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December 31, 2019

Via E-mail Only: Dennis.Bastron@usdoj.gov

Dennis C. Bastron, Esq.
Assistant United States Attorney
405 W. Congress St., Ste. 4800
Tucson, AZ 85701

**Re: *Bressi v. Pima County Board of Supervisors*
*United States District Court, Case No. 4:18-cv-00186 DCB***

Dear Mr. Bastron:

Issues have arisen regarding the SR-86 checkpoint. Border Patrol agents continue to harass and detain Mr. Bressi.

Despite knowing exactly who Mr. Bressi is and that he is a U.S. citizen traveling to and from his employment on Kitt Peak he experiences treatment like this.

On November 25, 2019, as Mr. Bressi was approaching the primary inspection station at the SR-86 checkpoint, Agent E. Otero called out his name and waved to him at pre-primary. After Mr. Bressi passed by, Agent Otero called out to Agent M. Dunn twice. Agent Dunn rapidly approached Mr. Bressi's vehicle with his drug sniffing dog while ignoring the vehicle directly in front of Mr. Bressi. Once Agent Dunn was across from Mr. Bressi's driver's side window, he began directing his drug dog to make physical contact with Mr. Bressi's vehicle and sniff it while Mr. Bressi was still moving forward in the lane of traffic. Agent Dunn then called out to Agent Taylor Frye to detain Mr. Bressi at primary. Agent Frye is the same agent who initially detained Mr. Bressi at the checkpoint on April 10, 2017. After Mr. Bressi came to a stop at primary, Agent Dunn once again approached the driver's side window and proceeded to direct his drug sniffing dog around Mr. Bressi's vehicle. Agent Dunn had not done so to the car ahead of Mr. Bressi giving the appearance of discriminatory action by Agent Dunn.

I have a real concern that these agents are actively harassing Mr. Bressi because of this lawsuit and his refusal to acquiesce to their unlawful and illegal questioning and demands. I know from past experience that the planting of illegal drugs or claims of possession of such based-on dog sniffs might well be in the picture.

Please speak with your clients regarding these issues and ask that they cease and desist their current behavior toward Mr. Bressi.

Dennis C. Bastron, Esq.
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I will be forwarding a discovery plan to your shortly for your input and filing with the court. We will need to discuss any areas in which we disagree.

Thank you for your anticipated cooperation.

Sincerely,

/s/ Ralph E. Ellinwood

Ralph E. Ellinwood

REE:blh

c: Mr. Terrence Bressi