On December 20, 2002, the Tohono O'odham Police Department (TOPD) was conducting a sobriety checkpoint at Milepost 143 on Highway 86. At about 1750 PM, a Buick Sedan drove up to the checkpoint. TOPD Officers found an illegal alien behind the driver's seat and nine bales of marijuana weighing 176.75 pounds in the trunk. Special Agents from RAIC Sells responded and arrested the driver, "\(\text{X}\)". The illegal alien passenger, "\(\text{Y}\)" admitted that he was one of the marijuana backpackers that had smuggled the marijuana into the United States. The case was accepted for Federal Prosecution.

This report serves to document the involvement in the case.
REPORT OF INVESTIGATION

CASE PROGRAM CODES:
- CONTROLLED SUBSTANCE
- BORDER ALLIANCE NARC

1. PAGE 2
2. CASE NUMBER (blurred)
3. REPORT NUMBER: 001
ETAILS OF INVESTIGATION:

On December 20, 2002, the Tohono O'Odham Police Department (TOPD) was conducting a sobriety checkpoint at Milepost 143 on Highway 86. At about 1750 M, a Buick Sedan drove up to the checkpoint. TOPD Officers found an illegal alien behind the driver's seat and nine bales of marijuana weighing 76.75 pounds in the trunk. The driver was identified as... the illegal alien was identified as...

SA... was assisting the TOPD officers with directing traffic at the checkpoint when the subject vehicle approached the eastbound primary inspection point. TOPD Officer... was on primary inspection when the vehicle arrived. TOPD Officer... questioned the driver... and determined that did not have a valid driver's license. instructed... to switch with... who was in the front passenger's seat and let... drive. At this time, was seen trying to hide in the rear floorboard of the vehicle under a jacket. Believing that it was an illegal alien load, was instructed to drive the car to a secondary inspection point where a U.S. Border Patrol Agent was standing. OPD Officer... and... accompanied the vehicle to this location.

A few minutes later, TOPD Officer... informed SA... that the original driver of the vehicle, had told... that there was marijuana hidden in the trunk of the car. In the presence of SA... TOPD Officer... opened the truck of the car. There were 9 bales of what was believed to be marijuana located in the trunk. SA... notified SSA... that marijuana was found in the vehicle. At this time, everyone in the vehicle was placed under arrest and transported to the U.S. Customs Office in Three Points. SA... transported... while escorting the marijuana-laden vehicle.

The marijuana was loaded in the government vehicle driven by AEO... and taken to the RAIC Sells office. SA... followed the vehicle loaded with the marijuana to the Sells office. Once at the office in Sells, SA... contacted one of the Customs Patrol Officer (CPO) seizure custodians for assistance. CPO... arrived and assisted SA... with the weighing and processing of the marijuana. SA... gave SSA... the processing paperwork for the marijuana and core samples that were taken by CPO... is concludes the involvement of SA... in this case on the date of...
Investigation continues.
TECS II - LIST OF RELATED RECORDS

2 RECORDS ARE RELATED TO BASE RECORD

SERIOUS VIOLATOR FROM S/A/S (CF-151)

SEIZURE OF 176.75 POUNDS MARIJUANA AND 2 ARRESTS
**REPORT OF INVESTIGATION**

1. TECIS ACCESS CODE 3
2. PAGE 1
3. CASE NUMBER

4. TITLE: SEIZURE OF 176.75 POUNDS MARIJUANA AND 2 ARRESTS

5. CASE STATUS: INIT RPT

6. REPORT DATE 010603
7. DATE ASSIGNED 122002
8. CLASS [b](2)
9. PROGRAM CODE [b](2)
10. REPORT NO. 002

11. RELATED CASE NUMBERS:

12. COLLATERAL REQ:

13. TYPE OF REPORT: INVESTIGATIVE FINDINGS

**TOPIC: INITIAL INVESTIGATION**

14. SYNOPSIS:
On December 20, 2002, the Tohono O'odham Police Department (TOPD) was conducting a sobriety checkpoint near Milepost 143 on Highway 86. At about 1750PM a Buick Sedan drove up to the checkpoint. TOPD officers found an illegal alien behind the driver's seat and nine bales of marijuana weighing 176.75 pounds in the trunk. Special Agents from RAIC Sells responded and arrested the driver. The illegal alien passenger, admitted that was one of the marijuana backpackers who had smuggled the marijuana into the United States. The case was accepted for Federal Prosecution.

15. DISTRIBUTION: RACSS

16. SIGNATURE: SENIOR SPEC AGENT

17. APPROVED: OI GRP SUPERVISOR [b](2)

18. ORIGIN OFFICE: Sells - RAC

19. TELEPHONE

20. TYPIST

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DEPARTMENT OF THE TREASURY
UNITED STATES CUSTOMS SERVICE

REPORT OF INVESTIGATION
CONTINUATION

DETAILS OF THE INVESTIGATION:

Unless otherwise stated, all times are approximate Mountain Standard Time, and all locations are in southern Arizona.

On the evening of Friday, December 20, 2002, SSA ___ and SA __ were assisting the Tohono O'Odham Police Department (TOPD) at a sobriety checkpoint near Milepost 143 on State Highway 86. SSA ___ and SA __ were there to represent the RAIC Sells Office if a matter of interest to the U.S. Customs Service was encountered at the checkpoint. At 1750 PM, a Buick sedan was traveling eastbound on Highway 86 and drove up to the checkpoint. The Buick Sedan drove up to TOPD Detective ___ who was wearing a TOPD Patrol uniform. Detective ___ asked the driver for the driver's license.

The driver stated "I don't have one, it's suspended".

The driver was later identified as ___. The passenger was later identified as ___. A driver's license check was initiated by dispatch with the driver's license confirmed suspended. I asked the driver to pull over off the roadway. A driver's license check was initiated for the passenger with dispatch returning to have a valid license. Before pulling off the roadway, I asked ___ to exit the vehicle to have the passenger drive.

When ___ exited the vehicle I observed in the back seat floorboard a blue cloth that was covering the whole length of the rear floorboard. I asked ___ if I could search the rear seat of the vehicle. ___ stated "Yes." As I opened the rear left door I observed an object moving the blue cover off of the head. ___ immediately stated "Oh, I have just one." ___ drove the vehicle off the roadway into the east dirt shoulder.

I asked ___ for consent to search the trunk of the vehicle. ___ stated "Hey, to tell you the truth I have some stuff back there". At this time I verbally advised ___ of Miranda Rights. ___ stated understood Miranda Rights and stated would be willing to answer by extensions. ___ waived rights. I asked ___ what was in the back trunk? ___ stated "Marijuana".

Detective ___ then opened the trunk and found nine bales of marijuana. For additional details, see Detective ___ Report under TOPD Incident Number ___ SSA ___ and SA ___ were in the area and...
spoke with Detective SA and seized the marijuana. TOPD Officers assisted in transporting the three suspects, the vehicle and the marijuana to the RAIC Sells Three Points Office. All three suspects were searched and placed in detention areas. During the search of their vehicle, a hand-held police radio frequency scanner was found in the jacket pocket. This scanner was seized as evidence by SA.

Upon arrival at the Three Points Office, the nine bales of marijuana were transported to the RAIC Sells Evidence Room by Air Enforcement Office accompanied by SA. They were photographed by SA. The bales were weighed by SA and CPO and found to weigh 76.75 pounds. Core Samples were taken by SA for SSA. The marijuana and the portable police-frequency scanner was subsequently transported to the U.S. Customs Seized Property Custodian in Nogales, Arizona. For additional information on the seizure, see SA Report of Investigation (ROI 001).

At 1830 PM, SSA assisted by TOPD and an acting as a Spanish language translator, interviewed the Mexican adult found hiding behind the front seat of the Buick Sedan. SSA and TOPD identified themselves. Booking information was taken and recorded. The adult was identified as read Miranda Rights out loud, stated he understood them, and agreed to waive them. Then stated, upon questioning, that:

was one of five marijuana backpackers that had crossed illegally into the United States about a week ago. They backpacked the marijuana bales to the overed Wells area and waited in the mountains for the car to arrive. When he car arrived, was pushed into the car by the other backpackers. He knew he backpacks contained marijuana and that they had been loaded into the car. He driver picked up the passenger at work. When the car approached the checkpoint, covered with jacket and attempted to hide.

At 1855 PM, SSA assisted by TOPD and TOPD interviewed the driver of the Buick Sedan. SSA and TOPD identified themselves. Booking information was taken and recorded. He was identified as read Miranda Rights out loud, stated he understood them, and agreed to waive them. Then stated, upon questioning, that:

at morning at about 11:00 AM, telephoned from work and told that was to speak to called who told that had a load of marijuana to be driven to Tucson. Promised $6000 for driving the load. Met with who gave the phone number. (written on a

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crap of cardboard) to call upon reaching Tucson. Then took to a location near the cemetery near Upper Covered Wells. The marijuana, which had been hidden in the desert, was loaded into the trunk. The Mexican in custody and three other Mexican adults helped load it. Told that the Mexican was to go with to accompany the load. Also told that the Mexican who was to receive the marijuana load in Tucson owed money and then was to bring the money back to . was supposed to return with the money and the Mexican to go with him. then drove to the Gui Achi District Office and picked up . stated knew that there was marijuana in the trunk and that the police scanner belonged to . The police scanner was already in the car. gave a choice to accompany or not. must have put the police scanner in the pocket. There was a blue at a house that was supposed to be used for a marijuana load. It was to be driven by a person described as a tall, skinny, with long hair and about 35 years old.

At 1927PM, SSA assisted by TOPD interviewed the right front seat passenger of the Buick Sedan. SSA and TOPD identified themselves. Booking information was taken and read . Miranda Rights out loud, stated understood them, and agreed to give them. then stated upon questioning, that:

that morning had been at work, when called and said that needed to talk with for an unknown reason. does not personally know ( ). relayed the message to ( ). told was to go to house. That afternoon, pulls up in front of the Gui Achi District Office (in Santa Rosa) where works. got out of the car and met in front of the officer. told there was a Mexican in the car. got in the car and asked where the Mexican going? told . knew the Mexican was an illegal alien and then it was illegal to transport asked if wanted to accompany to Tucson. agreed. said something to ( ) about getting paid to bring the Mexican to Tucson and getting paid for it. told was to return with money for from Tucson. put the police scanner in the pocket when saw the roadblock. stated that has a valid Arizona Drivers License.

At 2040PM, SSA spoke with the Duty Assistant United States Attorney, and for Federal Prosecution, but declined on.
because of lack of admitted specific knowledge of the marijuana. TOPD Detective issued a Citation for violating CC 66-286A, Suspended License.

The investigation continues.
REQUESTED BY: (b)(4) (b)(7) (c)

TECS II - LIST OF RELATED RECORDS

5 RECORDS ARE RELATED TO BASE RECORD

ROI (b)(5) (b)(7) (c) (b)(2)

SERIOUS VIOLATOR FROM S/A/S (CF-151) (b)(5) (b)(7) (c) (b)(2)

SERIOUS VIOLATOR FROM S/A/S (CF-151) (b)(5) (b)(7) (c) (b)(2)

SERIOUS VIOLATOR FROM S/A/S (CF-151) (b)(5) (b)(7) (c) (b)(2)

SERIOUS VIOLATOR FROM S/A/S (CF-151) (b)(5) (b)(7) (c) (b)(2)

CASE (b)(5) (b)(7) (c) (b)(2)

SEIZURE OF 176.75 POUNDS MARIJUANA AND 2 ARRESTS (b)(2)
**REPORT OF INVESTIGATION**

4. **TITLE:** SEIZURE OF 176.75 POUNDS MARIJUANA AND 2 ARRESTS

5. **CASE STATUS:** INTERIM RPT

6. **REPORT DATE:** 010803
7. **DATE ASSIGNED:** 122002
8. **CLASS:** 
9. **PROGRAM CODE:** 003
10. **REPORT NO.:**

11. **RELATED CASE NUMBERS:**

12. **COLLATERAL REQ:**

13. **TYPE OF REPORT:** INVESTIGATIVE FINDINGS

**TOPIC:** SEIZURE OF RADIO SCANNER BY SA

14. **SYNOPSIS:**
On December 20, 2002, the Tohono O'Odham Police Department (TOPD) was conducting a sobriety checkpoint at Milepost 143 on Highway 86. At about 1750 PM, a Buick Sedan drove up to the checkpoint. TOPD Officers found an illegal alien behind the driver's seat and nine bales of marijuana weighing 176.75 pounds in the trunk. Special Agents from RAIC Sells responded and arrested the driver. The illegal alien passenger, admitted that he was one of the marijuana backpackers that had smuggled the marijuana into the United States. The case was accepted for Federal Prosecution.

This report concerns the seizure of a police radio scanner by SA

15. **DISTRIBUTION:**

**SIGNATURE:**

16. **SPECIAL AGENT**

17. **APPROVED:**

18. **ORIGIN OFFICE:** SELL - RAC

19. **TELEPHONE:**

20. **TYPIST:**

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REPORT OF INVESTIGATION CONTINUATION

CASE PROGRAM CODES:

CONTROLLED SUBSTANCE (b)(2) BORDER ALLIANCE NARC (b)(2)

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ETAILS OF INVESTIGATION:

Unless otherwise stated, all times are approximate Mountain Standard Time and all locations are in Southern Arizona.

On December 20, 2002, the Tohono O'Odham Police Department (TOPD) was conducting a sobriety checkpoint at Milepost 143 on Highway 86. At about 1750, a Buick Sedan drove up to the checkpoint. TOPD Officers found an illegal alien behind the driver's seat and nine bales of marijuana weighing 76.75 pounds in the trunk. The driver was identified as [redacted]. The illegal alien was identified as [redacted].

The passenger, [redacted], was transported to the U.S. Customs Office at Three Points along with [redacted] after their arrest at the TOPD Checkpoint. SA [redacted] searched the passenger's jacket and discovered a Radio Shack scanner PRO-92 (SN# [redacted]) in an inside pocket. When asked what he was doing with it, he stated that he did not know.

SA [redacted] seized the scanner and took it to the RAIC Sells office. The scanner was later taken to the U.S. Customs Seizure Vault in Nogales.
4 RECORDS ARE RELATED TO BASE RECORD

SERIOUS VIOLATOR FROM S/A/S (CF-151)
SERIOUS VIOLATOR FROM S/A/S (CF-151)
SERIOUS VIOLATOR FROM S/A/S (CF-151)

CASE: SEIZURE OF 176.75 POUNDS MARIJUANA AND 2 ARRESTS