

13:03 06/18

Detail Incident Report

Incident #: 090530020

5184

Supplement Dictated by R. M. Svec #4986 on 06/04/09 at 0923 hrs.
Total Dictation Time = 15:05 mins.
Total Narrative Dictation Time = 14:37 mins.

NOTE FROM TRANSCRIBER: The name [REDACTED] used in this narrative is an alias for [REDACTED].

NOTE FROM TRANSCRIBER: The name Sandy Stroup used in this narrative is an alias for Sandy Somers.

NARRATIVE:

On 05/31/09 at approximately 1400 hours, I arrived at University Medical Center (UMC) in Tucson, Arizona to conduct an interview with [REDACTED] who was one of the victims in Case #090530020. I was accompanied by Detective J. I. Murphy #1044. I went to the Intensive Care Unit (ICU) and made contact with [REDACTED]. I conducted a taped interview with her. The interview was recorded utilizing my digital recorder. The interview was later uploaded onto tape track for transcription. The following is a brief synopsis of that interview. For full and specific details of the interview, please refer to the transcript.

[REDACTED] stated that in the early morning hours of 05/30/09, she was home at her residence with her husband, Raul, and her daughter, Bricena. [REDACTED] stated her husband came into the bedroom and advised her there was law enforcement personnel requesting to gain entrance into the residence. [REDACTED] stated that Raul stated they demanded entry due to the fact that they believed there were fugitives present at the residence. [REDACTED] then went into the living room. At that point, she, Raul, and her daughter, Bricena, were present.

[REDACTED] stated two suspects were at that point in the residence. She identified one as a Caucasian male, over 6'04" in height, and approximately 300 pounds. She identified him as being approximately 35-50 years old with a bald or receding hairline. In addition, she said the other person was a Caucasian female, the same age range, very short, approximately 5'00" tall, and heavysset or chubby. She said both were wearing desert-type camouflage clothing.

[REDACTED] stated they began questioning them. Raul began attempting to ask them questions, specifically, [REDACTED] stated she remembered seeing tape on the grip of one of the weapons the individuals were carrying. [REDACTED] stated that the female appeared to be giving orders to the male and was talking on a walkie-talkie or similar device to other individuals. [REDACTED] stated at this point she believed there were other individuals outside of the residence. [REDACTED] stated at that point, the tall male shot Raul several times after stating; [REDACTED] stated the male then shot her and then shot her daughter.

[REDACTED] stated she was on the ground in pain and was unable to get up. She stated she heard other individuals come into the residence. She stated that these individuals were speaking Spanish. She stated she heard what she believed were cabinets and drawers being opened. She stated due to her position and the fact that she was shot, she was unable to look up at that point to see the suspects.

13:03 06/18

Detail Incident Report

Incident #: 090530020

5184

She stated she believed the suspects had left the residence. She was then able to get into the kitchen and pick up her husband's pistol from the kitchen and picked up the phone in order to dial 9-1-1.

█████ stated as she was dialing 9-1-1, one of the suspects came back into the residence. She believed she overheard the female saying, ██████████. She stated the tall Caucasian male came back in and they began exchanging gunfire. Furthermore, she stated a Hispanic male stuck his head into the residence and stated, "██████████" before leaving. She stated she continued exchanging gunfire with the Caucasian male for several minutes before he ultimately fled the residence. ██████ stated she stayed on the line with 9-1-1 until law enforcement arrived on scene.

I questioned ██████ regarding the several potential suspects. I asked her if she knew Oin Oakstar and Sandy Stroup. She stated she knew both of these individuals from Arivaca. I asked her if they were the individuals responsible for entering her residence. She stated they were definitely not the suspects. I then questioned her about "Albert." She stated she knew Albert from Arivaca. She stated Albert had gotten into a dispute with her husband the previous year due to the fact that Albert was reportedly storing marijuana on their property.

NOTE: I was later able to determine that Albert who she was referring to was in fact Albert Gaxiola.

I asked her if Albert may have been responsible for the incident. She stated that the Hispanic who stuck his head into the residence did match the approximate height and weight of Albert, and when she heard him yell, ██████ "██████████" it did sound like Albert.

I questioned her about any other potential suspects. She stated several days earlier, she did get into an argument and fist fight with a female who she identified as "Dominique." She stated that she was at ██████████ store in Arivaca when Dominique and another female came in. She said that she and Dominique exchanged words before getting into an argument and then a brief fight. She stated they generally disliked one another, but that there were no other major incidents between the two.

█████ also mentioned she had observed a vehicle which she believed was very suspicious going past her residence several days ago. She identified this as a teal minivan. She further identified it as being "high and boxy." She stated there was a male and female in the vehicle and they waved bye at her as they passed. ██████ stated she has never seen the teal minivan before and due to the fact that it was in her neighborhood driving suspiciously, it caught her attention.

At the conclusion of the interview, I provided ██████ with my business card and advised her to call me any time with additional information.

NFI
Transcribed by #6022 Thu Jun 04 15:55:13 MST 2009
Reviewed by R. M. Svec #4986 and corrected by #3565 Fri Jun 05 08:47:29 MST 2009

13:03 06/18

Detail Incident Report

Incident #: 090530020

5184

SUPPLEMENTAL NARRATIVE:
