



Department of Justice

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Southern District of Iowa

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Eighteen Defendants Charged in Long-Term Investigation of the Lowrider Criminal Street Gang

DAVENPORT, Iowa – Eleven members and associates of the Lowriders, a Davenport-based street gang, have been charged in federal court in Davenport for various crimes, including violent crimes in aid of racketeering, drug trafficking, tampering with witnesses, the knowing transfer of a handgun to a juvenile, lying to the grand jury, use of persons under 18 years of age in drug operations, and firearms charges. Five members or associates of the Lowriders are charged in state court for intimidation with a dangerous weapon, willful injury, criminal gang participation, and drug-related offenses.

Two other members were previously charged with federal firearms violations. Specifically, in November 2019, Alejandro Francisco Herrera, Jr. was sentenced after pleading guilty to being a prohibited person in possession of a firearm and possession of a controlled substance. In February 2020, Zacharia Allen Clark was sentenced to 200 months of imprisonment after pleading guilty to being a prohibited person in possession of ammunition related to an incident in which he shot at another person in the parking lot of a Davenport nightclub.

Many of the defendants were arrested earlier this week stemming from a years-long investigation of this criminal gang trafficking organization. Those arrested on federal charges include AUSTIN NICHOLS, ADAN HERRERA, CODY HERRERA a/k/a Cody Williamson, KERRI JOANNE REITZ, JOSE MIGUEL PENA, ANDRES JOSEPH ARRIAGA, and TEVIN MAXWELL LIRA. In addition, MARCOS MAGDALENO, CALVIN MORROW, a juvenile defendant, and two others were charged with state crimes arising from this investigation. The identities of those who have not yet been arrested remain sealed at this time.

The charges were announced by Marc Krickbaum, United States Attorney for the Southern District of Iowa; Mike Walton, Scott County Attorney; and Paul Sikorski, Davenport Police Chief. In addition, the Federal Bureau of Investigation, Drug Enforcement Administration, Iowa Department of Criminal Investigations, Bettendorf Police Department, Moline Police Department, and Scott County Sheriff's Office assisted in the investigation.

“As the indictment alleges, the Lowriders street gang is a criminal enterprise,” said United States Attorney Marc Krickbaum. “Members of the gang illegally carry guns, peddle drugs, and shoot up neighborhoods while warring with rival gangs. We will continue to work with all our partners to charge these criminals in state court or federal court with whatever crimes we can prove, from attempted murder to witness tampering.”

“While we only have five of the gang members now as part of this takedown, we have been a part of prosecutions on these individuals for years, and have witnessed how much havoc they have been wreaking on our community,” stated Amy DeVine, First Assistant Scott County Attorney. “We are pleased to see the investigation lead to federal charges on so many of them because we know the sentencing guidelines on the federal side is much more appropriate than what is available to us on the state side. We are committed to coordinating with law enforcement and the federal government in order to appropriately handle these cases, every time that we can.”

“The Davenport Police Department is committed to leveraging all resources available to combat violent crime in our city,” stated Davenport Police Chief Paul Sikorski. “As you can see demonstrated through the collaborative efforts of local, county, state and federal law enforcement teamed up with our county and federal prosecutors to bring those responsible for violence in our community to justice.”

It is alleged that the Lowrider Street Gang is a criminal enterprise that engaged in racketeering activity, namely offenses involving controlled substances; acts involving murder; and acts relating to the tampering with a witness, victim, or informant. The Lowrider Street Gang and its members are alleged to have preserved and protected the profits of the gang through the threatened or physical use of violence and kept victims and witnesses in fear of the street gang through these threats of violence. In addition, it is alleged the Lowrider Street Gang provided support to gang members who were incarcerated for gang-related activities; and retaliated against acts of violence perpetrated against the street gang including acts of violence against rival gangs known as the West Side Mafia and Latin King street gang. The Lowrider Street Gang allegedly operated and conducted their affairs through a series of rules and policies; held regular meetings at which they discussed, planned, and otherwise engaged in criminal activity; and initiated new members through the practice of causing them to endure physical assaults conducted by members of the gang at various gang-related gatherings. It is alleged members agreed to distribute drugs, recruited juveniles to commit violent acts for the gang’s benefit, and agreed or conspired to commit acts of violence, including acts involving murder, against rival gangs.

DEFENDANTS

AUSTIN NICHOLS

Title 18, U.S.C. § 1959(a)(2) – Assault With a Dangerous Weapon in Aid of Racketeering
Maximum Penalty is 20 years of imprisonment

ADAN HERRERA

Title 26, U.S.C. §§ 5841, 5845, 5861(c), 5861(d), 5871 – Receipt or Possession of Firearm Made in Violation of NFA
Maximum Penalty is 10 years of imprisonment

Title 18, U.S.C. § 924(c)(1)(A)(i), 924(c)(1)(B)(i) – Possession of a Firearm in Furtherance of Drug Trafficking
Maximum Penalty is life imprisonment; mandatory minimum of 10 years of imprisonment

CODY HERRERA

Title 18, U.S.C. § 922(g)(3) – Prohibited Person in Possession of Firearms
Maximum Penalty is 10 years of imprisonment

KERRI REITZ

Title 18, U.S.C. § 3 – Accessory After the Fact
Maximum Penalty is 15 years of imprisonment

JOSE MIGUEL PENA

Title 18, U.S.C. § 1959(a)(2) – Assault With a Dangerous Weapon in Aid of Racketeering
Maximum Penalty is 20 years of imprisonment

ANDRES ARRIAGA

Title 18, U.S.C. § 1512 – Tampering With a Witness
Maximum Penalty is 20 years of imprisonment

Title 18, U.S.C. § 1623 – False Declarations Before a Grand Jury
Maximum Penalty is 5 years of imprisonment

TEVIN LIRA

Title 18, U.S.C. § 922(g)(1) – Felon in Possession of a Firearm
Maximum Penalty is 10 years of imprisonment

The years-long investigation culminated in the execution of federal gang and firearm search warrants at the following locations on August 10 and 11, 2020. Law enforcement officers seized four guns, one of which had an obliterated serial number; cocaine at two residences; marijuana, and Lowrider Street Gang paraphernalia at almost every location.

- 2100 block of West 18th Street, Davenport
- 1400 block of Sixth Street, Davenport
- 2200 block of West Second Street, Davenport
- 1700 block of West 17th Street, Davenport

- 1500 block of West 38th Street, Davenport
- 1600 block of West 9th Street, Davenport
- 1300 block of Warren Street, Davenport
- 5300 block of Gaines Street, Davenport
- 5100 block of North Fairmount Street, Davenport
- 700 block of LeClaire Street, Davenport

The charges in the indictment carry maximum penalties of between 10 years and life imprisonment. If convicted, the Court must impose reasonable sentences under federal sentencing statutes and the advisory U.S. Sentencing Guidelines. There is no parole in the federal court system.

The public is reminded that charges contain only accusations and are not evidence of guilt. The defendants are presumed innocent and entitled to a fair trial at which the government has the burden of proving guilt beyond a reasonable doubt.

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