

Joe Lombardo
Governor

James Dzurenda
Director

Molly Moser
*Public Information
Officer*



Northern Administration
5500 Snyder Ave.
Carson City, NV 89701
(775) 977-5500

Southern Administration
3955 W. Russell Rd.
Las Vegas, NV 89118
(725) 216-6000

STATE OF NEVADA
Department of Corrections

October 13, 2023

Press Release

For Immediate Release

The Nevada Department of Corrections Office of the Inspector General released on Thursday the investigation into the escape of Porfirio Duarte-Herrer, 1047258, from Southern Desert Correctional Center.

The Department has reviewed the findings and is working to mitigate future risk.

Board of State
Prison Commissioners

STEVE SISOLAK
Governor

BARBARA CEGAUSKE
Secretary of State

AARON FORD
Attorney General



STATE OF NEVADA
DEPARTMENT OF CORRECTIONS



Northern Administration
5500 Snyder Avenue, Carson City, NV 89702
Phone: (775) 887-3285 - Fax: (775) 887-3138

Southern Administration
3955 W. Russell Road, Las Vegas, NV 89118
Phone: (702) 486-9938 - Fax: (702) 486-9961

STEVE SISOLAK
Governor

William Gittere
Acting Director

December 13, 2022

TO: Alissa Engler: Chief Deputy Attorney General
Special Prosecutions Unit Criminal Justice Division
Nevada Attorney General's Office
via: Inspector General's Office

From: Arthur Emling Jr.
Criminal Investigator
Office of the Inspector General

Re: AG Referral for Prosecution

Name: Porfirio DUARTE-HERRERA
Inmate #1047258
DOB 04/28/1980

CHARGES: NRS 212.090 Escaped Prisoner (Cat "B" Felony)

INCIDENT DATE: September 23-28, 2022

Through investigation it was discovered that Porfirio DUARTE-HERRERA, a prisoner of the Nevada Department of Corrections, housed at Southern Desert Correctional Center violated NRS 212.090 by escaping from Southern Desert Correctional Center on or about September 23, 2022. DUARTE was later apprehended at Las Vegas Shuttles (1404 N. Eastern Las Vegas, NV 89101) by Las Vegas Metropolitan Police Department just prior to him boarding a van headed to Tijuana, Mexico. DUARTE admitted, during a recorded interview with Detectives of LVMPD and Investigators of the OIG, escaping from Southern Desert Correctional Center and did so because he was not successful with his court appeal regarding his current conviction.

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IN THE JUSTICE COURT, LAS VEGAS TOWNSHIP
CLARK COUNTY, STATE OF NEVADA

THE STATE OF NEVADA,

Plaintiff,

vs.

Porfirio DUARTE-HERRERA NDOC #1047258

Defendants.

Case No.

Dept. No.

**DECLARATION OF PROBABLE CAUSE
FOR ARREST**

STATE OF NEVADA)
) ss:
COUNTY OF CLARK)

I, Arthur Emling Jr., based upon information and belief, do hereby swear the assertions of this declaration are true:

1. That I am a Criminal Investigator for the State of Nevada, responsible for conducting criminal investigations for the Office of the Inspector General in Clark County, Nevada and have approximately 13 years 11 months of law enforcement experience.
2. That I believe the following facts and circumstances give rise for finding probable cause to believe that the crime of **NRS 212.090 Escaped Prisoner (Cat "B" Felony)** has been committed.
3. Through investigation, Criminal Investigator Emling (hereinafter "Declarant") learned the following facts:
4. On September 27, 2022 at approximately 8:15am Southern Desert Correctional Center (hereinafter "SDCC") prison staff reported to the Office of the Inspector General (hereinafter "OIG") that they had discovered Offender Porfirio DUARTE-HERRERA (hereinafter "DUARTE") was missing from his assigned cell, Unit 5A Cell 31. It was further reported that a search of the prison grounds revealed that DUARTE was not located.
5. An intense multi-agency (Federal, State and local) investigation and search for DUARTE ensued spanning over two days.

- 1 6. Throughout the investigation, your Declarant opines through evidence analysis that DUARTE likely
2 escaped on the evening of Friday September 23, 2022 at or around approximately 11pm. This was
3 ascertained through information indirectly obtained from an inmate, information discovered on
4 DUARTE'S person when captured, a witness statement, phone calls and the times in which they
5 were placed.
- 6 7. Your Declarant learned and further opines that DUARTE escaped Unit 5 through cell 31's window
7 after engineering a method to compromise the thick metal of the window slats (*the beleived method*
8 *in which DUARTE compromised the metal window and frame will not be explained in this*
9 *declaration to avoid compromising future prison security*) and eventually breaking and breaching
10 one of the thick slats from the metal window frame. Due to DUARTE'S small stature (5'4"
11 135lbs.), he would have been able to fit through the compromised window. After breaching his
12 window, DUARTE then subsequently scaled razor wire laced fences and fled into Las Vegas,
13 undetected.
- 14 8. It was further discovered that DUARTE placed a number of calls through an illegal cellular phone
15 just hours before his escape, while still in the prison. Based on information discovered through call
16 records of the illegal cellular phone number, to include witness statements, DUARTE used the
17 illegal cellular phone in an attempt to procure associates, friends and/or family's assistance in
18 picking him up following his escape form the prison. However, no information developed
19 throughout the investigation indicated he actually had any staff or outside citizen assistance to
20 escape the prison or assisted him into town.
- 21 9. In the evening of September 28, 2022 at approximately 9:35pm, DUARTE was apprehended by Las
22 Vegas Metropolitan Police Department officers at 1404 N. Eastern Ave. Las Vegas, NV 89101 (Las
23 Vegas Shuttles). This capture stemmed from a Las Vegas Shuttles employee who had called 911
24 Emergency after recognizing DUARTE enter the establishment and purchasing a ticket to Tijuana,
25 Mexico. It was reported to your Declarant that the Las Vegas Shuttles employee called 911
26 Emergency because she recognized the male, who entered the establishment, as heavily resembling
27 DUARTE'S photo she saw on a wanted flier, a flier that had been provided to Las Vegas Shuttles
28 earlier in the day by OIG Investigators.

1 10. Following DUARTE'S capture, he admitted to escaping prison on Friday night September 23, 2022,
2 and claimed he had hid behind a pony wall for 5 hours after coming back to his unit from eating
3 dinner at the chow hall. He stated he then jumped the fences (*3 Fences- One Fence without razor*
4 *wire and two with razor wire*) and walked/ran all the way into Las Vegas and attempted to make
5 contact at various residences with people he knew, but was unsuccessful. He explained he was
6 eventually provided a bus ticket from a bystander. He later arrived to a bridge near the area of
7 Bonanza and Nellis (Saturday or Sunday), an area he was familiar with 15 years ago. While there,
8 he cleaned himself up in a small creek under the bridge and rested. He eventually visited [REDACTED]
9 [REDACTED] in the evening of Monday September 26, 2022 where she provided him cash
10 (*not knowing he had escaped, naively believing DUARTE had been let out of prison*) and dropped
11 him back in the area of Bonanza and Nellis. He then used that money to buy clothes from Goodwill,
12 a counterfeit identification card from the Swap Meet and his bus ticket to Tijuana, Mexico. His goal
13 was to get back to Nicaragua to be with his father, brothers and sisters.

14 11. DUARTE denied anyone assisting him in his escape. No person or persons were discovered
15 throughout the investigation directly and/or knowingly assisting DUARTE in escaping prison.

16 12. This declaration does not contain each and every fact known to your Declarant related to this
17 investigation, but rather includes information directly related to the probable cause pertaining to the
18 violation of NRS 212.090.

19 13. As a result of this investigation, I believe that there is probable cause to believe that the criminal
20 offenses of **NRS 212.090 Escaped Prisoner (Cat "B" Felony)** was committed by the defendant on
21 September 23, 2022 to and through September 28, 2022 within Clark County, Nevada.

22
23 I declare under penalty of perjury that the foregoing is true and correct.

24 EXECUTED ON this 13th day of December, 2022.

25  A. EMLING #67
26 DECLARANT ARTHUR EMLING JR.
27 Criminal Investigator
28

INVESTIGATION REPORT

Investigation Type: NRS 212.090 Escaped Prisoner (Cat "B" Felony)

Location of Occurrence: Southern Desert Correctional Center (hereinafter "SDCC")

Date & Time of Occurrence: September 23, 2022-September 28, 2022

Date Assigned: September 29, 2022

Assigned Investigator(s): Arthur Emling Jr

Case Status/Disposition: Referred to Warden () Referred to Attorney General (XX)
Referred to Outside Agency () Referred to District Attorney ()

Closed ()

By Arrest ()
(Criminal Charges Filed)

Other ()
(Criminal Charges Declined or Insufficient Evidence to Arrest/Charge)

Inmate Discipline ()
(Referred to Institution for Appropriate Action on Inmate)

No Further Action/Resolved ()
(Non-Criminal Matter Resolved)

Unfounded ()
(Investigation Disclosed Incident did not occur)

Inactive ()
(Per Director/IG or Referred to another agency for investigation)

Investigation Continues ()

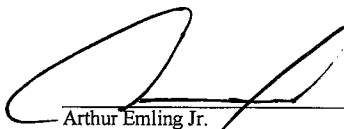
Further Investigation ()

Pending Prosecution Decision (XX)
(By Appropriate Prosecutor's Office)

PREA ()
Substantiated ()

Unsubstantiated ()


Unfounded ()

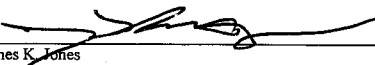

A. EMLING (#67)

Arthur Emling Jr.
Investigator
Office of the Inspector General

December 13, 2022
Report Date

APPROVED


ACTING SUP JAMOL AZE
Supervisor


James K. Jones
Inspector General

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Case No. IN-2022-0497

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Suspect:

Porfirio DUARTE-HERRERA

Offender #1047258

[REDACTED]

ESP

Ely, NV

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Witness List:

Jamal Ali
Criminal Investigator
OIG

Carrie Alvarado
Correctional Sgt.
SDCC

[REDACTED]
Immigration Officer
Immigration's Custom Enforcement

Arthur Emling Jr.
Criminal Investigator
OIG

[REDACTED]
Detective
LVMPD

Quuvell Harris
Correctional Officer
SDCC

[REDACTED]
Compliance/Enforcement Investigator
DMV

James Jones
Inspector General
OIG

Carlos Martinez
Correctional Officer
SDCC

Grace Moran
S C/O
SDCC

Karla Moreira
Criminal Investigator
OIG

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Witness List Continued:

Mark Munoz
Correctional Officer
SDCC

Erik Ramirez
Correctional Officer
SDCC


Detective
LVMPD

Chase Shelley
Correctional Officer
SDCC

William Tate
Correctional Sgt.
SDCC

William Tobin
Correctional Lt.
SDCC

Bryan Shields
Supervisory Criminal Investigator
OIG

Manuel Tam
Correctional Officer
SDCC

David Wachter
Senior Correctional Officer
SDCC

Wayne Wilson Jr
Correctional Officer
SDCC

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Source of Activity:

On Tuesday September 27, 2022, it was reported to the Office of the Inspector General (hereinafter "OIG") that an offender had escaped and was believed that he had escaped sometime on September 23, 2022, or September 24, 2022, and had gone unnoticed until September 27, 2022.

It was reported to the OIG at approximately 8:15am that an offender had escaped from SDCC, specifically Porfirio DUARTE-HERRERA (hereinafter "DUARTE"). S C/O Wachter, on Tuesday September 27, 2022, following SDCC'S discovery, explained that an offender approached Officer C. Shelley (hereinafter "Shelley") and informed Shelley that an offender had been gone (escaped) since Friday September 23, 2022, from Unit 5 cell C28. Officers relocated to C28 and the offenders assigned to that cell were accounted for however, a further check of the remaining cells in the unit revealed that DUARTE, assigned to Unit 5 cell A31, was in fact missing and a "dummy" (mimicking a person) was lying on the bottom bunk.

A search for DUARTE on and around the prison grounds ensued and DUARTE was not located. The case was subsequently assigned to Criminal Investigator A. Emling (hereinafter "This investigator" or "I"). The incident was originally reported into the Nevada Offender Tracking Information System (NOTIS) under event number IR-2022-SDCC-003311 and subsequently officially assigned as a Criminal Investigation under IN-2022-0497.

Investigation:

Upon receipt of the information of the escape, this investigator relocated to SDCC. Upon arrival, Officer D. Wachter (hereinafter "Wachter") reported to this investigator that an offender reported to Ofc. Shelley that another offender was missing in cell C28 of Unit 5. Officers had checked the cell and confirmed there was not an escaped offender, so they checked the remainder of the unit and discovered that Porfirio DUARTE-HERRERA of cell A31 had in fact escaped. Staff indicated that it appeared DUARTE had broken out of his window and jumped over the razor wire laced fences and fled into the desert.

This investigator, Supervisory Investigator Shields and other OIG investigators convened at Three Lakes Valley Conservation Camp (hereinafter "TLVCC") to determine the next best course of action as information developed.

Investigator Ali and Moreira were dispatched and later arrived to SDCC to canvass the scene of the cell and determine the possible escape route of DUARTE as well as any evidence of his whereabouts. Photos of the cell and outside the cell were captured by Moreira.

As a side note, this investigator is also a Special Deputy United States Marshal assigned to the Pacific Southwest Regional Fugitive Task Force (hereinafter "PSWRFTF") and have been with the USMS for the previous three years. During this incident, the PSWRFTF offered their assistance with the investigation in providing resources in locating and apprehending DUARTE. OIG accepted their assistance and the PSWRFTF adopted the fugitive case and OIG and USMS worked in tandem, along with LVMPD and other local, state and federal agencies.

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Through the course of the initial two-day investigation, this investigator discovered a phone call that was placed to [REDACTED] at [REDACTED] from the Offender Recorded Phone System (Securus) on Friday September 23, 2022, at approximately 2:00pm. The phone call was in Spanish and was translated for this investigator by OIG Investigator Moreira.

In summary, the call revealed DUARTE asking [REDACTED] if she had received his 5 envelopes and the money that he had sent her. She stated she only received 3 of the envelopes and had the check but had not cashed it. He informed her to keep ahold of the items he sent her just in case of an emergency. [REDACTED] stated that she had moved from where she lived and provided the new address to DUARTE as being [REDACTED]. He asked [REDACTED] what she was doing for the evening, and she stated that she was going to a concert around 7pm. He asked when she would be unoccupied, and she stated she would be home around 9pm. He asked her how far she was away from him, and she stated 45 minutes. He then similarly asked how far her house was away from the prison and she stated 45 minutes. He asked if she had spoken to [REDACTED] and she stated that she had not and that it had been a while. DUARTE asked her if he (DUARTE) could call her back around 6pm and she stated he could.

No call from the recorded phone system reveals DUARTE calling [REDACTED] after he said he would. This led investigators to believe that DUARTE was possibly in possession of an illegal cellular phone, or that he had borrowed an illegal cellular phone from an offender to call [REDACTED]. Based on this investigator's knowledge and recent experience, in the previous 10 months there had been over 60 illegal cell phones found in the prison and was likely that DUARTE was in possession of an illegal cellular phone.

It was further discovered that DUARTE had attempted to call phone number [REDACTED] three (3) times with no connection. This occurred at 8:30pm, 8:33pm and 8:44pm. A screen shot of the log is attached to this case.

On the same date, September 27, 2022, TFOs [REDACTED] made contact with [REDACTED] at her residence after [REDACTED] had called LVMPD 911 Emergency reporting that she discovered on the news that DUARTE had escaped and that she was worried he may try to kill her, specifically because she refused to pick him up.

Interview: [REDACTED]

TFOs [REDACTED] and [REDACTED] interviewed [REDACTED]. The interview was not recorded.

[REDACTED] reported that [REDACTED] stated that on Friday September 23, 2022, DUARTE had called her at 5:51pm and then at 6:21pm from a number she did not know so she didn't answer the first call but answered the second time. She stated that DUARTE said he was at Mt. Charleston and the 95 and asked her to come pick him up to which she refused. He stated that a friend of his would eventually come by and pick up his money at her house but wanted [REDACTED] to cash the check first. [REDACTED] stated that she was confused. She confirmed in the past she did receive envelopes and a check from him through the mail at her old address. She provided

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those items to [REDACTED] and photos of those items are attached to this case. Those items from the envelopes revealed unknown drawings and phone numbers/contacts of various individuals. [REDACTED] also allowed TFOs to take a photo of the phone number, date and time of the number that DUARTE called her which was from number [REDACTED] indicated that undoubtedly DUARTE would try to leave the country as well as try and get in touch with his [REDACTED]

On the same date, September 27, 2022, TFOs [REDACTED] made contact with [REDACTED] at her [REDACTED] residence. This contact was made after [REDACTED] called LVMPD emergency (911) and reported that DUARTE arrived at her house on Monday September 26, 2022. It was reported to this investigator by J. Jones that it was reported to him by LVMPD that [REDACTED] reported to LVMPD 911 Emergency that when DUARTE arrived at her house, he told her that he finished his sentence and was discharged from prison and that he had been walking for a long time. She stated that she gave DUARTE a ride to the intersection of Nellis and Bonanza at approximately 7:00pm that same evening. She stated that DUARTE was wearing blue shorts and a blue shirt and in possession of a dark navy-blue backpack. [REDACTED] provided her phone number as being [REDACTED]

Interview: [REDACTED]

Shortly after, TFOs [REDACTED] interviewed [REDACTED] multiple times on the 27th and 28th of September and [REDACTED] provided additional information. The interviews were not recorded.

[REDACTED] stated that DUARTE requested she drop him off at 4760 E. Bonanza (Mater Bonanza Academy) and he mentioned he was going to take a bus to Mexico or have friends drive him there. She stated that she also provided DUARTE with \$800 cash and a Station Casino's black baseball cap and that he had a backpack. She stated that DUARTE would definitely reach out to [REDACTED] for help.

After being privileged of the information, LVMPD Detectives canvassed the area and was able to obtain video from the Mater Bonanza Academy revealing what appeared (as explained by detectives) to be a person matching the description of DUARTE being dropped off at Mater Bonanza Academy by [REDACTED] just as she described.

The following day, in an attempt to locate DUARTE, fliers/wanted posters for DUARTE were disseminated to local Las Vegas businesses, bus stations, etc. in the area of the Mater Bonanza Academy as well as in the area of where [REDACTED] lived. Specifically, on Wednesday September 28, 2022 OIG Investigators Ali and Moreira reported that they had delivered fliers/wanted posters to a bus station at Bonanza and Owens at Las Vegas Shuttles. They reported that they spoke with personnel of the Las Vegas Shuttles (1404 N. Eastern Las Vegas, NV 89101) and provided them a flier and also had them run a number of names to include DUARTE'S to determine if DUARTE had possibly purchased a bus ticket or someone had purchased one for him in their name. Ali and Moreira indicated that there were no name matches but informed them to call 911 if they recognize DUARTE from the flier/wanted poster. They reported that they had also disseminated fliers at other bus stations, specifically bus stations with routes going out of the United States.

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On the same date Wednesday September 28, 2022, at approximately 9:40pm it was reported by LVMPD to this investigator that a female from the Las Vegas Shuttle had called 911 stating that she believed she recognized DUARTE from a wanted flier they had at the bus station. She reported she believed that DUARTE was currently at the Las Vegas Shuttles establishment and purchased a ticket to Tijuana. LVMPD was dispatched to the area and upon their arrival, officers located DUARTE who was about to enter a van on its way to Tijuana, Mexico. A bus ticket was also located on DUARTE indicating a departure date of September 28, 2022, at 9:59pm for a total of \$101 for passenger Erik Martinez. Also located on DUARTE'S person was a counterfeit Consular ID Card bearing the name Erik Martinez and appearing to be DUARTE'S photo.

A backpack full of drawings was also located on DUARTE as well as a small torn piece of paper with a phone number inscribed [REDACTED] and a name written next to it [REDACTED] and [REDACTED]. Also, on the piece of paper was "11 + 6- 5am" indicating 6 hours from 11pm is 5am. A search of NDOC records revealed that [REDACTED] is an ex-offender from the NDOC and was discharged from prison on 1/28/2022. This investigator believes that based on the calls discovered in the phone system to the same number mentioned above, as well as from the illegal prison phone that it is indicative that DUARTE escaped on or around September 23, 2022 around 11pm with his intention of being to a certain destination at 5am, possibly where [REDACTED] was to pick him up.

Interview: Porfirio DUARTE-HERRERA

On this same date following DUARTE'S apprehension at Las Vegas Shuttles, DUARTE was interviewed (digitally recorded) by LVMPD Detectives [REDACTED] OIG Supervisory Investigator B. Shields and Inspector General J. Jones at Clark County Detention Center. It was reported to this investigator by B. Shields that the interview is being transcribed by the Office of the Attorney General.

In summary, DUARTE admitted to detectives that he escaped SDCC Friday the evening of September 23, 2022, by hiding near a pony wall outside the unit and then climbing the prison fences (3 fences- One without razor wire and two with razor wire) and walking/running all the way through the desert into Las Vegas where he eventually was provided a bus ticket from a bystander. He explained he used cardboard and towels and created a "dummy" to represent him in his bed. He stated that he made up the dummy in his bed prior to going to dinner and when he arrived back from dinner, he stayed outside and hid behind a pony wall for approximately 5 hours.

While in Las Vegas, DUARTE went to places of friends or associates he knew 15 years prior and was unsuccessful in making contact with anyone. DUARTE explained that he eventually arrived at a bridge in the vicinity of Bonanza and Nellis where he cleaned himself up from a creek and rested.

DUARTE confirmed he arrived at [REDACTED] home on Monday evening where she assisted him by giving him money, approximately \$1000, and she provided him a ride back to

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the bridge near Nellis and Bonanza. He stated that he lied and told [REDACTED] that he was let out of prison. He confirmed to detectives that he was headed to Nicaragua to be with his father, brothers and sisters. He stated that he would be able to get a transport from Tijuana to Nicaragua, once arriving in Tijuana. He stated that he paid \$120 for an identification card at the swap meet but had to wait for the ID to be made, which he later picked up. He also bought a bus ticket for \$101 from Las Vegas Shuttles on Tuesday, but the bus didn't leave until Wednesday night- so he hung around the area and waited. He stated that he also spent approximately \$40 on clothes from Goodwill located near Stewart and Nellis. A photo of the counterfeit Consular ID and a copy of the bus ticket is attached to this case.

DUARTE confirmed to detectives that he had read chemical books, engineering books, etc. when he was on an interstate compact in Arizona, just years prior while in prison and became familiar with how to engineer things.

DUARTE was asked what led him to the idea of escaping. DUARTE explained why he escaped stating that his appeal was denied and also because he knew the towers at the prison were not operational and had not been manned for the previous three years. He stated that his escape was planned only about 15-20 days prior. He stated he would not have attempted to escape if the towers had been operational, specifically stating not wanting to be shot. DUARTE explained that it took him about 4 minutes to climb the three prison fences and stated, "You have to breathe." He stated that he used gloves (all leather) that prison yard labor inmates would regularly use. DUARTE stated that he used the gloves to avoid getting injured from the razor wire.

DUARTE explained that there are too many inmates for the limited amount of guards/officers per unit. He explained there is one guard/officer for 200 inmates. DUARTE confirmed that no one helped him escape.

DUARTE had no further relevant information to provide.

On October 24, 2022, Body Worn Camera footage from LVMPD was obtained revealing DUARTE being apprehended at the Las Vegas Shuttles, just prior to him boarding a van.

On October 25, 2022, this investigator and Investigator [REDACTED] visited SDCC, specifically DUARTE'S previously assigned cell (5A Cell 31) that he escaped from to examine the area, window, etc. In addition, DUARTE'S property that was collected from his cell was also examined. This examination was to determine what type of substance and/or method was used on DUARTE'S cell window to erode and or cut the metal to allow the window slat to break from the frame. After analyzing the broken window, this investigator opined that it appeared more so that the window slat was sheared off as opposed to corroded. A red/orange colored substance or similar substance was used in connection with dislodging the window slat. An electronic manufactured device with a male end headphone jack was discovered with the same color substance on the device as on the window. Investigator Moreira had previously discovered a manufactured device in the cell comprised of a white bottle that DUARTE claimed during his interview was some sort of transducer or voltage reducer for his hair trimmer. A search of his

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property revealed no hair trimmer, but this investigator was able to theorize that the electronic device discovered in his property was used to mate with the device in the white bottle and electricity was used to cut or degrade the metal where the thick metal slats attach to the metal window frame. Additionally, a bottle of Suave Lotion was located in DUARTE'S property that had a strikingly similar color to the substance that was located on the cut or eroded areas of the window slat.

This investigator conducted minor research on lotions and electricity. Research revealed that lotions are incredible electrical conductors due to the lanolin and other chemical make-up of the lotion. This investigator opines that DUARTE used the transducer/voltage reducer device DUARTE manufactured and the lotion as a conductor to eventually cut through the window slat or at the very least to degrade the metal. It is also highly possible DUARTE, in conjunction with the previous method, that he used the same method to heat and cool the metal where the slat attaches to the metal frame to eventually weaken the metal enabling DUARTE to force or kick the slat from the frame thereby creating an opening for his small stature (5'4" 135lbs.) to fit through.

A further search of DUARTE'S property revealed a copious amount of torn and cut sheets (scraps), clothing, blankets, etc. as well as clothing/glove drawings/patterns indicative of possibly protective clothing sewn together to shield one from possibly obtaining injuries from razor wire and/or the desert elements. Thread appearing to have been used, likely for sewing, was also discovered in his property. It is not uncommon, based on this investigator's experience in investigating escapes or attempt escapes that an offender will manufacture, craft items or even take items found in the prison to facilitate their escape effectively over a razor wire fence in an attempt to avoid injuries. A search in the desert for possible hand-made clothing revealed no items found.

Items discovered in DUARTE'S property was photographed and placed in evidence.

On October 27, 2022, this investigator drafted a Search and Seizure Warrant and affidavit and application to search Verizon Wireless records reference the phone number [REDACTED] provided during her interview; specifically, the phone number she stated and revealed that DUARTE called her on. On this same date, the warrant was served upon Verizon Wireless.

On or about November 7, 2022, Verizon Wireless provided phone records for [REDACTED] and [REDACTED] (Prison Illegal Cellular Phone). A review of the records revealed that [REDACTED] phone was no where near the prison during the escape or thereafter. A records review of phone number [REDACTED] revealed that there is a strong probability that the phone used by DUARTE on Friday September 23, 2022 (the evening of his escape) to call [REDACTED] is an illegal phone in the prison and has been used by multiple inmates. Records revealed that DUARTE did contact [REDACTED] attempted to contact [REDACTED] (Securus), and attempted to contact another ex-offender [REDACTED] who was currently on parole. The calls were placed just hours prior to DUARTE'S escape.

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The Historical Count Inquiry referenced the Emergency Count conducted on 9/27/2022 revealed one missing offender, DUARTE. The inquiry is attached to this case.

The investigation was concluded.

Arrest:

It is recommended, whichever the Attorney General deems appropriate, that a Summons or Arrest Warrant be issued for Porfirio DUARTE-HERRERA for the Criminal Violations of NRS 212.090 Escaped Prisoner (Cat "B" Felony).

Booking:

Currently in Ely State Prison.

Findings:

Through investigation it was discovered that Porfirio DUARTE-HERRERA, a prisoner of the Nevada Department of Corrections, housed at Southern Desert Correctional Center violated NRS 212.090 by escaping from Southern Desert Correctional Center on or about September 23, 2022. DUARTE was later apprehended at Las Vegas Shuttles (1404 N. Eastern Las Vegas, NV 89101) by Las Vegas Metropolitan Police Department just prior to him boarding a van headed to Tijuana, Mexico. DUARTE admitted, during a recorded interview with Detectives of LVMPD and Investigators of the OIG, escaping from Southern Desert Correctional Center and did so because he was not successful with his court appeal regarding his current conviction.

Evidence:

- (1) Digitally recorded interview, Offender Recorded Phone Call, Phone Records for [REDACTED] and Phone Records for [REDACTED] (Illegal Prison Phone) (1 CD)
- (2) LVMPD Body Cam Footage (1 DVD)

Addenda:

1. Copy of Las Vegas Shuttle's Ticket to Tijuana dated September 28, 2022, found on Duarte's person by LVMPD when captured (1 Page).
2. Photos of Consular Identification found by LVMPD on Duarte's person (2 Photos).
3. Copy of small paper with [REDACTED] phone number on it & Fake \$50 Bill found on Duarte's person when captured (2 Pages).
4. Copies of Prison Staff Reports retrieved from NOTIS (13 Pages).
5. Photos of Contacts with Phone Numbers, drawings, envelopes, photos, etc. provided by [REDACTED] (11 Photos).
6. Copy of Search and Seizure Warrant for [REDACTED] (6 Pages)
7. Copy of Search and Seizure Warrant for [REDACTED] (7 Pages).

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Addenda Continued:

- 8.** Photos of Duarte's Assigned Cell after the Escape Captured by OIG K. Moreira (47 Photos).
- 9.** Photos captured by this investigator of items discovered in Duarte's property at SDCC (13 Photos).
- 10.** Screenshot of phone calls to [REDACTED] that Duarte attempted just prior to his escape on September 23, 2022 (1 Photo).
- 11.** Photo of [REDACTED] call log from her phone of [REDACTED] calling her captured by [REDACTED] (1 Photo)
- 12.** Copy of Historical Count dated 9/27/2022 (2 Pages).

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