station for processing.</p> <p>Vehicle Information:</p> <p>MAKE: Saturn</p> <p>MODEL: Sedan</p> <p>COLOR: White</p> <p>YEAR: 1998</p> <p>LICENSE PLATE: b6,b7C</p> <p>VIN: b6,b7C</p>		
Investigator Border Patrol Agent b6,b7C		Date April 19, 2011

Title DRIVER: b6,b7C	File Number CASE No: b7E	Date
		Report Number
Special Agent: (Name)	(Signature)	Office
Approved by: (Name and Title)	(Signature)	Office

Narrative Title: Report of Investigation

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ENCOUNTER:

On May 4, 2011, Border Patrol Agents b6,b7C and I, Agent b6,b7C were assigned to the United States Border Patrol Immigration Inspection Checkpoint, located on California Highway 78, mile marker 56.6. At approximately 7:20 a.m., a black 2003 Chevrolet Silverado bearing b6,b7C license plate #b6,b7C approached our location. I noticed four individuals inside the truck with what appeared to be scaffolding protruding from the rear of the truck bed.

The front seat passenger was wearing what appeared to be an orange and yellow work vest. When the vehicle came to a complete stop I identified myself as a United States Border Patrol Agent and asked the driver (later identified as b6,b7C DOB: b6,b7C) his country of citizenship. b6,b7C appeared to be nervous and I noticed that his hand was shaking when he handed me his LAPR card. b6,b7C presented me with a valid Lawfully Admitted Permanent Resident (LAPR) card (A# b6,b7C, valid until b6,b7C). I asked b6,b7C where he was driving, b6,b7C stated that he was driving from Brawley, California to Indio, California to work construction.

I asked the front seat passenger (later identified as b6,b7C DOB: b6,b7C) his country of citizenship in the English language to which b6,b7C did not respond. Agent b6,b7C was positioned on the passenger side of the vehicle and asked b6,b7C his country of citizenship in the Spanish language. b6,b7C handed him an b6,b7C Card and proceeded to explained that he left his LAPR card at his house. I directed the drive to the secondary inspection station for further inspection of his claim.

## INTERVIEW:

At approximately 7:22 a.m., I contacted Yuma Sector Communications (b7E) and conducted stolen vehicle and registration checks. b7E informed me that the vehicle was registered to b6,b7C out of b6,b7C and that the vehicle was not reported stolen.

While in the secondary inspection area, one of the rear seat passengers (later identified as b6,b7C DOB: b6,b7C) was questioned as to his country of citizenship in the Spanish language. b6,b7C stated that he also was a LAPR and was not in immediate possession of his LAPR card.

... (CONTINUED ON I-831)



Alien's Name	File Number Event No: <b>b7E</b>	Date			
<p>The actions of the driver and passenger appeared to be suspicious and irregular. Most of the people who are LAPR's who approached the Immigration Checkpoint have their LAPR card in their immediate possession and volunteer their card prior to me asking any questions, none of whom present a <b>b6,b7C</b> issued identification card when they claim to be a LAPR.</p> <p>Agent <b>b6,b7C</b> asked <b>b6,b7C</b> again if he was legally or illegally present in the United States, to which <b>b6,b7C</b> freely admitted that he was illegally present in the United States without any immigration documents to be in or remain in the United States legally.</p> <p>The remaining back seat passenger (later identified as <b>b6,b7C</b> DOB: <b>b6,b7C</b>) appeared to be sleeping. Agent <b>b6,b7C</b> asked <b>b6,b7C</b> his country of citizenship in the Spanish language. <b>b6,b7C</b> opened his eyes and mumbled something that was incoherent and appeared to proceed to close his eyes and attempt to go back to sleep. Agent <b>b6,b7C</b> again asked <b>b6,b7C</b> his country of citizenship and <b>b6,b7C</b> proceeded to mumble again. A third time <b>b6,b7C</b> was asked his country of citizenship and <b>b6,b7C</b> stated that he was illegally present in the United States without any immigration documents to be in or remain in the United States legally.</p> <p>While in the secondary inspection area <b>b6,b7C</b> continue to state that he was a LAPR and that he had left his LAPR card at his house. Agents <b>b6,b7C</b> asked <b>b6,b7C</b> where he resided, to which <b>b6,b7C</b> stated that he lived in <b>b6,b7C</b>. Agent <b>b6,b7C</b> and <b>b6,b7C</b> informed me that there is no such place. Agent <b>b6,b7C</b> confronted <b>b6,b7C</b> with this information, to which <b>b6,b7C</b> freely admitted that he was illegally present in the United States without any immigration documents to be in or remain in the United States legally.</p> <p>Interview with driver: <b>b6,b7C</b> later freely admitted that he was being paid to smuggle the three illegal aliens in the Chevrolet Silverado from Brawley, California to Indio, California utilizing Highway 78. <b>b6,b7C</b> stated that he met a smuggler named <b>b6,b7C,b7E</b> in a place called <b>b6,b7C,b7E</b> stated that he made arrangements with <b>b6,b7C</b> to pick up the smuggled aliens in Brawley, California and transport them to Indio, California. <b>b6,b7C</b> also stated that he was shown the Highway 78 route on Mapquest.com.</p> <p><b>b6,b7C</b> stated that once he arrived in Indio, California he was instructed to <b>b7E</b> <b>b6,b7C,b7E</b> stated that he would be paid 400 per smuggled alien and that there would be another smuggling job to do <b>b7E</b>.</p> <p>Interview with smuggled alien: <b>b6,b7C</b> (DOB: <b>b6,b7C</b>) <b>b6,b7C</b> stated that he illegally entered the United States by walking through the desert near Calexico, California. <b>b6,b7C</b> stated that he recently was deported from the United States through the Laredo, Texas Port of Entry in April. After he was deported he <b>b6,b7C</b> stated that he took a bus to Mexicali, Mexico where he met <b>b6,b7C</b> and after speaking briefly they co-conspired to illegally cross into the United States through the desert near Calexico, California</p> <tr><td>Signature</td><td colspan="2">Title</td></tr>			Signature	Title	
Signature	Title				



Alien's Name	File Number	Date
	Event No: <b>b7E</b>	
<p>Once <b>b6,b7C</b> and <b>b6,b7C</b> illegally entered the United States they stated that they were picked up on Highway 98 by <b>b6,b7C</b> and <b>b6,b7C</b> stated that they were charged a fee of 200 U.S. dollars to be transported to Indio, California.</p> <p>IMMIGRATION VIOLATION: <b>b6,b7C</b> violated 8 USC 1324 for transporting an illegal alien within the United States on May 4, 2011, near Palo Verde, California.</p> <p>DISPOSITION: Vehicle was seized under Title 19 Section 1703A Seizure of Forfeiture of Vessels for 8 USC 1324 Illegal Alien Smuggling.</p> <p>DRIVER: <b>b6,b7C</b> A# <b>b6,b7C</b> <b>b6,b7C</b></p> <p>Vehicle Information: 2003 black Chevrolet Silverado License Plate # <b>b6,b7C</b> VIN # <b>b6,b7C</b></p> <p>Registered Owner: <b>b6,b7C</b> <b>b7E</b></p>		
Signature	Title	

Title <b>b6,b7C</b>		File Number CASE No: <b>b7E</b>	Date
			Report Number
Special Agent: (Name)	(Signature)	Office	
Approved by: (Name and Title)	(Signature)	Office	

## Narrative Title: Report of Investigation

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ENCOUNTER:

On Sunday, May 30, 2011, I Border Patrol Agent **b6,b7C** was assigned to the 1151 Checkpoint on Highway 78 near Palo Verde, California. At approximately 4:05 p.m. while working in the secondary inspection area, I witnessed a black Hummer enter the primary inspection area. Agent **b6,b7C** while in primary lane conducted an immigration inspection on the passengers of the vehicle and directed them to the secondary inspection area.

I took over primary duties to allow Agent **b6,b7C** to further investigate the passengers in the Hummer. At approximately 4:06 p.m., a silver 2007 Dodge Charger bearing **b6,b7C** license plate **b6,b7C** drove into the primary inspection lane. I identified myself to the driver as a United States Border Patrol Agent and conducted an immigration inspection in both English and Spanish. I began to question the driver, later identified as **b6,b7C** **b6,b7C** (DOB: **b6,b7C**), as to his citizenship. **b6,b7C** refused to answer the question. I then asked **b6,b7C** where he was born, and again I did not receive a response. **b6,b7C** refused to make eye contact with me as I questioned him and began to show beads of sweat on his forehead. **b7E**

**b7E** I turned my attention toward the passengers of the vehicle and individually asked them if they were United States citizens. The passengers all looked at each other for guidance and neither answered my questions. I immediately referred the driver to secondary inspection.

## FIELD INTERVIEW:

During the secondary inspection, I further questioned **b6,b7C** as to his citizenship. **b6,b7C** stated that he was born in **b6,b7C**. When asked if **b6,b7C** had an immigration document to be or remain in the United States; he stated that he did not have an immigration document. I then asked **b6,b7C** if he was illegally present in the United States. **b6,b7C** stated that he was in the United States illegally.

I then questioned the front seat passenger as to her citizenship. She stated that she was born in **b6,b7C**. I asked her if she had an immigration document to be legally present in the United States. She stated that she did not have immigration documents and that she was in the United States illegally. The back seat passengers also stated they were without immigration documents to legally be in the United States. They stated they were aware that they were illegally present in the United States. At this point, I placed the driver and passengers under arrest as they were illegally present in the United States.

... (CONTINUED ON I-831)



Alien's Name	File Number	Date
	Event No: b7E	

An inspection of the vehicle revealed two illegal aliens hidden in the trunk of the Dodge. The illegal aliens were lying side by side and drenched in sweat. This was extremely dangerous as the temperature reached nearly 100 degrees Fahrenheit. The interior of the trunk may have reached an extremely dangerous temperature placing the trunk passenger's life at risk. As the passengers climbed out of the trunk I noticed that their skin color was pale and their face had a look of exhaustion. They immediately asked for water. Both subjects were provided with water and placed inside to cool. Both subjects recovered quickly and declined medical assistance. The subjects were subsequently arrested.

An inspection of the interior of the trunk revealed that the vehicle did not have an emergency release latch for the passengers in the trunk to escape in case of an emergency. This is extremely dangerous, especially since the passengers were already suffering from heat exhaustion. b6,b7C acknowledged that he knew the passengers were in the trunk. b6,b7C also stated that he picked up the passengers in Calexico, CA. It should be noted that Calexico, CA is approximately 70 miles from the 1151 checkpoint and would take over an hour to reach the checkpoint. Additionally, record checks received from Yuma Sector Radio (b7E) revealed that b6,b7C was arrested on b6,b7C attempting to apply for admission into the United States from Mexico at the Calexico West Port of Entry by presenting himself as a U.S. citizen. He was assigned A number: b6,b7C

Subjects were arrested and transported to Blythe Border Patrol Station for processing

PROCESSING INTERVIEW:

An interview with b6,b7C revealed that he and his brother b6,b7C were approached at a hotel in Mexicali, Baja California by an unnamed man soliciting people to be smuggled in the United States. The b6,b7C brothers took advantage of the offer and agreed to pay \$4000 and \$3500 respectively. They were told to walk to a high post overlooking the United States and when the area was clear of Border Patrol agents and transients to climb the fence into the United States and hide in shrubbery. b6,b7C was given the code name b6,b7C,b7E and was told that a vehicle was to arrive and the driver would call out the code name as an alert of his arrival. They were to enter the vehicle quickly for transportation to Los Angeles, CA. b6,b7C stated that he was forced in to the trunk of the vehicle and laid next to another male. b6,b7C was placed in the rear passenger seat. b6,b7C corroborated his brother's story.

b6,b7C was already lying in the trunk of the vehicle when b6,b7C entered. b6,b7C claimed to have entered into the United States in the same manner and was also forced into the trunk. b6,b7C and b6,b7C both claimed that they lay tightly and compact in the trunk without air circulation. They felt ill as the fumes of the exhaust entered their lungs. As they made their last statements they emotionally stated that they feared for their lives.

b6,b7C,b7E,b7F b6,b7C,b7E,b7F  
b6,b7C,b7E,b7F For further information see attached sworn statements.

In the primary inspection lane directly preceding the vehicle described above, was a black Hummer H2 (b6,b7C). This vehicle was inspected by BPA b6,b7C. Below is his

Signature	Title
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Alien's Name	File Number	Date
	Event No: b7E	
report of the encounter:		
<p>At approximately 4:05P.M., while conducting immigration inspections in the primary lane at the 1151 tactical checkpoint on Highway 78, I observed a black Hummer H2 bearing b6,b7C license plate b6,b7C approach my position. As the vehicle slowed, I observed five adults inside the vehicle. I announced to the occupants of the vehicle that I was a United States Border Patrol Agent and that I would be conducting an immigration inspection. At this time I asked the driver, b6,b7C (DOB: b6,b7C, if he could lower the rear driver side window so I could see the passengers seated in the back seat. b6,b7C responded that he was traveling from Calexico, California to Palo Verde, California. I then asked the driver if he preferred that I continue in Spanish because it was apparent to me that he did not understand my request for him to lower his rear window. b6,b7C responded that he would prefer Spanish and then complied with my request. At this time, I moved back to interview the passengers seated in the rear of the vehicle. The first subject I talked to stated that he was a b6,b7C citizen, born in b6,b7C and did not have any immigration documents allowing him to be in the United States legally. I returned to the driver, and requested his driver's license, and he told me he didn't have it. At this point I asked b6,b7C to move his vehicle into the secondary inspection area to the side of the main road.</p> <p>Once parked in the secondary inspection area, I asked b6,b7C to shut off the vehicle and hand me the keys. b6,b7C complied and I continued interviewing the passenger seated behind him. This passenger again stated that he was a b6,b7C citizen without immigration documents allowing him to be in the United States legally. I asked him if he was here illegally and he told me that he was in the United States illegally. I asked the driver if he had any identification and he again said that he did not. I then asked him to state his citizenship and he told me he was a b6,b7C citizen. I asked him if he had any immigration documents allowing him to be in the United States legally and he again answered that he did not. b6,b7C admitted to being present in the United States illegally.</p> <p>At this time, I asked each individual visible in the vehicle to state their citizenship and if they were present in the United States illegally. None of the other occupants were citizens of the United States and they each admitted to being in the United States illegally. While unloading the passengers seated in the rear of the vehicle, I discovered a sixth individual lying across the floorboards of the rear seating area. I then looked into the rear window of the vehicle and saw three more passengers riding in the rear cargo area. Each of these additional individuals stated that they were not citizens of the United States and that they did not have documents allowing them to be in the United States legally.</p> <p>It should be noted that during the interview process agents found several of the illegal aliens from both vehicles were b7E b7E. There were also family members and friends who were separated between the two vehicles; all who claimed to have entered together, stayed at the same location until they were picked up near Calexico, California. b7E b7E</p> <p>DISPOSITION: Driver: b6,b7C was arrested and booked for 8 USC 1182- Alien Inadmissibility, 8 USC</p> <p>Signature _____ Title _____</p>		

Alien's Name	File Number	Date
	Event No: <b>b7E</b>	
1324-Transporting Aliens, and 8 USC 1325-Entry Without Inspection.		
Driver: <b>b6,b7C</b> was arrested and booked for 8 USC 1182- Alien Inadmissibility and 8 USC 1325-Entry Without Inspection.		
VEHICLES SEIZED under 8 USC 1324, Transporting Aliens.		
R/O:		
1. <b>b6,b7C</b>		
2005 Hummer H2		
VIN: <b>b6,b7C</b>		
<b>b6,b7C</b>		
2. <b>b6,b7C</b>		
2007 Dodge Charger		
VIN: <b>b6,b7C</b>		
<b>b6,b7C</b>		
SMUGGLED ALIENS:		
<b>b6,b7C</b> (DOB: <b>b6,b7C</b> : <b>b6,b7C,b7E,b7F</b>		
<b>b6,b7C</b> (DOB: <b>b6,b7C</b> : <b>b6,b7C,b7E,b7F</b>		
<b>b6,b7C</b> (DOB: <b>b6,b7C</b> : <b>b6,b7C,b7E,b7F</b>		
<b>b6,b7C</b> (DOB: <b>b6,b7C</b> : <b>b6,b7C,b7E,b7F</b>		
<b>b6,b7C</b> (DOB: <b>b6,b7C</b> : <b>b6,b7C,b7E,b7F</b>		
<b>b6,b7C</b> and <b>b6,b7C</b> were given DHS 6051 seizure notices.		
<b>b7E</b> checks were negative.		
Signature		Title



U.S. DEPARTMENT OF HOMELAND SECURITY  
RECORD OF SWORN STATEMENT IN AFFIDAVIT FORM  
AFFIDAVIT

IN RE: **b6,b7C** Event No: **b7E**  
FILE NO. **b6,b7C**  
EXECUTED AT BLYTHE, CALIFORNIA DATE May 31, 2011  
Before the following immigration officer of the U.S. Department of Homeland Security **b6,b7C**  
in the SPANISH language. Interpreter **b6,b7C** used.

I, **b6,b7C** acknowledge that the above-named officer has identified himself to me as an officer of the United States Department of Homeland Security, authorized by law to administer oaths and take testimony in connection with the enforcement of the Immigration and Nationality laws of the United States. He has informed me that he desires to take my sworn statement regarding:

MY STATUS IN THE UNITED STATES AND THE SMUGGLING CASE OF **b6,b7C**

He has told me that my statement must be freely and voluntarily given and has advised me of these rights:

"You have the right to remain silent.

Anything you say can be used against you in court, or in any immigration or administrative proceeding.

You have the right to talk to a lawyer for advice before we ask you any questions and to have him with you during questioning.

If you cannot afford a lawyer, one will be appointed for you before any questioning if you wish.

If you decide to answer questions now without a lawyer present, you will still have the right to stop answering at any time. You also have the right to stop answering at any time until you talk to a lawyer. "

I am willing to make a statement without anyone else being present. I swear that I will tell the truth, the whole truth, and nothing but the truth, so help me, God.

Being duly sworn, I make the following statement:

Q. Do you wish to have a lawyer or any other person present to advise you?  
A. No

Q. Are you willing to answer my questions at this time?  
A. Yes

Q. Do you swear that all the statements you are about to make will be the truth, the whole truth and nothing but the truth, so help you God?  
A. Yes

Being duly sworn, I make the following statement:

Q. What is your true and correct name?

A. **b6,b7C**

Q. Where were you born?

A. **b6,b7C**

Q. Of what country are you a citizen?

A. **b6,b7C**

Q. Where were your parents born?

A. In **b6,b7C**

Q. Have your parents been citizens or nationals of any other country?

A. No. Just **b6,b7C**

Q. When did you last enter the United States?

A. Today, Monday at around 4:00 am (May 30, 2011).

... (CONTINUED ON I-831)

Alien's Name b6,b7C	File Number b6,b7C Event No: b7E	Date May 31, 2011
<p>Q. Where did you last enter the United States? A. Near Mexicali, Mexico.</p> <p>Q. How did you enter the United States? A. I jumped over the border fence.</p> <p>Q. Were you inspected by an Immigration Officer? A. No.</p> <p>Q. How many people did you cross the border with? A. Just me and my brother.</p> <p>Q. Did you make arrangements with anyone in Mexico to be smuggled to the United States? A. Yes, at an unknown hotel that I was staying at. At the hotel, one guy asked me if I wanted to go to the United States, I said, "yes." I was instructed to jump over the fence, run and hide in some brush. There, someone would come and call me by a codename of b6,b7C,b7E I agreed with the unknown man at the hotel that I would pay \$3,500 USD for each person, my brother and myself.</p> <p>Q. What happened when you were hiding in the brush and the car arrived? A. The car parked in front of me. The driver got out of the car and called my codename, b6,b7C,b7E and told me to get in the trunk. My brother got in the backseat.</p> <p>Q. How long were you in the trunk of the car before the Border Patrol arrested you? A. I was in there for around three hours.</p> <p>Q. How many other people were in the trunk with you? A. Just me and another guy.</p> <p>Q. Where there any items in the trunk? A. There was a tire iron but nothing else.</p> <p>Q. What did it smell like inside the trunk? A. It smelled like hot exhaust vapor.</p> <p>Q. Where you afraid while in the trunk? A. Yes.</p> <p>Q. What were you afraid of? A. I was scared of suffocating or the vehicle crashing because the driver was driving like a mad man.</p> <p>Q. Was there water in the trunk? A. My brother gave me a water bottle that was warm. He slid it through the side of the seat.</p> <p>Q. What was going through you mind while you were in the trunk? A. If I make it good, if not, this is it, I am going to die.</p> <p>Q. Did you think you were going to die?</p>		
Signature b6,b7C		Title Border Patrol Agent



Alien's Name b6,b7C	File Number b6,b7C Event No: b7E	Date May 31, 2011		
<p>A. Yes, I thought it was going to die.</p> <p>Q. Who opened the trunk?</p> <p>A. You, Border Patrol saved me.</p> <p>Q. How long have you known the driver?</p> <p>A. I met him for the first time today.</p> <p>Q. Where was your destination?</p> <p>A. Los Angeles, California.</p> <p>Q. In your opinion was the drivers' plan to keep you in the trunk all the way to Los Angeles?</p> <p>A. Yes, I think so.</p> <p>Q. Was there a place prearranged for you to stay in Los Angeles?</p> <p>A. With a brother-in-law.</p> <p>Q. b6,b7C,b7E,b7F</p> <p>A. b6,b7C,b7E,b7F</p> <p>Q. b6,b7C,b7E,b7F</p> <p>A. b6,b7C,b7E,b7F</p> <p>Q. b7E</p> <p>A. b7E</p> <p>Q. Is there anything else you would like to tell me?</p> <p>A. No, that is all.</p> <p>b6,b7C,b7E,b7F b6,b7C,b7E,b7F b6,b7C,b7E,b7F</p> <p>I have read (or have had read to me) the foregoing statement consisting of 4 pages. I state that the answers made therein by me are true and correct to the best of my knowledge and belief and that this statement is a full, true, and correct record of my interrogation on the date indicated by the above-named agent of the United States Border Patrol. I have initialed each page of this statement.</p> <p>Alien's Signature: _____</p> <p>Subscribed and sworn to before me at Blythe, California on May 30, 2011.</p> <p>Agent, United States Border Patrol: _____</p> <table border="1"><tr><td>Signature b6,b7C</td><td>Title Border Patrol Agent</td></tr></table>			Signature b6,b7C	Title Border Patrol Agent
Signature b6,b7C	Title Border Patrol Agent			



Alien's Name b6,b7C	File Number b6,b7C Event No: p/E	Date May 31, 2011
Witnessed by: _____		
Signature b6,b7C		
Title Border Patrol Agent		

4 of 4 Pages

U.S. DEPARTMENT OF HOMELAND SECURITY  
RECORD OF SWORN STATEMENT IN AFFIDAVIT FORM

AFFIDAVIT

IN RE: **b6,b7C** Event No: **b7E**  
FILE NO: **b6,b7C**  
EXECUTED AT BLYTHE, CALIFORNIA DATE May 31, 2011  
Before the following immigration officer of the U.S. Department of Homeland Security: **b6,b7C**  
in the \_\_\_\_\_ language. Interpreter \_\_\_\_\_ used.

I, **b6,b7C** acknowledge that the above-named officer has identified himself to me as an officer of the United States Department of Homeland Security, authorized by law to administer oaths and take testimony in connection with the enforcement of the Immigration and Nationality laws of the United States. He has informed me that he desires to take my sworn statement regarding: \_\_\_\_\_

MY ILLEGAL RE-ENTRY INTO THE UNITED STATES

He has told me that my statement must be freely and voluntarily given and has advised me of these rights:

"You have the right to remain silent.

Anything you say can be used against you in court, or in any immigration or administrative proceeding.

You have the right to talk to a lawyer for advice before we ask you any questions and to have him with you during questioning.

If you cannot afford a lawyer, one will be appointed for you before any questioning if you wish.

If you decide to answer questions now without a lawyer present, you will still have the right to stop answering at any time. You also have the right to stop answering at any time until you talk to a lawyer."

I am willing to make a statement without anyone else being present. I swear that I will tell the truth, the whole truth, and nothing but the truth, so help me, God.

Being duly sworn, I make the following statement:

My true and correct name is **b6,b7C** I was born on **b6,b7C** in **b6,b7C**  
**b6,b7C** I last entered the United States at or near **b6,b7C** on or about **b6,b7C**  
I entered the United States without inspection. I have been removed from the United States to **b6,b7C** on or about **b6,b7C** I have not applied to the Attorney General of the United States or the Secretary of the Department of Homeland Security for permission to re-enter the United States after my removal. I do not have any fear or concern about being returned to my home country or being removed from the United States.

Q: Did you enter the United States illegally in 2005?

A: Yes. I entered illegally walking through the desert. I entered near Sonora, Mexico. I am not sure what U.S. city I was near.

Q: **b6,b7C**

A:

Q: **b6,b7C**

A:

Q: Did you serve time in jail?

A: Yes. I served about 4 or 5 months in jail. Then I was removed to **b6,b7C**

Q: Have you entered the United States illegally since being removed in 2005?

A: Yes. I have been arrested eight times by Border Patrol since 2005.

I have read (or have had read to me) the foregoing statement consisting of 1 page(s). I state that the answers made therein by me are true and correct to the best of my knowledge and belief and that this statement is a full, true, and correct record of my interrogation on the date indicated by the above-named agent of the United States Border Patrol. I have initialed each page of this statement.

... (CONTINUED ON I-831)

Alien's Name b6,b7C	File Number b6,b7C Event No: b7E	Date May 31, 2011
<p>Alien's Signature: _____</p> <p>Subscribed and sworn to before me at Blythe, California on May 31, 2011.</p> <p>Agent, United States Border Patrol: _____</p> <p>Witnessed by: _____</p>		
Signature b6,b7C	Title Border Patrol Agent	



Title PRIMARY SUBJECT: b6,b7C		File Number CASE NO: b7E	Date
			Report Number
Special Agent: (Name)	(Signature)	Office	
Approved by: (Name and Title)	(Signature)	Office	

## Narrative Title: Report of Investigation

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ENCOUNTER:

On September 10, 2011, I, Border Patrol Agent b6,b7C was assigned to work at 1153 checkpoint on Arizona Highway 95, south of Quartzsite AZ b7E

At approximately 3:50 a.m., I observed a black in color Dodge Durango (b6,b7C) approach the checkpoint. Upon approaching, I observed three subjects in the vehicle. I identified myself as a United States Border Patrol Agent and began questioning the occupants. When questioned as to her country of citizenship, the driver of the vehicle (later identified as b6,b7C DOB: b6,b7C) claimed that she was a b6,b7C citizen. I then began to question the front seat passenger (b6,b7C DOB: b6,b7C) as to her country of citizenship. b6,b7C claimed to be a permanent resident, and presented a valid I-551 Document displaying Alien Registration number: b6,b7C. While proceeding to the backseat passenger (b6,b7C DOB: b6,b7C, a b6,b7C Citizen), I noticed a fourth passenger (later identified as b6,b7C), lying down in the last row of seats. When I questioned b6,b7C as to his country of citizenship, he failed to respond. I then requested identification from all four passengers. All passengers except for b6,b7C were able to present valid identification, at which point I referred the vehicle to secondary. While in secondary inspection, I began to run routine records checks on the vehicle via radio communications b7E. The vehicle came back registered to a b6,b7C b6,b7C out of b6,b7C

## FIELD INTERVIEW:

While in secondary, I began questioning b6,b7C as to his country of citizenship. b6,b7C then responded by saying, "b6,b7C." I then asked if he had any legal immigration documents to enter and remain in the United States legally, to which he replied, "No." b6,b7C admitted to being in the United States without being admitted or paroled by an immigration officer, and that he illegally entered the United States on September 8, 2011 at 12:30 a.m. near Andrade, California. At this time, b6,b7C was arrested, and later transported to Blythe Border Patrol station for processing along with b6,b7C and b6,b7C.

## INTERVIEW WITH DRIVER:

... (CONTINUED ON I-831)



Alien's Name	File Number Event No: <b>b7E</b>	Date
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At the station, **b6,b7C** was further questioned as to her involvement with transporting an illegal alien. When question as to her relationship to the owner of the vehicle, **b6,b7C** said that it belonged to her grandmother. **b6,b7C** then stated that a friend from Bakersfield, CA that she works with (identified as **b6,b7C**), asked her to pick up his friend as a favor from Yuma, Arizona. **b6,b7C** had not given her an address or any further instructions, other than to call him once she arrived in Yuma on the night of September 9, 2011. **b6,b7C** also stated that they had driven through Los Angeles to Interstate 10 Eastbound, and then traveled south on Arizona Highway 95 to Yuma. **b6,b7C** then stated that before arriving in Yuma, she called **b6,b7C** to be told where to pick up his friend. It was later discovered that **b6,b7C** was in constant contact with **b6,b7C** as to his whereabouts so that he could tell **b6,b7C** where to pick him up. **b6,b7C** stated that she was given approximately 200 United States Dollars for gas money in order to pick up **b6,b7C** in Yuma. **b6,b7C** also stated that after picking up **b6,b7C**, she was going to stay with her Uncle in **b6,b7C** before traveling back to Bakersfield. **b6,b7C** states that before leaving Bakersfield, she had told her grandmother (R/O **b6,b7C**), that she was going with her friend (**b6,b7C**) and Aunt to pick somebody up in Yuma.

INTERVIEW WITH PASSENGERS:

During an interview at the station, **b6,b7C** was further questioned as to her involvement. **b6,b7C** stated that she agreed to go with her niece (**b6,b7C**) on her trip to Yuma to pick up the unknown friend of **b6,b7C**. **b6,b7C** also says that **b6,b7C** is a friend of hers and **b6,b7C** s from work, and that it was a favor to him. **b6,b7C** stated that they had driven from Bakersfield to Los Angeles, and traveled on Interstate 10 Eastbound, and then traveled south on Arizona Highway 95 to Yuma. **b6,b7C** was unaware of any other directions or the whereabouts of the friend of **b6,b7C** whom they were going to pick up. **b6,b7C** also stated that she and her niece were given approximately 200 United States Dollars from **b6,b7C** for gas money. **b6,b7C** said that before leaving Bakersfield, she had spoken to her mother (R/O **b6,b7C**), and that they were traveling to Yuma to pick somebody up.

INTERVIEW WITH SMUGGLED ALIEN:

While at the station, **b6,b7C** further admitted to being a citizen and national of **b6,b7C** and that he is in the United States without being admitted or paroled by an immigration officer. He also freely admitted that he arrived in the United States at a time and place other than as designated by the Attorney General or the Secretary of Homeland Security on 9/8/2011, near Andrade, CA by foot. **b6,b7C** admitted that his parents are citizens and nationals of **b6,b7C**, were born in **b6,b7C** and have neither been citizens nor nationals of any other country. **b6,b7C** stated that he had crossed the international boundary between the United States and Mexico alone, and that after crossing; he was picked up by a random person along the road, and dropped off at an unknown address in front of a house. After **b6,b7C** arrived at that location, he called **b6,b7C** and informed him of his whereabouts. **b6,b7C** stated that **b6,b7C** was going to call the people who were to pick him up (**b6,b7C**), and to wait to until they arrived. **b6,b7C** stated that he did not know who was going to pick him up, so he followed **b6,b7C** directions and waited for a car to stop for him outside of the address that he provided to which **b6,b7C** would inform **b6,b7C** also stated that he was going to pay **b6,b7C** 800 United States dollars once he arrived in Bakersfield.

Signature	Title
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Alien's Name	File Number	Date
	Event No: b7E	
<p>DISPOSITION:</p> <p>Driver: Booked for 8 USC 1324 alien smuggling which was dropped and then she was released.</p> <p>Smuggled Alien: WA/NTA Prosecution</p> <p>VEHICLE INFORMATION:</p> <p>Vehicle seized</p> <p>2000 Dodge Durango</p> <p>V/N: b6,b7C</p> <p>PLATE: b6,b7C</p> <p>b7E</p> <p>R/O:</p> <p>b6,b7C</p>		
Signature	Title	