

13:03 06/18

## Detail Incident Report

Incident #: 090530020

5184

Supplement Dictated by R. M. Svec #4986 on 06/08/09 at 1006 hrs.  
Total Dictation Time = 12:52 mins.

On 06/01/09, other members of the Homicide Unit and I, were in Arivaca Arizona, conducting follow up investigation reference Case #090530020. At approximately 1600 hours, we went to a residence later identified as 17015 West 2nd Avenue in Arivaca, to make contact with Albert Gaxiola. He had earlier been identified as a person of interest in the aforementioned case.

Upon arriving in front of the residence, I observed a teal minivan bearing Arizona license plate AEA7465 parked directly in front of the residence. This vehicle was similar to the suspicious vehicle as earlier described to me by [REDACTED]. I then went up to the door of the residence and made contact with Albert.

He agreed to voluntarily speak with us. As I was standing at the door to the residence, I could smell an extremely strong odor of burnt marijuana coming from the inside. Due to the violent nature of the aforementioned case, as well as the fact that there were weapons involved, I then performed a brief security sweep of the interior of the residence, looking for other persons. This security sweep lasted approximately 15 seconds, and did not uncover any other individuals.

As I was walking through the residence, I observed out in plain view a large gray tub, approximately six feet in length and four feet in width. Furthermore, this particular tub was closed with a lid. Next to the large tub, there was a smaller basket like container. Inside the container, I observed military type webbing gear and clothing.

I then exited the residence, and at that point went to Detective J. C. Navarro's #1379 department vehicle along with Albert. Albert agreed to voluntarily speak with us. I then conducted a taped interview with Albert. The interview was recorded utilizing Detective Navarro's digital tape recorder. The following is a brief synopsis of the interview. For the full details of the interview, please refer to the transcripts.

Albert stated that he had heard what had happened to Raul and his family, but he had absolutely no knowledge of of any participation in the incident. He stated that he was in Tucson at the time of the incident. Upon being questioned about other individuals that were present at his house, he stated that a group of people whom he identified as "Minute Men" had been staying there. He stated that he had a relationship with their leader whom he identified as Shawna Forde. I then asked him about the military type gear which was in the living room. He stated that that did not belong to him and had been left by the Minute Men. I asked if there would be any weapons found in the residence. He stated that as far as he knew there would be none there. He claimed that he did not own any weapons, and that any that may have been there were left by the Minute Men. I then questioned him about the teal minivan. He stated that this van also belonged to the Minute Men, and had been driven by Shawna.

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After speaking with Albert for a short period of time, I then read him his Miranda Rights verbatim from my Quick Reference Guide. He agreed to continue speaking with me.

I continued to question Albert about his participation or knowledge of the incident at Raul's, however he still adamantly denied any knowledge of these events.

After interviewing Albert, and after consultation with other Homicide detectives, I then prepared a search warrant for his residence, and the aforementioned minivan. The warrant was prepared and called into the Pima County Superior Court Judge Eikleberry and granted at 1833 hours. I assisted with the search of the residence, and in particular the living room as Room A. There was a desk which held a printer for the computer. I removed the printer, and opened up the top. Inside I found a concealed compartment holding a Winchester 12 gauge shotgun. This was later identified as Item #A12 and bearing serial number L2143321. The shotgun had a spent shell in the chamber which was collected as Evidence Item A13. In addition there were seven shotgun shells in the magazine. These items were collected as Evidence Item A14. I also assisted with the packaging of other evidence items found by other detectives. I observed numerous firearms, camouflage clothing, and other military type gear being found.

Throughout this time period, Detective Navarro and I conducted an additional interview with Albert. He was still under Miranda and agreed to speak with us. I took possession of his cell phone which was included in the search warrant. I opened the cell phone, and questioned him about contacts whom he had listed in the cell phone; one of which was identified as "White". He stated that White was the nickname of Shawn Forde. I then asked him why that was her nickname. He stated that she hates all ethnicity with the exception of Caucasians.

There appeared to be numerous text messages back and forth between Shawna and Albert throughout the night of the aforementioned incident. The phone was later turned over to Detective J. T. Mawhinney II #1336 for download.

NFI

Transcribed by #6410 on Mon Jun 08 14:16:19 MST 2009