

Magistrate Judge David W. Christel

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UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

VICTOR VIVANCO-REYES,

Defendant.

CASE NO. MJ25-347

COMPLAINT for VIOLATION

Title 18, U.S.C., Sections 111(a) and (b)
(Assault on a Federal Officer)

BEFORE the Honorable David W. Christel, United States Magistrate Judge, U. S.
Courthouse, Seattle, Washington.

The undersigned complainant being duly sworn states:

COUNT 1

Assault on a Federal Officer

On or about June 6, 2025, in Island County, within the Western District of
Washington, VICTOR VIVANCO-REYES did knowingly and forcibly assault, resist,
oppose, impede, intimidate, and interfere with Victim 1, an officer of the United States
and of an agency of the United States Government, that is, the United States Department

1 of Homeland Security, Homeland Security Investigations, while Victim 1 was engaged in
2 and on account of his performance of official duties, and such assault caused physical
3 contact and inflicted bodily injury to Victim 1 while using a dangerous weapon, that is, a
4 truck with attached trailer.

5 All in violation of Title 18, United States Code, Sections 111(a) and (b).

6 **COUNT 2**

7 **Assault on a Federal Officer**

8 On or about June 6, 2025, in Island County, within the Western District of
9 Washington, VICTOR VIVANCO-REYES did knowingly and forcibly assault, resist,
10 oppose, impede, intimidate, and interfere with Victim 2, an officer of the United States
11 and of an agency of the United States Government, that is, the United States Customs and
12 Border Protection, while Victim 2 was engaged in and on account of his performance of
13 official duties, and such assault caused physical contact and inflicted bodily injury to
14 Victim 2 while using a dangerous weapon, that is, a truck with attached trailer.

15 All in violation of Title 18, United States Code, Sections 111(a) and (b).

16 ***

17 And the complainant states that this Complaint is based on the following
18 information:

19 I, Jacob D. Black, being first duly sworn on oath, depose and say:

20 **INTRODUCTION**

21 1. I am a Special Agent with Homeland Security Investigations (“HSI”). As a
22 Special Agent, I am empowered by law to investigate and to make arrests for offenses
23 enumerated in Title 8 of the United States Code. I have been a Special Agent with HSI
24 since August of 2008. I was trained to conduct investigations relating to violations of
25 federal law through attending the Criminal Investigator Training Program and the
26 Immigration and Customs Enforcement Special Agent Training program at the Federal
27 Law Enforcement Training Centers (“FLETC”) in Glynco, Georgia. While at FLETC, I

1 received over 500 hours of training in areas including, but not limited to, criminal law,
2 human smuggling/trafficking investigations, and criminal procedures.

3 2. I am currently assigned to the HSI Blaine, Border Enforcement Security
4 Task Force, Group 2, which focuses on the enforcement of immigration and narcotics
5 laws, including human trafficking and smuggling. I am an investigative law enforcement
6 officer of the United States within the meaning of 18 U.S.C. § 2510(7). As such, I am
7 authorized to investigate and enforce violations of federal criminal statutes, including
8 those in Titles 8, 18, 19, and 21 of the United States Code. Over the course of my career,
9 I have assisted with the investigation and arrest of multiple individuals involved with
10 violations of Title 8 of the United States Code. My knowledge of immigration law
11 violations comes from working these prior criminal investigations and from consulting
12 with other experienced HSI agents who have also conducted Title 8 criminal
13 investigations.

14 3. The facts set forth in this Affidavit are based on my own personal
15 knowledge; knowledge obtained from other individuals during my participation in this
16 investigation, including other law enforcement personnel; review of documents and
17 records related to this investigation; communications with others who have personal
18 knowledge of the events and circumstances described herein; and information gained
19 through my training and experience. Because this affidavit is submitted for the limited
20 purpose of establishing probable cause, it does not set forth every fact that I, or others,
21 have learned during the course of this investigation.

22 4. As set forth in this affidavit, there is substantial evidence supporting
23 probable cause to believe that VICTOR VIVANCO-REYES committed the felony
24 violations of Assault on a Federal Officer, in violation of Title 18, United States Code,
25 Sections 111(a) and (b) within the Western District of Washington and within the last
26 five years.

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STATEMENT OF FACTS SUPPORTING PROBABLE CAUSE

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2 5. On May 9, 2025, Enforcement and Removal Operations (“ERO”) Supervisory Detention and Deportation Officer M. Hicks signed a valid I-200
3 immigration warrant for the arrest of VICTOR VIVANCO-REYES (DOB: XX-XX-
4 1999). ERO had identified VIVANCO-REYES as a convicted felon who was illegally
5 present in the United States.
6

7 6. A few weeks prior to May 22, 2025, HSI Special Agents observed
8 VIVANCO-REYES at his residence washing the wheels of an Infinity G37 vehicle
9 bearing Washington license plate CRU9263, which is currently registered to him
10 (hereinafter, the “Infinity G37”).

11 7. On May 22, 2025, HSI Special Agents attempted to locate VIVANCO-
12 REYES’s vehicle by conducting surveillance on I-5 near Mount Vernon, Washington.
13 Later that day, the Infinity G37 was observed in the vicinity of a residential area in
14 Stanwood, Washington.

15 8. At this location in Stanwood, agents attempted to conduct a vehicle stop to
16 identify the driver of the Infinity G37 and to locate VIVANCO-REYES in order to
17 execute the I-200 immigration warrant. HSI Special Agent (“SA”) Ledgerwood activated
18 the emergency lights and siren of his government-issued vehicle to initiate this stop. I
19 was behind SA Ledgerwood a short distance away and activated the emergency lights
20 and siren of my government-issued vehicle. I and SA Ledgerwood were wearing outer
21 body armor carriers containing clear “POLICE” and “HSI” markings.

22 9. As I approached SA Ledgerwood’s location, I observed that the
23 Infinity G37 continued to travel down the road despite the ongoing lights and sirens but
24 eventually stopped in front of the driveway of a residence.

25 10. I arrived at the scene just as the vehicle was coming to a stop and observed
26 through the open driver’s side window, as reflected in the driver’s side mirror, that the
27 driver was VIVANCO-REYES. I was able to identify VIVANCO-REYES based on my

1 familiarity with his appearance following a review of his Washington state driver's
2 license photograph.

3 11. Within seconds, VIVANCO-REYES took off at a high rate of speed in the
4 Infinity G37 vehicle, coming close to striking a pedestrian. I and SA Ledgerwood
5 reactivated our emergency lights and sirens and attempted to follow VIVANCO-REYES
6 from a distance, to discourage him from further endangering himself or the public.
7 VIVANCO-REYES was traveling at such a high rate of speed, however, that his
8 whereabouts could not be determined after a short amount of surveillance, which was
9 then terminated.

10 12. HSI agents continued to investigate VIVANCO-REYES and learned that he
11 was currently employed at PRIMESCAPES LLC, a landscape company in Camano
12 Island, Washington.

13 13. On June 6, 2025, HSI agents learned from a witness¹ that PRIMESCAPES
14 LLC ("Primescapes") has a current job site at an address on Cascade View Drive in
15 Camano Island, and that VIVANCO-REYES and another Primescapes employee were
16 reported to have been working at this location.

17 14. At approximately 9:25 am, HSI agents, ERO Officers, and United States
18 Border Patrol Agents ("BPAs"), with the assistance of the Bellingham Air and Marine
19 Office helicopter, established surveillance around the job site in Camano Island. All law
20 enforcement personnel were working together to locate VIVANCO-REYES and execute
21 the pending immigration warrant. At approximately 9:30 am, air surveillance relayed that
22 a Primescapes truck with an attached black trailer was just pulling out of the Cascade
23 View Drive address and headed south. Two occupants were visible inside this vehicle.

24 15. As the Primescapes truck continued southbound on Cascade View Drive,
25 HSI SA Miller was driving his government-owned vehicle (bearing Washington license

26 _____
27 ¹ The witness is a United States citizen with no criminal history as of June 3, 2025. The witness participated in a
voluntary interview with law enforcement.

1 plate BRD1964) that was equipped with red and blue emergency lights and a siren.

2 Another HSI Special Agent (hereinafter “Victim 1”) was the front seat passenger in SA
3 Miller’s vehicle. Both agents were wearing outer body armor carriers containing clear
4 “POLICE” and “HSI” markings. SA Miller was traveling northbound on Cascade View
5 Drive, approaching the Primescapes truck’s location.

6 16. When SA Miller was approximately 20 yards away from the Primescapes
7 truck, he activated his emergency lights and siren and pulled into the southbound lane of
8 Cascade View Drive, directly in front of the truck’s path.

9 17. At the same time, ERO Officer J. Berg, who was also wearing outer police
10 body armor with clear “POLICE” markings, was in his government police vehicle
11 (bearing Washington license plate BPV7392). Officer J. Berg’s vehicle was also
12 equipped with red and blue emergency lights and a siren. Officer J. Berg activated his
13 emergency lights and drove up near SA Miller’s vehicle to attempt to block the
14 northbound lanes.

15 18. Just as SA Miller and Officer J. Berg activated the emergency lights of their
16 respective vehicles, the Primescapes truck appeared to accelerate directly at SA Miller’s
17 vehicle and then swerved around that vehicle, ultimately causing the front passenger side
18 of the Primescapes truck to forcibly strike the front passenger side of SA Miller’s vehicle.

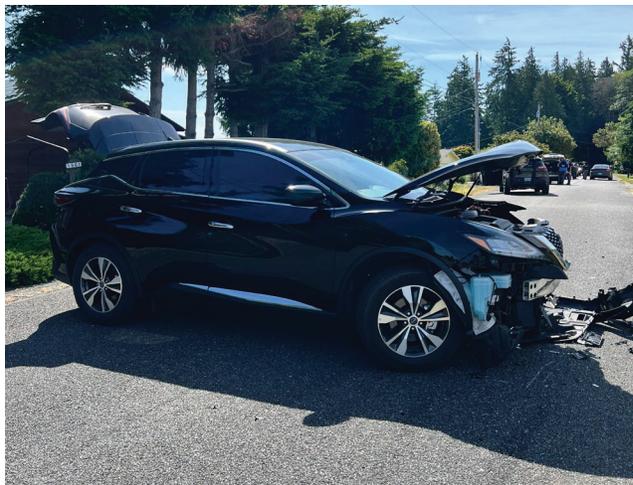
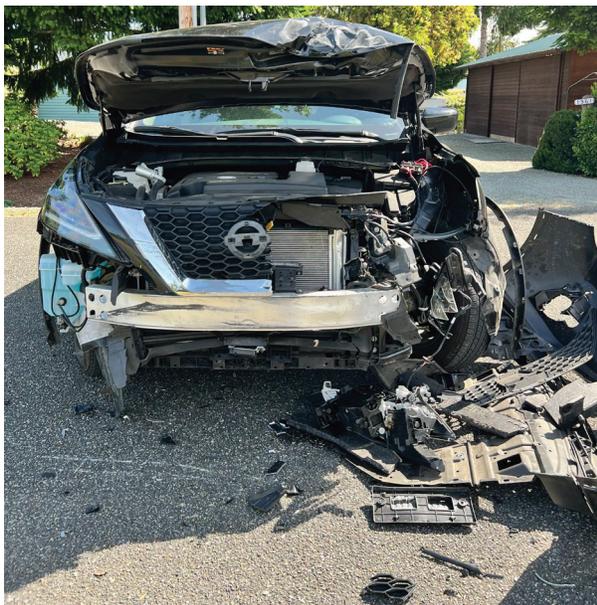
19 19. The driver of the Primescapes truck then continued at a high rate of speed,
20 and the passenger side of the trailer attached to the truck also struck the front passenger
21 side of SA Miller’s vehicle with such force that the trailer flew up into the air. Officer J.
22 Berg was attempting to exit his vehicle as the Primescapes truck struck SA Miller’s
23 vehicle, and the truck with attached trailer narrowly missed Officer J. Berg as he
24 attempted to get out of the way. The damage to SA Miller’s vehicle is depicted below in
25 Exhibit 1; Officer J. Berg’s vehicle was not damaged.



Exhibit 1: Damage to front passenger side of SA Miller’s vehicle.

20. HSI SA Powar and a Border Patrol Agent (hereinafter “Victim 2”) were in a third government-issued vehicle (bearing Washington license plate CHV1006), located a few feet behind SA Miller’s vehicle. SA Powar and Victim 2 were also wearing outer police body armor carriers with clear “POLICE” markings. After the Primescapes truck struck SA Miller’s vehicle, SA Powar drove his government-issued vehicle across the roadway to block any further paths of travel for the fleeing truck and attached trailer. The Primescapes truck drove directly into the front of SA Powar’s vehicle, striking it with extreme force and causing such significant damage that the vehicle was disabled. Victim 2 then exited the passenger side of SA Powar’s vehicle just as the Primescapes truck drove past and was forced to jump out of the way to avoid being hit. The damage to SA Powar’s vehicle is depicted below in Exhibits 2 and 3. The Primescapes truck then lost control and drove into a ditch a short distance away.

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Exhibits 2 & 3: Damage to SA Powar’s vehicle from the front (at left) and side (at right)

21. The Primescapes truck and trailer came to a stop up against a telephone pole and the driver immediately exited the vehicle to flee on foot. Agents and officers pursued the driver on foot and eventually apprehended him. While he was being apprehended, the driver stated, “I fucked up, I fucked up.” The driver was handcuffed and taken into custody.

22. I arrived on the scene shortly afterwards and immediately recognized the driver to be VIVANCO-REYES, based on my familiarity with his appearance as noted above. A copy of VIVANCO-REYES’s valid Washington state driver’s license was also found on his person.

23. The front seat passenger of the Primescapes truck remained inside the vehicle throughout this incident. The passenger was identified and then released.

24. VIVANCO-REYES was advised of his constitutional rights and he requested the assistance of counsel. He was then transported to the HSI office in Ferndale, Washington for further processing.

1 25. SA Miller, Victim 1, SA Powar, and Victim 2 were all transported to the
2 hospital to be assessed for injuries. Victim 1 was experiencing: pain in his right rib cage
3 area and his right shoulder, and numbness traveling down his arm into his fingers.
4 Victim 2 was also experiencing pain in his hip area.

5 26. Based on the above facts, I respectfully submit that there is probable cause
6 to believe that VICTOR VIVANCO-REYES committed the felony violations of Assault
7 on a Federal Officer, in violation of Title 18, United States Code, Sections 111(a) and (b).

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9
10 JACOB D BLACK
11 Digitally signed by JACOB D BLACK
12 Date: 2025.06.06 17:57:56
13 -07'00'
14 JACOB D. BLACK, Complainant
15 Special Agent,
16 Homeland Security Investigations

17 Based on the Complaint and Affidavit sworn to before me, and subscribed in my
18 presence, the Court hereby finds that there is probable cause to believe the Defendant
19 committed the offenses set forth in the Complaint.

20 Dated this 6th day of June, 2025.

21 
22 DAVID W. CHRISTEL
23 United States Magistrate Judge
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