

Log# 02-18-004795

DWI-Homicide

Suspect: Tavis R. Washburn, DOB: [REDACTED]

Victim: O [REDACTED] W [REDACTED], DOB: [REDACTED]

Victim: M [REDACTED] W [REDACTED], DOB: [REDACTED]

NDCI# SR18-0210

Wilson Charley 4125

Criminal Investigator

NARRATIVE:

On 02/16/2018, at around 1735 hours, I, (Wilson Charley), made contact with Navajo Nation Police Officer Ty Joe at the Shiprock Police Department, in reference to a motor vehicle crash that occurred in Littlewater, NM on 02/15/2015. As a result of this high-speed crash, one male passenger had died from his injuries.

Officer Joe told me he was dispatched to a motor vehicle crash in Littlewater, NM, and when he arrived he observed two vehicles involved:

Vehicle #1: Red Kia Spectra, bearing [REDACTED]

Vehicle #2: Black GMC Sierra, bearing [REDACTED]

Officer Joe said he made contact with a male who he believed to be the driver of the red Kia, he was later identified as Tavis Washburn (DOB: [REDACTED]). Officer Joe said Tavis was walking around on his own and his face was covered in blood. Officer Joe described Tavis as having long hair. Officer Joe said Tavis was obviously intoxicated and Officer Joe could smell an odor of alcoholic beverage on Tavis. Officer Joe asked Tavis who was driving and Tavis denied driving and stating, "H [REDACTED] was driving and he took off running after the crash".

Officer Joe stated Tavis became uncooperative on scene so no field sobriety was administered. Officer Joe said a female on scene identified the uncooperative male as her husband, Tavis Washburn, and the infant as her son, M [REDACTED] W [REDACTED]. The female was later identified as K [REDACTED] C [REDACTED].

Officer Joe identified the male who was seated in the passenger seat as O [REDACTED] W [REDACTED]. O [REDACTED] was pinned against the passenger's doorframe, which required the vehicle to be cut in order for him to be removed. Officer Joe said M [REDACTED] was restrained in a car seat in the back seat (*middle*) during impact. Apparently mother, K [REDACTED], removed child from the car seat prior to police and medics arriving.

Officer Joe said Air Care transported M [REDACTED] W [REDACTED] to SJRMC first and then O [REDACTED] second because he had to be extricated from the vehicle. Officer Joe observed alcohol containers inside the vehicle and the vehicle had an odor of alcoholic beverage emitting from the cab. Officer Joe located one 40-ounce bottle (*unknown brand*) of alcohol on the driver's side floorboard and a pint of Crystal

GOVERNMENT
EXHIBIT

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Palace Vodka (*plastic bottle*) on the passenger side floorboard. Both containers had residue amount of liquid inside. Officer Joe took a several photos of the scene using his cell phone. The images were then transferred over to me.

Officer Joe said a female witness was at the crash site and told the officer she saw the crash. The female witness identified herself as L [REDACTED] B [REDACTED] (DOB: [REDACTED]). L [REDACTED] said she was traveling southbound on Hwy 491 at posted speed limit when the red car (*Kia Spectra*) passed her at a high rate of speed. L [REDACTED] said the red car "T-boned" the black pickup as it pulled out of the Littlewater Express store. L [REDACTED] said she saw a Native American male with long hair climbing out of the red car from the driver's door. Officer Joe had L [REDACTED] write a statement. (*see Witness Statement*)

Officer Joe told me he was providing medical attention to O [REDACTED] W [REDACTED] when Tavis walked away from the scene. Officer Joe said Tavis returned later in a black passenger car, which he believed to be a Dodge Avenger. Tavis claimed he was injured. Officer Joe said there were no ambulances available at the time so Officer Joe instructed the person driving Tavis to start driving Tavis towards Northern Navajo Medical Center.

FOLLOW-UP AT SAN JUAN REGIONAL MEDICAL CENTER:

SJPMC told me Dr. Erwin pronounced O [REDACTED] W [REDACTED] at 0104 hours on 02/16/2018. SJPMC told me M [REDACTED] W [REDACTED] had been flown to Albuquerque UNMH-Child's Hospital. M [REDACTED] sustained the following injuries: lacerated liver, collapsed lung, left humerus fracture, and left fibula & tibia fracture.

PHONE INTERVIEW WITH L [REDACTED] B [REDACTED]:

On 02/26/2018, I made phone contact with L [REDACTED] B [REDACTED] for a follow-up interview in regards to the crash on 02/15/2018. (*see digital recording*)

L [REDACTED] said she was driving southbound on Hwy 491 at around 2200 hours when a passenger car began tailgating her. L [REDACTED] indicated she was traveling around 65 mph. L [REDACTED] said the passenger car, which she described as being red in color passed her at a high rate of speed, southbound. L [REDACTED] said the red car had hit the raised center concrete median, which caused sparks from the tire. L [REDACTED] said the red car crest a little hill and then she came upon the crash scene. L [REDACTED] said she observed a black truck being thrown across the northbound lane and it landed on the east side of the roadway.

L [REDACTED] said she initially didn't see the red car but later found it in the northbound lane. L [REDACTED] stopped and ran up to the red car that was occupied by two males and a baby. L [REDACTED] said she didn't see anyone running from the red car. L [REDACTED] said it was only less than 5 seconds when she noticed the red car pass her to when she came upon the crash site. L [REDACTED] said when she walked up to the drivers side door a male with long hair was attempting to get out of the drivers side window but she told him

to remain still upon help arrived. L█ said she also noticed a baby crying somewhere inside the vehicle. L█ said the male driver kept telling L█ he was ok and began crawling out of the red car (*drivers window*)

L█ said she walked around to the passenger side door and noticed another male who was smashed into the passenger side doorpost. L█ tried to open the doors but they wouldn't open. L█ noticed the baby in a car seat and the baby was slumped over forward. L█ said the male who exited the vehicle was yelling for his brother. The male's face was bloody. L█ said an unknown female came up running to the crash site and was yelling. The female was yelling, "that's my car, that's my husband, that's my baby". L█ said the female removed the baby from the car seat. L█ said the male was arguing with the female and was cussing. When the officer arrived, L█ said the male kept following the officer around. L█ said at one point, the male retrieved a camouflage-hunting jacket from the red car.

INTERVIEW WITH S█ B█:

On 02/28/2018, I made contact with S█ B█ at the Littlewater Express Store and she gave me a statement. (*Captured on digital voice recorder*) S█ was working as the store's cashier along with K█ C█ on the night of the vehicle crash.

S█ said around 2130 hours, K█ was on the phone with boyfriend. K█ was worried that her boyfriend was drinking with their son. S█ said around closing time (2200 hours) the last male customer exited the store. S█ said the male (A█/J█ aka: AJ) got into a black truck was parked in front of the store. S█ said her employer called and asked about the male in the black truck. S█ told her employer the black truck was leaving. S█ said she was looking out the store window when she noticed a car traveling southbound at a very high rate of speed. S█ said it was almost instantly when the car hit the black truck as it was pulling out of the store's parking lot.

S█ said she started screaming and told her employer who was on the phone that AJ was in an accident. K█ heard S█ and ran out of the back office. K█ exited the store and was asking S█ where the crash was. S█ ran to the gas pump and told K█ the crash was at the road. K█ ran to the crash site. S█ said a female motorist was at the crash site and she was yelling for help. S█ said she went back into the store to get her phone and when she came back out K█ was running back to the store yelling she couldn't make it over the fence. K█ was yelling that it was her car and her baby.

K█ ran back to the crash scene. S█ said she was standing outside the store when she heard K█ banging on the car and cussing at someone. S█ said K█ opened the driver's side door and began slapping her boyfriend. K█ brought the baby back to the store. S█ said a person by the name of S█ P█ brought

K[REDACTED] and baby back to the store in her vehicle. Apparently S[REDACTED] told S[REDACTED] that guy almost hit her too. S[REDACTED] kept telling K[REDACTED] to take the baby back to the crash site because the baby was crying and that he was involved in a high-speed crash. S[REDACTED] said they eventually persuaded K[REDACTED] to take baby back to the crash site.

S[REDACTED] indicated K[REDACTED]'s hand was bloody and thinks that happened when K[REDACTED] was slapping the boyfriend. S[REDACTED] went back into the store to finish closing at around 2244 hours. S[REDACTED] said when she came out to her car, police, fire, ambulance, and Air Care was on scene.

S[REDACTED] told me she went to the scene with her boss. S[REDACTED] noticed K[REDACTED] was in S[REDACTED]'s vehicle with the baby. S[REDACTED] called for medics and told them a baby was involved in the crash and he need medical attention.

S[REDACTED] went on to say that K[REDACTED]'s boyfriend was following K[REDACTED] around and K[REDACTED] didn't want to speak with him. S[REDACTED] said the boyfriends face was all bloody. S[REDACTED] said the boyfriend was wearing a camouflage jacket. S[REDACTED] overheard K[REDACTED] yelling and cussing at boyfriend, saying he was the cause of all this. S[REDACTED] told me the boyfriend was obviously intoxicated and she could also smell an odor of alcoholic beverage on his person.

S[REDACTED] told me she gave K[REDACTED] a ride to San Juan Regional Medical Center. During the ride there, K[REDACTED] told S[REDACTED] she slapped her boyfriend (Tavis Washburn) K[REDACTED] also told S[REDACTED] that her boyfriend was in the driver's seat and that's when she slapped him.

S[REDACTED] said once she got to SJRMC, she inquired about the two other males in the crash. S[REDACTED] was told the male passenger may not survive and the other male ran from the scene. S[REDACTED] said K[REDACTED]'s boyfriend was the driver because no one ran from the scene as she witnessed the crash in front of her.

Before I left the store I asked S[REDACTED] if she knew how Tavis Washburn got to the ER in Shiprock. S[REDACTED] said K[REDACTED]'s mother took Tavis to the ER.

EVIDENCE:

Both vehicle involved were towed to Buck's Towing in Shiprock, NM. Officer T. Joe took several photos of the crash site using his cell phone and the photos were transferred over to me.

On 02/22/2018, I responded to the crash site and took photographs of the area where the crash occurred.

INTERVIEW WITH K [REDACTED] C [REDACTED]:

On 04/04/2018, K [REDACTED] C [REDACTED] arrived at the Shiprock Criminal Investigations Office to provide a statement. FBI Agent Kalon Fancher and myself conducted the interview. (*Interview recorded*)

K [REDACTED] said on 02/15/2015, they traveled to Farmington from Sanostee in her vehicle, which she described as a red Kia Spectra. K [REDACTED] said she was with her boyfriend, Tavis Washburn and their child, M [REDACTED] W [REDACTED]. They dropped off M [REDACTED] at a grandmother's house and they continued to Farmington to do some shopping for M [REDACTED]. K [REDACTED] indicated she had to work at 1345 hours but they were still in Farmington. K [REDACTED] said she called her employer to let them know she was going to be late for work. K [REDACTED] indicated she is employed at Littlewater Express.

K [REDACTED] said they pickup M [REDACTED] and Tavis dropped her off at work. K [REDACTED] worked until 2200 hours and was counting her register in the back when her co-worker told her about a crash outside the store. K [REDACTED] went outside and she recognized her vehicle as being involved in the crash so she ran to the crash site. K [REDACTED] opened the rear driver's side door and removed her son from the car seat. K [REDACTED] said a unknown motorist assisted her and son, M [REDACTED]. The unknown female motorist drove K [REDACTED] back to the store. K [REDACTED] told her co-worker her vehicle was involved in the crash. K [REDACTED] said she was driven back to the scene where they waited for EMS. K [REDACTED] said when EMS arrived they examined her son and then he was flown to SJRMC.

K [REDACTED] said Officer Ty Joe contacted her and asked her if she could identify the male passenger in the vehicle. K [REDACTED] said she went to her vehicle and she recognized the male to be O [REDACTED] by the clothing he was wearing. K [REDACTED] said she gave the officer some information about O [REDACTED].

We asked K [REDACTED] about Tavis and she indicated she didn't talk to him at the scene. K [REDACTED] said she asked him why he crashed. K [REDACTED] said Tavis already gotten out of the car as she was removing M [REDACTED] from the back seat. K [REDACTED] said when she left the scene; Tavis was still at the crash site.

K [REDACTED] was asked again about the crash scene and what she remembered as she walked up to the site of the crash. K [REDACTED] indicated Tavis was still in the vehicle as she walked up to her vehicle. K [REDACTED] said Tavis appeared to be disorientated. K [REDACTED] said Tavis had a head wound and his head was bleeding. K [REDACTED] said the vehicle's air bag system (steering wheel) had deployed. K [REDACTED] agreed with us that Tavis opened the driver's side door to exit the vehicle.

ACCIDENT RECONSTRUCTION:

On 04/09/2018, New Mexico State Police Reconstruction Unit responded to the G [REDACTED] L [REDACTED]'s residence in Sanostee, NM, to retrieve data from the black GMC truck.

Afterwards we responded to the crash site, located in front of Littlewater Express Store in Littlewater, NM, where NM State Police reconstructed the crash site.

We also responded to Buck's Towing, located in Shiprock, NM. State Police took photographs of the red 2008 Kia Spectra, bearing NM [REDACTED]. Afterwards I removed a blue in color plastic document binder containing personal documents (ie. Birth Certificate and W2's). The document folder was located behind the driver seat on the floorboard. No other items were removed from this vehicle. The document folder was later turned over to K [REDACTED] C [REDACTED] at the Shiprock Criminal Investigations Office.

INTERVIEW WITH A [REDACTED] J [REDACTED]:

On 04/11/2018, A [REDACTED] J [REDACTED] voluntarily showed up at the Farmington FBI office to give me a statement concerning the night of the crash. The interview was recorded using video and digital voice recorder. I identified myself and informed him why I needed to speak with him.

A [REDACTED] said on 02/15/20018, he got off work around 1500 hours. A [REDACTED] is currently employed with [REDACTED] south of Farmington, NM. A [REDACTED] said he ran a few errands in Farmington prior to driving back to the Navajo Reservation. A [REDACTED] said he stopped in Shiprock, NM, for gas before driving southbound to Sanostee, NM. A [REDACTED] indicated it was around 2100 hours at this point.

A [REDACTED] said he remembers driving by the weigh station, which is located 2-3 miles north of the Littlewater Express Store. A [REDACTED] indicated he doesn't remember anything after that. A [REDACTED] says he vaguely remembered D [REDACTED] waking him up. A [REDACTED] says his mother, G [REDACTED] L [REDACTED], showed up at the scene and drove him to the hospital in Shiprock, NM. A [REDACTED] did indicate he was wearing his seatbelt at the time. A [REDACTED] also admitted to consuming three (3) 12 oz. cans of Bud Light prior to the crash.

After A [REDACTED] admitted to consuming alcohol, I read A [REDACTED] his Miranda and he agreed that he understood them. A [REDACTED] indicated the statements he provided were true. A [REDACTED] signed the Miranda Form as well. A [REDACTED] also consented to authorizing law enforcement to retrieve his medial records from Northern Navajo Medical Center. A [REDACTED] signed the Indian Health Service Disclosure Form.

END OF REPORT