

LAWBREAKING ENTITY COMPLAINT

THE TEXAS ATTORNEY GENERAL'S OFFICE

Texans may submit complaints about cities, counties, other local governments, and institutions of higher education that refuse to enforce immigration law in Texas. The Attorney General may then sue the local entity to compel it to abide by Texas law.

For questions, you may refer to the SB4 Complaints website or call the Texas Attorney General's SB4 Hotline at 1-833-892-7396.

Please be aware that information submitted on this form may become a public record and may be disclosed to third parties. Be aware that Texas law does not classify this form and any information you submit on this form as confidential. For questions, please call the Texas Attorney General's SB4 Hotline at 1-833-892-7396.

OFFICE USE ONLY

Docket Number

Date Hand-delivered or Date Postmarked

I. IDENTITY OF CITIZEN COMPLAINANT (YOU)

1 COMPLAINANT NAME (REQUIRED)	MS / MRS / <u>MR</u>	FIRST <i>Weston</i>	MI	
	NICKNAME	LAST <i>Martinez</i>	SUFFIX	
2 COMPLAINANT PHYSICAL ADDRESS (REQUIRED)	ADDRESS	APT / SUITE #:	CITY:	STATE: ZIP CODE
(Full home or business address, including street, city, state, and zip code)				
3 COMPLAINANT MAILING ADDRESS (REQUIRED)	ADDRESS	APT / SUITE #:	CITY:	STATE: ZIP CODE
<input checked="" type="checkbox"/> (check if same as above)				
(Full street or mailing address, including city, state, and zip code)				
4 COMPLAINANT TELEPHONE NUMBER (REQUIRED)	AREA CODE	PHONE NUMBER	EXT	5 COMPLAINANT E-MAIL ADDRESS (REQUIRED IF KNOWN)
				<i>Weston</i>

II. IDENTITY OF RESPONDENT (LAWBREAKING ENTITY OR INDIVIDUAL)

6 RESPONDENT NAME (IF KNOWN)	MS / MRS / MR (AND/OR ENTITY NAME)	FIRST	MI	
	NICKNAME	LAST	SUFFIX	
7 RESPONDENT POSITION OR TITLE, AND ENTITY NAME	<i>Police Chief William McManus</i>			
8 RESPONDENT PHYSICAL ADDRESS (REQUIRED)	ADDRESS	APT / SUITE #:	CITY:	STATE: ZIP CODE
<i>315 S. Santa Rosa San Antonio TX 78207</i>				
(Full home or business address, including street, city, state, and zip code)				
9 RESPONDENT MAILING ADDRESS (REQUIRED)	ADDRESS	APT / SUITE #:	CITY:	STATE: ZIP CODE
<input checked="" type="checkbox"/> (check if same as above)				
(Full street or mailing address, including city, state, and zip code)				
10 RESPONDENT TELEPHONE NUMBER (REQUIRED)	AREA CODE	PHONE NUMBER	EXT	11 RESPONDENT E-MAIL ADDRESS (if known)
		<i>210 207-7273</i>		<i>gatom</i>

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III. NATURE OF ALLEGED VIOLATION

How did this entity or individual prohibit enforcement of immigration law? Did the city, county, or other entity fail to honor a detainer request? Did the entity use a policy or practice (or take actions) that would prohibit enforcement of immigration law? Please be as specific as possible.

Please include as much detail as possible in order to help us determine whether your complaint is valid. Feel free to include additional attachments, such as a typed response.

See attachment

ATTACH ADDITIONAL PAGES AS NEEDED

IV. STATEMENT OF FACTS

State the facts constituting the alleged violation(s), including the dates on which or the period of time in which the alleged violation(s) occurred. Also, do you reside within the city, county, or area covering the entity you are complaining about? Or, are you an employee of the government entity, or are you enrolled at an institution of higher education (if you are complaining about a campus police department)? Once again, feel free to attach additional pages as necessary.

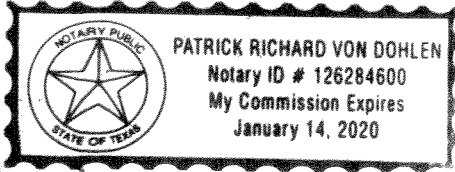
See attachment

ATTACH ADDITIONAL PAGES AS NEEDED

V. Verification

Please fill out this form. NOTE: If you lack a notary, you may still submit your complaint form. In that event, the Attorney General's Office may contact you to complete a sworn verification.

I, Weston Martinez, complainant, swear that I am a resident of the state of Texas or an employee of or enrolled at an institution of higher education in Texas. I swear that all of the facts asserted in this complaint are true and correct, to the best of my knowledge.



[Signature]
Signature of Complainant (you)

AFFIX NOTARY STAMP / SEAL ABOVE

The below information will be filled out by a notary:

Sworn to and subscribed before me, in Bexar County, Texas by the said Weston MARTINEZ.
(Complainant)

this the 6th day of February, 2018, to certify which, witness my hand and seal of office.

[Signature] Patrick Von Dohlen Notary of Public
Signature of officer administering oath Printed name of officer administering oath Title of officer administering oath

VI. Additional verification [OAG USE ONLY/DO NOT COMPLETE]

I, _____, complainant, swear that I am a resident of the state of Texas or an employee of or enrolled at an institution of higher education in Texas. I swear that all of the facts asserted in this complaint are true and correct, to the best of my knowledge.

Signature of Complainant

AFFIX NOTARY STAMP / SEAL ABOVE

The below information will be filled out by a notary:

Sworn to and subscribed before me, in _____ County, Texas by the said _____,
(Complainant)

this the _____ day of _____, 20____, to certify which, witness my hand and seal of office.

Signature of officer administering oath Printed name of officer administering oath Title of officer administering oath

PAID BY ADDRESSEE
NOV 10 1958
U.S. AIR MAIL
10 CENTS

On or about Dec. 23, 2017, a truck carrying what is believed to be illegal aliens was detained by the San Antonio police in San Antonio. The matter seemed to be a case of human smuggling as the truck originated in Laredo, TX.

However, I am concerned with how the case was handled by the SAPD chief and that this case may have been compromised, and the public safety may be placed at risk as a result.

The truck driver is/should be a person of interest in a smuggling operation, and federal law enforcement is trying to develop a case against a smuggling operation. The detained driver is key in this investigation.

Also, there was a Black SUV's that removed the majority of the people from the trailer and they should be considered dangerous suspects in the human smuggling case. It appears Bexar County District Attorney, Nico LaHood, disagrees with the Chief's handling of the case and will seek testimony against the driver.

But where are the witnesses, the smuggled people or illegal aliens? They were "released" to a local nonprofit, and those

people have disappeared. This has damaged a strong case against illegal alien immigration and human smuggling.

Also, because the illegal aliens were not processed or vetted, we don't know who they are or if they are dangerous. They could be innocent people seeking the "American Dream" or they could be criminal aliens or terrorists. We will never know because they have disappeared into society.

Under Texas law anyone (including the smuggled person) that pays a smuggler can be charged as a party to a crime. Normally these defendants can be given immunity in exchange for their testimony.

Questions:

- 1) Did SAPD Chief Bill McManus talk to SA mayor Ron Nirenberg that night?
- 2) Was Mayor Nirenberg involved in the decisions that night?
- 3) Did Mayor Nirenberg instruct the Chief in the handling of this matter?

- 4) Was Mayor Nirenberg on the phone with the Chief that night?
- 5) Did San Antonio's actions impede the ICE or other federal investigation into the bigger smuggling operation?
- 6) Was there a heated exchange between the Feds and the City that night?
- 7) The real curiosity did San Antonio violate part 2) encourages or induces a person to enter or remain in this country in violation of federal law by concealing, harboring, or shielding that person from detection?

Applicable Law:

Sec. 20.05. SMUGGLING OF PERSONS. (a) A person commits an offense if the person, with the intent to obtain a pecuniary benefit, knowingly:

(1) uses a motor vehicle, aircraft, watercraft, or other means of conveyance to transport an individual with the intent to:

(A) conceal the individual from a peace officer or special investigator; or

(B) flee from a person the actor knows is a peace officer or special investigator attempting to lawfully arrest or detain the actor; or

(2) encourages or induces a person to enter or remain in this country in violation of federal law by concealing, harboring, or shielding that person from detection.”

Unfortunately, San Antonio has no statements from the alleged smuggled parties.

Action Items:

1) Please find and interview witnesses.

2) I encourage the District Attorney to investigate San Antonio’s handling of this case.

3) I ask the Attorney General's office to investigate this matter because I feel personal safety of a citizen has been jeopardized by the mishandling of this case by SAPD Chief William McManus. We must not allow, and potential encourage this dangerous behavior to continue.

Sincerely,

W. Martinez
Private citizen
San Antonio Texas



CITY OF SAN ANTONIO

GREG BROCKHOUSE
OFFICE OF CITY COUNCILMAN
DISTRICT 6

January 10, 2018

The Honorable John F. Bash
United States Attorney
Western District of Texas
601 N.W. Loop 410, Suite 600
San Antonio, Texas 78216

Re: Request for Formal Investigation into an Incident of Human Smuggling in San Antonio, Texas on December 23, 2017

Dear U. S. Attorney Bash:

On December 23, 2017, the San Antonio Police Department (SAPD) responded to a report of a Semi Trailer being used for the purposes of smuggling individuals into the United States. Police arrived on scene and apprehended the driver. Also present on scene were 12 alleged undocumented persons, ten men and two women. Following an investigative process, all 12 alleged undocumented persons were released to a local non-profit on their own recognizance and have potentially disappeared.

It is the investigative process I would like to bring to your attention for formal investigation. Conflicting reports indicate a lapse in protocol may have led to the release of the 12 individuals without identifying who they were, if they were undocumented, or if they had a previous criminal history in the United States, to include prior violations of immigration laws. Following SAPD's initial intervention, Homeland Security Investigations (HSI) was notified to assist in the operation. From this point, it is out of my investigative control and/or purview to determine the breakdown in process that led to the release of these individuals without appropriate levels of vetting.

My concerns regarding this incident are from a position of public safety. In my opinion, the individuals found at the scene should have been held until their identities were discovered and

the federal immigration laws upheld to protect the citizens of the City of San Antonio. San Antonio is a hub for human smuggling and human trafficking. The reason this is so very important is on July 22, 2017, a similar case of human smuggling led to multiple deaths of undocumented persons. Some of those found dead were later identified as known MS-13 gang members, indicating this smuggling route may be utilized for organized criminal activities. There is also the possibility this most recent incident on December 23 is related to the July 22 crime, making this unvetted release of undocumented persons even more troubling.

In my capacity as a City Councilman, I have made inquiries into this incident and have reached an impasse in determining if this case was handled properly by all agencies involved. For the safety of the citizens of San Antonio, the State of Texas and our country, I respectfully request the assistance of your office to investigate this incident and provide the Mayor and City Council of San Antonio an impartial investigation and briefing on the events stated in this letter. I thank you for your time and consideration to this request.

Sincerely,



Greg Brockhouse
San Antonio City Council, District 6

cc: John Cornyn, United States Senator
Ted Cruz, United States Senator
Mario Ortiz, District Director of Homeland Security
Greg Abbot, Governor of Texas
Dan Patrick, Lieutenant Governor of Texas
Ken Paxton, Attorney General of Texas
Nico La Hood, Bexar County District Attorney
Sheryl Sculley, San Antonio City Manager
Andrew Segovia, San Antonio City Attorney
Ron Nirenberg, Mayor of San Antonio
Roberto Trevino, San Antonio City Council District 1
William "Cruz" Shaw, San Antonio City Council District 2
Rebecca Viagran, San Antonio City Council District 3
Rey Saldana, San Antonio City Council District 4
Shirley Gonzales, San Antonio City Council District 5
Ana Sandoval, San Antonio City Council District 7
Manny Pelaez, San Antonio City Council District 8
John Courage, San Antonio City Council District 9
Clayton Perry, San Antonio City Council District 10

