CIT-210803-119

SECTION A

REPORT OF INVESTIGATION

Report as prepared by EPT CIT including all facts pertaining to the case listed above
Continuation of CIT Report # CIT-210808-119

This report is based on the El Paso Sector (EPS) Critical Incident Team’s (CIT) observation of the post-incident scene and submitted reports from the Las Cruces Border Patrol Station (LAS), New Mexico State Police (NMSP), and written statements of the employees and persons involved.

On August 3, 2021, Assistant Chief Patrol Agent (ACPA) [redacted], received a call from Las Cruces Border Patrol Station (LAS) in reference to a privately owned vehicle collision involving undocumented aliens (UDAs) requiring medical attention. Program Manager (PM) [redacted] activated CIT Investigators [redacted] and [redacted] to respond to the scene. CIT Investigator [redacted] was activated to respond to University Medical Center (UMC). Preliminary information received was that LAS Border Patrol Agent (BPA) [redacted] was conducting roving patrol duties south of the New Mexico Highway 185 (HWY 185) Border PatrolCheckpoint, located at [redacted] when he observed and began following a suspected vehicle loaded with UDAs. The vehicle was later identified as a blue 1998 Ford Expedition, bearing Texas license plate [redacted] and VIN [redacted]. At approximately 4:46 AM, VEH approached the checkpoint and slowed down, before swerving around the traffic cones and fleeing at a high rate of speed. BPAs [redacted] and [redacted] attempted to conduct a vehicle stop and activated their emergency equipment. At approximately mile marker 26, BPAs reported VEH was traveling at approximately 73 MPH. At approximately mile marker 29, VEH approached a curve on the roadway and began to skid off the roadway before rolling over into a pecan orchard. It was later learned there were 10 occupants in VEH where seven were ejected during the rollover and three remained in VEH. BPAs immediately requested Emergency Medical Services (EMS) and NMSP to the scene. At approximately 5:00 AM, NMSP and EMS arrived on-scene. Three subjects were transported to Mountain View Hospital (MVH) via ambulance, three subjects were transported to Memorial Medical Center (MMC) in Las Cruces, NM via ambulance, and four subjects were transported to UMC in El Paso, TX via Native Air Life. (See Section E; Civilian).

CIT Investigators [redacted] arrived at the scene and met with Watch Commander (WC) [redacted] who provided CIT with a walkthrough of the scene. CIT Investigators also made contact with NMSP lead investigator [redacted]. Patrolman [redacted] provided CIT Investigators with case number NMSPR [redacted] for this investigation. Patrolman [redacted] allowed CIT Investigators to complete their investigation prior to clearing the scene.

CIT Investigator [redacted] documented the scene by photographing the roadway evidence and VEH. (See Section H; Scene Photographs).

CIT Investigators [redacted] documented the scene by measuring and diagramming the scene with the use of the Canon Total Station. (See Section I; Scene Diagram).

CIT Investigators cleared the scene and CIT Investigator [redacted] drove to MVH located at 4311 E. Lohman Ave. in Las Cruces, NM to photograph the passengers from VEH that were transported by ambulance. CIT Investigator [redacted] drove to MMC located at 2450 N. Telshor Blvd. in Las Cruces, NM to photograph the passengers from VEH that were transported by ambulance. CIT Investigator [redacted] drove to LAS where he met with Office of Professional Responsibility (OPR) Special Agent (SA) [redacted] CIT Investigator [redacted] photographed BPAs [redacted] who were not injured as a result of this incident. BPA [redacted] had a red substance believed to be blood on his left sleeve which he said was from the passengers of VEH as he provided first aid. CIT Investigator [redacted] also photographed one unidentified subject who had been transported to LAS from MMC for processing. This subject had one scrape (approximately three inches by three inches) on the left side of his upper torso but no other injuries. (See Section H; Scene Photographs).
Continuation of CIT Report # CIT-210808-119

CIT Investigator drove to UMC located at 4815 Alameda Ave., in El Paso, TX, to photograph the four passengers from VEH that were transported by Native Air Life after the collision. CIT Investigator received information that these subjects received serious life-threatening injuries as a result of this collision.

**VEH Occupants**

1. (Driver)
   - DOB- 
   - COC- U.S.
   - TX DL: 

2. Rovin Randalgo
   - DOB- 
   - COC- Guatemala
   Treated and released from MMC and transported to Las Cruces Border Patrol Station for processing. OPR interview revealed he was sitting on the right side third row seat.

3. Santos David
   - DOB- 
   - COC- Honduras
   Treated and released from MMC and transported to Las Cruces Border Patrol Station for processing. OPR interview revealed he was sitting in center third row seat.

4. Diego
   - DOB- 
   - COC- Guatemala
   Treated and released from MMC and transported to Las Cruces Border Patrol Station for processing. OPR interview revealed he was sitting in third row seat.

5. Dixon Stanley
   - DOB- 
   - COC- Honduras
   Admitted to UMC in El Paso, TX. OPR interview revealed he was sitting in the middle second row seat.

6. Lesvin Josue
   - DOB- 
   - COC- Honduras
   Admitted to UMC in El Paso, TX. Unknown seating position.

7. Christopher Adonay
   - DOB- 
   - COC- El Salvador
   Treated and released from MMC and transported to Las Cruces Border Patrol Station for processing. OPR interview revealed he was sitting in center second row seat.

8. Brandon
   - DOB-
Continuation of CIT Report # CIT-210808-119

COC- Honduras
Admitted to UMC in El Paso, TX. Unknown seating position.

9. [Redacted] Oscar David
DOB: [Redacted]
COC- Honduras
Admitted to UMC in El Paso, TX. Unknown seating position.

10. [Redacted] Jonathan Andres
DOB: [Redacted]
COC- Ecuador

Investigation revealed the following:

BPA [Redacted] was conducting roving patrol south of the HWY 185 checkpoint near [Redacted] when he observed a possible load vehicle. BPA [Redacted] followed VEH at a distance but lost visual of VEH, an indication that VEH pulled over to drop off bodies or VEH turned its lights off to avoid being detected. BPA [Redacted] continued driving north and observed VEH stopped on the side of the road and suddenly enter the roadway, speeding away. BPA [Redacted] reported VEH was swerving back and forth between the north and southbound lanes. BPA [Redacted] tried to catch up to VEH, but VEH continued at a high rate of speed. BPA [Redacted] reported this information to the HWY 185 checkpoint. As VEH approached the HWY 185 checkpoint, it slowed down as if stopping for inspection, but it suddenly swerved to the southbound lanes and sped past the checkpoint avoiding inspection. VEH continued north on HWY 185 and BPA [Redacted] activated his emergency equipment in an attempt to conduct a vehicle stop. At this time, BPA [Redacted] activated his emergency equipment and joined the pursuit. A short distance later, BPA [Redacted] took primary, and BPA [Redacted] continued with the radio communications. VEH continued northbound on HWY 185 and rolled over at mile marker 29 after approaching a curve at a high rate of speed. BPAs [Redacted] immediately stopped their vehicles and provided first aid to the injured until EMS arrived. Memoranda submitted by BPAs [Redacted] did not show any conflicting information. Total distance traveled during this pursuit was approximately 3.2 miles. (See Section B; Government Forms and Reports).

CIT Investigator [Redacted], a certified Collision Reconstructionist, used standardized industry accepted collision reconstruction formulas to determine an approximate speed of VEH based on physical evidence at the scene. CIT Investigator [Redacted] used minimum speed equations to calculate the minimum speed of VEH at the time of the collision.

The following data was collected at the scene for this collision and the mathematical equations are shown below:

VARIABLES:

$S$ = Speed  \hspace{1cm} e = Braking Efficiency  \hspace{1cm} r = Radius

$D$ = Distance  \hspace{1cm} C = Chord  \hspace{1cm} F = Force

$f$ = Drag Factor  \hspace{1cm} m = Middle Ordinate  \hspace{1cm} w = Weight
The below formula was used to obtain the drag factor of the roadway.

\[ f = \frac{F}{w} \]

\[ f = \frac{21.00}{35.00} \]

\[ f = 0.60 \]

The below formula was used to obtain the radius of the critical speed yaw VEH left at the scene as it skidded on the roadway.

\[ r = \frac{c^2}{8m} + \frac{m}{2} \]

\[ r = \frac{3600.00}{6.64} + \frac{0.83}{2} \]

\[ r = 542.17 + 0.42 \]

\[ r = 542.58 \text{ ft} \]

The below formula was used to obtain the minimum speed of VEH at the time of the collision.

\[ s = \sqrt{15r(f + G)} \]

\[ s = \sqrt{15 \times 542.58 \times [0.60 + 0.00]} \]

\[ s = \sqrt{15 \times 542.58 \times 0.60} \]

\[ s = \sqrt{4883.22} \]

\[ s = 69.88 \text{ mph} \]

Based on the above information, CIT Investigator determined that the minimum speed of VEH at the time it went into a critical speed yaw, was approximately 69 MPH. The posted speed limit for this area of highway is 55 MPH and the posted recommended speed for this curve is 45 MPH.
Continuation of CIT Report # CIT-210808-119

RVSS Video

On August 6, 2021, CIT received a DVD containing video from the HWY-185 checkpoint. This DVD included three RVSS videos which showed the following:

Camera 1 (08/03/2021 4:29:59)

04:43:48 Three BPAs exit checkpoint and approach the primary inspection area.
04:44:06 One BPA takes spike strips and walks northbound out of camera view.
04:44:50 BPA on primary withdraws flashlight from holster and flashes it on the ground.
04:45:08 BPA on primary reaches for stop sticks but then runs north out of camera view.
04:45:11 Second BPA runs to unit parked in camera view, then returns to checkpoint.
04:46:05 BPA exits checkpoint and walks out of camera view.
04:46:22 BPA comes back into camera view carrying stop sticks.
04:47:51 BPA approaches unit and moves it forward within camera view.
04:49:15 BPA enters checkpoint.
04:50:39 BPA locks checkpoint door.
04:51:06 BPA drives away from checkpoint.

Camera 2 (08/03/2021 04:29:59)

04:45:10 Headlights come into view and VEH drives past checkpoint at high rate of speed.
04:45:14 BP Unit comes into view with no emergency equipment activated yet.

Camera 3 (08/03/2021 04:29:59)

04:44:10 BPA comes into view carrying stop sticks
04:44:12 Second BPA comes into view
04:44:39 BPA sets up with stop sticks awaiting VEH.
04:45:10 BPA comes into view running towards BP unit.
04:45:22 BPA drives off.
04:45:25 BPA comes into view carrying stop sticks.
04:45:30 BPA approaches K9 unit and drives off.
04:48:10 BP unit comes into view and stops.
04:50:58 BPA approaches unit and drives away.

Record Checks on [redacted] show that he has an extensive criminal history. (SEE SECTION E; Civilian).

On August 9, 2021, CIT Investigator [redacted] reached out to WC [redacted] to request photographs of the Government Owned Vehicles (GOVs) BPAs [redacted] were driving. Photographs of both GOVs show no damage and indicate no contact was made between GOVs and VEH. (See Section H; Scene Photographs).

Transcripts of the radio communications from this incident are attached to this case. Audio recording depicted BPA [redacted] encountered a possible load vehicle that was all over the roadway. BPA [redacted] was going to follow VEH to the checkpoint, when VEH sped away at a high rate of speed. BPA [redacted] lost visual of VEH momentarily before seeing it pulled over on the side of the roadway. As BPA [redacted] approached,
Continuation of CIT Report # CIT-210808-119

VEH got back on the roadway and sped off. Shortly after, VEH circumvented the HWY-185 checkpoint and continued north at a high rate of speed prior to rolling over. (SEE SECTION J; Communication Transcripts).

Audio Timeline

2:46 BPA advised HWY-185 checkpoint VEH may be loaded.
3:18 BPA reports VEH is going around HWY-185 checkpoint.
4:18 Rollover is reported.

NMSP responded to investigate this collision and Patrolman completed an investigation under case number . Patrolman stated VEH was traveling north on NM HWY-185 and was being pursued by BPAs after avoiding inspection at the HWY-185 checkpoint.

NMSP Patrolman investigation found that VEH drifted off the right side of the roadway. Driver jerked steering wheel to the left causing VEH to enter a counterclockwise critical speed yaw. VEH slid off the right side of the roadway where wheels furrowed into the dirt shoulder causing VEH to roll at least one full rotation before coming to rest on its wheels facing east. (See Section G; Other Agency Reports).

On August 13, 2021, Special Operations Supervisor (SOS) received a call from of the El Paso County Medical Examiner’s Office. advised their office had the body of a subject later identified as Jonathan Andres of Ecuador. was a passenger in VEH at the time of the collision. An autopsy was scheduled for this morning under . (See Section G; Other Agency Reports).

On August 16, 2021, received information that driver, died of his injuries. An autopsy was scheduled to be performed by the El Paso County Medical Examiner’s Office under . Copies of the autopsy reports were requested. (See Section G; Other Agency Reports).

On September 14, 2021, CIT received an autopsy report for Jonathan Andres . Autopsy revealed body had multiple blunt force injuries to include a subdural menatoma, status post-op right craniotomy, subarachnoid hemorrhage, and severe cerebral edema. Cause of death was classified as accident. (See Section G; Other Agency Reports).

On September 14, 2021, CIT received an autopsy report for . Autopsy revealed body had multiple blunt force injuries to include intraparenchymal cerebral hemorrhage, subarachnoid hemorrhage, multiple pelvic fractures, sacral fractures, fractures of the spine, and pulmonary thromboembolism. Report states developed a pulmonary embolism two days after admission. He remained in comatose state until he expired 12 days after the accident. The cause of death was classified as accident. (See Section G; Other Agency Reports).

The roadway at this location is a two lane, paved roadway. The area surrounding the scene is mainly residential and farmland. The incident occurred during hours of darkness with no artificial lighting, road conditions were dry, and weather was clear. (See Section H; Scene Photographs).
Continuation of CIT Report # CIT-210808-119

No private property damage was reported as a result of this incident.

Media reports were generated in regard to this collision and more are expected. (See Section K: Media Reports).

**Evidence Collection and Disposition**

<table>
<thead>
<tr>
<th>Description</th>
<th>Date Collected</th>
<th>Disposition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Scene Photographs</td>
<td>08/03/2021</td>
<td>Archived at EPT CIT</td>
</tr>
<tr>
<td>Hospital Photographs</td>
<td>08/03/2021</td>
<td>Archived at EPT CIT</td>
</tr>
<tr>
<td>LAS Station Photographs</td>
<td>08/03/2021</td>
<td>Archived at EPT CIT</td>
</tr>
<tr>
<td>Canon Total Station Diagram</td>
<td>08/03/2021</td>
<td>Archived at EPT CIT</td>
</tr>
<tr>
<td>Radio Communications Audio</td>
<td>08/04/2021</td>
<td>Archived at EPT CIT</td>
</tr>
<tr>
<td>HWY-185 Checkpoint RVSS</td>
<td>08/05/2021</td>
<td>Archived at EPT CIT</td>
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</tbody>
</table>

END OF REPORT

****************************************************************************
CIT-210803-119

SECTION B

GOVERNMENT FORMS & REPORTS

All government documents submitted pertaining to the case listed above
<table>
<thead>
<tr>
<th>Form No.</th>
<th>Date</th>
<th>Title/Author</th>
</tr>
</thead>
</table>
| EPSAMS  | 8/3/2021 | Vehicle Pursuit  
NM Highway 185, Mile Marker 29                                           |
| SIR     | 8/3/2021 | Significant Incident Report                                                  |
| SIR     | 8/3/2021 | Significant Incident Report                                                  |
| SIR     | 8/3/2021 | Significant Incident Report                                                  |
| E-STAR  | 8/3/2021 | Enforcement Action Statistical Analysis Reporting System (E-STAR)             |
| G-2     | 8/4/2021 | Government Memorandum  
Vehicle Pursuit                                                              |
| G-2     | 8/4/2021 | Government Memorandum  
Vehicle Pursuit                                                              |
| G-2     | 8/3/2021 | Government Memorandum                                                        |
| G-2     | 8/3/2021 | Government Memorandum                                                        |
| G-2     | 8/3/2021 | Government Memorandum                                                        |
| G-2     | 8/3/2021 | Government Memorandum  
Vehicle Pursuit                                                              |
<table>
<thead>
<tr>
<th>Form No.</th>
<th>Date</th>
<th>Title/Author</th>
</tr>
</thead>
<tbody>
<tr>
<td>G-166F</td>
<td>8/4/2021</td>
<td>Report of Investigation</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Alien Smuggling</td>
</tr>
<tr>
<td>G-259</td>
<td>8/3/2021</td>
<td>Duty Assignment Sheet</td>
</tr>
<tr>
<td>G-481</td>
<td>8/3/2021</td>
<td>Daily Group Assignment Log</td>
</tr>
<tr>
<td>N/A</td>
<td>8/3/2021</td>
<td>OPR Interviews</td>
</tr>
<tr>
<td>N/A</td>
<td>8/3/2021</td>
<td>Scene Photographs</td>
</tr>
<tr>
<td>N/A</td>
<td>8/3/2021</td>
<td>CIT Field Notes</td>
</tr>
</tbody>
</table>
# VEHICLE PURSUIT:
*OPR will be notified on anything that requires an SIR

<table>
<thead>
<tr>
<th>NOTIFICATIONS:</th>
<th>Yes</th>
<th>No</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>Telephonic Notification made to WC, DPAIC, PAIC, LEO Division Chief (primary), XO (secondary)</td>
<td>☑️</td>
<td></td>
<td>WC/DPAIC/PAIC will notify OPS Division Chief.</td>
</tr>
<tr>
<td>Notify Sector Communications Division and request OAM Support</td>
<td>☑️</td>
<td></td>
<td>Indicate whether Media is present of media attention is expected along with all pertinent information.</td>
</tr>
</tbody>
</table>
| Telephonic Notification to the Sector Critical Incident Team (CIT)             | ☑️  |    | Any traffic collision resulting from a vehicle stop, an attempted vehicle stop, or a vehicular pursuit, as defined by CBP Directive 4510-25, *Emergency Driving and Vehicular Pursuits by Customs and Border Protection Personnel*:
  Primary (Program Manager): [Redacted]
  Secondary (SOS): [Redacted]
| *Reference EPT CIT Notifications memo dated October 11, 2019 for required notifications | ☑️  |    |
| Telephonic Notification to IOC to Intelligence and Operations Center (IOC)     | ☑️  |    | SBPA notifies IOC telephonically as soon as practical and within 1 hour of occurrence of significant event. Written notification to the Division Chief within 2 hours. SIR completion in BPET within 3 hours.
  IOC: Telephone: [Redacted]
  Fax: [Redacted]
| Telephonic Notification to Centro de Inteligencia y Seguridad Nacional (CISEN) | ☑️  |    | IOC Notification if applicable. SBPA will need CISEN report number.                                                                      |
| Telephonic Notification to C-4 by SBPA                                         | ☑️  |    | If applicable, SBPA contact C-4 to make report and obtain report number. Provide C-4 report number to IOC.                               |
| Telephonic Notifications made to EPT Strategic Communications Branch Public Affairs Office (SCB/PAO) | ☑️  |    | Primary POC: [Redacted]
  Alternate POCs: [Redacted]
| Telephonic Notification to Foreign Government Consulate Office (Coordinate with ILU) | ☑️  |    | If applicable. Consular Officers are not allowed to question or talk to Alien or witness(es) prior to SET or Other Law Enforcement Agencies. Fax and Telephonic, Intranet listing: [Link]
| Photographs                                                                    | ☑️  |    | Immediate photographs of scene and injuries if applicable, defer to CIT. Surveillance video if available.                             |

Effective July 28, 2016 – All Vehicle Pursuits initiated by CBP components must be recorded in E-STAR.

Record Vehicle Pursuits in E-STAR.

http://ess-aufrs.cbp.dhs.gov

Revised: March 2021
VEHICLE PURSUIT:

*OPR will be notified on anything that requires an SIR*

**For Vehicle Pursuits, it is not necessary to forward the pursuit packet to MIT**
MIT will advise in the event that a packet is needed

### REQUIRED PAPERWORK:

<table>
<thead>
<tr>
<th>Required Paperwork</th>
<th>Yes</th>
<th>No</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>SF94 Witness Statement (REV. 3/2017)</td>
<td></td>
<td></td>
<td>Non-Agent, if applicable.</td>
</tr>
<tr>
<td>Notice of Right to Union Representation (Bargaining Unit Employees Only)</td>
<td></td>
<td></td>
<td>Issue Weingarten before requesting memorandum. Agent signature, date and time are required.</td>
</tr>
<tr>
<td>Witness Memorandum (Agent)</td>
<td></td>
<td></td>
<td>Issue Weingarten before requesting memorandum. Agent signature, date and time are required.</td>
</tr>
<tr>
<td>Immigration Detainer (I-247)</td>
<td></td>
<td></td>
<td>If applicable.</td>
</tr>
<tr>
<td>Electronic SIR in BPETS and Hard copy or Chief’s Notes depending upon the circumstances of the Pursuit.</td>
<td></td>
<td></td>
<td>SBPA provide the date, time and exact location of the significant incident. Provide a detailed synopsis of the incident to include, who, what, when, where, and why. Indicate notifications made either telephonically, by fax, or e-mail. Ensure follow-up information, adjustments, or corrections are transmitted timely. GPS coordinates. IOC will submit SIR or Chief’s Notes.</td>
</tr>
<tr>
<td>I-213 / I-44 / G-166 / Record Checks</td>
<td></td>
<td></td>
<td>If applicable I-213, I-44 and G-166 from E3. Record Checks (NCIC).</td>
</tr>
<tr>
<td>Electronic entry into MEDPAR</td>
<td></td>
<td></td>
<td>If applicable, SBPA electronic entry into MEDPAR. Notify sector MEDPAR coordinator via fax or e-mail. (Must provide summary of Chief’s Note or SIR, I-213 (if applicable), I-44, and MEDPAR medical authorization form)</td>
</tr>
<tr>
<td>Report of Assault (G-725)</td>
<td></td>
<td></td>
<td>If Agent is assaulted. From E3 assault module.</td>
</tr>
<tr>
<td>CA-1, CA-16, CBP-502 (from e-Comp) and OWCP 5-C (if applicable).</td>
<td></td>
<td></td>
<td>If applicable for agent.</td>
</tr>
<tr>
<td>Claim for Damage, Injury or Death (SF-95)</td>
<td></td>
<td></td>
<td>If applicable.</td>
</tr>
<tr>
<td>Duty Assignment Sheet for Agent(s) involved (G-259)</td>
<td></td>
<td></td>
<td>Must be signed by SBPA.</td>
</tr>
<tr>
<td>Duty Unit Assignment Log for Agent(s) involved (G-481)</td>
<td></td>
<td></td>
<td>Must be signed by SBPA.</td>
</tr>
<tr>
<td>Incident Report in E-STAR. (Formerly CBP Form 318)</td>
<td></td>
<td></td>
<td>If CTDD was deployed, Incident Report created via E-STAR. Completed report to be submitted electronically to the BP-IOC mailbox.</td>
</tr>
<tr>
<td>Other Law Enforcement Report(s)</td>
<td></td>
<td></td>
<td>If applicable, FBI, PD, Sheriff’s etc.</td>
</tr>
<tr>
<td>SBPA Memorandum to CPA</td>
<td></td>
<td></td>
<td>SBPA provide the date, time and exact location of the significant incident. Provide a detailed synopsis of the incident to include, who, what, when, where, and why. Also include if Agent was wearing seat belt and if SF-95 was provided.</td>
</tr>
<tr>
<td>WC Cover memorandum</td>
<td></td>
<td></td>
<td>Synopsis of the incident and any additional information not contained within the SIR.</td>
</tr>
</tbody>
</table>

Revised: March 2021
**U.S. DEPARTMENT OF HOMELAND SECURITY**  
**U.S. Customs and Border Protection**  
**SIGNIFICANT INCIDENT REPORT**

<table>
<thead>
<tr>
<th>RESTRICTIONS: None</th>
</tr>
</thead>
</table>

1. **DATE OF INCIDENT:** 8/3/2021  
**LOCATION OF INCIDENT:** Las Cruces, NM  
**TIME OF INCIDENT:** 4:47 AM  
**SIR NUMBER:** [Redacted]  
**REPORTED TO COMMISSIONER’S SITUATION ROOM VIA PHONE ON:**  
**DATE:** 8/3/2021  
**TIME:** 7:39 AM  
**TO:** [Redacted]

2. **REPORTING OFFICE:** U.S. Border Patrol  
**DFO/SECTOR:** El Paso Sector  
**POE/STATION:** Las Cruces Station  
**PERSON MAKING REPORT:** [Redacted]  
**OFFICE PHONE:** [Redacted]  
**CELL PHONE:** [Redacted]  
**FAX NUMBER:** [Redacted]  
**POINT OF CONTACT:** [Redacted]  
**OFFICE PHONE:** [Redacted]  
**CELL PHONE:** [Redacted]  
**FAX NUMBER:** [Redacted]  
**PERSON MAKING REPORT:** [Redacted]  
**OFFICE PHONE:** [Redacted]  
**CELL PHONE:** [Redacted]  
**FAX NUMBER:** [Redacted]  
**POINT OF CONTACT:** [Redacted]  
**OFFICE PHONE:** [Redacted]  
**CELL PHONE:** [Redacted]  
**FAX NUMBER:** [Redacted]

3. **TYPE OF INCIDENT:**  
- **Category:** Non-Employee Injury/Illness  
- **Type:** Not in Custody  

4. **SYNOPSIS:**  
**SEIZURE TYPE:** [Redacted]  
**QUANTITY:** [Redacted]  
**VALUE:** [Redacted]  
**NUMBER OF ARRESTS:** [Redacted]  
**MALE:** [Redacted]  
**FEMALE:** [Redacted]  
**CITIZENSHIP:** [Redacted]

5. **NOTIFICATIONS MADE:**  
- 1. **TELEPHONIC REPORT TO COMMISSIONER’S SITUATION ROOM**  
  **Email Sent:** [Redacted]  
- 2. [Redacted]  
- 3. [Redacted]

6. **INJURIES/FATALITIES:**  
- **NAME AND EXTENT OF INJURY**  
  1. [Redacted]  
  2. [Redacted]  
- **NAME OF FATALITIES:**  
  1. [Redacted]  
  2. [Redacted]

7. **NATIONAL TARGETING CENTER NUMBERS:**

8. **MEDIA INTEREST EXPECTED:**

9. **RELATED INCIDENTS:**
<table>
<thead>
<tr>
<th>DATE OF INCIDENT: 8/3/2021</th>
<th>LOCATION OF INCIDENT: Las Cruces, NM</th>
<th>SIR NUMBER:</th>
<th><strong>Synopsis:</strong></th>
</tr>
</thead>
</table>
On August 3, 2021, at approximately 0443 hours, an agent working assigned roving patrol duties on New Mexico State Highway 185 encountered and began following a suspected alien smuggling load northbound towards the U.S. Border Patrol Checkpoint located at mile marker 26. The checkpoint was informed of the incoming potential load vehicle and was instructed to "be ready". Shortly afterwards and at approximately 0446 hours, the suspect vehicle approached the checkpoint, slowed down, swerved slightly and drove around the traffic cones and subsequently the checkpoint. Agents immediately attempted to perform a vehicle stop and the suspect vehicle failed to yield and fled the checkpoint area at a high rate of speed. The vehicle traveled approximately 1 and 1/2 miles before rolling over due to being overloaded. See timeline below for additional details.

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DRIVER INFORMATION:

VEHICLE INFORMATION:

BLU 1998 FORD EXPEDITION
TX PLATE
VIN:

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Given the extent of injuries and status we are currently unable to determine citizenship or other biographical information. All biographical information for the remaining subjects/passengers will follow in an update as the information becomes available.

OFR, HSI, CIT, MIT were all notified and are currently at the Las Cruces Border Patrol Station conducting interviews. Inevitably, prosecution of the driver will be sought.

Updates to follow.

All electronic notifications were made by the El Paso Sector Intelligence and Operations Center as per SIR Guidelines/Policies and Procedures.
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U.S. DEPARTMENT OF HOMELAND SECURITY
U.S. Customs and Border Protection
SIGNIFICANT INCIDENT REPORT
Continuation Sheet

DATE OF INCIDENT: 8/3/2021
TIME OF INCIDENT: 4:47 AM
LOCATION OF INCIDENT: Las Cruces, NM
SIR NUMBER: [Redacted]

FOUO
U.S. DEPARTMENT OF HOMELAND SECURITY  
U.S. Customs and Border Protection 
SIGNIFICANT INCIDENT REPORT

RESTRICCIONS: None

1. DATE OF INCIDENT: 8/3/2021  
   LOCATION OF INCIDENT: Las Cruces, NM  
   TIME OF INCIDENT: 4:47 AM  
   REPORTED TO COMMISSIONER'S SITUATION ROOM VIA PHONE ON:  
   DATE: 8/3/2021  
   TIME: 7:39 AM  

2. REPORTING OFFICE: U.S. Border Patrol  
   DFO/SECTOR: El Paso Sector  
   POE/STATION: Las Cruces Station  
   PERSON MAKING REPORT: [Redacted]  
   OFFICE PHONE:  
   CELL PHONE:  
   FAX NUMBER:  
   POINT OF CONTACT: [Redacted]  
   OFFICE PHONE: ext.  
   CELL PHONE:  
   FAX NUMBER:  

3. TYPE OF INCIDENT: ☒ ON DUTY  
   Category  
   Type  
   Sub Type  
   Non-Employee Injury/Illness  
   Not in Custody  

4. SYNOPSIS: (USE CONTINUATION SHEET IF NECESSARY):  
   See Attached Continuation  
   SEIZURE TYPE:  
   QUANTITY:  
   VALUE:  
   NUMBER OF ARRESTS:  
   MALE:  
   FEMALE:  
   CITIZENSHIP:  

5. NOTIFICATIONS MADE:  
   1. ☒ TELEPHONIC REPORT TO COMMISSIONER'S SITUATION ROOM [Redacted] 8/3/2021 7:39 AM  
   2.  
   3.  

6. INJURIES/FATALITIES:  
   NAME AND EXTENT OF INJURY  
   AGENT  
   EAP ADVISED  
   1.  
   2.  

7. NAME OF FATALITIES:  
   1.  
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8. NATIONAL TARGETING CENTER NUMBERS:  

9. MEDIA INTEREST EXPECTED:  

10. RELATED INCIDENTS:  


Print Date: 08/03/2021
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U.S. Customs and Border Protection
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Continuation Sheet

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U.S. Customs and Border Protection
SIGNIFICANT INCIDENT REPORT
Continuation Sheet

DATE OF INCIDENT: 8/3/2021
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LOCATION OF INCIDENT: Las Cruces, NM
SIR NUMBER:

UPDATE #1

Involved Subjects
1. [Redacted]
   DOB: [Redacted]
   COC: Guatemala
   Current Location: Las Cruces Border Patrol Station

2. [Redacted]
   DOB: [Redacted]
   COC: Honduras
   Current Location: Las Cruces Border Patrol Station

3. [Redacted]
   DOB: [Redacted]
   COC: Guatemala
   Current Location: Las Cruces Border Patrol Station

4. [Redacted]
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   COC: Honduras
   Current Location: University Medical Center in El Paso, TX

5. [Redacted]
   DOB: [Redacted]
   COC: Honduras
   Current Location: University Medical Center in El Paso, TX

6. [Redacted]
   DOB: [Redacted]
   COC: El Salvador
   Current Location: Las Cruces Border Patrol Station

7. [Redacted]
   DOB: [Redacted]
   COC: Honduras
   Current Location: Las Cruces Border Patrol Station

8. Unidentified subject #1
   DOB: UNK
   COC: UNK
   Current Location: University Medical Center in El Paso, TX

9. Unidentified subject #2
   DOB: UNK
   COC: UNK
   Current Location: University Medical Center in El Paso, TX

ORIGINAL SIR TEXT:
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TX PLATE: [REDACTED]
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Updates to follow.

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### SIGNIFICANT INCIDENT REPORT

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### SYNOPSIS:

See Attached Continuation

### INJURIES/FATALITIES:

**NAME AND EXTENT OF INJURY**

1. 
2. 

**NAME OF FATALITIES**

1. 
2. 

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SIGNIFICANT INCIDENT REPORT
Continuation Sheet

DATE OF INCIDENT: 8/3/2021  
TIME OF INCIDENT: 4:47 AM  
LOCATION OF INCIDENT: Las Cruces, NM  
SIR NUMBER: 

ORIGINAL SIR TEXT W/ UPDATES:

FINAL UPDATE:
As of 1415 hours on August 20, 2021 the two remaining subjects still in U.S.B.P. custody at University Medical Center are
There are now no subjects remaining in U.S. Border Patrol custody stemming from this significant incident report.

NAME: Oscar David  
DOB: 19 y/o  
COB: Honduras  
A#:  
Apprehension Date: 08/03/2021  

Medical Diagnosis: Brain damage, fractured skull, multiple hematomas, currently intubated.
Current Location: University Medical Center, ICU
Criminal History: None
Immigration History: Subject has 1 prior T42 apprehension on 7/7/21.
ERO Declination: N/A
Medical Prognosis: Expected to be moved to long term health care facility

NAME: Brandon  
DOB: 29 y/o  
COB: Honduras  
A#:  
Apprehension Date: 08/03/2021  

Medical Diagnosis: Fractured skull, COVID-19 positive. Subject will need continued treatment and there was no release/recovery timeline provided.
Current Location: University Medical Center
Criminal History: None
Immigration History: None
ERO Declination: N/A
Medical Prognosis: Expected to remain hospitalized with continued neurological care.

On August 19, 2021 Lesvin was released from U.S.B.P. custody.

NAME: Lesvin  
DOB: 23 y/o  
COB: Honduras  
A#:  
Apprehension Date: 08/03/2021  

Medical Diagnosis: Spinal fractures unable to move legs, Surgery to insert tube into his stomach. Currently on ventilator.
Current Location: University Medical Center, ICU
Criminal History: None
Immigration History: None
ERO Declination: N/A
Medical Prognosis: Expected to be moved to long term health care facility

UPDATE #6
On August 15, 2021 at 2200 hours, the driver known as passed away of traumatic brain injuries suffered due to the accident. was pronounced dead by the Medical Examiner (ME) in El Paso, TX. ME subsequently contacted the Las Cruces Border Patrol station, the next of kin, and OPR was notified of the death. Autopsy is pending next of kin approval.

UPDATE #5
DATE OF INCIDENT: 8/3/2021  
TIME OF INCIDENT: 4:47 AM  
LOCATION OF INCIDENT: Las Cruces, NM  
SIR NUMBER: [REDACTED]

On August 11, 2021, at 1858 hours, the below subject was pronounced dead by the Medical Examiner (ME) in El Paso, TX. ME subsequently contacted the Las Cruces Border Patrol station, the next of kin, the Ecuadorean Consulate, OPR and iLU and notified of the death.

SUBJECT INFORMATION:
Name: [REDACTED] Jonathan Andres  
Citizen: Ecuador  
DOB: [REDACTED]  
Location: University Medical Center in El Paso, TX  
Condition: Critical and Unstable. Traumatic Brain Injury, possibly no brain activity  
Currently under DNR

Updates to follow.

**UPDATE #4:**  
As of 0815 hours on August 7, 2021 subject [REDACTED] Dixon (UMC Room #624) was discharged from the hospital.

**UPDATE #3:**  
The Unidentified subject has been identified:

- **Subject #8 (Unidentified subject #1):**
  - Name: [REDACTED] Jonathan Andres  
  - Citizen: Ecuador  
  - DOB: [REDACTED]  
  - Location: University Medical Center in El Paso, Texas  
  - Condition: Critical and Unstable. Traumatic Brain Injury, possibly no brain activity  
  - Room: ICU 12

El Paso Sector International Liaison Unit has been apprised of this updated personal and medical information.

All subjects have now been identified.

- **UPDATE #2:**
  1. [REDACTED] Rovin  
     - DOB:  
     - COC: Guatemala  
     - TOT HSI - Material Witness
  2. [REDACTED] Santos David  
     - DOB:  
     - COC: Honduras  
     - TOT HSI - Material Witness
  3. [REDACTED] Diego  
     - DOB:  
     - COC: Guatemala
  4. [REDACTED] Dixon  
     - DOB:  
     - COC: Honduras  
     - Location: University Medical Center in El Paso, TX  
     - Condition: Wall Sinus Fracture Possibly discharged sometime soon  
     - Room: 624
  5. [REDACTED] Lesvin Josue  
     - DOB:  
     - COC: Honduras  
     - Location: University Medical Center in El Paso, TX
**DATE OF INCIDENT:** 8/3/2021  
**TIME OF INCIDENT:** 4:47 AM  
**LOCATION OF INCIDENT:** Las Cruces, NM  
**SIR NUMBER:** 21-EPTLAS-080321000067(10)

| Condition: ICU Intubated and COVID Positive  
| Room: ICU 13  
|  
| 6. [Redacted] Christopher Adonay, ELSAL. [Redacted] LAS  
| DOB- [Redacted]  
| COC- El Salvador  
|  
| 7. [Redacted] Brandon  
| DOB- [Redacted]  
| COC- Honduras  
| Location: University Medical Center in El Paso, TX  
| Condition: ICU Intubated nurses wouldn’t provide any further details  
|  
| 8. Unidentified subject #1  
| DOB- UNK  
| COC- UNK  
| Condition: 14MM brain shift, they are not expecting him to make it past the night  
| Stable very poor progress  
| Room: ICU-12  
|  
| 9. Unidentified subject #2 Name: Oscar David  
| DOB- UNK DOB: [Redacted]  
| COC- UNK Citizen: Honduras  
| Current Location: University Medical Center in El Paso, TX  
| Condition: Some brain damage, scalp ripped off, multiple hematomas and a large laceration on right flank (ribs)  
| Stable, barely starting to respond to touch  
| Room: ICU 29  

**UPDATE #1:**  
**Involved Subjects:**  
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   DOB-  
   COC- Guatemala  
   Current Location: Las Cruces Border Patrol Station  
2. [Redacted] Santos David  
   DOB-  
   COC- Honduras  
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   DOB-  
   COC- Guatemala  
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   DOB-  
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   COC- Honduras  
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   DOB-  
   COC- El Salvador  
   Current Location: Las Cruces Border Patrol Station  
7. [Redacted] Brandon  
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   Current Location: University Medical Center in El Paso, TX
8. Unidentified subject #1
DOB: UNK
COC: UNK
Current Location: University Medical Center in El Paso, TX (currently in surgery unable to get biographical info)

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Enforcement Action Statistical Analysis and Reporting System (E-STAR)
Incident Report

Current Status: ☑ Completed  ❌ Active  ❌ Ready for review  ❌ Rejected  ❌ Deleted

INCIDENT INFORMATION

E-STAR incident ID: 

Title: Vehicle Pursuit NM Hwy 185 that resulted in motor vehicle accident (rollover) on NM Hwy 185 mm 29

Incident date/time: 08/03/2021 04:46

Type: ☑ Assault against CBP personnel  ☑ Reportable use of force  ☑ Vehicle pursuit by CBP

Unintentional firearm discharge  Intentional firearm discharge

Reporting organization: El Paso Sector / Las Cruces Station

Created by: 
Creation date/time: 08/03/2021 10:16

Last updated by: 
Last updated date/time: 08/08/2021 05:02

Reviewer: 
Date reviewed: 08/06/2021

RELATED SYSTEMS: 0

Is there IDVRS footage (Evidence Serial Number) associated with this incident? ❌ Yes  ☑ No

Related system(s): 0  Related document ID:

INVOLVED ORGANIZATIONS

Organization/type  Component/agency  Vehicle pursuit role

CBP  USBP  Initiated the pursuit

Were other CBP components/external agencies involved? ☑ Yes  ❌ No

LOCATION/ENVIRONMENTAL CONDITIONS

Incident location/VAOR: El Paso Sector / Las Cruces Station

Landmark: HWY 185 CHECKPOINT

Country/international waters: United States of America

Address:

Street: Highway 185 mile marker 28.5
City: State: NEW MEXICO  Zip:

Vehicle pursuit coordinates: For CBP vehicle involvement only; if gaps in the pursuit, use the earliest start point and final end point.

Starting latitude: 32.60321  Ending latitude: 32.63149

Setting: ☑ Indoors  ❌ Outdoors

Outdoor setting: ☑ On land  ☑ In water (standing or swimming)  ☑ On water (in vessel)  ☑ In the air

Description of the premise/location: Highway 185 approximately mile marker 28.5, north of the Las Cruces Border Patrol Checkpoint located on Highway 185 mile marker 29.
Environmental factors:
Weather: ☑ Dry - ☐ Raining ☐ Snowing ☐ Flooding ☐ Windy ☐ Storm ☐ Haze/blowing dust ☐ Fog ☐ Other
Illumination: ☐ Daylight ☐ Dark - ☐ Dawn ☐ Dusk ☐ Good lighting ☐ Poor lighting ☐ Night vision aided ☐ Other
Traffic conditions: ☐ Heavy ☐ Medium ☐ Light ☐ No traffic - ☐ Other
Road surface: ☐ Paved - ☐ Unpaved ☐ Off road ☐ Other
Road conditions: ☐ Excellent ☑ Fair - ☐ Poor ☐ Other
Environmental factors: ☐ Urban ☐ Suburban ☐ Industrial ☐ School zone ☐ Pedestrians present ☐ Construction zone ☐ Near POE/checkpoint - ☐ Other - rural area intermixed with orchards and farms
Estimated temperature (Fahrenheit): 80

NOTIFICATIONS

CBP personnel notified:

<table>
<thead>
<tr>
<th>Name</th>
<th>Affiliation/job title</th>
<th>Notification manner</th>
<th>Notification date</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>SIR notification</td>
<td>08/03/2021</td>
</tr>
</tbody>
</table>

Other authorities notified (external to CBP): ☐ Federal ☐ Tribal ☑ State ☑ Local ☐ Foreign

EMPLOYEES: 2

Name: 
Gender: ☐ Male ☐ Female
Age: 
Service EOD: 
Duty location or detail/TDY location during the incident: El Paso Sector / Las Cruces Station
Duty (or detail/TDY) location EOD: 
Duty status at the time of the incident: ☑ On duty ☐ Off duty
Activity: Traffic Check

Armed law enforcement experience:
Total law enforcement experience at the time of the incident: 
CBP training previously received (not including basic academy training):
☐ BPAIST ☐ BORSTAR ☐ BORTAC ☐ DITP ☐ DTI ☐ EDVTP ☐ EMT ☐ FITP ☐ LLITP (FITP) ☐ MFF ☐ MRT ☐ PITP ☐ SRT ☐ TATP ☐ Other

Was ☐ an occupant in a CBP pursuit vehicle? ☑ Yes ☐ No

CBP pursuit vehicle(s) ☑ occupied:

<table>
<thead>
<tr>
<th>Vehicles</th>
<th>Type</th>
<th>Markings</th>
<th>Vehicle's initial position in the pursuit</th>
<th>SILVA JUSTEN's Initial Role in this vehicle</th>
<th>Total damage to the vehicle</th>
</tr>
</thead>
<tbody>
<tr>
<td>L14257</td>
<td>SUV</td>
<td>Marked</td>
<td>Secondary</td>
<td>Driver</td>
<td>None</td>
</tr>
</tbody>
</table>

Was ☐ Injured? ☑ Yes ☐ No

Name: 
Gender: ☐ Male ☐ Female
Age: 
Service EOD: 
Duty location or detail/TDY location during the incident: El Paso Sector / Las Cruces Station
Duty (or detail/TDY) location EOD: 
Duty status at the time of the incident: ☑ On duty ☐ Off duty
Activity: Traffic Check

Armed law enforcement experience:
Total law enforcement experience at the time of the incident: 
CBP training previously received (not including basic academy training):
Was there an apparent or known mental impairment (e.g., mental illness/alcohol/drugs) in the condition of the subject? 🗻 Yes ☐ No

Injury information:

- Injury type: Critical injuries (admitted to hospital w/ life threatening injuries)
- Injury Comment: Subject admitted into the hospital with numerous visible injuries. Currently in ICU.
- Refused medical attention? 🗻 Yes ☐ No
- Received treatment? 🗻 Yes ☐ No
- Region(s) of the body injured.
Medical treatment information:
Received EMS treatment prior to/in lieu of treatment at a facility? ☑ Yes ☐ No
Provider: AMR
Facility name: AMR
Street address:
City: Las Cruces
State: NEW MEXICO Zip 88005
Phone type: Main Phone: 575 523-0225 Phone extension:

Name: ☑ CHRISTOPHER

Gender: Male
Immigration status: Inadmissible Alien
Country of citizenship: EL SALVADOR

Was there an apparent or known mental impairment (E.g., mental illness/alcohol/drugs) in the condition of the subject? ☑ Yes ☐ No

Subject's activity:
☑ Illegal entry
don't cooperate during encounter/inspection
d Failure to yield/heave to
don’t checkpoint runner
don’t Port runner
don’t Alien smuggling
don’t Narcotics smuggling
don’t Scouting
don’t Assault (rocks/other projectiles)
don’t Assault (all other types)
don’t Protest in/extras
☑ Other

Subject's current location and disposition if known: Subject was expelled under Title 42.

Was this subject in the vehicle pursuit? ☑ Yes ☐ No
Was the subject an occupant of a vehicle? ☑ Yes ☐ No

Vehicle the subject was an occupant of:

<table>
<thead>
<tr>
<th>Vehicle</th>
<th>Make</th>
<th>Model</th>
<th>Year</th>
<th>Type</th>
<th>Damage to the vehicle other than tire damage</th>
<th>Disposition of the vehicle</th>
<th>Subject's initial role in this vehicle</th>
</tr>
</thead>
<tbody>
<tr>
<td>SUBJECT VEHICLE-1</td>
<td>Ford</td>
<td>Expedition</td>
<td>1998</td>
<td>Automobil e</td>
<td>Heavy</td>
<td>Other</td>
<td>Passenger</td>
</tr>
</tbody>
</table>

Was this subject arrested / taken into custody? ☑ Yes ☐ No
Arrested / taken into custody by: ☑ CBP ☑ Other federal agency ☑ State agency ☑ Local agency
Was prosecution sought against this subject? ☑ Yes ☐ No

Was this subject injured or claiming to be injured? ☑ Yes ☑ No ☑ Unknown
Did the injury / alleged injury occur during the vehicle pursuit? ☑ Yes ☑ No

Was a CTDD/VID/ODT deployed during this vehicle pursuit? ☑ Yes ☐ No

Injury information:
Injury type: Moderate injuries (treated and released by a medical facility or will seek future treatment)
Injury Comment: Subject diagnosed with contusions and moderate injuries.
Refused medical attention? ☑ Yes ☑ No
Received treatment? ☑ Yes ☑ No
Region(s) of the body injured:
- Front head
- Side head
- Neck/throat
- Rear upper torso/back
- Rear lower torso/back
- Rear below waist/buttocks
- Front legs/feet
- Rear head
- Face
- Front upper torso/shoulder
- Front lower torso/abdomen
- Front below waist/groin area
- Arms/hands
- Rear legs

Medical treatment information:
- Received EMS treatment prior to/in lieu of treatment at a facility? ☒ Yes ○ No
  Provider: AMR
- Facility name: American Medical Response
- Street address:
  City: Las Cruces
  State: NEW MEXICO Zip 88005
- Phone type: Main Phone: 575 523-0225 Phone extension:

Name: ROVIN
Gender: Male
Immigration status: Inadmissible Alien
Country of citizenship: GUATEMALA

Was there an apparent or known mental impairment (E.g., mental illness/alcohol/drugs) in the condition of the subject? ○ Yes ☒ No

Subject's activity:
- ☒ Illegal entry
- ○ Uncooperative during encounter/inspection
- ○ Failure to yield/heed to
- ○ Checkpoint runner
- ○ Port runner
- ○ Alien smuggling
- ○ Narcotics smuggling
- ○ Scouting
- ○ Assault (rocks/other projectiles)
- ○ Assault (all other types)
- ○ Protesting/civil disturbance
- ○ Other

Subject's current location and disposition if known: Subject was TOT HSI where he will serve as a Material Witness for this case.

Was this subject in the vehicle pursuit? ☒ Yes ○ No
Was the subject an occupant of a vehicle? ☒ Yes ○ No

Vehicle the subject was an occupant of:

<table>
<thead>
<tr>
<th>Vehicle</th>
<th>Make</th>
<th>Model</th>
<th>Year</th>
<th>Type</th>
<th>Damage to the vehicle other than tire damage</th>
<th>Disposition of the vehicle</th>
<th>Subject's initial role in this vehicle</th>
</tr>
</thead>
<tbody>
<tr>
<td>SUBJECT VEHICLE-1</td>
<td>Ford</td>
<td>Expedition</td>
<td>1998</td>
<td>Automobil e</td>
<td>Heavy</td>
<td>Other</td>
<td>Passenger</td>
</tr>
</tbody>
</table>

Was this subject arrested / taken into custody?  ☒ Yes ○ No
Arrested / taken into custody by: ○ CBP ☒ Other federal agency ○ State agency ○ Local agency

Was prosecution sought against this subject?  ☒ Yes ○ No

Was this subject injured or claiming to be injured?  ☒ Yes ○ No ○ Unknown

Did the injury / alleged injury occur during the vehicle pursuit?  ☒ Yes ○ No ○ Unknown

Was a CTDD/VID/ODT deployed during this vehicle pursuit?  ☒ Yes ○ No

Injury information:
- Injury type: Moderate injuries (treated and released by a medical facility or will seek future treatment)
- Injury Comment: Subject felt injured after being in a roll over accident
Refused medical attention?  ✔ Yes  ☐ No
Received treatment?  ✔ Yes  ☐ No
Region(s) of the body injured:
☒ Front head
☐ Side head
☐ Neck/throat
☐ Rear upper torso/back
☐ Rear lower torso/back
☐ Rear below waist/buttocks
☐ Front legs/feet
☐ Rear head
☐ Face
☐ Front upper torso/chest
☐ Front lower torso/abdomen
☐ Front below waist/groin area
☐ Arms/hands
☐ Rear legs

Medical treatment information:
Received EMS treatment prior to/in lieu of treatment at a facility?  ✔ Yes  ☐ No
Provider: AMR
Facility name: America Medical Response
Street address:
City: Las Cruces
State: NEW MEXICO  Zip 88005
Phone type: Main  Phone: 575 523-0225  Phone extension:

Name: [Redacted]
Gender: Male
Immigration status: Inadmissible Alien
Country of citizenship: HONDURAS
Was there an apparent or known mental impairment (E.g., mental illness/alcohol/drugs) in the condition of the subject?  ✔ Yes  ☐ No

Subject's activity:
☒ Illegal entry
☒ Uncooperative during encounter/inspection
☑ Failure to yield/heave to
☐ Checkpoint runner
☐ Port runner
☐ Alien smuggling
☐ Narcotics smuggling
☐ Scouting
☐ Assault (rocks/other projectiles)
☐ Assault (all other types)
☐ Protesting/civil disturbance
☐ Other

Subject's current location and disposition if known: Subject is at University Medical Center in El Paso, TX. Intubated in ICU and COVID Positive.

Was this subject in the vehicle pursuit?  ✔ Yes  ☐ No
Was the subject an occupant of a vehicle?  ✔ Yes  ☐ No

Vehicle the subject was an occupant of:

<table>
<thead>
<tr>
<th>Vehicle</th>
<th>Make</th>
<th>Model</th>
<th>Year</th>
<th>Type</th>
<th>Damage to the vehicle other than tire damage</th>
<th>Disposition of the vehicle</th>
<th>Subject's Initial role in this vehicle</th>
</tr>
</thead>
<tbody>
<tr>
<td>SUBJECT VEHICLE-1</td>
<td>Ford</td>
<td>Expedition</td>
<td>1998</td>
<td>Automobil e</td>
<td>Heavy</td>
<td>Other</td>
<td>Passenger</td>
</tr>
</tbody>
</table>

Was this subject arrested / taken into custody?  ✔ Yes  ☐ No
Arrested / taken into custody by:  ✔ CBP  ☐ Other federal agency  ☐ State agency  ☐ Local agency
Was prosecution sought against this subject?  ✔ Yes  ☐ No

Was this subject injured or claiming to be injured?  ✔ Yes  ☐ No  ☐ Unknown
Did the injury / alleged injury occur during the vehicle pursuit?  ✔ Yes  ☐ No  ☐ Unknown
Was a CT/ODT/VID/ODT deployed during this vehicle pursuit?  ✔ Yes  ☐ No

Injury information:
Injury type: Serious injuries (admitted to the hospital)
Injury Comment: Subject is at University Medical Center in El Paso, TX. Intubated in ICU and COVID Positive.
Refused medical attention? ☐ Yes ☑ No
Received treatment? ☐ Yes ☑ No
Region(s) of the body injured:
☒ Front head
☒ Side head
☐ Neck/throat
☒ Rear upper torso/back
☒ Rear lower torso/back
☒ Rear below waist/buttocks
☐ Front legs/feet
☒ Rear head
☐ Face
☒ Front upper torso/chest
☒ Front lower torso/abdomen
☒ Front below waist/groin area
☐ Arms/hands
☒ Rear legs

Medical treatment information:
Received EMS treatment prior to/in lieu of treatment at a facility? ☐ Yes ☑ No
Provider: AMR
Facility name: American Medical Response
Street address:
City: Las Cruces
State: NEW MEXICO Zip 88005
Phone type: Main Phone: 575 523-0225 Phone extension:

Name: SANTOS DAVID
Gender: Male
Immigration status: Inadmissible Alien
Country of citizenship: HONDURAS
Was there an apparent or known mental impairment (e.g., mental illness/alcohol/drugs) in the condition of the subject? ☐ Yes ☑ No
Subject’s activity:
☒ Illegal entry
☐ Uncooperative during encounter/inspection
☐ Failure to yield/heave to
☒ Checkpoint runner
☐ Port runner
☐ Alien smuggling
☐ Narcotics smuggling
☐ Scouting
☐ Assault (rocks/other projectiles)
☐ Assault (all other types)
☐ Protesting/civil disturbance
☐ Other

Subject’s current location and disposition if known: Subject was TOT HSI where he will serve as a Material Witness for this case.

Was the subject an occupant of a vehicle? ☐ Yes ☑ No

Vehicle the subject was an occupant of:

<table>
<thead>
<tr>
<th>Vehicle</th>
<th>Make</th>
<th>Model</th>
<th>Year</th>
<th>Type</th>
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<th>Disposition of the vehicle</th>
<th>Subject's initial role in this vehicle</th>
</tr>
</thead>
<tbody>
<tr>
<td>SUBJECT VEHICLE-1</td>
<td>Ford</td>
<td>Expedition</td>
<td>1996</td>
<td>Automobile</td>
<td>Heavy</td>
<td>Other</td>
<td>Passenger</td>
</tr>
</tbody>
</table>

Was this subject arrested / taken into custody? ☐ Yes ☑ No
Arrested / taken into custody by: ☐ CBP ☐ Other federal agency ☐ State agency ☐ Local agency
Was prosecution sought against this subject? ☐ Yes ☑ No

Was this subject injured or claiming to be injured? ☐ Yes ☑ No ☐ Unknown
Did the injury / alleged injury occur during the vehicle pursuit? ☐ Yes ☑ No ☐ Unknown
Was a CTDD/VID/ODT deployed during this vehicle pursuit? ☒ Yes ☐ No

Injury information:
Injury type: Moderate injuries (treated and released by a medical facility or will seek future treatment)
Injury Comment: Subject was a passenger in a vehicle rollover accident.
Refused medical attention? ☒ Yes ☐ No
Received treatment? ☒ Yes ☐ No
Region(s) of the body injured:
☒ Front head ☐ Rear head
☒ Side head ☐ Face
☐ Neck/throat ☐ Front upper torso/chest
☐ Rear upper torso/back ☐ Front lower torso/abdomen
☐ Rear lower torso/back ☐ Front below waist/groin area
☐ Rear below waist/buttocks ☐ Arms/hands
☐ Front legs/feet ☐ Rear legs

Medical treatment information:
Received EMS treatment prior to/in lieu of treatment at a facility? ☒ Yes ☐ No
Provider: AMR
Facility name: American Medical Response
Street address: 
City: Las Cruces
State: NEW MEXICO Zip 88005
Phone type: Main Phone: 575 523-0225 Phone extension:

Name: [REDACTED] ENRIY
Gender: Male
Immigration status: Inadmissible Alien
Country of citizenship: HONDURAS

Was there an apparent or known mental impairment (E.g., mental illness/alcohol/drugs) in the condition of the subject? ☐ Yes ☒ No

Subject's activity:
☒ Illegal entry
☐ Failure to yield/evade to
☐ Checkpoint runner
☐ Port runner
☐ Alien smuggling
☐ Narcotics smuggling
☐ Scouting
☐ Assault (rocks/other projectiles)
☐ Assault (all other types)
☐ Protesting/civil disturbance
☐ Other

Subject's current location and disposition if known: Subject is at the University Medical Center in El Paso, TX

Was this subject in the vehicle pursuit? ☒ Yes ☐ No
Was the subject an occupant of a vehicle? ☒ Yes ☐ No

Vehicle the subject was an occupant of:

<table>
<thead>
<tr>
<th>Vehicle</th>
<th>Make</th>
<th>Model</th>
<th>Year</th>
<th>Type</th>
<th>Damage to vehicle other than tire damage</th>
<th>Disposition of the vehicle</th>
<th>Subject's initial role in this vehicle</th>
</tr>
</thead>
<tbody>
<tr>
<td>SUBJECT VEHICLE-1</td>
<td>Ford</td>
<td>Expedition</td>
<td>1998</td>
<td>Automobile</td>
<td>Heavy</td>
<td>Other</td>
<td>Passenger</td>
</tr>
</tbody>
</table>
Injury Information:
- Injury type: Serious injuries (admitted to the hospital)
- Injury Comment: Subject was a passenger in a vehicle rollover accident.
- Refused medical attention? ☒ Yes ☐ No
- Received treatment? ☒ Yes ☐ No
- Region(s) of the body injured:
  - Front head
  - Side head
  - Neck/throat
  - Rear upper torso/back
  - Rear lower torso/back
  - Rear below waist/buttocks
  - Front legs/feet
  - Rear head
  - Face
  - Front upper torso/chest
  - Front lower torso/abdomen
  - Front below waist/groin area
  - Arms/hands
  - Rear legs

Medical treatment information:
- Received EMS treatment prior to/in lieu of treatment at a facility? ☒ Yes ☐ No
  - Provider: AMR
  - Facility name: American Medical Response
  - City: Las Cruces
  - State: NEW MEXICO Zip 88005
  - Phone type: Main Phone: 575 523-0225 Phone extension:

Name: [Redacted] DIXON
Gender: Male
Immigration status: Inadmissible Alien
Country of citizenship: HONDURAS

Was there an apparent or known mental impairment (E.g., mental illness/alcohol/drugs) in the condition of the subject? ☐ Yes ☒ No

Subject's activity:
- ☒ Illegal entry
- ☐ Uncooperative during encounter/inspection
- ☐ Failure to yield/heave to
- ☐ Checkpoint runner
- ☐ Port runner
- ☐ Alien smuggling
- ☐ Narcotics smuggling
- ☐ Scouting
- ☐ Assault (rocks/other projectiles)
- ☐ Assault (all other types)
- ☐ Protesting/civil disturbance
- ☐ Other

Subject's current location and disposition if known: Subject is at University Medical Center in El Paso, TX. Wall Sinus Fracture

Was this subject in the vehicle pursuit? ☒ Yes ☐ No
Was the subject an occupant of a vehicle? ☒ Yes ☐ No

Vehicle the subject was an occupant of:

<table>
<thead>
<tr>
<th>Vehicle</th>
<th>Make</th>
<th>Model</th>
<th>Year</th>
<th>Type</th>
<th>Damage to the vehicle other than tire damage</th>
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<tr>
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<td>Ford</td>
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<td>1998</td>
<td>Automobil e</td>
<td>Heavy</td>
<td>Other</td>
<td>Passenger</td>
</tr>
</tbody>
</table>

Was this subject arrested / taken into custody? ☒ Yes ☐ No
- Arrested / taken into custody by: ☒ CBP ☐ Other federal agency ☐ State agency ☐ Local agency
Was prosecution sought against this subject? ☒ Yes ☐ No
Was this subject injured or claiming to be injured? Q Yes ☐ No ☐ Unknown
Did the injury/alleged injury occur during the vehicle pursuit? ☐ Yes ☐ No ☐ Unknown
Was a CTDDVID/ODT deployed during this vehicle pursuit? ☐ Yes ☐ No

Injury information:
Injury type: Serious injuries (admitted to the hospital)
Injury Comment: Wall Sinus Fracture
Refused medical attention? ☐ Yes ☐ No
Received treatment? ☐ Yes ☐ No
Region(s) of the body injured:
☐ Front head ☐ Side head ☐ Neck/throat
☐ Rear upper torso/back ☐ Rear lower torso/back
☐ Front below waist/buttocks ☐ Front legs/feet
☐ Rear head ☐ Face ☐ Front upper torso/chest
☐ Front lower torso/abdomen ☐ Front below waist/groin area
☐ Arms/hands ☐ Rear legs

Medical treatment information:
Received EMS treatment prior to/in lieu of treatment at a facility? ☐ Yes ☐ No
Provider: AMR
Facility name: American Medical Response
Street address:
City: Las Cruces
State: NEW MEXICO Zip 88005
Phone type: Main Phone: 575 523-0225 Phone extension:

Name: DIEGO
Gender: Male
Immigration status: Inadmissible Alien
Country of citizenship: GUATEMALA

Was there an apparent or known mental impairment (E.g., mental illness/alcohol/drugs) in the condition of the subject? ☐ Yes ☐ No
Subject's activity:
☒ Illegal entry ☐ Uncooperative during encounter/inspection
☐ Failure to yield/leave to ☐ Checkpoint runner
☐ Port runner ☐ Alien smuggling
☐ Narcotics smuggling ☐ Scouting
☐ Assault (rocks/other projectiles) ☐ Assault (all other types)
☐ Protest/civil disturbance ☐ Other

Subject's current location and disposition if known: ☒ Uncooperativeduringencounter/inspection
Was this subject in the vehicle pursuit? ☐ Yes ☐ No
Was the subject an occupant of a vehicle? ☒ Yes ☐ No
Vehicle the subject was an occupant of:
<table>
<thead>
<tr>
<th>Vehicle</th>
<th>Make</th>
<th>Model</th>
<th>Year</th>
<th>Type</th>
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<td>1998</td>
<td>Automobil e</td>
<td>Heavy</td>
<td>Other</td>
<td>Passenger</td>
</tr>
</tbody>
</table>

Was this subject arrested/taken into custody? ☒ Yes ☐ No
Arrested/taken into custody by: ☐ CBP ☐ Other federal agency ☐ State agency ☐ Local agency

Page 10 of 18
Print Date: 08/06/2021
Was prosecution sought against this subject? ☑ Yes ☐ No

Was this subject injured or claiming to be injured? ☑ Yes ☐ No ☑ Unknown

Did the injury / alleged injury occur during the vehicle pursuit? ☑ Yes ☐ No ☑ Unknown

Was a CTDO/VID/ODT deployed during this vehicle pursuit? ☑ Yes ☐ No

Injury information:
Injury type: Moderate injuries (treated and released by a medical facility or will seek future treatment)
Injury Comment: Diagnosed with contusions and moderate injuries.

Refused medical attention? ☑ Yes ☐ No

Received treatment? ☑ Yes ☐ No

Region(s) of the body injured:
- Front head
- Rear head
- Side head
- Face
- Neck/throat
- Front upper torso/chest
- Rear upper torso/back
- Front lower torso/abdomen
- Rear lower torso/back
- Front below waist/groin area
- Rear below waist/buttocks
- Front legs/feet
- Arms/hands
- Rear legs

Medical treatment information:

Received EMS treatment prior to/in lieu of treatment at a facility? ☑ Yes ☐ No

Provider: AMR
Facility name: American Medical Response
Street address:
City: Las Cruces
State: NEW MEXICO Zip 88005
Phone type: Main Phone: 575 523-0225 Phone extension:

Name: OSCAR DAVID

Gender: Male

Immigration status: Inadmissible Alien
Country of citizenship: HONDURAS

Was there an apparent or known mental impairment (E.g., mental illness/alcohol/drugs) in the condition of the subject? ☑ Yes ☐ No

Subject’s activity:
- ☑ Illegal entry
- ☐ Uncooperative during encounter/inspection
- ☐ Failure to yield/have to
- ☐ Checkpoint runner
- ☐ Port runner
- ☐ Alien smuggling
- ☐ Narcomics smuggling
- ☐ Scouting
- ☐ Assault (rocks/other projectiles)
- ☐ Assault (all other types)
- ☐ Protesting/civil disturbance
- ☐ Other

Subject’s current location and disposition if known: Subject is at the University Medical Center in El Paso, TX. Some brain damage, scalp ripped off, multiple hematomas and a large laceration on right flank.

Was this subject in the vehicle pursuit? ☑ Yes ☐ No

Was the subject an occupant of a vehicle? ☑ Yes ☐ No

Vehicle the subject was an occupant of:

<table>
<thead>
<tr>
<th>Vehicle</th>
<th>Make</th>
<th>Model</th>
<th>Year</th>
<th>Type</th>
<th>Damage to the vehicle other than fire damage</th>
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<td>1998</td>
<td>Automobil e</td>
<td>Heavy</td>
<td>Other</td>
<td>Passenger</td>
</tr>
</tbody>
</table>
Was this subject arrested / taken into custody?  ☒ Yes  ☐ No

Arrested / taken into custody by:  ☒ CBP  ☐ Other federal agency  ☐ State agency  ☐ Local agency

Was prosecution sought against this subject?  ☒ Yes  ☐ No

Was this subject injured or claiming to be injured?  ☒ Yes  ☐ No  ☐ Unknown

Did the injury / alleged injury occur during the vehicle pursuit?  ☒ Yes  ☐ No  ☐ Unknown

Was a CT/DVD/ODT deployed during this vehicle pursuit?  ☒ Yes  ☐ No

Injury Information:

Injury type: Critical injuries (admitted to hospital w/ life threatening injuries)

Injury Comment: Some brain damage, scalp ripped off, multiple hematomas and a large laceration on right flank.

Refused medical attention?  ☒ Yes  ☐ No

Received treatment?  ☒ Yes  ☐ No

Region(s) of the body injured:

☒ Front head  ☒ Rear head
☒ Side head  ☒ Face
☒ Neck/throat  ☒ Front upper torso/chest
☒ Rear upper torso/back  ☒ Front lower torso/abdomen
☒ Rear lower torso/back  ☒ Front below waist/groin area
☒ Rear below waist/buttocks  ☒ Arms/hands
☒ Front legs/feet  ☒ Rear legs

Medical treatment Information:

Received EMS treatment prior to/in lieu of treatment at a facility?  ☒ Yes  ☐ No

Provider: AMR

Facility name: American Medical Response

Street address: A

City: Las Cruces

State: NEW MEXICO  Zip 88005

Phone type: Main  Phone: 575 523-0225  Phone extension:

Name: UNKNOWN-1

Gender: Male

Immigration status: Unknown

Country of citizenship: 

Was there an apparent or known mental impairment (E.g., mental illness/alcohol/drugs) in the condition of the subject?  ☐ Yes  ☒ No

Subject's activity:

☒ Illegal entry
☒ Uncooperative during encounter/inspection
☒ Failure to yield/heave to
☒ Checkpoint runner
☒ Port runner
☒ Alien smuggling
☒ Narcotics smuggling
☒ Scooting
☒ Assault (rocks/other projectiles)
☒ Assault (all other types)
☒ Protest/civil disturbance
☒ Other - Subject has been unresponsive and has not been identified

Subject's current location and disposition if known: Subject is at University Medical Center in El Paso, TX.

Was this subject in the vehicle pursuit?  ☒ Yes  ☐ No

Was the subject an occupant of a vehicle?  ☐ Yes  ☒ No

Vehicle the subject was an occupant of:
<table>
<thead>
<tr>
<th>Vehicle</th>
<th>Make</th>
<th>Model</th>
<th>Year</th>
<th>Type</th>
<th>Damage to the vehicle other than fire damage</th>
<th>Disposition of the vehicle</th>
<th>Subjects Initial role in this vehicle</th>
</tr>
</thead>
<tbody>
<tr>
<td>SUBJECT VEHICLE-1</td>
<td>Ford</td>
<td>Expedition</td>
<td>1998</td>
<td>Automobil e</td>
<td>Heavy</td>
<td>Other</td>
<td>Passenger</td>
</tr>
</tbody>
</table>

Was this subject injured or claiming to be injured?  ☑ Yes  ☐ No  ☐ Unknown
Did the injury / alleged injury occur during the vehicle pursuit?  ☑ Yes  ☐ No  ☐ Unknown
Was a CTD/DD/VID/ODT deployed during this vehicle pursuit?  ☑ Yes  ☐ No

Injury Information:
- Injury Type: Critical injuries (admitted to hospital w/ life threatening injuries)
- Injury Comment: 14MM brain shift
- Refused medical attention?  ☑ Yes  ☐ No
- Received treatment?  ☑ Yes  ☐ No
- Region(s) of the body injured:
  - ☑ Front head
  - ☑ Side head
  - ☑ Neck/throat
  - ☑ Rear upper torso/back
  - ☑ Rear lower torso/back
  - ☑ Rear below waist/buttocks
  - ☑ Front legs/feet
  - ☑ Rear head
  - ☑ Face
  - ☑ Front upper torso/chest
  - ☑ Front lower torso/abdomen
  - ☑ Front below waist/groin area
  - ☑ Arms/hands
  - ☑ Rear legs

Medical Treatment Information:
- Received EMS treatment prior to/in lieu of treatment at a facility?  ☑ Yes  ☐ No
- Provider: AMR
- Facility name: American Medical Response
- Street address: 
- City: Las Cruces
- State: NEW MEXICO  Zip 88005
- Phone type: Main  Phone: 575 523-0225  Phone extension: 

VEHICLE PURSUIT

Vehicle pursuit reporting organization: El Paso Sector / Las Cruces Station
Why the pursuit was initiated: Failed to yield
CBP pursuit supervisor: ARROYO, GERARDO
Communications center: United States Border Patrol El Paso Sector Radio
Pursuit start date/time: 08/03/2021 04:46
Estimated pursuit duration: 2 minutes
Estimated pursuit distance: 2.5 miles
Estimated highest speed attained by a CBP vehicle during the pursuit: 75 mph
What was the disposition of the vehicle pursuit? Subject Wrecked the Vehicle
Was contraband seized by CBP?  ☑ Yes  ☐ No
Are there any audio/video files for this pursuit?  ☑ Yes  ☐ No
Location of links to the files: El Paso Sector Radio

COLLATERAL DAMAGE: 0

Did this incident result in collateral property damage?  ☑ Yes  ☐ No
Did this incident result in collateral injury to a bystander?  ☑ Yes  ☐ No
WITNESSES: 0

NARRATIVE

Narrative of [redacted]

On Tuesday, August 3, 2021, I, Border Patrol Agent [redacted] was assigned to the United States Border Patrol Checkpoint located on Highway 185, mile marker 26, north of Las Cruces, New Mexico. At approximately 0430 hours I was notified by United States Border Patrol Agent [redacted] that he was following a vehicle on Highway 185 northbound towards the checkpoint. As both vehicles approached, I observed a blue Ford Expedition, swerve around the cones that led into the primary inspection area of the checkpoint and continue northbound. I heard Border Patrol Agent [redacted] advise that the Ford was failing to yield, and I entered my assigned government marked vehicle in order to assist in the pursuit.

As I neared the Border Patrol Vehicle in front of me, I was requested by Border Patrol Agent [redacted] to take over as primary pursuit agent. Once I had successfully passed the Border Patrol Vehicle, I observed the driver of the Ford Expedition had appeared to lose control of his vehicle. The Ford Expedition drove off the road onto the eastbound side of Highway 185. As I stopped at the scene, I observed multiple individuals who had been ejected from the vehicle laying on the side of the road. I advised sector radio that the Ford had possibly rolled over and exited my vehicle to assess the situation.

I immediately started assisting the persons in and out of the suspect vehicle. I believe I also called for medical assistance, but I recall Agent [redacted] advised sector radio to call for an ambulance. Other Agents started to arrive and I continued to assist until I was instructed by Watch Commander [redacted] to return to the station.

Narrative of [redacted]
On August 3, 2021, I, Border Patrol Agent [redacted] was assigned to Highway 185 Patrol from Las Cruces, New Mexico to Hatch, New Mexico. At approximately 0500 hours, I was parked near mile marker 20 southbound on New Mexico Highway 185 observing traffic in my Government issued/assigned vehicle. [redacted] observed a vehicle traveling northbound on Highway 185 and based on the circumstances, I decided that I was going to follow it to the Highway 185 Checkpoint. As I came over the hill, I expected to be able to see the taillights of the vehicle, but I couldn’t. This meant that the vehicle pulled over, turned off its lights or sped up making the circumstances more suspicious to me.

I then turned on my bright head lights and began accelerating as I attempted to find or catch up to the vehicle. As I came around a curve, I could finally see the taillights up in the distance. I continued to accelerate to catch up as it was traveling at a high rate of speed. As I came around another curve, I saw the vehicle pulled over to the right shoulder. The vehicle noticed my head lights and quickly swerved back onto the highway kicking up a cloud of dust as the tires of the vehicle spun.

It was about this time that I notified Agents working at the Highway 185 Border Patrol Checkpoint that a dark in color SUV was headed their way and that it was possibly loaded with bodies. At this point, I observed the vehicle accelerate at a high rate of speed while swerving in and out of the north and south bound lanes of traffic. I advised Agents at the checkpoint again that the vehicle was approaching at a high rate of speed and that the driver was all over the road and to take caution. The vehicle started to slow down as it approached the checkpoint and it appeared as if he was going to present himself for inspection. At the last moment, the driver swerved into the south bound lane and proceeded to circumvent the checkpoint.

At that point, I activated my emergency equipment in an attempt to perform a vehicle stop and contacted Sector Radio [redacted] that we had a failure to yield on Highway 185. The driver did not show any sign of stopping the vehicle and instead accelerated his rate of speed. I also communicated on the radio information such as rate of speed, traffic conditions, and location using mile markers. I attempted to drive closer to the suspect vehicle to acquire a license plate but could not close the distance due to the high rate of speed of the suspect vehicle, sudden bursts of acceleration and swerving the driver was doing. I also noticed that another marked Border Patrol vehicle had joined me in pursuing the vehicle. At that point, I asked Agent [redacted] who was driving the other Border Patrol vehicle (Pursuit Vehicle) to overtake me and take over the vehicle pursuit. Agent [redacted] pulled ahead of me and proceeded to pursue the vehicle. I continued with radio communications. I believe my last radio transaction was that we were passing mile marker 27 at a speed of approximately 73 miles per hour and that the vehicle was still swerving. I then witnessed the vehicle appear to make a right turn right toward a pecan orchard. At that point, the vehicle went airborne and began to roll. I knew this, because I saw a huge cloud of dust and suddenly lost visual of the vehicle’s lights. Agent [redacted] advised radio at that point that the vehicle had flipped.

I quickly pulled over and ran toward the vehicle to check for injured subjects. I heard Agent [redacted] yell at an unknown number of subjects to stop and remain still. I noticed one injured subject and I quickly rendered aid to him. I also noticed other subjects inside and outside the vehicle. At the time there were still three subjects in the vehicle. Within minutes other Agents arrived and began calling for Ambulances and Life Flights. EMS also arrived on scene and began treating subjects and moving them to ambulances and a helicopter. Later Watch Commander [redacted] approached and told Agent [redacted] and I to head back to the station. Please see the Official Timeline that was submitted by the LAS Supervisors and the audio transcript from [redacted] for a more accurate and precise depiction of what transpired.

FILE ATTACHMENTS

STATUS HISTORY

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<tr>
<th>Action</th>
<th>By</th>
<th>Date</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>Submitted</td>
<td>[redacted]</td>
<td>08/05/2021 03:28</td>
<td></td>
</tr>
<tr>
<td>Approved</td>
<td>[redacted], JASON</td>
<td>08/06/2021 04:05</td>
<td></td>
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<tr>
<td>Reopened</td>
<td>[redacted]</td>
<td>08/06/2021 02:22</td>
<td>Additional Subject names for this event required. Subjects were transported to the hospital after rollover accident and were not identified.</td>
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<td>08/06/2021 04:07</td>
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<td>Action</td>
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<td>--------------------------------------------</td>
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<td>add subject information - material witnesses</td>
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# REPORT OF INVESTIGATION

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<tbody>
<tr>
<td>NAME</td>
<td>CHRISTOPHER</td>
<td>A#</td>
<td></td>
<td></td>
</tr>
<tr>
<td>ALIAS</td>
<td></td>
<td>RACE</td>
<td>SEX</td>
<td>M HT</td>
</tr>
<tr>
<td>ADDRESS (US)</td>
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<tr>
<td>IMM STAT</td>
<td>U.S. Citizen</td>
<td>SS#</td>
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<tr>
<th>SMUGGLED</th>
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<th>EL SALVADOR</th>
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<tr>
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<td>RACE</td>
<td>SEX</td>
<td>M HT</td>
<td>WT</td>
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<tr>
<td>ADDRESS (US)</td>
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<td>IMM STAT</td>
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<td>SS#</td>
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<td>1310023625</td>
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</table>

- Continued on attached continuation page

**ALIENS**

<table>
<thead>
<tr>
<th>NUMBER IN LOAD</th>
<th>NATIONALITY</th>
<th>INTENDED DEST</th>
</tr>
</thead>
<tbody>
<tr>
<td>7</td>
<td>HONDURAS</td>
<td></td>
</tr>
</tbody>
</table>

**PLACE OF ARREST**

Highway 185, mile marker 28.5

**DATE OF ARREST**

08/03/2021

**ARRESTING OFFICER**

JAZMIN GONZALES

**VEHICLE(S) USED**

<table>
<thead>
<tr>
<th>LIC#</th>
<th></th>
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</thead>
</table>

- DEPORTABLE/INADMISSIBLE: 0
- NON-DEPORTABLE: 1
- TOTAL NUMBER OF CONVEYANCES SEIZED: 0
- ESTIMATED TOTAL VALUE: $0.00

**RECRUITING PROCEDURES**: TRAVEL TO BORDER AREA-TO WHOM PAYMENT MADE-STAGING AREAS-MANNER OF ENTRY DROP HOUSES-HOW CHECKPOINTS AVOIDED-ROUTE TO POINT OF ARREST-CONTACTS AT DESTINATION

Form G-166F (Rev. 08/01/07)
<table>
<thead>
<tr>
<th>SMUGGLED</th>
<th>NAME</th>
<th>A#</th>
<th>D/POB</th>
<th>ADDRESS (US)</th>
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<tbody>
<tr>
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<td></td>
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<td></td>
<td></td>
</tr>
<tr>
<td>SANTOS</td>
<td></td>
<td></td>
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<tr>
<td>BOURNE</td>
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<td></td>
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<td></td>
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<tr>
<td>DIXON</td>
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</tbody>
</table>
SMUGGLED
NAME DIEGO
ALIAS
ADDRESS (US)
INCIDENT COORDINATES:
Latitude: 32.63148
Longitude: -107.05801

Narrative Title: Report of Investigation

ARREST: On Tuesday, August 3, 2021, Border Patrol Agent [REDACTED] was assigned roving patrol duties in the Las Cruces Border Patrol Station area of operations. Agent [REDACTED] was dressed in official Border Patrol Rough Duty Uniform and ballistic carrier, with official patches and insignia displayed and Agent Gonzales was operating a marked Service unit. Agent [REDACTED] was assigned to work New Mexico State Road 185 (NMSR 185).

At approximately 0440 hours Agent [REDACTED] noticed a dark colored Ford Expedition travelling northbound towards the checkpoint.

Agent [REDACTED] noticed that the vehicle began to drive erratically, occasionally swerving outside of the northbound lane at varying rates of speed. BPA [REDACTED] notified the Border Patrol Checkpoint of the vehicle and its direction of travel.

Upon approaching the entrance ramp to the Border Patrol Checkpoint, the vehicle drove around the cones and continued northbound. Agent [REDACTED] engaged his emergency equipment and attempted to conduct a vehicle stop on the Ford Expedition, to which the vehicle failed to yield. At approximately 0446 hours, Agent [REDACTED] notified that the Ford was traveling at approximately 73 miles per hour and the road conditions were clear. Border Patrol Agent [REDACTED] responding from the Border Patrol Checkpoint, located at mile marker 26, in his government assigned vehicle, notified Agent Gonzales that he would be taking over as the primary pursuit agent. After doing so at approximately 0446 hours, both agents observed the driver of the Ford Expedition, later identified as [REDACTED] lose control of his vehicle and drive off of the road, rolling the vehicle over and ejecting approximately 6 to 7 occupants.
Agents notified El Paso Sector Radio Communications that the Ford had just rolled over and requested for immediate medical response. Multiple Border Patrol Agents responded to the scene to assist, along with other state and county officials and emergency medical teams.

A total of 10 individuals, including the driver, were taken into medical care and transported to various area hospitals based off medical personnel triage to receive appropriate and or life-saving medical attention. HSI Special Agent responded to conduct investigative functions, he identified two material witnesses for future criminal proceedings against . Due to serious medical condition AUSA , Dependent upon medical condition, AUSA will issue an indictment at a future date.
<table>
<thead>
<tr>
<th>NAME</th>
<th>DOB</th>
<th>COB</th>
<th>INJURIES</th>
<th>SEX</th>
<th>Additional ID</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Dixon Stanley</td>
<td></td>
<td>Honduras</td>
<td>Fractured skull, spinal injuries</td>
<td>Male</td>
<td>EAD card</td>
</tr>
<tr>
<td>2. Rovin Randolgo</td>
<td></td>
<td>Guatemala</td>
<td>Sprained right leg</td>
<td>Male</td>
<td>Guatemalan national ID card</td>
</tr>
<tr>
<td>3. Santo David</td>
<td></td>
<td>Honduras</td>
<td>Sprained left arm</td>
<td>Male</td>
<td>Honduran national ID card</td>
</tr>
<tr>
<td>4. Diego</td>
<td></td>
<td>Guatemala</td>
<td>No injuries</td>
<td>Male</td>
<td></td>
</tr>
<tr>
<td>5. Enrriy</td>
<td></td>
<td>Honduras</td>
<td>Skull fracture, spinal injury</td>
<td>Male</td>
<td>Honduran nations ID #</td>
</tr>
<tr>
<td>6. Christopher</td>
<td></td>
<td>El Salvador</td>
<td>Sprained left ankle</td>
<td>Male</td>
<td></td>
</tr>
<tr>
<td>7. Lesvin Josue</td>
<td></td>
<td>Honduras</td>
<td>Spinal fracture, dislocated hip, eye</td>
<td>Male</td>
<td>Honduran nations ID #</td>
</tr>
</tbody>
</table>

- Veliz stated he was in a grey/brown SUV, sitting in the middle in the 2nd row seat, he saw the lights of the BP Unit, driving thru a curve at a high rate of speed, the driver lost control, described the driver as a blonde about 35 years old with a mustache, upon rolling over lost consciousness and woke up in the hospital.

- Cazun stated he got into a grey car, was sitting in the 3rd row right side behind passenger, saw lights but did not hear sirens, described driver as a guy with a beard, stated they were going at a high rate of speed and believes driver lost control because he was looking at his phone, two BP Units were following, and the pursuit was approx 10 minutes before they rolled over.

- Rodriguez stated that the driver accelerated and he observed 2 white BP units, the driver was distracted looking at his phone and stated the pursuit took about 101-5 minutes, he was sitting an the third row seat in the center, driver stopped momentarily and told the non-citizens to get out but when they tried to open the door it was locked, described the driver as white, having a beard with short hair, after vehicle rolled over several times, BPAs pulled him out of the vehicle and rendered aid.

- Silvestre stated that he got into a grey car with 10 people, described the driver as short with a beard, saw one BP unit following them with headlights, he was sitting in the third row, BP unit followed for about 10-15 minutes, driver was going at a high rate of speed, driver pulled over momentarily then sped off, driver lost control and vehicle rolled, BP rendered aid.

- Cruz stated there were 9 or 10 people in the vehicle, vehicle was traveling at a high rate of speed, heard sirens and saw lights from BP units, he was seated in the 2nd row in the middle, vehicle rolled over because the driver could not control, the vehicle was swerving.
<table>
<thead>
<tr>
<th></th>
<th></th>
<th>fracture, 2 brain bleeds</th>
</tr>
</thead>
<tbody>
<tr>
<td>Unconscious, no interview, transported from Mountain View to UMC</td>
<td></td>
<td></td>
</tr>
<tr>
<td>8. John Doe</td>
<td>NA</td>
<td>NA</td>
</tr>
<tr>
<td>Flown from Mountain View to UMC before agents arrived at the hospital</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
CIT-210803-119

SECTION C

GOVERNMENT EMPLOYEE

Information contained within pertains to the involved government employee(s).
GOVERNMENT EMPLOYEE

Name: [Redacted]
Title: BPA

Driver's License State Number: [Redacted]
ID#: [Redacted]
DOB: [Redacted]
EOD: [Redacted]

Duty Station: LAS
Injuries: None
Comments:

Name: [Redacted]
Title: BPA

Driver's License State Number:
ID#: [Redacted]
DOB: [Redacted]
EOD: [Redacted]

Duty Station: LAS
Injuries: None
Comments:
### Request

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<th>Date and Time</th>
<th>Seq</th>
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<tbody>
<tr>
<td></td>
<td>08/31/2021 11:36:57</td>
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### Response

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<td>Nlets</td>
<td>08/31/2021 11:36:59</td>
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**QUERY DATA**

***** DRIVER DETAILS *****

***** DRIVER LICENSE DETAILS *****

DRIVER ENDORSEMENT: None

DRIVER LICENSE COMMERCIAL STATUS: N/A
DRIVER LICENSE NON-COMMERCIAL CLASS CODE: D
DRIVER LICENSE NON-COMMERCIAL STATUS: Valid. (Driver currently holds a valid New Mexico Driver's License.)

PRIMARY CONTACT ADDRESS:  

For Official Use Only / Law Enforcement Sensitive
**U.S. Customs and Border Protection**
**U.S. Department of Homeland Security**

**NNSV Query Result**

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<tr>
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**Response**

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**DR: NNSV0015**

09:35 08/31/2021 89146
08:35 08/31/2021 496666 TXCBPC193
*WH56019804

**TXT**

**QUERY DATA**

*** DRIVER DETAILS ***

*** DRIVER LICENSE DETAILS ***

JURISDICTION AUTHORITY CODE: RM
DRIVER ENDORSEMENT: None
DRIVER LICENSE COMMERCIAL STATUS: N/A
DRIVER LICENSE NON-COMMERCIAL CLASS CODE: D
(Driver currently holds a valid New Mexico Driver's License.)
DRIVER LICENSE NON-COMMERCIAL LOCAL CLASS CODE: D

**ADDRESS INFORMATION***

STATE: New Mexico
REAL ID: Yes

For Official Use Only / Law Enforcement Sensitive
CIT-210803-119

SECTION D

GOVERNMENT VEHICLE

Information contained within pertains to the involved government vehicle(s).
GOVERNMENT VEHICLE

GOV-1

Fleet #: L14257
Description: 2021 Ford Explorer Police Interceptor SUV
License Plate: DHS287822

Vehicle Identification Number: [redacted]
Operator: [redacted]
Operator Injuries: None
Passenger(s): None
Damage: None
Damage Repair Estimates: N/A
Comments:

GOV-2

Fleet #: M87898
Description: 2018 Chevrolet Tahoe
License Plate: DHS278017

Vehicle Identification Number: [redacted]
Operator: [redacted]
Operator Injuries: None
Passenger(s): None
Damage: N/A
Damage Repair Estimates: N/A
Comments:
Information contained within pertains to the involved civilian(s).
CIVILIAN

Name: [Redacted]
FIBS: [Redacted]

Driver's License: [Redacted]
A#: [Redacted]

FBI#: [Redacted]
DOB: [Redacted]
COB: U.S.

Injuries: Collapsed lungs, Broken wrist, Broken ankle
Comments: Driver of smuggling VEH

Name: Rovin Randolgo [Redacted]
FIBS: [Redacted]

Driver's License
A#: [Redacted]

FBI#: [Redacted]
DOB: [Redacted]
COB: Guatemala

Injuries: Sprained right leg
Comments: Seated in third row seat right

Name: Santo David [Redacted]
FIBS: [Redacted]

Driver's License
A#: [Redacted]

FBI#: [Redacted]
DOB: [Redacted]
COB: Honduras

Injuries: Sprained left arm
Comments: Seated in third row seat center
CIVILIAN

Name: Pablo Diego

Driver's License

DOB: [redacted]
COB: Guatemala
Injuries: None
Comments: Seated in third row left

Name: Dixon Stanley

Driver's License

DOB: [redacted]
COB: Honduras
Injuries: Factured skull, spinal injuries
Comments: Seated in second row seat middle

Name: Lesvin Josue

Driver's License

DOB: [redacted]
COB: Honduras
Injuries: Spinal fracture, dislocated hip, fracture, (2) brain bleeds
Comments: Unknown seating position
CIVILIAN

Name: Christopher Adonay [redacted]
FIBS:

Driver's License
A#
FBI#
DOB [redacted]
COB: El Salvador

Injuries: Sprained left ankle
Comments: Seated in second row middle

Name: Brandon [redacted]
FIBS:

Driver's License
A#
FBI#
DOB [redacted]
COB: Honduras

Injuries: Skull fracture, Spinal injury
Comments: Unknown seating position

Name: Unidentified Subject
FIBS:

Driver's License
A#
FBI#
DOB
COB:

Injuries:
Comments:
CIVILIAN

Name: Unidentified Subject
FIBS:

Driver's License
A#:
FBI#:
DOB:
COB:
Injuries:
Comments:
<table>
<thead>
<tr>
<th>Field</th>
<th>Value</th>
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<tbody>
<tr>
<td>Race:</td>
<td>WHITE</td>
</tr>
<tr>
<td>Ethnicity:</td>
<td>HISPANIC</td>
</tr>
<tr>
<td>Sex:</td>
<td>M</td>
</tr>
<tr>
<td>Height:</td>
<td></td>
</tr>
<tr>
<td>Weight:</td>
<td></td>
</tr>
<tr>
<td>Eye Color:</td>
<td>BROWN</td>
</tr>
<tr>
<td>Hair Color:</td>
<td>BROWN</td>
</tr>
<tr>
<td>Image Date:</td>
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<td>Class:</td>
<td>C</td>
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<tr>
<td>Expiration Date:</td>
<td></td>
</tr>
<tr>
<td>Restriction:</td>
<td></td>
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<tr>
<td>CDL Flag:</td>
<td>N</td>
</tr>
<tr>
<td>Endorsement:</td>
<td></td>
</tr>
</tbody>
</table>
NLET Subject Details

QUERY DATA

SEX OFF: COMM IMPED: ORGAN DONOR: Y VISA EXP:

REC STATUS: NOT ELIGIBLE
ADMIN STATUS:
CARD STATUS:
HEME THR ASMT: EXP:

RESTRICTIONS:
ENDORSEMENTS:

EMERGENCY CONTACT INFORMATION

FIRST NAME:
LAST NAME:
PHONE: EXT
ALT PHONE:

FIRST NAME:
LAST NAME:
PHONE: EXT
ALT PHONE:

**** DRIVER RECORD INFORMATION IS PERSONAL INFORMATION PROTECTED UNDER THE FEDERAL DRIVER PRIVACY ACT OF 1994 (18 USC 2721, ET SEQ.) AS AMENDED AND THE MOTOR VEHICLE RECORDS DISCLOSURE ACT, TEXAS TRANSPORTATION CODE 730 *******

******** END OF RECORD*********
# NLETS Subject Details

## Images

![Image](image.png)

## Subject Details

<table>
<thead>
<tr>
<th>Name</th>
<th>DOB</th>
<th>Gender</th>
<th>NIC</th>
<th>ORI</th>
<th>State</th>
<th>Eye Color</th>
<th>Hair Color</th>
<th>Race</th>
<th>Weight</th>
<th>Height</th>
</tr>
</thead>
<tbody>
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<th>SSN</th>
<th>Alien Registration #</th>
<th>Passport</th>
<th>Passport Country</th>
<th>Driver's License</th>
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</thead>
<tbody>
<tr>
<td></td>
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</tr>
</tbody>
</table>

## NLETS - Hit Data


CIT-210803-119

SECTION

F

CIVILIAN VEHICLE

Information contained within pertains to the involved civilian vehicle(s).
## NLETs Vehicle Details

**TXT**

**SELECTION REQUEST:** LICENSE

**LICENSE PLATE:** [REDACTED] **VALID:** 2021/07/29 00:00:00-- 0/0/0 0:0:0

**VEHICLE INFORMATION:**

- **YR:** 1998
- **MAKE:** FORD
- **MODEL:** EPT
- **STYLE:** LL
- **VIN:** [REDACTED]
- **COLOR:** BLUE
- **TITLE:** [REDACTED]

**LICENSE PLATE STATUS:** PLATE WITH VEHICLE

**PREVIOUS VEHICLE OWNER:** [REDACTED]

**REMARKS:** ADDITIONAL RTS REGISTRATION AVAILABLE

<table>
<thead>
<tr>
<th>LIC.</th>
<th>EXPIRES</th>
<th>GVW</th>
<th>GWT</th>
<th>5700</th>
</tr>
</thead>
<tbody>
<tr>
<td>TRUCK PLT, STKR</td>
<td>REG CLASS 03</td>
<td>$84.75</td>
<td></td>
<td></td>
</tr>
<tr>
<td>TITLE</td>
<td>ISSUED</td>
<td>ODOMETER N/A</td>
<td></td>
<td></td>
</tr>
<tr>
<td>98 FORD PL</td>
<td>PASS-TRX</td>
<td>COLOR: BLUE</td>
<td></td>
<td></td>
</tr>
<tr>
<td>PREV TTL</td>
<td>JUR TX TTL</td>
<td>ISSUE</td>
<td></td>
<td></td>
</tr>
<tr>
<td>OWNER</td>
<td>[REDACTED]</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>LIEN</td>
<td>[REDACTED]</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>PLATE AGE: 9</td>
<td></td>
<td></td>
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<td></td>
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<tr>
<td>REMARKS VEH TRANSFERRED: PAPER TITLE</td>
<td></td>
<td></td>
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</tr>
</tbody>
</table>
CIT-210803-119

SECTION

G

OTHER AGENCY REPORTS

Reports submitted by civilian & non-DHS governmental entities pertaining to the case listed above
**OTHER AGENCY REPORTS**

The following reports and forms are attached in the sequence shown:

<table>
<thead>
<tr>
<th>Report No.</th>
<th>Description/Author</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>New Mexico State Police Incident Report</td>
</tr>
<tr>
<td></td>
<td>El Paso County Medical Examiners Office</td>
</tr>
<tr>
<td></td>
<td>El Paso County Medical Examiners Office</td>
</tr>
</tbody>
</table>
CIT-210803-119

SECTION

H

SCENE PHOTOGRAPHS

Photographs of the scene and all involved items.
Case #: CIT-210803-119

View: Overall
Description: Scene Location

Photographer(s): Google Maps
View: Midrange
Description: Scene Location
Photographer(s): Google Maps
View: Close-Up
Description: Scene Location
Photographer(s): Google Maps
CASE PHOTOGRAPHS

Case #: CIT-210803-119

View: Close-Up
Description: Recommended Speed for Curve
Photographer(s): Google Maps
SCENE PHOTOGRAPHS

Case #: CIT-210803-119

View: Overall
Description: Scene Location

Photographer(s): [Redacted]
SCENE PHOTOGRAPHS

Case #: CIT-210803-119

View: Overall
Description: Scene Location

Photographer(s): [Redacted]
Case #: CIT-210803-119

View: Midrange
Description: Scene Location
Photographer(s): [redacted]
Case #: CIT-210803-119

View: Midrange
Description: Scene Location
Photographer(s): [Redacted]
Case #: CIT-210803-119

View: Midrange
Description: Scene Location

Photographer(s): [Redacted]
Case #: CIT-210803-119

View: Close-Up
Description: Scene Location
Photographer(s): [Redacted]
SCENE PHOTOGRAPHS

Case #: CIT-210803-119

View: Close-Up
Description: Scene Location

Photographer(s): [Redacted]
Case #: CIT-210803-119

View: Close-Up
Description: Scene Location

Photographer(s): [Redacted]
Case #: CIT-210803-119

View: Close-Up
Description: Scene Location

Photographer(s): [Redacted]
Case #: CIT-210803-119

View: Midrange
Description: VEH Skids
Photographer(s): [Redacted]
Case #: CIT-210803-119

View: Midrange
Description: VEH Skids
Photographer(s): [Redacted]
SCENE PHOTOGRAPHS

Case #: CIT-210803-119

View: Close-Up
Description: VEH Skids
Photographer(s): [Redacted]
SCENE PHOTOGRAPHS

Case #: CIT-210803-119

View: Midrange
Description: VEH Skids

Photographer(s): [Redacted]
SCENE PHOTOGRAPHS

View: Close-Up
Description: VEH Skids
Photographer(s): [Redacted]
Case #: CIT-210803-119

View: Overall
Description: VEH
Photographer(s): [Redacted]
View: Midrange
Description: VEH
Photographer(s): [Redacted]
SCENE PHOTOGRAPHS

Case #: CIT-210803-119

View: Overall
Description: VEH
Photographer(s): [Redacted]
SCENE PHOTOGRAPHS

Case #: CIT-210803-119

View: Overall
Description: VEH

Photographer(s): [Redacted]
SCENE PHOTOGRAPHS

Case #: CIT-210803-119

View: Overall
Description: VEH

Photographer(s): [Redacted]
Case #: CIT-210803-119

View: Overall
Description: VEH

Photographer(s): [Redacted]
SCENE PHOTOGRAPHS

Case #: CIT-210803-119

View: Overall
Description: VEH

Photographer(s): [Redacted]

Page 27 of 69
Case #: CIT-210803-119

View: Midrange
Description: VEH

Photographer(s): [Redacted]
Case #: CIT-210803-119

View: Midrange
Description: VEH

Photographer(s): [Redacted]
Case #: CIT-210803-119

View: Midrange
Description: VEH

Photographer(s): [Redacted]
View: Midrange
Description: VEH
Photographer(s): [Redacted]
Case #: CIT-210803-119

View: Close-Up
Description: VEH

Photographer(s): [Redacted]
SCENE PHOTOGRAPHS

Case #: CIT-210803-119

View: Close-Up
Description: VEH

Photographer(s): [Redacted]
SCENE PHOTOGRAPHS

Case #: CIT-210803-119

View: Close-Up
Description: VEH
Photographer(s): [Redacted]
SCENE PHOTOGRAPHS

Case #: CIT-210803-119

View: Close-Up
Description: VEH

Photographer(s): [Redacted]
SCENE PHOTOGRAPHS

Case #: CIT-210803-119

View: Overall
Description: Passenger's Clothing

Photographer(s): [Redacted]
Case #: CIT-210803-119

View: Midrange
Description: Passenger's Clothing

Photographer(s): [Redacted]
SCENE PHOTOGRAPHS

Case #: CIT-210803-119

View: Close-Up
Description: Red substance believed to be blood

Photographer(s): [Redacted]
View: Close-Up
Description: Red substance believed to be blood
Photographer(s): [Redacted]
SCENE PHOTOGRAPHS

Case #: CIT-210803-119

View: Close-Up
Description: VEH Damage
Photographer(s): [REDACTED]
Case #: CIT-210803-119

View: Close-Up
Description: VEH Damage
Photographer(s): [Redacted]
View: Close-Up
Description: VEH Damage
Photographer(s): [Redacted]
Case #: CIT-210803-119

View: Close-Up
Description: VEH Damage

Photographer(s): [Redacted]
SCENE PHOTOGRAPHS

Case #: CIT-210803-119

View: Close-Up
Description: VEH Damage

Photographer(s): [Redacted]
SCENE PHOTOGRAPHS

Case #: CIT-210803-119

View: Close-Up
Description: VEH Damage

Photographer(s): [Redacted]
SCENE PHOTOGRAPHS

Case #: CIT-210803-119

View: Close-Up
Description: VEH Damage
Photographer(s): [Redacted]
Case #: CIT-210803-119

View: Close-Up
Description: VEH Damage

Photographer(s): [Redacted]
Case #: CIT-210803-119

View: Close-Up
Description: VEH Damage

Photographer(s): [Redacted]
Case #: CIT-210803-119

View: Close-Up
Description: VEH Mileage

Photographer(s): [Redacted]
SCENE PHOTOGRAPHS

Case #: CIT-210803-119

View: Close-Up
Description: VEH VIN

Photographer(s): [Redacted]
Case #: CIT-210803-119

<table>
<thead>
<tr>
<th>View:</th>
<th>Overall</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>

| Description: |         |

| Photographer(s): |         |

Page 53 of 69
SCENE PHOTOGRAPHS

Case #: CIT-210803-119

View: Midrange
Description: BPA Silva
Photographer(s): [Redacted]
Case #: CIT-210803-119

View: Close-Up
Description: [Redacted]
Photographer(s): [Redacted]
View: Overall
Description: VEH Passengers
Photographer(s): [Redacted]
Case #: CIT-210803-119

View: Close-Up
Description: VEH Passenger

Photographer(s): [Redacted]
SCENE PHOTOGRAPHS

Case #: CIT-210803-119

View: Overall
Description: VEH Passenger
Photographer(s): [Redacted]
Case #: CIT-210803-119

View: Overall
Description: VEH Passenger

Photographer(s): [Redacted]
View: Midrange
Description: VEH Passenger
Photographer(s): [Redacted]
Case #: CIT-210803-119

View: Close-Up
Description: VEH Driver

Photographer(s): [Redacted]
SCENE PHOTOGRAPHS

Case #: CIT-210803-119

View: Overall
Description: VEH Passenger

Photographer(s): [Redacted]
View: Close-Up
Description: VEH Passenger
Photographer(s): [redacted]
Case #: CIT-210803-119

View: Midrange
Description: GOV-1
Photographer(s): [REDACTED]
SCENE PHOTOGRAPHS

Case #: CIT-210803-119

View: Midrange
Description: GOV-1

Photographer(s): [Redacted]
Case #: CIT-210803-119

View: Midrange
Description: GOV-2

Photographer(s): [redacted]
SCENE PHOTOGRAPHS

Case #: CIT-210803-119

View: Midrange
Description: GOV-2

Photographer(s): [Redacted]

Department of Homeland Security
Customs and Border Protection
U.S. Border Patrol
8901 Montana Avenue
El Paso, Texas 79925
(915) 834-8350
Diagram(s) as prepared by EPT CIT pertaining to the case listed above.
All radio transmissions as transcribed for EPT CIT including all facts pertaining to the case listed above.
<table>
<thead>
<tr>
<th>Speaker</th>
<th>Radio Communications</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>703 get ready, I think this vehicle’s gonna be loaded that’s coming up</td>
</tr>
<tr>
<td></td>
<td>703 copy?</td>
</tr>
<tr>
<td></td>
<td>703, we’re getting ready to come around this final turn, I think it’s gonna be loaded, be ready</td>
</tr>
<tr>
<td></td>
<td>Hey 703, they’re all over the road so uh be careful</td>
</tr>
<tr>
<td></td>
<td>Going around the point</td>
</tr>
<tr>
<td></td>
<td>Going around the point 703</td>
</tr>
<tr>
<td></td>
<td>Hey, uh [REDACTED] we’re gonna have an FTY at uh on Highway 185, currently doing 73 MPH, no traffic</td>
</tr>
<tr>
<td></td>
<td>Unit calling FTY, 10-9</td>
</tr>
<tr>
<td></td>
<td>[REDACTED] it’s gonna be uh, sh, grey in color uh SUV just passing mile marker 27, they’re all over the road, no traffic</td>
</tr>
<tr>
<td></td>
<td>10-4, which direction they’re headed</td>
</tr>
<tr>
<td></td>
<td>Uh north</td>
</tr>
<tr>
<td></td>
<td>10-4</td>
</tr>
<tr>
<td></td>
<td>[REDACTED] would you happen to have any air support available?</td>
</tr>
<tr>
<td></td>
<td>Stand by, let me find out</td>
</tr>
<tr>
<td></td>
<td>Hey is that gonna be a sedan behind me?</td>
</tr>
<tr>
<td></td>
<td>[REDACTED] no air support</td>
</tr>
<tr>
<td></td>
<td>Hey if that’s a sedan behind me [REDACTED] go ahead and take over</td>
</tr>
<tr>
<td></td>
<td>10-4</td>
</tr>
<tr>
<td></td>
<td>Passing you on the left</td>
</tr>
<tr>
<td></td>
<td>Unit in pursuit, what’s the uh traffic like?</td>
</tr>
<tr>
<td></td>
<td>Flipped, they flipped, they flipped</td>
</tr>
<tr>
<td></td>
<td>[REDACTED] would you be able to get some uh EMT or an ambulance enroute to that location please?</td>
</tr>
<tr>
<td></td>
<td>10-4</td>
</tr>
<tr>
<td></td>
<td>[REDACTED] uh, what was the mile marker that they uh, that you need the ambulance at? Last I had was mile marker 27</td>
</tr>
<tr>
<td></td>
<td>It’s gonna be 29</td>
</tr>
<tr>
<td></td>
<td>Hey Agents working the 702 traffic you guys are heading uh too, too far east, come back toward the checkpoint, you went uh that far out there</td>
</tr>
<tr>
<td>Unknown</td>
<td>10-4</td>
</tr>
<tr>
<td>Unknown</td>
<td>X-ray units do, are we on a 32 yet or still on 26?</td>
</tr>
<tr>
<td></td>
<td>Nah, we’re, we’re 32</td>
</tr>
<tr>
<td></td>
<td>10-4, we’ve got uh multiple subjects that are down, uh approximately seven, seven individuals, possibly eight, uh, most are non-responsive. Give me as many ambulances uh that you can send</td>
</tr>
<tr>
<td></td>
<td>10-4</td>
</tr>
<tr>
<td></td>
<td>702, copy [REDACTED]?</td>
</tr>
<tr>
<td></td>
<td>Go ahead</td>
</tr>
<tr>
<td></td>
<td>Go ahead and green light and if you’re not chasing bodies on the ground head over to seven oh, to 185</td>
</tr>
<tr>
<td>Unknown</td>
<td>10-9, 702?</td>
</tr>
<tr>
<td>---------</td>
<td>-----------</td>
</tr>
<tr>
<td>Ok, 10-4, just checking if you guys weren't already, please head out that way</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Unknown</th>
<th>10-4, EMS has been notified</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Unknown</th>
<th>10-4, thank you</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Unknown</th>
<th>uh, is already en-route and I'm heading up north</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ok, 10-4, just checking if you guys weren't already, please head out that way</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Unknown</th>
<th>is en-route from Radium</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Unknown</th>
<th>are you guys en-route, uh EMT wise?</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Unknown</th>
<th>I'll go ahead and be en-route</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Unknown</th>
<th>is there any way that we can have the uh locals, see if they can uh shut off uh help us with con, traffic control there?</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Unknown</th>
<th>working on it now</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Unknown</th>
<th>uh, uh keep moving south, you're uh you're about 100 yards</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Unknown</th>
<th>Uh oh two take that traffic to another freq</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Unknown</th>
<th>X-ray units on scene, native air has been notified, 25 minute ETA, also uh request for, for traffic control has been uh put out also</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Unknown</th>
<th>Hey 702, switching over to uh LAS/DPS, units out here working the 702 traffic</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Unknown</th>
<th>10-4</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Unknown</th>
<th>10-4, did they uh put out a license plate on the, the vehicle they were chasing</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Unknown</th>
<th>I only copied that it was a grey SUV</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Unknown</th>
<th>10-4, it's gonna be Texas</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Unknown</th>
<th>10-4</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Unknown</th>
<th>Go ahead Sir</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Unknown</th>
<th>Yeah, I've got Hatch PD on scene, uhm looks like uh New Mexico State Police also uh is here, uhm they have requested Hatch uh ambulance, uh native air, and uh Garfield uh Fire Rescue to come out</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Unknown</th>
<th>10-4, uhm, we have the driver?</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Unknown</th>
<th>He's one of the people that are, are down Sir, I'm not, I'm sure uh right now he is, we believe he came to be on the other side of the vehicle and uh ejected</th>
</tr>
</thead>
</table>
any outstanding individuals?

Uh, any outstanding that uh bailed out, etc.

Negative Sir, they were all in the vehicle when the vehicle rolled I believe

10-4 good copy

Yes sir can you 10-79 (Inaudible)

896

Unknown

Hey, yeah on your handheld on that LAS

Unknown

Uhm I'm not copying him uh, can you send him over to uh assist there at Radium please

Uhm assist with traffic control at uh Radium Springs and 185, 242 should be already there

242 is en-route from the uh accident scene

10-4, thank you

unknown

10-4, thank you

Hey did you send somebody up uh north there at Rincon and do the same thing as in Radium

Go ahead, uh just right there at the intersection of uh Radium Springs and uh 185, send it all towards 20, uh Interstate 25

I'm about three miles out

Unknown

10-79 your last

known

Yes ma'am, I uh read you a Texas uh license plate off the vehicle that was in the rollover, uh did we have a return on that
<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>10-4 stand by</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td>10-4 on that tag, Texas the 29, 36, and 72 was negative. That 28 came back to a 98 Ford, blue in color. Last four of the VIN returned registered</td>
<td></td>
</tr>
<tr>
<td>10-4 sir, I'm gonna need that uploaded into AARTS please and uh you can go ahead and put it down as a one on nine</td>
<td></td>
</tr>
<tr>
<td>10-4, it's already been uploaded into AARTS sir</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Appreciate it, thank you</td>
</tr>
<tr>
<td></td>
<td>10-4</td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Uh yes ma'am uhm gonna be clear of the uh scene uhm I believe they're still waiting for uh the investigators came from El Paso to show up</td>
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<tr>
<td>Unknown</td>
<td>Hey units at uh at the Highway 185 uh incident team just passed the university</td>
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<tr>
<td>Unknown</td>
<td>Last unit 10-9</td>
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<tr>
<td>Unknown</td>
<td>(inaudible)</td>
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<td>Unknown</td>
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<td>Unknown</td>
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<tr>
<td></td>
<td>Hey last unit</td>
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<td>Yeah uh native air says it's gonna be ETA of 35-40 minutes to UMC uh both uh choppers are taking off right now</td>
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<td>Good copy, thank you</td>
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<tr>
<td>Unknown</td>
<td>Did you copy the last of native air both copters are taking off now uhm going to UMC in 35-40 minutes</td>
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<td>Good copy sir, 0631</td>
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<tr>
<td>Unknown</td>
<td>Hey can you give me a 21</td>
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<td>Unknown</td>
<td>Yeah, I don't have my uh phone with me, I'm headed back to the checkpoint right now to, to get it and I'll uh be 13 to the station for you</td>
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<tr>
<td>Unknown</td>
<td>10-4</td>
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<tr>
<td>Unknown</td>
<td>Uh if you can call at your earliest convenience too</td>
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<tr>
<td>Unknown</td>
<td>Can you 10-9 that</td>
</tr>
<tr>
<td>Unknown</td>
<td>If you can call at your earliest convenience</td>
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<tr>
<td>Unknown</td>
<td>Good copy</td>
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<td>END OF TRANSCRIPT</td>
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All media documentation pertaining to the case listed above.
LAS CRUCES - In a letter addressed to multiple federal agencies and actors, the American Civil Liberties Unions of Texas and New Mexico requested Customs and Border Patrol ensure an independent investigation take place after CBP failed to report that a person died during a chase.

The letter also called on CBP to release documents pertaining to high-speed pursuit practices requested by El Paso Matters, in relation to another deadly crash.

The letter stems from a press release issued over two weeks after Border Patrol agents chased a vehicle until it crashed, killing two people including an American citizen and Ecuadorian citizen.

The original press release did not discuss the dead American who was driving the vehicle despite the fact that the driver died two days before the release was issued, according to the ACLU.

In the press release, CBP alleged that a vehicle full of migrants ran a Border Patrol checkpoint on New Mexico State Road 185 near Radium Springs by using the southbound lanes. After chasing the vehicle for three miles, CBP said it crashed, ejecting several occupants.

The ACLU pointed out that the press release states "the driver lost control and crashed," but does not say the location of the crash or conduct of the agents pursuing the vehicle.

Border patrol said in the press release that agents then called for medical services. The press release said that four people were airlifted to the University Medical Center in El Paso, Texas. The press release said three people were taken to Mountain View Hospital and three people other occupants were taken to Memorial Hospital in Las Cruces.
Read more: 'I took off': El Paso man transporting migrant accused of hitting Border Patrol agent

On Aug. 11, eight days after the crash, the Ecuadorian man was declared dead after he showed no brain activity, the release said. The driver of the vehicle, an American citizen, died on Aug 15.

The press release was issued on Aug. 17 without mention of the American driver who died two days prior.

The press release said that the incident would be investigated by Homeland Security Investigations and the New Mexico State Police. CBP said that the Department of Homeland Security inspector general was also notified.

The press release added the CPB Office of Professional Responsibility and the El Paso County Office of the Medical Examiner was reviewing the incident.

"We strongly urge the investigating agencies to publicize their findings, recommendations and any other outcomes," the ACLU wrote in their letter.

The crash on Aug. 3 is not an isolated incident, even as other law enforcement agencies have moved away from high-speed pursuits since the 1990s.

In the letter, the ACLU cited a ProPublica study that found 1 in 3 border patrol chases end in crashes.

Justin Garcia is a public safety reporter for the Las Cruces Sun-News. He can be reached by email at JEGarcia@lcsun-news.com or by phone at 575-541-5449 or on Twitter at @Just516garc.