

UNITED STATES DISTRICT COURT
for the
District of New Mexico

United States of America

v.

Chalmers DeDios

)

Case No. MJ 24-1779 JMR

Defendant(s)

FILED

United States District Court
Albuquerque, New MexicoMitchell R. Elfers
Clerk of Court

CRIMINAL COMPLAINT

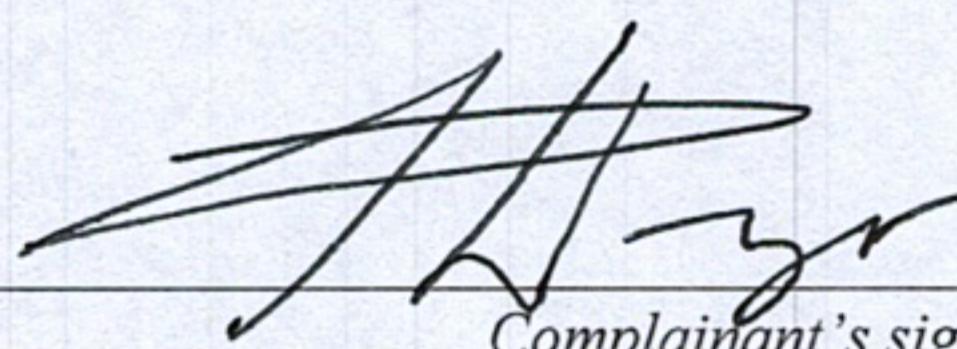
I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of February 10 & 14, 2024 in the county of Rio Arriba in the
District of New Mexico, the defendant(s) violated:*Code Section**Offense Description*

Title 18 U.S.C. § 1153	Offenses Committed in Indian Country
Title 18 U.S.C. § 113(a)(8)	Assault of an Intimate Partner by Strangling
Title 18 U.S.C. § 113(a)(8)	Assault of an Intimate Partner by Strangling

This criminal complaint is based on these facts:

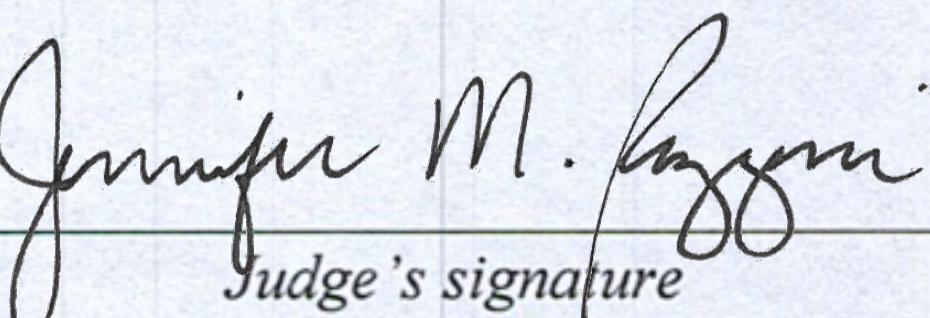
See attached affidavit.

 Continued on the attached sheet.


Complainant's signature

Rome Wager, Jicarilla Apache Criminal Investigator*Printed name and title*

Electronically signed and telephonically sworn.

~~Sworn to before me and signed in my presence.~~Date: 12/4/2024


Jennifer M. Rozzoni
Judge's signature

City and state: Albuquerque, New MexicoJennifer M. Rozzoni, United States Magistrate Judge*Printed name and title*

AFFIDAVIT IN SUPPORT OF A
CRIMINAL COMPLAINT AND ARREST WARRANT

I, Rome M Wager, having been duly sworn, state as follows:

INTRODUCTION AND AGENT BACKGROUND

1. This affidavit is made in support of a Criminal Complaint and an Arrest Warrant for Chalmers DeDios (referred to herein as “DEDIOS”), year of birth 1992.
2. I have been employed with the Jicarilla Apache Police Department since December 2010. Currently, I am assigned to the Criminal Investigation as a Criminal Investigator (CI), a position I have held since July 2021. I have primary investigative responsibility for crimes that occur in Indian Country, including violent crimes such as murder, robbery, crimes against children, sexual assault, and aggravated assault. I currently hold the Special Law Enforcement Commission (S.L.E.C) through the Bureau of Indian Affairs (BIA) Office of Justice Services (OJS). As such, I am authorized under Title 25, Section 2803 to investigate violations of the laws of the United States and to execute arrest and search warrants issued under the laws of the United States.
3. I have attended a basic federal law enforcement academy, a basic criminal investigator academy, and other advanced training. I received basic investigative training and advanced training in investigating incidents of assaults, specifically pertaining to recognizing and documenting signs of strangulation. In my thirteen years of law enforcement experience, I have investigated numerous assaults and domestic assaults, including strangulations.
4. This affidavit is based upon information reported to me by other law enforcement officers during the course of their duties and my own observations in direct participation in this investigation. Throughout this affidavit, reference will be made to

law enforcement officers. Law enforcement officers are those federal, state, and tribal law enforcement officers who have directly participated in this investigation.

5. Based on my training, experience, and the facts set forth in this affidavit, I believe there is probable cause to believe that violations of Title 18, United States Code § 1153 (offenses committed within Indian Country) and Title 18, United States Code § 113(a)(8) (assault of an intimate partner by strangling) were committed by DEDIOS on the 10th and 14th of February 2024.

6. Because this affidavit is submitted for the limited purposes of securing authorization for a Criminal Complaint and arrest warrant, I have not included every fact known to me concerning this investigation. This affidavit is only intended to establish that there is sufficient probable cause to support a Criminal Complaint.

PROBABLE CAUSE

7. On February 13, 2024, Jicarilla Apache Police received a 911 call requesting law enforcement do a welfare check on B.C., year of birth 1982 (hereinafter referred to as “JANE DOE”). The caller (hereinafter referred to as P.M.) received a text message from JANE DOE asking P.M. to call the police. P.M. stated he believed JANE DOE wanted him to call the police because DEDIOS was beating her. During a subsequent interview, P.M. stated that JANE DOE told him that DEDIOS beats her, and P.M. had observed bruises on JANE DOE’s arms in the past.

8. P.M. said after placing the 911 call he went outside for approximately five minutes and could hear screaming and yelling from the direction of where JANE DOE lived. He said he could hear the words, “stop hitting me” or “stop, it hurts.”

9. When officers responded to Jane Doe's residence located at 32 Veneno Street, Dulce, New Mexico, they contacted DEDIOS and JANE DOE. In the body-worn camera, the responding officer is heard asking if anything is going on. In the video, JANE DOE can be seen gently nodding her head and shifting her eyes toward DEDIOS. She appears to cry but does not say anything. Despite these visual cues, the officer does not intervene. He tells them to go to bed and leaves.

10. On February 19, 2024, the Jicarilla Apache Police Department investigated a report of people fighting at 15 Veneno Street, Dulce, NM. While responding to that call, law enforcement contacted DEDIOS and JANE DOE walking on Veneno Street, near the residence of the reported fight.

11. While speaking with DEDIOS and JANE DOE, law enforcement noticed that although it was a warm day, JANE DOE was wearing clothing covering her entire body, that she spoke with a raspy voice, and that she appeared to have a fearful demeanor.

12. During this interaction, police arrested DEDIOS on unrelated charges. As soon as DEDIOS was arrested and placed inside a police vehicle, JANE DOE immediately spoke to police and disclosed that she was covered in bruises caused by DEDIOS. JANE DOE further told the responding officers she was strangled just days before on February 10, 2024, and on February 14, 2024, at her residence located at 32 Veneno Street, Dulce, NM. JANE DOE said that when she was being strangled, she thought she might die and that she lost consciousness during one of the strangulation incidents.

13. Responding tribal law enforcement observed and photographed the injuries on JANE DOE's body. While being interviewed, officers noted that JANE DOE's voice was raspy; she complained that her throat was sore, and that it hurt to swallow. JANE DOE had multiple areas on her body covered in dark bruises. When asked who inflicted those injuries on her, JANE DOE identified her attacker as her boyfriend, DEDIOS.

14. JANE DOE received on scene medical attention from the local emergency medical services (EMS) and was ultimately transported to San Juan Regional Medical Center in Farmington, NM for her injuries.

15. Later that day, February 19, 2024, JANE DOE was admitted into the Intensive Care Unit (ICU) after medical staff discovered she had an active brain bleed.

16. On February 20, 2024, your affiant interviewed DEDIOS. He initially stated he had no knowledge of JANE DOE's injuries or how she got them. After being shown the photograph of JANE DOE's injuries, DEDIOS stated that on February 10, 2024, he and JANE DOE got into an argument that turned physical. DEDIOS admitted to grabbing JANE DOE with a narrow grip on the throat and squeezing. DEDIOS said that JANE DOE told him to stop, and at some point, he stopped strangling her. He also admitted to assaulting her by punching her.

17. DEDIOS also admitted to strangling JANE DOE on February 14, 2024. DEDIOS stated he and JANE DOE got into an argument that again turned physical. DEDIOS admitted to striking and strangling JANE DOE during this assault. DEDIOS described being on top of JANE DOE with his hands around her neck and squeezing as she tried to pull his hands off her neck.

18. DEDIOS stated that he momentarily loosened his grip and JANE DOE told him to stop. After, he tightened his grip around her neck again and squeezed until she stopped moving.

19. DEDIOS stated that he strangled JANE DOE to the point of unconsciousness and that he believed he had killed her because she was not moving and did not appear to be breathing.

20. DEDIOS stated that he did not call for help or attempt to render aid to JANE DOE and instead sat there for approximately five minutes before she eventually regained consciousness.

21. DEDIOS admitted that the strangulations occurred at JANE DOE'S residence located at 32 Veneno Street, Dulce, New Mexico.

22. On February 21, 2024, your affiant interviewed JANE DOE. During the interview, JANE DOE disclosed the following: on February 10, 2024, the couple were at home when an argument occurred. DEDIOS was intoxicated and assaulted JANE DOE while they were in their bedroom. DEDIOS tried punching her in the face, but she protected herself by covering her face. He then pushed her against the wall and began punching her head and body. JANE DOE covered her head for protection until DEDIOS stopped. He then grabbed her by the throat and started squeezing. JANE DOE was unable to breathe and believed she was going to die. At some point, DEDIOS stopped the assault and left the room.

23. During the same interview with your Affiant, JANE DOE disclosed on February 14, 2024, she and DEDIOS were at home when an argument occurred about the future of their relationship. JANE DOE went to their bedroom and closed the door to

avoid DEDIOS once he started getting aggressive. However, DEDIOS chased JANE DOE into the room and began hitting the closed door. DEDIOS eventually broke the bottom of the door and entered the room through the hole he created. He started repeatedly punching JANE DOE in the face. DEDIOS pinned her against the wall and bed and started kicking and kneeing JANE DOE in the rib and stomach area. At some point, DEDIOS stopped and left the room. After DEDIOS left, JANE DOE thought the assault was over, so she got up, but DEDIOS rushed back into the room and continued the assault by punching JANE DOE. JANE DOE tried to fight back, but DEDIOS only got more violent until JANE DOE was lying back on the bed with her head at the edge of the mattress with DEDIOS on top of her. DEDIOS placed his hands around JANE DOE's neck and started to squeeze. JANE DOE was unable to breathe, and she started seeing spots before her vision went black. JANE DOE remembered being on her back, then next remembered sitting up on the bed while gasping for air and crying. She described a feeling of 'being high.' JANE DOE observed DEDIOS standing in front of her and looking at her. JANE DOE wanted to run away, but knew DEDIOS would chase after her, so she stayed.

24. JANE DOE confirmed during the interview that she texted P.M. on February 13, 2024, and told him to call the police because DEDIOS was assaulting her. This assault was separate from the February 10 and 14 assaults and did not include strangulation.

25. JANE DOE stated in the days following the strangulations, she wanted to seek medical attention for her injuries and the pain she was experiencing, but stated that DEDIOS told her medical staff would want to know how she got her injuries and that

DEDIOS would get in trouble if JANE DOE went, so JANE DOE did not seek the medical attention she felt she needed.

26. In both interviews, DEDIOS and JANE DOE stated they were romantically involved since 2022 and lived together at 32 Veneno Street, Dulce, NM.

27. JANE DOE's residence, 32 Veneno Street, Dulce, New Mexico, is located within the exterior boundaries of the Jicarilla Apache Indian Reservations. This is where the aforementioned assaults and strangulations occurred based on the statements of JANE DOE and DEDIOS.

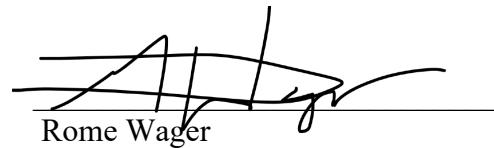
28. DEDIOS and JANE DOE are enrolled members of the Jicarilla Apache Nation Indian Tribe.

CONCLUSION

29. Based on my training, experience, and the facts as set forth in this affidavit, there is probable cause to believe that violations of Title 18, United States Code § 1153 (offenses committed within Indian Country) and Title 18, United States Code § 113(a)(8) (assault of an intimate partner by strangling) were committed by DEDIOS on the 10th and 14th of February 2024.

30. Therefore, I respectfully request that the Court approve the attached criminal complaint and issue an arrest warrant.

31. This complaint was reviewed and approved by Assistant United States Attorney Jesse Pecoraro.



Rome Wager
Criminal Investigator

Jicarilla Apache Police Department

Electronically signed to and
telephonically sworn before me this 4th
day of December, 2024.



JENNIFER M. ROZZONI
United States Magistrate Judge