



Pima County Sheriff's Department

Detail Incident Report for 190502315

Incident: 190502315

Nature: TRAF

Location: City of Tucson

Offense Codes: 3502

Received By: Findysz,SarahM

How Received: On-Site

Agency: PCSD

Responding Officers: Creller,Jeffrey Barker,MichaelJ Mosman,Douglas Caballero,Danie

Responsible Officers: Creller,Jeffrey

Disposition: Active 05/02/19

When Reported: 21:56:56 05/02/19

Occurred Between: 21:56:00 05/02/19 and 21:56:00 05/02/19

Assigned To:

Detail:

Date Assigned: **/**/**

Status:

Status Date: **/**/**

Due Date: **/**/**

NOTICE:

PRIVATE OR CONFIDENTIAL INFORMATION, SUCH AS DATE OF BIRTH, SOCIAL SECURITY NUMBER AND HOME ADDRESS, HAS BEEN REDACTED PURSUANT TO ARIZONA LAW.

NARRATIVE:

Initial Case Dictated by J. A. Creller #7868 in Supp. 2

Radiolog:

Unit: 531

Enroute:

Arrived: 21:57:33 05/02/19

Completed:

Unit: 659

Enroute: 23:28:42 05/02/19

Arrived: 21:56:57 05/02/19

Completed: 23:31:11 05/02/19

Unit: 694

Enroute:

Arrived: 21:56:44 05/02/19

Completed:

INVESTIGATIVE LEAD:

Name: RODRIGUEZ, LORENA M.

VEHICLE INFORMATION:

Owner ID Number: 962070	Vehicle Number: 1221471	License Plate: CGR1227			
VIN: KNAFE121065370574	State: AZ	Expires: 12/31/18			
Year: 2006	/Make: KIA	Model: SPECTR	Type: 4D	Color: BLU/	Doors: 4
Value: 0	Characteristics: A				

SUPPLEMENTAL NARRATIVE:

Thu May 2 23:22:20 2019 Deputy M. J. Barker #8221

On May 2nd, 2019 shortly before 2151 hours I heard Driving Under the Influence (DUI) Deputy Creller #7868 conduct a traffic stop near the intersection of Alvernon and Drexel, and request a backup unit. As such, I responded and upon arrival observed a blue four-door Kia Spectra occupied by three Hispanic males.

Initially upon speaking with Deputy Creller, he informed me that the traffic stop had been conducted for a civil offense, however the vehicle was to be mandatorily towed due to the driver never having been issued a license. As Deputy Creller was conducting his investigation, I then completed a Vehicle Removal Report (VRR) for the vehicle and submitted it electronically. I received verification #017 from #7942.

After concluding the VRR, to include an inventory of the vehicle, I stood by on scene as scene security as family members of the driver, identified to me as Thomas, had arrived on scene. I then learned from Deputy Creller that Thomas had informed him he was an undocumented immigrant, and that Border Patrol was en route.

I continued to stand by on scene until Border Patrol arrived and took custody of Thomas, for an overstayed Visa. Information was then relayed to the family members reference the vehicle being immobilized, as well as how Border Patrol was going to conduct their procedures.

After ensuring Deputy Creller no longer required my assistance, I then cleared from the area. This concludes my involvement in this incident. NFI

Please refer to Deputy Creller's case report for more detailed information.

SUPPLEMENTAL NARRATIVE:

Initial Case Narrative by J. A. Creller #7868 on 05/03/19 at 0350 hrs.

Total Dictation Time = 10:30 mins.

On 05/02/19 while patrolling the San Xavier District in Pima County, Arizona, I was traveling on South Alvernon Way and Drexel Road. I observed in front of me a blue Kia Spectra traveling in the left-hand #1 Lane as we approached Drexel. I conducted a records check on this vehicle and found the vehicle registration had a mandatory insurance suspension, as well as the registration was in fact expired. I conducted a traffic stop on the vehicle, ultimately stopping in the Dollar General parking lot at the aforementioned intersection.

I made contact with the driver who was one of three occupants in the vehicle and advised of the reason for the stop. The driver of this vehicle indicated he had no identification on him and he did not have a driver's license. He initially identified himself as Thomas Torres (DOB *****). I took a few moments to confirm with Thomas that he had no identification whatsoever. I asked if he had ever been issued any form of identification or a driver's license from any state. He indicated he had not.

I returned to my patrol vehicle to conduct a records check given the information he had provided; however, I was unable to locate any information. I contacted Lorena Rodriguez in reference to the vehicle, due to the fact it was registered to her. Thomas had also indicated to me that Lorena, who is his mother, was unaware he had taken the vehicle.

I did not positively identify Lorena and only spoke with her over the phone; however, in my conversation with her, she indicated that she is the mother of Thomas. She initially indicated she was unaware that he had the vehicle. However, she recanted a few moments later and stated she was indeed aware he had the vehicle, as she had sent him to the store to pick up some things.

I returned to speak with Thomas and asked if he could provide me with any further form of identification, including a credit card or anything like that. Again, he indicated he had nothing of the sort. I asked if he could provide me with a Social Security Number (SSN), but he was unable to do so.

A few moments later, I had a backup unit arrive on scene. I asked Thomas if he could step out of the vehicle so that I may speak with him further. As he exited the vehicle, I noted there were two empty cans of Mike's Hard Lemonade in the driver's side door. I detected a very slight odor of intoxicants emanating from the general area of the vehicle.

I proceeded to conduct field sobriety tests (FST) on Thomas to include a Horizontal Gaze Nystagmus (HGN) test, the Walk and Turn test and the One Leg Stand test, as well as a preliminary breathalyzer test (PBT). Ultimately, there were no signs of impairment and the PBT reading was in fact 0.00.

Again, I advised Thomas that I needed to positively identify him and he would in fact be given a citation tonight for several different things, all of which were civil in nature. I asked Thomas if he could contact his mother, Lorena, and have her provide him with his SSN. Thomas stood by at the front of my patrol vehicle and made contact with his mother. He then provided me with his SSN that did not belong to him. I asked Thomas again, if he could call his mother back and clarify that this was indeed the SSN that was provided to him; however, he was unable to reach her at this time. I advised Thomas to keep trying to contact her, while I further attempted to positively identify him.

A short time later, I proceeded to complete a citation in reference to multiple charges as follows:

- * ARS 28-4139A, Displaying a Plate Suspended for Financial Responsibility
- * ARS 28-4135A, No Mandatory Insurance
- * ARS 28-3151A, No Valid Driver's License
- * ARS 28-2532A, No Current Registration

As I was explaining the nature of these charges to Thomas, I advised him again that I needed to positively identify him. At this time, Thomas was able to produce a high school identification card from Mountain View High School. On this card was the name Thomas Torres Maytorena. At this time Thomas clarified with me, when I pointed out to him the misinformation, that he goes by Thomas Torres; however, his legal surname is Maytorena. He also further advised that his mother, Lorena Rodriguez, was in fact not his actual mother but more of a "stepmother".

Again, I very firmly but politely indicated to Mr. Maytorena, as I had now come to know him at this time, that he needed to be completely honest as to his true identity. I then began to indicate that regardless of the reasons he may be attempting to hide his identity and not be up-front, to include but not limited to him having a warrant, being an illegal immigrant or having a suspended license, none of which would be acceptable to conceal his identity from me. As I was explaining this to him, Mr. Maytorena indicated to me that he is an undocumented illegal immigrant.

At this time, I advised the Sheriff's Department Communications to contact a

United States Border Patrol and have them respond. I then asked Mr. Maytorena to have a seat in the back of my patrol vehicle. He was not handcuffed during this process. I was contacted by a Border Patrol agent via telephone who indicated more agents were en route to me. A short time later, Agent A. Valdes #782 arrived on scene and took custody of Mr. Maytorena.

Mr. Maytorena's family were on scene and had been for some time. Before Border Patrol arrived, I allowed them some time to speak with him in the back of my patrol vehicle. Due to the fact Mr. Maytorena had never been issued a driver's license and this being verified via Motor Vehicle Division (MVD) records and his own admission, the vehicle was immobilized pursuant to ARS 28-3511.

This concludes my involvement in this incident.

NFI Transcribed by #6624 Fri May 03 06:44:12 MST 2019
