EXHIBIT 6
IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA

Terrence Bressi, Plaintiff,

vs.

Michael Ford; Eric O'Dell; George Traviolia; Richard Saunders; and Joseph Delgado,

Defendants.

No. CV-04-264-TUC-AWT

DECLARATION OF JOSEPH MARTINEZ

Joseph Martinez, under penalty of perjury, declares as follows:

1. I, Joseph Martinez, make these statements in this Declaration based on my personal knowledge of the facts stated therein.

2. I am a civilian employed by the Tohono O’odham Police Department (“TOPD”) of the Tohono O’odham Nation (the “Nation”) as its Information Network Administrator for the TOPD. In that position, I am the Custodian of Records for electronically stored records for the TOPD. I have worked in that capacity since November, 2006.

3. Attached are true copies from the TOPD’s electronically stored records of the narrative portions of the following incident reports, all from December 2006.
20, 2002, and each containing redactions of the involved persons' names, address
information, dates of birth, vehicle and license identifiers, or similar identifying
information:

021220083
021220089
021220094
021220111
021220119

DATED October 10, 2011.

Joseph Martinez
Narrative:

On December 20, 2002 while on duty at milepost 145 State Highway 86 (DUI checkpoint) this officer made contact with the driver of a [redacted] with a temp plate of [redacted]. The driver was identified as [redacted] with an address out of [redacted]. She was unable to provide me with a valid drivers license upon request.

She had in her vehicle two (2) undocumented aliens. She identified herself as a tribal member and was cited under tribal traffic code for suspended drivers license after a confirmation from communications advising the suspension of her drivers license. Star Towing out of Casa Grande towed her vehicle and the undocumented aliens were released to the United States Border Patrol.

End of report.

Completed By:
Detective N. Romero #106
Wed Mar 23 15:33:46 MST 2005

Reviewed By:
Detective Sergeant C. Hangartner #142
Wed Mar 23 15:35:54 MST 2005

Processed By: Records Clerk Supervisor N. Garcia #306,
Tue May 10 14:12:53 MST 2005

Citation #14104 received in Records on 12/24/02
Narrative: On 12-20-02 while conducting a road block on Highway 86 and milepost 146 on the Tohono O'dham Nation, [redacted] failed to provide a valid drivers license.

A white [redacted] truck drove up to the check point. I asked the driver if he had a drivers license. The driver advised he did not. The driver identified himself as [redacted] (dob [redacted]). I ran a drivers license check on Phillip Joe Segundo. Dispatch advised drivers license was suspended. [redacted] was cited for driving on a suspended license.

Information showing status of drivers license is attached to report.

Nothing further.

Completed By: Officer Stoddard #152

Mon Dec 30 10:40:24 MST 2002

Reviewed By:

Processed By Records Clerk:
Officer Submitting Report:

Narrative:

On 12/20/2002, this investigator was in service assisting with a checkpoint to locate intoxicated drivers, stolen vehicles, undocumented alien smuggling and drug contraband. I was positioned to check oncoming eastbound traffic. While conducting eastbound vehicle checks, a black Buick four door sedan arrived at my location. The vehicle bearing Az. license plate [redacted], registered to [redacted] address out of [redacted]. The driver was wearing a baseball hat and dark clothing. I asked the driver for his driver's license? The driver stated "I don't have one, it's suspended".

The passenger was later identified as [redacted] from [redacted]. A driver's license check was initiated by dispatch with Hernando's 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 [redacted] to have a valid license. Before pulling off the roadway, I asked [redacted] to exit the vehicle to have the passenger drive.

When [redacted] 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 [redacted] if I could search the rear seat of the vehicle. [redacted] stated "yes". As I opened the rear left door I observed an [redacted] male removing the blue cover off of his head. [redacted] immediately stated "Oh, I have just one". [redacted] drove the vehicle off the roadway onto the east dirt shoulder.

I asked [redacted] for consent to search the trunk of the vehicle. [redacted] stated "Hey, to tell you the truth I have some stuff back there". At this time I verbally advised [redacted] of his Miranda Rights. [redacted] stated he understood his rights and stated he would be willing to answer my questions. Hernando waived his rights. I asked [redacted] what was in the back trunk? [redacted] stated "Marijuana".

I then opened the trunk and observed multiple square bundles wrapped in plastic wrap of green plant substance (marijuana). Through experiences of past marijuana seizures this is a common way for marijuana to be wrapped for transport. U.S. customs was on scene and was briefed of the incident. [redacted] and [redacted] were transported to the Customs office in Robles Junction (Three Points). [redacted] and the marijuana was turned over to U.S. Customs.

The total weight of the marijuana was approximately 175 lbs. [redacted] was cited for driving on a suspended license.

Completed By:
Detective N. Romero #106
On December 20, 2002 at approximately 2032 hours this officer was working a DUI check point on Arizona State Route 86, at milepost 144. I was stopping westbound traffic on the highway. At the time indicated above I had a [redacted] pickup with Arizona license plate [redacted] pull up and stop in front of me. There were two subjects in the vehicle, both were wearing yellow construction hard hats. Both subjects also were wearing orange construction safety vests. I asked the driver who appeared to be a Mexican male for his driver's license and registration. I soon found that he did not speak English and I did not speak Spanish. I had one of our Spanish-speaking officers ask the driver for the document I had requested. He advised that he did not have any of them. He was asked if citizen of the United States, to which he stated "no". I then walked to the rear of the pickup and called the license plate into communications. I had the driver pull the vehicle to the south side of the roadway, where our investigation could continue with Border Patrol. As the driver pulled the truck off the roadway communications contacted and advised that the vehicle in questions was reported as being stolen out of Mesa, Arizona. The stolen was later confirmed by communications. It was determined by the Border Patrol officers on scene that the two subjects had been paid to driver the truck to Ajo. The U.S. Border Patrol for deportation took the two into custody back to Mexico. The vehicle I later learned reportedly had tools in the toolbox and bed of the truck. The only item I found was a plastic clipboard. The vehicle's ignition had broken and was just sitting the steering column. The vehicle was turned over to Star Towing for storage.
Synopsis: On 12-20-02 at approximately 2120 hrs I cited and released [redacted] (DOB [redacted]) for Driving on a Suspended License and No Registration in Possession located on State Route 86 and milepost 144 Tohono O'odham Nation Pima County.

Narrative: On 12-20-02 I was involved in a sobriety checkpoint located on State Route 86 and milepost 144. At which time I asked the driver of a [redacted] bearing license plate [redacted] for his driver license and vehicle registration. The driver of the vehicle handed me an AZ Identification Card and stated he didn't have a driver license and couldn't locate the vehicle's registration. The driver was identified as [redacted] I ran a license check through Tohono O'odham Dispatch, which informed me that [redacted] driver license is suspended. [redacted] was given a citation for the two charges list above.

N/F

Completed By: Officer Rodriguez #155 Tue Dec 24 17:01:06 MST 2002
Reviewed By: Sergeant V. Garcia #187, Tue Dec 24 19:37:26 MST 2002
Processed By Records Clerk: Valerie Childs 901 Fri Dec 27 11:02:36 MST 2002

LAW INCIDENT OFFENSES DETAIL:

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<td>0815</td>
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LAW INCIDENT RESPONDERS DETAIL:

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