

FILED

AO 91 (Rev. 11/11) Criminal Complaint

UNITED STATES DISTRICT COURT
ALBUQUERQUE, NEW MEXICO

UNITED STATES DISTRICT COURT JUN 18 2018

for the

District of New Mexico

United States of America)

v.)

Jennifer Rael)

Case No. 18mj-2010

Defendant(s)

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 June 11, 2018 in the county of Bernalillo in the District of New Mexico, the defendant(s) violated:

Code Section	Offense Description
18 USC §§ 2113 and 2	Bank Robbery; aiding and abetting
18 USC §§ 924(c) and 2	Use of Firearm in Commission of Violent Crime; aiding and abetting

This criminal complaint is based on these facts:

See attached affidavit.

Continued on the attached sheet.

Jordan Spaeth
Complainant's signature

Jordan Spaeth, Special Agent, FBI
Printed name and title

Sworn to before me and signed in my presence.

Date: 6-18-18

Kirtan Khalsa
Judge's signature

City and state: Albuquerque NM

Kirtan Khalsa U.S. Magistrate Judge
Printed name and title

AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT; JENNIFER RAE

I, Jordan Spaeth, being first duly sworn, hereby depose and state as follows:

INTRODUCTION AND BACKGROUND OF THE AFFIANT

1. I make this affidavit in support of the arrest of Jennifer Rael (year of birth 1979) for violation of 18 U.S.C. §§ 2113 and 2, which prohibits, by means of force and violence, or intimidation, the taking, or attempted taking, from the person or presence of another, or obtaining or attempting to obtain by extortion any property or money or any other thing of value belonging to, or in the care, custody, control, management, or possession of, any bank, credit union, or any savings and loan association. Additionally, this affidavit is in support of the arrest of Jennifer Rael for a violation of 18 U.S.C. § 924(c), which prohibits, during and in relation to any crime of violence for which the defendant may be prosecuted in a court of the United States, the using, carrying, and possessing of a firearm.

2. I am a Special Agent of the Federal Bureau of Investigation (FBI), United States Department of Justice. I have been so employed since January 2018. I am therefore authorized to investigate federal criminal offenses. I am currently a member of the Violent Crimes Squad of the Albuquerque Division of the FBI and my primary assignment is to investigate violent crimes. I have received on the job training from other experienced agents and detectives in the investigations of violent crimes. Prior to joining the FBI, I spent nine years as a sworn law enforcement officer of the Bedford, Virginia Police Department and Lynchburg, Virginia Police Department. My investigative training and experience includes, but is not limited to, conducting surveillance, interviewing subjects, victims, and witnesses, writing affidavits for and executing search and arrest warrants, managing cooperating sources, issuing subpoenas, collecting evidence, and analyzing public records.

3. The statements contained in this affidavit are based upon my investigation, training and experience and information provided by other law enforcement officers or from other reliable sources. Because this affidavit is being submitted for the limited purpose of securing a criminal complaint and I have not included each and every fact known to me concerning this investigation. I have set forth only the facts which I believe are necessary to establish probable cause to support a criminal complaint against Jennifer Rael, in violation of 18 U.S.C. §§ 2113 and 2, and 18 U.S.C. §§ 924(c) and 2.

FACTS AND CIRCUMSTANCES ESTABLISHING PROBABLE CAUSE

4. On June 11, 2018 two suspects committed a robbery at the Western Commerce Bank, 1910 Wyoming Blvd NE, Albuquerque, NM 87105. According to witness statements and surveillance videos a female suspect entered the bank and asked the teller what she needed to open an account, as she looked around the bank suspiciously. The female was seen getting into a white U-Haul van. Traffic camera footage showed a white, GMC van with U-Haul logos entered the bank parking lot at approximately the time described by bank employees. The suspect female was white, approximately 5'06", heavy set, mid 30's, with red dyed hair. Approximately twenty minutes later, around 3:45 p.m., a male suspect entered the bank and asked a teller what he needed to open an account. The male subsequently demanded money from three tellers threatening to kill them, stating he had a gun, not a note. Another bank employee also heard the suspect threaten to use a gun. When the male left he was observed entering a nearby parking lot. Immediately thereafter, one of the tellers saw a white U-Haul van exit the same parking lot. The teller recognized the U-Haul van as what appeared to be the same van the female departed in earlier. The male was white, approximately 5'11", mid 50's, and wearing a green ball cap.

5. Western Commerce Bank is insured by the Federal Deposit Insurance Corporation (FDIC), wherefore it is a bank as defined under 18 USC § 2113. Western Commerce Bank suffered a financial loss in the robbery.

6. Later, photographs of the surveillance video from the Western Commerce Bank robbery were released to the public. On June 12, 2018 Special Agent Fondse received a tip from an employee of a different bank that they recognized the female as Jennifer Rael by her Facebook profile. An immediate family member also informed Special Agent Fondse that the female in the bank surveillance video was Jennifer Rael and the male was Richard Rivera. Special Agent Spaeth later observed the Facebook pictures and driver's license pictures of Rivera and Rael to have similar visual characteristics as the suspects in the surveillance video. A records check showed Rivera had an active warrant relating to Armed Robbery.

7. On June 12, 2018 Special Agent Fondse obtained a rental agreement from U-Haul, 6401 Central Ave NE, Albuquerque, NM, 87108. The rental agreement listed Jennifer Rael renting a U-Haul Cargo van bearing license plate AZ AH63879 for 24 hours on June 8, 2018. The van was never returned and U-Haul eventually reported stolen. A records check of this plate number showed it was a 2017 GMC, which appears similar to the vehicle in the previously identified traffic camera video.

8. On June 16, 2018 Special Agent Spaeth received information that a Verizon store was robbed. Albuquerque Police Department located the suspects in a white van, later identified as the stolen U-Haul van. The police eventually stopped the U-Haul van in front of a Smith's grocery store, 320 Yale Blvd SE, Albuquerque, NM, 87106. A white male exited the vehicle, ran on foot and was subsequently shot and killed by Albuquerque Police officers. Rael was located at the scene of the shooting.

9. Special Agent Fondse and Special Agent Spaeth interviewed Rael at the Albuquerque Police Department, 400 Roma Ave NE, Albuquerque, NM. After being advised of her rights, Rael provided a statement indicating she first used drugs at the age of 16-years old and continued using drugs through significant time periods of her life. Rael's ex-husband was incarcerated in Southern New Mexico Correctional facility where she was subsequently introduced to Bruce Stockwell who was also incarcerated. Rael smuggled methamphetamine into the jail for Stockwell, who subsequently caused her to be introduced to Richard Rivera who was released from jail on April 11, 2018.

10. In late April of 2018, Rael first met Rivera at her house. Rivera moved in with Rael on May 15. At about that time, she purchased a smoking pipe and began using methamphetamine twice daily.

11. According to Rael, Rivera told her that he had robbed banks in the past and he encouraged her to purchase a pistol. Rael knew that Rivera was not allowed to purchase or possess a firearm. Rael purchased a pistol, described as a Diamondback .380 semi-automatic, and she put it in a closet in her house. Rael let Rivera have access to the pistol, and she knew that he began carrying it all the time in his pocket.

12. On June 8 Rael rented the U-Haul van, it was her idea and she paid with her debit card.

13. On June 10 Rael and Rivera robbed a Giant convenience store in the area of Tramway Blvd NE and Montgomery Blvd NE. Rael drove the U-Haul to the store where she parked, entered the store and purchased a drink with her debit card. Rivera entered and robbed the store as Rael stayed in the van, Rael knew that Rivera was robbing the store. Rivera exited the store and got in the van saying go, go, go as Rael drove away. Rael knew that Rivera had robbed the store.

14. On June 11, 2018 Rivera told Rael that he was low on money and he had robbed banks in the past. It was an easy way to make money. Shortly thereafter they drove to the Western Commerce Bank, 1901 Wyoming Blvd NE, Albuquerque, NM, 87105, with the intent to rob it. Rael entered the bank with the intent to check for guards and report back to Rivera. Rael looked around for a guard and asked the teller what she needed to open an account. Rael went back to the U-Haul van and told Rivera there was no guard. They then went to the Dollar Tree across the road where she purchased a candy bar and sunglasses. They then drove the van to a parking lot behind the bank where they parked the van. She stated that she knew Rivera was going to rob the bank and she knew he had a pistol in his pocket. Rivera went into the bank and shortly thereafter he exited the bank and walked toward the van. Rael drove over to Rivera and he jumped through the rear doors of the van. Rivera yelled at Rael for not spotting a security guard across the street. Rivera told Rael that he just robbed the place, that he had all kinds of cash, and that she was driving like a "mad woman" causing the money go all over the back of the van.

15. After the bank robbery, Rael helped Rivera removed the U-Haul logos from the sides of the van so it appeared to be a plain white van.

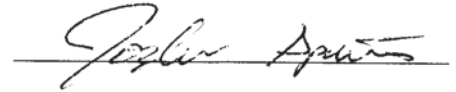
16. During the interview, Special Agent Fondse showed Rael a photograph taken from the security video of the Western Commerce bank robbery depicting the female suspect. Rael stated she was the female in the photograph.

CONCLUSION

17. Based on the above information, I believe there is probable cause to believe Jennifer Rael participated in the commission of a bank robbery on June 11, 2018 in violation of 18 USC §§ 2113 and 2, and in violation of 18 U.S.C. § 924(c). I submit this affidavit as it supports probable cause for the arrest of Jennifer Rael.

18. This affidavit has been reviewed and approved by Assistant United States Attorney Jack Burkhead.

19. I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.



Jordan Spaeth
Special Agent
Federal Bureau of Investigation

Subscribed and sworn to before me on June 18, 2018:



United States Magistrate Judge
Albuquerque, New Mexico