



U.S. Department of Justice
Civil Division, Federal Programs Branch

Via U.S. Mail:
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Washington, DC 20001

Eric B. Beckenhauer
Trial Attorney

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September 24, 2014

VIA E-MAIL

Daniel Joseph Pochoda
James Duff Lyall
ACLU Foundation of Arizona
P.O. Box 17148
Phoenix, AZ 85011
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jlyall@acluaz.org

Derek E. Bambauer
Jane Yakowitz Bambauer
479 E. Historic Street
Tucson, AZ 85701
derekbambauer@email.arizona.edu
janebambauer@email.arizona.edu

Re: ACLU Found. of Ariz. v. DHS, No. 14-2052 (D. Ariz.)

Counsel:

Enclosed please find additional records that U.S. Customs and Border Protection has determined to release in response to the FOIA requests submitted on January 23, 2014, by Plaintiffs in the above-referenced case.

If you have any questions about the enclosed materials, please contact me at (202) 514-3338.

Sincerely,

Eric B. Beckenhauer

b6

RECEIVED

2014 FEB 19 AM 11:06



16870 W. Hobson Way
Blythe, CA 92225

**U.S. Customs and
Border Protection**

YUMA SECTOR

February 18, 2014

MEMORANDUM FOR:

b6

Chief Patrol Agent
Yuma Sector

FROM:

b6

Border Patrol Agent
Blythe Station

SUBJECT:

Citizen Complaint

On February 18, 2014 I was asked to write a memo about a citizen complaint that took place
b7E in the secondary inspection area on November 21, 2013. To the best
of my knowledge I don't recall this secondary inspection incident.

b6

CBP00000579

Date and Time: 2/18/2014 0900 HRS

Border Patrol Agent: b6

Under Article 31, Subsection b(3) of the Collective Bargaining Agreement between the National Border Patrol Council and the Immigration and Naturalization Service, you are provided with the following information.

The Civil Service Reform Act gives employees in units represented by an exclusive labor organization the right to have a union representative present at a meeting which involves an examination by a representative of the agency in connection with an investigation if the employee believes the examination may result in disciplinary action.

Section 7114(a)(2) of the Civil Service Reform Act of 1978 states:

“(2) An exclusive representative of an appropriate unit in an agency shall be given the opportunity to be represented at--

(B) Any examination of an employee in the unit by a representative of the agency in connection with an investigation if--

(i) The employee reasonably believes that the examination may result in disciplinary action against the employee, and

(ii) The employee requests representation.’

Employee’s Signature: b6

Union Representative:

Supervisor Supplying Notice: b6

b6

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2014 FEB 19 AM 11:06



16870 West Hobsonway
Blythe, CA 92225
U.S. Customs and
Border Protection

U.S. CUSTOMS AND BORDER PROTECTION
YUMA SECTOR

February 5, 2014

MEMORANDUM FOR:

b6

Chief Patrol Agent
Yuma Sector

FROM:

b6

Border Patrol Agent
Blythe Station

b6

SUBJECT:

Citizen Complaint

On November 21, 2013 I was assigned, and worked b7E on Interstate 10. I do not remember ever encountering b6 his van, or his tools.

b6

CBP00000581

Date and Time: 02/04/2014 1400 hours

Border Patrol Agent: b6

Under Article 31, Subsection b (3) of the Collective Bargaining Agreement between the National Border Patrol Council and the Immigration and Naturalization Service, you are provided with the following information.

The Civil Service Reform Act gives employees in units represented by an exclusive labor organization the right to have a union representative present at a meeting, which involves an examination by a representative of the agency in connection with an investigation if the employee believes the examination may result in disciplinary action.

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(B) any examination of an employee in the unit by a representative of the agency in connection with an investigation if--

(i) the employee reasonably believes that the examination may result in disciplinary action against the employee, and

(ii) the employee requests representation.’

Employee’s Signature: _____

Union Representative: _____

Supervisor Supplying Notice: _____

b6

RECEIVED

2014 FEB 19 AM 11:06



16870 W. Hobson Way
Blythe, CA 92225
U.S. Customs and
Border Protection

February 3, 2014

RECEIVED
YUMA SECTOR

MEMORANDUM FOR:

b6

Chief Patrol Agent
Yuma Sector

FROM:

b6

b6

Border Patrol Agent
Blythe Station

SUBJECT:

Citizens Complaint

On February 3, 2014 I was asked to write a memo on any information pertaining to b6
b6's brief detention and vehicle search on November 21, 2013. I was assigned to work the
primary vehicle lanes b7E however; I do not recall b6 or his
vehicle and can offer no information.

b6

CBP00000583

Date and Time: 02/03/2014 1500 hours

Border Patrol Agent: b6

Under Article 31, Subsection b (3) of the Collective Bargaining Agreement between the National Border Patrol Council and the Immigration and Naturalization Service, you are provided with the following information.

The Civil Service Reform Act gives employees in units represented by an exclusive labor organization the right to have a union representative present at a meeting, which involves an examination by a representative of the agency in connection with an investigation if the employee believes the examination may result in disciplinary action.

Section 7114(a)(2) of the Civil Service Reform Act of 1978 states:

“(2) An exclusive representative of an appropriate unit in an agency shall be given the opportunity to be represented at--

(B) any examination of an employee in the unit by a representative of the agency in connection with an investigation if--

(i) the employee reasonably believes that the examination may result in disciplinary action against the employee, and

(ii) the employee requests representation.’

Employee's Signature: b6

Union Representative : _____

Supervisor Supplying Notice: b6

b6

RECEIVED

2014 FEB 19 AM 11:06



16870 W. Hobsonway
Blythe, California 92225

U.S. Customs and
Border Protection

February 4, 2014

YUMA SECTOR

MEMORANDUM FOR:

b6

Chief Patrol Agent
Yuma Sector

FROM:

b6

Border Patrol Agent
Blythe Station

b6

SUBJECT:

Citizen Complaint

On November 21, 2013, I was assigned to the passenger lanes b7E When asked to write a memorandum regarding a citizen complaint on February 4, 2014, I was unable to remember having any interaction with b6 or his vehicle. Furthermore, I do not know the whereabouts of his missing tools.

Date and Time: 02/03/2014 1500 hours

Border Patrol Agent: b6

Under Article 31, Subsection b (3) of the Collective Bargaining Agreement between the National Border Patrol Council and the Immigration and Naturalization Service, you are provided with the following information.

The Civil Service Reform Act gives employees in units represented by an exclusive labor organization the right to have a union representative present at a meeting, which involves an examination by a representative of the agency in connection with an investigation if the employee believes the examination may result in disciplinary action.

Section 7114(a)(2) of the Civil Service Reform Act of 1978 states:

“(2) An exclusive representative of an appropriate unit in an agency shall be given the opportunity to be represented at--

(B) any examination of an employee in the unit by a representative of the agency in connection with an investigation if--

(i) the employee reasonably believes that the examination may result in disciplinary action against the employee, and

(ii) the employee requests representation.’

Employee's Signature: b6

Union Representative :

Supervisor Supplying Notice: b6

b6

RECEIVED

2014 FEB 19 AM 11:07



16870 W. Hobsonway
Blythe, California 92225

U.S. Customs and
Border Protection

February, 04 2014

YUMA SECTOR

MEMORANDUM FOR:

b6

Chief Patrol Agent
Yuma Sector

FROM:

b6

b6

Border Patrol Agent
Blythe Station

SUBJECT:

Citizen Complaint

On Thursday November 21, 2013, I was assigned to transporting and processing duties b7E
b7E. At this time I do not remember having any interaction with the vehicle or
subject identified as b6

b6

CBP00000587

Date and Time: 02/04/2014 0600 hours

Border Patrol Agent: b6

Under Article 31, Subsection b (3) of the Collective Bargaining Agreement between the National Border Patrol Council and the Immigration and Naturalization Service, you are provided with the following information.

The Civil Service Reform Act gives employees in units represented by an exclusive labor organization the right to have a union representative present at a meeting, which involves an examination by a representative of the agency in connection with an investigation if the employee believes the examination may result in disciplinary action.

Section 7114(a)(2) of the Civil Service Reform Act of 1978 states:

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(B) any examination of an employee in the unit by a representative of the agency in connection with an investigation if--

(i) the employee reasonably believes that the examination may result in disciplinary action against the employee, and

(ii) the employee requests representation.’

Employee's Signature: _____

b6

Union Representative : _____

b6 b6

Supervisor Supplying Notice: _____

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2014 FEB 19 AM 11:07



16870 W. Hobson Way
Blythe, CA 92225
U.S. Customs and
Border Protection

b6

YUMA SECTOR

February 4, 2014

MEMORANDUM FOR:

b6

Chief Patrol Agent
Yuma Sector

FROM:

b6

b6

Border Patrol Agent
Blythe Station

SUBJECT:

Citizen Complaint

On November 21, 2013, I was assigned traffic check duties b7E At this
time, I do not recall having any contact with a white 2004 Dodge Sprinter Van or a b6

b6

b6

CBP00000589

Date and Time: 02/03/2014 1500 hours

Border Patrol Agent: b6

Under Article 31, Subsection b (3) of the Collective Bargaining Agreement between the National Border Patrol Council and the Immigration and Naturalization Service, you are provided with the following information.

The Civil Service Reform Act gives employees in units represented by an exclusive labor organization the right to have a union representative present at a meeting, which involves an examination by a representative of the agency in connection with an investigation if the employee believes the examination may result in disciplinary action.

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(i) the employee reasonably believes that the examination may result in disciplinary action against the employee, and

(ii) the employee requests representation.’

Employee's Signature: _____

b6

Union Representative : _____

Supervisor Supplying Notice _____

b6

b6

RECEIVED

2014 FEB 19 AM 11:07



16870 W. Hobson Way
Blythe, CA 92225
U.S. Customs and
Border Protection

February 3, 2014

YUMA SECTOR

MEMORANDUM FOR:

b6

Chief Patrol Agent
Yuma Sector

FROM:

b6

Border Patrol Agent
Blythe Station

b6

SUBJECT:

Citizens Complaint

On February 4, 2014, I was asked to write a memo about a citizen complaint that took place

b7E

in the secondary inspection area on November 21, 2013. To the best of my knowledge I don't recall this secondary inspection incident.

b6

CBP00000591

Date and Time: 02/03/2014 1500 hours

Border Patrol Agent: b6

Under Article 31, Subsection b (3) of the Collective Bargaining Agreement between the National Border Patrol Council and the Immigration and Naturalization Service, you are provided with the following information.

The Civil Service Reform Act gives employees in units represented by an exclusive labor organization the right to have a union representative present at a meeting, which involves an examination by a representative of the agency in connection with an investigation if the employee believes the examination may result in disciplinary action.

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(i) the employee reasonably believes that the examination may result in disciplinary action against the employee, and

(ii) the employee requests representation.’

Employee's Signature: b6

Union Representative : _____

Supervisor Supplying Notice: b6

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2014 FEB 19 AM 11:07



16870 W. Hobsonway
Blythe, California 92225
U.S. Customs and
Border Protection

b6

YUMA SECTOR

February 3, 2014

MEMORANDUM FOR:

b6

Chief Patrol Agent
Yuma Sector

FROM:

b6

Border Patrol Agent
Blythe Station

b6

SUBJECT:

Citizen Complaint

On November 21, 2013, I was assigned to work at the Border Patrol checkpoint located on Interstate 10 westbound near Ehrenberg, Arizona. b7E I have no recollection of encountering a subject named b6 or searching a Dodge Sprinter van.

b6

CBP00000593

Date and Time: 02/03/2014 1400 hours

Border Patrol Agent: b6

Under Article 31, Subsection b (3) of the Collective Bargaining Agreement between the National Border Patrol Council and the Immigration and Naturalization Service, you are provided with the following information.

The Civil Service Reform Act gives employees in units represented by an exclusive labor organization the right to have a union representative present at a meeting, which involves an examination by a representative of the agency in connection with an investigation if the employee believes the examination may result in disciplinary action.

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(i) the employee reasonably believes that the examination may result in disciplinary action against the employee, and

(ii) the employee requests representation.’

Employee's Signature: b6

Union Representative : _____

Supervisor Supplying Notice

b6

b6

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2014 FEB 19 AM 11:07



16870 W. Hobsonway
Blythe, California 92225
U.S. Customs and
Border Protection

YUMA SECTOR

February 3, 2014

MEMORANDUM FOR:

b6

Chief Patrol Agent
Yuma Sector

FROM:

b6

Border Patrol Agent
Blythe Station

SUBJECT:

Citizen Complaint

On November 21, 2013, at approximately 10:00 a.m., I was assigned to the vehicle inspection lanes
b7E located on I-10 westbound near Ehrenberg, Arizona. I cannot recall
searching a 2004 white Dodge Sprinter Van or remember the driver of the van, b6

Date and Time: 02/03/2014 1400 hours

Border Patrol Agent: b6

Under Article 31, Subsection b (3) of the Collective Bargaining Agreement between the National Border Patrol Council and the Immigration and Naturalization Service, you are provided with the following information.

The Civil Service Reform Act gives employees in units represented by an exclusive labor organization the right to have a union representative present at a meeting, which involves an examination by a representative of the agency in connection with an investigation if the employee believes the examination may result in disciplinary action.

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(B) any examination of an employee in the unit by a representative of the agency in connection with an investigation if--

(i) the employee reasonably believes that the examination may result in disciplinary action against the employee, and

(ii) the employee requests representation.’

Employee's Signature: b6

Union Representative :

Supervisor Supplying Notice b6

b6

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2014 FEB 19 AM 11:07



16870 W. Hobson Way
Blythe, CA 92225

U.S. Customs and
Border Protection

February 3, 2014

YUMA SECTOR

MEMORANDUM FOR:

b6

Chief Patrol Agent
Yuma Sector

FROM:

b6

b6

Border Patrol Agent
Blythe Station

SUBJECT:

Complaint of Missing Items.

On November 21, 2013, at approximately 10:00am, a 2004 Dodge Sprinter van white in color claims to have traveled through the I-10 Temporary Checkpoint. The driver identified as b6 b6 claims he was sent to secondary and his vehicle searched. Subject claims a few days later he noticed a white bag containing metric sockets, a wrench, and extensions was missing. Supervisory Border patrol Agent b6 requested that I write this memo. I was assigned to the commercial vehicle lanes during this day of the I-10 Temporary Checkpoint. The commercial vehicle lanes have very little interaction with passenger vehicles. I do not recall anything in relation to the event described by the subject.

b6

CBP00000597

Date and Time: 02/03/2014 1200 hours

Border Patrol Agent: b6

Under Article 31, Subsection b (3) of the Collective Bargaining Agreement between the National Border Patrol Council and the Immigration and Naturalization Service, you are provided with the following information.

The Civil Service Reform Act gives employees in units represented by an exclusive labor organization the right to have a union representative present at a meeting, which involves an examination by a representative of the agency in connection with an investigation if the employee believes the examination may result in disciplinary action.

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(B) any examination of an employee in the unit by a representative of the agency in connection with an investigation if--

(i) the employee reasonably believes that the examination may result in disciplinary action against the employee, and

(ii) the employee requests representation.’

Employee's Signature: b6

Union Representative : _____

Supervisor Supplying Notice: b6

RECEIVED

2014 FEB 19 AM 11:07

YUMA SECTOR



16870 W. Hobson Way
Blythe, CA 92225
U.S. Customs and
Border Protection

b6

February 3, 2014

MEMORANDUM FOR:

b6

Chief Patrol Agent
Yuma Sector

FROM:

b6

b6

Border Patrol Agent
Blythe Station

SUBJECT:

Citizens Complaint

On February 3, 2014 I was asked to write a memo on any information pertaining to b6
b6's brief detention and vehicle search. b6 claims that he was sent to secondary
inspection on November 21, 2013 b7E at approximately 10:00 a.m.. b6
b6 claims that while in secondary, agents took his belongings out of his 2004 Dodge Sprinter
Van and searched his vehicle. A few days after the encounter he noticed some of his property
was missing. I was assigned to work the primary vehicle lanes b7E
however; I do not recall b6 or his vehicle and can offer no information.

Date and Time: 02/03/2014 1200 hours

Border Patrol Agent: b6

Under Article 31, Subsection b (3) of the Collective Bargaining Agreement between the National Border Patrol Council and the Immigration and Naturalization Service, you are provided with the following information.

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“(2) An exclusive representative of an appropriate unit in an agency shall be given the opportunity to be represented at--

(B) any examination of an employee in the unit by a representative of the agency in connection with an investigation if--

(i) the employee reasonably believes that the examination may result in disciplinary action against the employee, and

(ii) the employee requests representation.’

Employee's Signature

b6

Union Representative : _____

b6

Supervisor Supplying Notice

Office: Blythe Station

Schedule: Thursday, November 21, 2013

Zone	Assignment	Fleet#	Star #	Agent Name	Shift	Time	Comments
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b2, b6, b7C, b7E



Department of Homeland Security, Customs and Border Protection

Sensitive But Unclassified

Total Manpower is: **b2, b7E**

Examined and Approved by: _____

Page 1

Printed: 2/3/2014 11:02:24 AM

CBP00000601

b7E Daily Unit Assignment Log Summary, Group **b7E**

Office: Blythe Station

Schedule: Thursday, November 21, 2013

Zone	Assignment	Fleet#	Star #	Agent Name	Shift	Time	Comments
b2,b6,b7C,b7E							

Department of Homeland Security, Customs and Border Protection

Sensitive But Unclassified

Total Manpower is: **b2,b7E**

Examined and Approved by: _____

RECEIVED

2013 OCT 22 AM 10:43

U.S. BORDER PATROL
YUMA SECTOR



4151 S. Avenue A
Yuma, Arizona 85365

U.S. Customs and
Border Protection

b6,b7C

October 21, 2013

MEMORANDUM FOR:

b6,b7C

Chief Patrol Agent
Yuma Sector

FROM:

b6,b7C

Border Patrol Agent
Yuma Station

b6,b7C

SUBJECT:

b6,b7C

On October 21, 2013, I, Border Patrol Agent (BPA) b6,b7C was assigned to traffic checkpoint duties with my assigned Border Patrol canine b6,b7C at the United States Border Patrol 1153 checkpoint on Highway 95 milepost 76.

At approximately 0450 hours, a white Chevrolet pickup approached the checkpoint. As I approached the truck to conduct an exterior sniff of the truck I recognized the driver (identified as b6,b7C).

b6,b7C,b7E

b6,b7C,b7E

b7E

b6,b7C,b7E

b7E

For the first few weeks I

was on midnights, I was always conducting a secondary search of another vehicle when b6,b7C came through the point. Thus, I never conducted an exterior sniff of his truck.

When I finally did conduct an exterior sniff of b6,b7C's truck I discovered how aggressive his dog was. b6,b7C had his dog loose in the back of his truck. I took my canine b6,b7C around the truck, making sure he was always safe, but I could not conduct a proper sniff of the vehicle because it was unsafe to do so with b6,b7C's dog in the back of the truck. I recommended to b6,b7C that he secure his dog inside his truck when he passed through the checkpoint. This would be for safer for his dog, for my dog, and the Agents at the checkpoint. I informed b6,b7C that I would use deadly force against his dog to protect myself, the other Agents, and the public.

The next time I saw b6,b7C come through the checkpoint, he had his dog inside the cab of the truck with him. I conducted an exterior sniff of the truck and I told b6,b7C that I appreciated him putting his dog inside the truck. b6,b7C was allowed to proceed.

The following time I encountered b6,b7C his dog was in the back of the truck, but he had now tied it to the truck. b7E

b7E On this occasion b6,b7C's dog was still aggressive, but he stayed on the driver side of the truck focused on the primary agent while I conducted an exterior sniff of the rest of the truck.

Today, October 21, 2013, was the next time I encountered b6,b7C again had his dog tied in the back of his truck. As I approached the truck to conduct an exterior sniff, the dog became very agitated and began to bark angrily at me. I went to the passenger side window and told b6,b7C to park his truck in secondary and get his dog out of the truck. b6,b7C went to the secondary area and removed his dog from the truck. I conducted an exterior sniff of the truck and informed b6,b7C that he was free to go. b6,b7C stated that he thought I was harassing him and that he didn't know why. I told b6,b7C that I needed to make sure that his truck was clear and that I could not do that with his dog in the back of the truck aggressively barking and trying to attack me. b6,b7C stated that he wanted to talk to a supervisor about me. BPA b6,b7C gave b6,b7C the number to the Blythe, CA Border Patrol Station. b6,b7C left the checkpoint with no further incident.

Date and Time: 10/21/2013 0638 hours

Border Patrol Agent: b6

Under Article 31, Subsection b(3) of the Collective Bargaining Agreement between the National Border Patrol Council and the Immigration and Naturalization Service, you are provided with the following information.

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(i) the employee reasonably believes that the examination may result in disciplinary action against the employee, and

(ii) the employee requests representation.’

Employee's Signature: b6

Union Representative : _____

Supervisor Supplying Notice: b6

b6,b7C

RECEIVED

2013 OCT 22 AM 10:43

U.S. BORDER PATROL
YUMA SECTOR



16870 W. Hobsonway
Blythe, California 92225

U.S. Customs and
Border Protection

October 21, 2013

MEMORANDUM FOR:

b6,b7C

Chief Patrol Agent
Yuma Sector

b6,b7C

FROM:

b6,b7C

Border Patrol Agent
Blythe Station

SUBJECT:

Citizen Complaint

On October 21, 2013, I, Border Patrol Agent b6,b7C was assigned traffic check duties at the 1153 checkpoint on Highway 95 Northbound mile marker 76. At approximately 04:50 am, I was working secondary duties, when a white pickup truck (being driven by b6,b7C) pulled into the primary inspection lane. Agent b6,b7C conducted an Immigration Inspection on b6,b7C. Once finished with his inspection, Border Patrol Agent b6,b7C referred to the secondary inspection area.

In the secondary inspection area b6,b7C exited the vehicle removing a dog that he had tied to the bed of the truck. b6,b7C took a seat on the steps of the checkpoint holding his dog. As Agent b6,b7C conducted a sniff of the vehicle, b6,b7C stated he had a problem with Agent b6,b7C stating he was the only person who ever gave him trouble with his dog. b6,b7C stated a week before Agent b6,b7C was unprofessional and said he would shoot b6,b7C's dog for safety reasons. b6,b7C said he wished to file a complaint, and Agent b6,b7C gave b6,b7C the Blythe Border Patrol Station phone number and told him to speak with a supervisor. b6,b7C then left the checkpoint without further incident.

Date and Time: 10/21/2013 0904 hours

Border Patrol Agent: b6

Under Article 31, Subsection b(3) of the Collective Bargaining Agreement between the National Border Patrol Council and the Immigration and Naturalization Service, you are provided with the following information.

The Civil Service Reform Act gives employees in units represented by an exclusive labor organization the right to have a union representative present at a meeting which involves an examination by a representative of the agency in connection with an investigation if the employee believes the examination may result in disciplinary action.

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(B) any examination of an employee in the unit by a representative of the agency in connection with an investigation if--

(i) the employee reasonably believes that the examination may result in disciplinary action against the employee, and

(ii) the employee requests representation.’

Employee's Signature: b6

Union Representative : _____

Supervisor Supplying Notice: b6
b6

RECEIVED

2013 OCT 22 AM 10:43

U.S. BORDER PATROL
YUMA SECTOR



16870 W. Hobsonway
Blythe, California 92225

U.S. Customs and
Border Protection

b6,b7C

October 21, 2013

MEMORANDUM FOR:

b6,b7C

Chief Patrol Agent
Yuma Sector

FROM:

b6,b7C

Border Patrol Agent
Blythe Station

SUBJECT:

1153 Checkpoint Incident (b6,b7C)

On October 21, 2013, I was assigned to work at the 1153 Checkpoint located at mile marker 76 on Arizona Highway 95 near Quartzsite, Arizona. At approximately 0450 HRS I was inside the checkpoint trailer eating my dinner when a white Chevrolet pickup approached the primary lane of the checkpoint. I observed through the window as Border Patrol Agent (BPA) b6,b7C conducted an immigration inspection on the vehicle's sole occupant while BPA b6,b7C and his K9 b6,b7C conducted a sniff around the exterior of the pickup. As BPA b6,b7C was conducting his sniff, a dog tied into the bed of the pickup started barking at b6,b7C and b6,b7C. I then saw BPA b6,b7C refer the pickup to secondary.

By the time I got to the secondary lane, the driver of the pickup, later identified as b6,b7C b6,b7C was sitting on the stairs in the secondary area and he had a hold of his dog by its collar. BPA b6,b7C and b6,b7C were discussing the placement of b6,b7C's dog in the bed of the pickup. b6,b7C stated that BPA b6,b7C was very unprofessional. b6,b7C then informed BPA b6,b7C that he wanted to file a formal complaint. BPA b6,b7C supplied b6,b7C with the information he needed to file a complaint.

At 0530 HRS Supervisory Border Patrol Agent (SBPA) b6,b7C called the checkpoint and informed us that b6,b7C had called Blythe Station to file a complaint and that all agents had to write memos detailing the incident.

Date and Time: 10/21/2013 0909 hours

Border Patrol Agent: b6

Under Article 31, Subsection b(3) of the Collective Bargaining Agreement between the National Border Patrol Council and the Immigration and Naturalization Service, you are provided with the following information.

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(ii) the employee requests representation.’

Employee’s Signature: b6

Union Representative : _____

Supervisor Supplying Notice: b6

b6,b7C

RECEIVED

2013 OCT 22 AM 10:43

U.S. BORDER PATROL
YUMA SECTOR



16870 W. Hobson Way
Blythe, California 92225

U.S. Customs and
Border Protection

October 21, 2013

MEMORANDUM FOR:

b6,b7C

Chief Patrol Agent
Yuma Sector

FROM:

b6,b7C

Border Patrol Agent
Blythe Station

b6,b7C

SUBJECT:

Complaint at the 1153 Checkpoint

On October 21, 2013, I Border Patrol Agent b6,b7C was assigned to traffic check duties at the 1153 checkpoint on highway 95, located at mile marker 76 near Quartzsite, Arizona. At approximately 0450 am, I was working primary inspection duties when a white pickup truck (being driven by b6,b7C) pulled into the primary inspection lane. As I was conducting an immigration inspection on the driver, U.S. Border Patrol Canine Handler b6,b7C instructed b6,b7C to pull into the secondary inspection area.

While in the secondary inspection area, b6,b7C told me that he was upset that he had been sent to secondary and that he wanted to file a complaint as he felt that canine handler b6,b7C had an issue with him. b6,b7C stated that b6,b7C had sent him to the secondary inspection area before and had threatened to shoot b6,b7C's dog. b6,b7C also stated that b6,b7C was very unprofessional. I gave him my name and the canine handlers name and informed him that I was the Agent in charge and that he could call the station and file his complaint. I then gave him the station number and said he could call the station at any time and ask for the administrative supervisor. b6,b7C said "ok" and proceeded to leave without further incident.

Date and Time: 10/21/2013 0901 hours

Border Patrol Agent: b6

Under Article 31, Subsection b(3) of the Collective Bargaining Agreement between the National Border Patrol Council and the Immigration and Naturalization Service, you are provided with the following information.

The Civil Service Reform Act gives employees in units represented by an exclusive labor organization the right to have a union representative present at a meeting which involves an examination by a representative of the agency in connection with an investigation if the employee believes the examination may result in disciplinary action.

Section 7114(a)(2) of the Civil Service Reform Act of 1978 states:

“(2) An exclusive representative of an appropriate unit in an agency shall be given the opportunity to be represented at--

(B) any examination of an employee in the unit by a representative of the agency in connection with an investigation if--

(i) the employee reasonably believes that the examination may result in disciplinary action against the employee, and

(ii) the employee requests representation.’

Employee's Signature: b6

Union Representative : b6

Supervisor Supplying Notice: b6

b6



16870 W. Hobson Way
Blythe, CA 92225

**U.S. Customs and
Border Protection**

May 23, 2013

MEMORANDUM FOR:

b6

Chief Patrol Agent
Yuma Sector

FROM:

b6

Supervisory Border Patrol Agent
Blythe Station

b6

SUBJECT:

Citizen Complaint

On May 23, 2013, at approximately 5:30 p.m., I was assigned supervisory duties when I received a telephonic call from b6 DOB: b6 stating that he wanted to report damage done to his vehicle by Border Patrol Agents at the Highway 78 checkpoint near Palo Verde, California.

b6 stated he was not present during the encounter, but that the vehicle belongs to him and he recently purchased it. b6 stated his son, b6 DOB: b6 went to Blythe, California from El Centro, California on May 23, 2013, for work purposes. b6 claimed at approximately 12:00 p.m., his son was sent to secondary inspection by agents at the Border Patrol Checkpoint on Highway 78. b6 stated that his vehicle, a red 2003 Cadillac SLS, was scratched in the quarter panels and doors. b6 stated he understands Border Patrol has a job to do, but that Border Patrol damaged his vehicle during that inspection.

When asked if he wanted to file a complaint for unprofessionalism, b6 stated he just wanted to get the scratches on the vehicle fixed and that his son did not claim the agents were disrespectful or unprofessional.

Memorandums will be requested from the agents b6 and b6 assigned to the Highway 78 checkpoint during the claimed encounter. Record checks conducted on both subjects did not reveal any derogatory information.

A claim for Damage, Injury or Death (SF-95) form was mailed to b6

All documentation was forwarded to Field Operations Supervisor b6

b6

b6

CBP00000612

b6,b7C



16870 W. Hobson Way
Blythe, CA 92225

U.S. Customs and
Border Protection

May 25, 2013

MEMORANDUM FOR:

b6,b7C

Chief Patrol Agent
Yuma Sector

FROM:

b6,b7C

b6,b7C

Border Patrol Agent
Blythe Station

SUBJECT:

Complaint at 1151 Immigration Checkpoint

On May 23, 2013 at approximately 12:30 p.m., a red Cadillac approached the 1151 immigration checkpoint on highway 78, mile marker 56.6. I identified myself as a United States Border Patrol Agent, and started my immigration inspection. The driver stated he was a b6,b7C

b7E

The driver was unable to answer any questions regarding where he was traveling to or whom the vehicle belonged to. The driver also was unable to produce any form of picture identification. Based on my observations, I requested consent to conduct an exterior canine sniff of his vehicle with my service canine b6,b7C

b6,b7C

The driver replied, "Yes."

I referred the driver to the secondary inspection area. Once in secondary I asked the driver to step out of the vehicle. At this time I started a non-intrusive canine sniff on the front passenger side bumper. As I conducted the sniff, the canine was never instructed to search high on the vehicle. b6,b7C's paws did not come off the ground any higher than necessary to walk, at any time during the search. During the non-intrusive canine sniff, b6,b7C alerted to the back fender on the driver side of the vehicle.

Records checks were requested from Yuma Sector Communications b7E on both the driver and vehicle. The driver came back with negative results. Records checks on the vehicle returned and it was determined that it was registered to another individual; not the driver or his father, as the driver had previously stated during questioning. When questioned about the registered owner, the driver stated that he did not know who the individual was.

A search of the vehicle was conducted and the vehicle was scanned with the ZBV Backscatter, however no contraband was found. The driver and vehicle were released without further incident.

On May 24, 2013 I was informed that a complaint had been made regarding the aforementioned vehicle. I was instructed to write this memo per Supervisory Border Patrol Agent b6,b7C

b6,b7C

CBP00000613

Date and Time: 05/24/2013 0610 HRS

Border Patrol Agent: b6

Under Article 31, Subsection b(3) of the Collective Bargaining Agreement between the National Border Patrol Council and the Immigration and Naturalization Service, you are provided with the following information.

The Civil Service Reform Act gives employees in units represented by an exclusive labor organization the right to have a union representative present at a meeting which involves an examination by a representative of the agency in connection with an investigation if the employee believes the examination may result in disciplinary action.

Section 7114(a)(2) of the Civil Service Reform Act of 1978 states:

“(2) An exclusive representative of an appropriate unit in an agency shall be given the opportunity to be represented at--

(B) Any examination of an employee in the unit by a representative of the agency in connection with an investigation if--

(i) The employee reasonably believes that the examination may result in disciplinary action against the employee, and

(ii) The employee requests representation.’

Employee's Signature: b6

Union Representative : _____

Supervisor Supplying Notice:

b6



16870 W. Hobsonway
Blythe, California 92225
U.S. Customs and
Border Protection

b6,b7C

May 29, 2013

MEMORANDUM FOR:

b6,b7C
Chief Patrol Agent
Yuma Sector

FROM:

b6,b7C
Border Patrol Agent
Blythe Station

b6,b7C

SUBJECT:

Citizen's Complaint at 1151 Checkpoint

On May 23, 2013, Border Patrol Agents b6,b7C and I, b6,b7C were assigned to the United States Border Patrol 1151 Checkpoint located on California Highway 78 at mile marker 56.6. At approximately 12:45 p.m., Agent b6,b7C was working the primary inspection lane and I was working secondary inspection when she sent a red Cadillac sedan into secondary inspection. I proceeded to the secondary inspection area and conducted records checks on the subject and the vehicle. After conducting records checks, I began to start/warm up the checkpoint's Backscatter truck in order to utilize it for use inspecting the vehicle in secondary inspection. I did not participate in the physical search of the vehicle. I did not witness any Border Patrol Agents act in a rough manner with the vehicle nor did I witness any agents damage the vehicle.

b6,b7C

CBP00000615

Date and Time: 05/29/2013 0740 HRS

Border Patrol Agent: b6

Under Article 31, Subsection b(3) of the Collective Bargaining Agreement between the National Border Patrol Council and the Immigration and Naturalization Service, you are provided with the following information.

The Civil Service Reform Act gives employees in units represented by an exclusive labor organization the right to have a union representative present at a meeting which involves an examination by a representative of the agency in connection with an investigation if the employee believes the examination may result in disciplinary action.

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“(2) An exclusive representative of an appropriate unit in an agency shall be given the opportunity to be represented at--

(B) Any examination of an employee in the unit by a representative of the agency in connection with an investigation if--

(i) The employee reasonably believes that the examination may result in disciplinary action against the employee, and

(ii) The employee requests representation.’

Employee's Signature: b6

Union Representative: _____

Supervisor Supplying Notice

b6

b6,b7C



16870 W. Hobsonway
Blythe, California 92225
U.S. Customs and
Border Protection

June 2, 2013

MEMORANDUM FOR:

b6,b7C

Chief Patrol Agent
Yuma Sector

FROM:

b6,b7C

Border Patrol Agent
Blythe Station

b6,b7C

SUBJECT:

Checkpoint Incident

I was told by Supervisory Border Patrol Agent b6,b7C to submit this memorandum. On Thursday, May 23, 2013, I was assigned to the 1151 checkpoint located on highway 78. Border Patrol Agent b6,b7C was the K9 Agent on duty. Also on duty this day was Border Patrol Agent b6,b7C. There was a K9 alert and I took over primary. Soon thereafter the vehicle in question was released. I do not recall specific details surrounding this particular incident.

b6,b7C

CBP00000617

Date and Time: 05/25/2013 0610 HRS

Border Patrol Agent: b6

Under Article 31, Subsection b(3) of the Collective Bargaining Agreement between the National Border Patrol Council and the Immigration and Naturalization Service, you are provided with the following information.

The Civil Service Reform Act gives employees in units represented by an exclusive labor organization the right to have a union representative present at a meeting which involves an examination by a representative of the agency in connection with an investigation if the employee believes the examination may result in disciplinary action.

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“(2) An exclusive representative of an appropriate unit in an agency shall be given the opportunity to be represented at--

(B) Any examination of an employee in the unit by a representative of the agency in connection with an investigation if--

(i) The employee reasonably believes that the examination may result in disciplinary action against the employee, and

(ii) The employee requests representation.’

Employee's Signature: b6

Union Representative: b6

Supervisor Supplying Notice: b6



Department of Homeland Security
Bureau of Customs and Border Protection

UNITED STATES BORDER PATROL
Yuma Sector Complaint Report Form



Report Number: **b6**

Station: BLY

EMPLOYEE: (person taking information)

Name: **b6** Star Number: **b6** Date: 05/23/2013 Time: 19:00 HRS

Method Report Received: ☐ In person ☒ Phone ☐ Other: _____

CITIZEN COMPLAINANT: (ASK, but not required)

Name: **b6**
Address: **b6**
Phone: **b6**

RELEVANT INFORMATION: (criminal activity to report)

OFFICER RELATED COMPLAINT:

Name of Officer(s): **b6**
Date/Time of Incident: 05/23/2013 17:46 HRS
Location of Incident: Rd/Hwy HWY 78 Milepost 56.6 Community 1151
Landmark(s): 1151 Checkpoint

Description of Incident: **b6** stated he was not present during the encounter, but that vehicle belongs to him and he had recently purchased it. **b6** stated his son, **b6** DOB: **b6** went to Blythe, CA from El Centro, CA on May 23, 2013 for work purposes. **b6** claimed at approximately 1200 hours his son was sent to secondary inspection by agents at the Border Patrol checkpoint on HWY 78. **b6** stated that his vehicle a red 2003 Cadillac SLS was scratched in the quarter panels and doors. **b6** stated he understands Border Patrol has a job to do, but that Border Patrol damaged his vehicle during that inspection. When asked if he wanted to file a complaint for unprofessionalism, **b6** stated he just wanted to get to scratches on the vehicle fixed and that his son did not claimed the agents were disrespectful or unprofessional.

STATION RELATED COMPLAINT:

Number of Officer 3

Date/Time of Incident: 2013-05-23 12:00:00.0

Location of Incident: Rd/Hwy HWY 78

Milepost: 56.6

Community: 1151

Landmark(s): 1151 Checkpoint

Description of Incident:

b6 stated he was not present during the encounter, but that vehicle belongs to him and he had recently purchased it. b6 stated his son, b6 DOB: b6 went to Blythe, CA from El Centro, CA on May 23, 2013 for work purposes. b6 claimed at approximately 1200 hours his son was sent to secondary inspection by agents at the Border Patrol checkpoint on HWY 78. b6 stated that his vehicle a red 2003 Cadillac SLS was scratched in the quarter panels and doors. b6 stated he understands Border Patrol has a job to do, but that Border Patrol damaged his vehicle during that inspection. When asked if he wanted to file a complaint for unprofessionalism, b6 stated he just wanted to get to scratches on the vehicle fixed and that his son did not claimed the agents were disrespectful or unprofessional.

Other Agencies

IMMEDIATE ACTION TAKEN: ☐ NONE ☒ YES (explain)

Memoradums are being requested, SF-95 form will be mailed.

AFTER ACTION:	<input type="checkbox"/> NONE	<input checked="" type="checkbox"/> YES (explain)
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d

Completed by: _____

(name) Date/Time

Office: Blythe Station

Schedule: Thursday, May 23, 2013

Zone	Assignment	Fleet#	Star #	Agent Name	Shift	Time	Comments
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b2,b6,b7C,b7E



Department of Homeland Security, Customs and Border Protection

Sensitive But Unclassified

Total Manpower is: **b2,b7E**

Examined and Approved by: _____

b6,b7C



16870 W. Hobson Way
Blythe, California 92225
**U.S. Customs and
Border Protection**

January 9, 2013

MEMORANDUM FOR:

b6,b7C
Chief Patrol Agent
Yuma Sector

FROM:

b6,b7C
Supervisory Border Patrol Agent
Blythe Station

b6,b7C

SUBJECT:

Citizen Complaint

On December 6, 2012 at approximately 6:15 p.m., I received a telephone call from **b6,b7C**
b6,b7C a citizen wanting to make a complaint.

b6,b7C stated that on December 3, 2012 at approximately 2:00 a.m. he was sent to secondary inspection due to immigration purposes at the Border Patrol Checkpoint located in California Highway 78 south of Palo Verde, California. **b6,b7C** stated he felt he did not need to go to secondary inspection as he is a **b6,b7C** claimed he was coming from San Diego, California to Prescott, Arizona via Highway 78 for work purposes and that he resides in **b6,b7C** **b6,b7C** claims he felt the agents working the checkpoint asked him too many questions and made him feel like a criminal. When asked if the agents were disrespectful or unprofessional, **b6,b7C** stated he was asked the same questions over and over again and that he felt as a **b6,b7C** he did not need to go through secondary immigration inspections. **b6,b7C** could not give specific examples on how the agents were disrespectful.

Weingarten Articles 31b were issued to all agents involved in this incident. Memoranda were collected from Agent **b6,b7C**, Agent **b6,b7C** and Agent **b6,b7C**.

Record checks on **b6,b7C** confirmed he is a **b6,b7C** with no derogatory criminal record.

All documentation was forwarded to FOS **b6,b7C**

CC: Patrol Agent in Charge, Blythe Station

b6,b7C

b6,b7C

CBP00000623

b6,b7C

16870 W. Hobson Way
Blythe, CA 92225



**U.S. Customs and
Border Protection**

December 13, 2012


MEMORANDUM FOR:

b6,b7C

Patrol Agent in Charge
Blythe Station

FROM:

b6,b7C

Alvarado 
Border Patrol Agent
Blythe Station

SUBJECT:

Complaint at the 1151 Checkpoint

On December 2, 2012, Border Patrol Agents **b6,b7C** and I were assigned to traffic check duties at the 1151 checkpoint on highway 78, located at mile marker 56 near Palo Verde, California. While working the primary inspection lane I encountered a vehicle that had come to the checkpoint and came to a complete stop. I identified myself as a United States Border Patrol Agent and conducted an immigration inspection with the driver of the vehicle. The gentlemen stated that he was a **b6,b7C**. I sent the vehicle to secondary inspection to verify the gentlemen's immigration status.

At secondary inspection I requested record checks through Yuma Sector Radio Communications **b7E** while Agent **b6,b7C** talked to the gentlemen. The gentlemen was upset that he was secondary and I told him that I needed to verify his immigration status and that then if record checks confirmed his claim he would be released without further incident. As I was waiting for record checks to return, Agent **b6,b7C** was standing by with the gentlemen. **b7E** revealed that the driver was indeed a **b6,b7C** and was released. The gentlemen requested our supervisors contact information in order to file a complaint. Agent **b6,b7C** gave the gentlemen the necessary information to call in a complaint and he left the checkpoint.

b6,b7C

CBP00000624

Date and Time: December 13, 2012 @ 1815 Hours

Border Patrol Agent: b6

Under Article 31, Subsection b(3) of the Collective Bargaining Agreement between the National Border Patrol Council and the Immigration and Naturalization Service, you are provided with the following information.

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Section 7114(a)(2) of the Civil Service Reform Act of 1978 states:

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(B) any examination of an employee in the unit by a representative of the agency in connection with an investigation if--

(i) the employee reasonably believes that the examination may result in disciplinary action against the employee, and

(ii) the employee requests representation.’

Employee's Signature: b6

Union Representative : _____

Supervisor Supplying Notice: _____

b6,b7C



16870 W. Hobson Way
Blythe, California 92225

**U.S. Customs and
Border Protection**

December 11, 2012

MEMORANDUM FOR:

b6,b7C
Patrol Agent In Charge
Blythe Station

FROM:

b6,b7C
Border Patrol Agent
Blythe Station

b6,b7C

SUBJECT:

Complaint at the 1151 Checkpoint

On December 2, 2012, Border Patrol Agents b6,b7C and I were assigned to traffic check duties at the 1151 checkpoint on highway 78, located at mile marker 56 near Palo Verde, California. Sometime during the shift, I was sitting inside the checkpoint trailer when I was notified by the agents working the lane that they had a vehicle in the secondary inspection area.

When I went outside to assist agents b6,b7C and b6,b7C the gentleman that was in the secondary inspection area told me that he was upset that he had been sent to secondary and that he wanted to file a complaint. I gave him my name and informed him that I was the Agent in charge and that he could call the station and file his complaint. I then gave him the station number and said he could call the station in the morning. The gentleman said ok and then left.

b6,b7C

CBP00000626

Date and Time: December 7, 2012 @ 0225 Hours

Border Patrol Agent: b6

Under Article 31, Subsection b(3) of the Collective Bargaining Agreement between the National Border Patrol Council and the Immigration and Naturalization Service, you are provided with the following information.

The Civil Service Reform Act gives employees in units represented by an exclusive labor organization the right to have a union representative present at a meeting which involves an examination by a representative of the agency in connection with an investigation if the employee believes the examination may result in disciplinary action.

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(i) the employee reasonably believes that the examination may result in disciplinary action against the employee, and

(ii) the employee requests representation.’

Employee’s Signature: b6

Union Representative : b6

Supervisor Supplying Notice: b6

b6,b7C



16870 W. Hobson Way
Blythe, California 92225
**U.S. Customs and
Border Protection**

December 11, 2012

MEMORANDUM FOR:

b6,b7C

Patrol Agent In Charge
Blythe, California

FROM:

b6,b7C

Border Patrol Agent
Blythe, California

SUBJECT:

Complaint at the 1151 Checkpoint

On December 2, 2012, Border Patrol Agents b6,b7C and I were assigned to traffic check duties at the 1151 Checkpoint on Highway 78, located at mile marker 56 near Palo Verde, California. At some point late in the evening, Agent b6,b7C was the primary agent checking traffic and I was the supporting secondary agent, when a vehicle approached the checkpoint and drove up to our position.

Agent b6,b7C performed an immigration inspection on the driver and then directed him to the secondary inspection area. In the secondary inspection area, I requested that the driver step out of the car and asked him to sit in the designated area for subjects in secondary. At this point the driver complained that he was being singled out and profiled. I explained to him that this was not the case.

While this was happening, I requested the subject's driver's license and ran records checks on the individual through Yuma Sector Communications to determine if he had any immigration or criminal history. The driver's records revealed that he was a b6,b7C citizen. I don't recall if he had any criminal history.

The driver asked me why some of the other vehicles passing through the checkpoint were not sent to secondary after being inspected. I told him that the purpose of the checkpoint is to determine citizenship or immigration status and we don't send every vehicle that comes to the checkpoint to secondary. Although I could not smell alcohol, the driver spoke with noticeably slurred speech. I asked him, in English, if he had anything to drink today. He responded that he had not.

After affirming that he was a b6,b7C citizen, we released him. The driver reiterated that he wanted to file a complaint. Following this, Agent b6,b7C provided the driver with our names and the phone number to the Blythe Border Patrol Station. From first contact with the driver in the primary lane to his release was approximately 15-20 minutes.

CBP00000628

b6,b7C

Date and Time: December 10, 2012 @ 1815 Hrs

Border Patrol Agent: b6

Under Article 31, Subsection b(3) of the Collective Bargaining Agreement between the National Border Patrol Council and the Immigration and Naturalization Service, you are provided with the following information.

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(B) any examination of an employee in the unit by a representative of the agency in connection with an investigation if--

(i) the employee reasonably believes that the examination may result in disciplinary action against the employee, and

(ii) the employee requests representation.’

Employee's Signature: b6

Union Representative :

Supervisor Supplying Notice: b6

Office: Blythe Station

Schedule: Sunday, December 02, 2012

Zone	Assignment	Fleet#	Star #	Agent Name	Shift	Time	Comments
b2,b6,b7C,b7E							

Department of Homeland Security, Customs and Border Protection

Sensitive But Unclassified

Total Manpower is: [REDACTED]

Examined and Approved by: _____

Page 1

Printed: 12/6/2012 8:12:44 PM

CBP00000630



Department of Homeland Security
Bureau of Customs and Border Protection

UNITED STATES BORDER PATROL
Yuma Sector Complaint Report Form



Report Number: **b6**
Station: UNK

EMPLOYEE: (person taking information)

Name: **b6** Star Number: **b6** Date: 12/06/2012 Time: 19:08 HRS

Method Report Received: ☐ In person ☒ Phone ☐ Other: _____

CITIZEN COMPLAINANT: (ASK, but not required)

Name: **b6**
Address: **b6**
Phone: **b6**

RELEVANT INFORMATION: (criminal activity to report)

OFFICER RELATED COMPLAINT:

Name of Officer(s): BPA **b6** BPA **b6** BPA **b6**
Date/Time of Incident: 12/06/2012 18:21 HRS
Location of Incident: Rd/Hwy HWY 78 Milepost 56.6 Community 1151 Checkpoint
Landmark(s): 1151 Checkpoint

Description of Incident: **b6** states on Monday December 03, 2012 at approximately 0200 hours he was secondaryed at the 1151 checkpoint after claiming to be a **b6** citizen. **b6** states he was coming from San Diego, CA to Prescott, AZ via HWY 78 for work purposes and that he resides in **b6**. **b6** claims he felt the agents working the checkpoint asked him too many questions and made him feel like a criminal. When asked if the agents were disrespectful or unprofessional, **b6** stated he was asked the same questions over and over again and that he felt as a **b6** citizen he did not need to go through secondary immigration inspections. **b6** could not give specific examples on how the agents were disrespectful. **b6** stated he wanted to file a formal complaint.

STATION RELATED COMPLAINT:

Number of Officer 3 Date/Time of Incident: 2012-12-03 02:00:00.0

Location of Incident: Rd/Hwy HWY 78 Milepost: 56.6 Community: 1151 Checkpoint

Landmark(s): 1151 Checkpoint

Description of Incident:

b6 states on Monday December 03, 2012 at approximately 0200 hours he was secondaried at the 1151 checkpoint after claiming to be a b6 citizen. b6 states he was coming from San Diego, CA to Prescott, AZ via HWY 78 for work purposes and that he resides in b6 b6 claims he felt the agents working the checkpoint asked him too many questions and made him feel like a criminal. When asked if the agents were disrespectful or unprofessional, b6 stated he was asked the same questions over and over again and that he felt as a b6 citizen he did not need to go through secondary immigration inspections. b6 could not give specific examples on how the agents were disrespectful. b6 stated he wanted to file a formal complaint.

Other Agencies N/A

IMMEDIATE ACTION TAKEN: ☐ NONE ☒ YES (explain)

31b Weingarten forms were issued to all agents involved and memorandums were requested.

AFTER ACTION:	<input type="checkbox"/> NONE	<input checked="" type="checkbox"/> YES (explain)
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31b Weingarten forms were issued to all agents involved and memorandums were requested.

Completed by: _____

(name)Date/Time



Department of Homeland Security
Bureau of Customs and Border Protection

UNITED STATES BORDER PATROL
Yuma Sector Complaint Report Form



Report Number: _____
Station: _____

EMPLOYEE: (person taking information)

Name: _____ Star Number: _____ Date: _____ Time: _____

Method Report Received: ☐ In person ☐ Phone ☐ Other _____

CITIZEN COMPLAINANT: (ASK, but not required)

Name: _____

Address: _____

Phone: _____

RELEVANT INFORMATION: (criminal activity to report)

OFFICER RELATED COMPLAINT:

Name of Officer(s): _____

Date/Time of Incident: _____

Location of Incident: Rd/Hwy _____ Milepost _____ Community _____

Landmark(s): _____

Description of Incident: _____

STATION RELATED COMPLAINT:

Number of Officer Involved: _____ Date/Time of Incident: _____

Location of Incident: _____ Milepost _____ Community _____

Landmark(s) _____

Description of Incident

Other AGENCIES involved: _____

IMMEDIATE ACTION TAKEN: ☐ NONE ☐ YES (explain)

AFTER ACTION: ☐ NONE ☐ YES (explain)

Completed by: _____
(name) Date/Time



**U.S. Customs and
Border Protection**

b6,b7C

May 2, 2012

MEMORANDUM FOR:

b6,b7C
Chief Patrol Agent
Yuma Sector

FROM:

b6,b7C **b6,b7C**
(A) Patrol Agent In Charge
Blythe Station

SUBJECT:

Citizen Complaint at 1151 Checkpoint

On April 27, 2012, at approximately 1400 hours, SBPA **b6,b7C** took a call from **b6,b7C** **b6,b7C** stating that her sons are harassed every time they go through the 1151 Checkpoint near Palo Verde, CA. She stated that two Mac Books may have been damaged during a search on the date stated above.

b6,b7C stopped by the station to pick a Standard Form 95. She checked the Mac Books and they were not damaged.

b6,b7C was not at the scene with her sons, **b6,b7C** year old **b6,b7C** and **b6,b7C** year old **b6,b7C** and is going strictly by what they told her. This is a third party complaint and to this date we have not heard from the **b6,b7C** brothers themselves.

The canine on duty that day alerted to the presence of narcotics in the pre primary inspection area and the vehicle was sent to secondary inspection where marijuana residue was found and the two subjects admitted to smoking in the car two weeks earlier. No other contraband was found in the vehicle.

After reviewing all the facts relating to this case I find that all agents involved were justified in their actions and were within policy.



16870 W. Hobson Way
Blythe, California 92225
U.S. Customs and
Border Protection

b6,b7C

April 28, 2012

MEMORANDUM FOR:

b6,b7C
Chief Patrol Agent
Yuma Sector

b6,b7C

FROM:

b6,b7C
Supervisory Border Patrol Agent
Blythe Station

SUBJECT:

Citizen Complaint at 1151 Checkpoint

On April 27, 2012 at approximately 2:00 p.m., b6,b7C called the Blythe Border Patrol Station to file a complaint stating she felt her two sons were harassed while passing through the 1151 Checkpoint. This checkpoint is located on California State Route 78, near mile marker 56.6.

b6,b7C stated that her sons, b6,b7C year old b6,b7C and b6,b7C year old b6,b7C visit her regularly in Blythe, California. She stated that they travel from b6,b7C California where they attend college. She further stated that each time her two sons drive through the checkpoint, they are sent to secondary inspection for no particular reason. She commented that she understands inspections need to be done to protect the country, but not every time to the same people.

She also informed me she did not appreciate the way her sons' property was being handled. She said that the agents conducting the inspection grabbed her sons' backpacks and tossed them on the ground without any regard. She stated that the backpacks had Mac Books in them that cost a few thousand dollars. I explained to b6,b7C I would accept and file her complaint; if she had further concerns, she could come by the Blythe Border Patrol Station and speak to me directly. I also informed b6,b7C that I would provide her with form SF-95 (Claim for Damage, Injury or Death) to file a claim if the property was damaged.

At approximately 4:30 p.m., b6,b7C arrived at the Blythe Station. She was provided an SF-95 form and she was given guidance by FOS b6,b7C and me on how to file the form. She then stated that she turned-on the computers and they worked fine. She commented once again that she understood that inspections need to be done to protect the country, but her boys are good boys, and they go to college.

b6,b7C

CBP00000637

Subject: Citizen Complaint at 1151 Checkpoint
Page 2

During the initial inquiry, I was informed that her two sons were in fact sent to the secondary inspection area due to a canine alert during the primary inspection. Agent [b6,b7C] stated in his memoranda, that as he was conducting immigration inspection in the primary lane, Agent [b6,b7C] (K-9) advised him to send the vehicle to secondary inspection due to a canine alert.

In the secondary inspection area, Agent [b6,b7C] and K-9 handler Agent [b6,b7C] began their inspection. Agent [b6,b7C] stated in his memoranda that as he was searching the vehicle, he observed minimal traces of marijuana "shake" on the driver side rear seat. Agent [b6,b7C] asked the driver if he could identify the green substance. The driver admitted the substance was marijuana. He further admitted that they had "hot boxed it" in that vehicle a few weeks ago. Both agents continued with their searches with negative results.

Agent [b6,b7C] stated in his memoranda that he did not see or handle any laptop computers during the search of the vehicle. Agent [b6,b7C] stated that during the search, he noticed several bags of luggage to include a laptop carrier. He stated that he carefully placed all the bags in a line on the ground to conduct non-intrusive canine sniff.

Articles 31b were issued to all agents involved in this incident. Memoranda were collected from Agent [b6,b7C], Agent [b6,b7C] and Agent [b6,b7C]. An SF-95 was provided to [b6,b7C] and all documentation was forwarded to FOS [b6,b7C].

CC: Patrol Agent in Charge, Blythe Station

b6,b7C



16870 W. Hobson Way
Blythe, CA 92225

U.S. Customs and
Border Protection

April 28, 2012

MEMORANDUM FOR:

b6,b7C

Chief Patrol Agent
Yuma Sector

FROM:

b6,b7C

Border Patrol Agent
Blythe Station

b6,b7C

SUBJECT:

Citizen Compliant at 1151 Checkpoint

On Friday, April 27, 2012, I was assigned to work at the United States Border Patrol Checkpoint located along California State Route 78 at mile marker 56.6 with my service canine b6,b7C

At approximately 12:40 p.m. while Agent b6,b7C was working the primary inspection lane, a silver Ford Mustang came through the primary inspection lane at the 1151 checkpoint. As Agent b6,b7C conducted an immigration inspection on the occupants, I performed a non-intrusive canine sniff of the vehicle with my service canine b6,b7C. My canine alerted to the driver side door of the vehicle. I asked Agent b6,b7C to refer the vehicle to secondary.

At secondary Agent b6,b7C and I thoroughly searched the vehicle. During the search I noticed several bags to include a laptop bag. I carefully placed all the bags in line on the ground to do a non-intrusive canine sniff of all the bags. This is the least intrusive way to search the bags.

My service canine did not alert on any of the bags. I went back to the vehicle to search it. I was able to see what appeared to be marijuana residue in the back seat of the vehicle. I called the owner of the vehicle and showed him what I found. I asked the owner of the car what that was and he freely admitted that it was marijuana residue. He also stated that he "hot boxed it" a week prior. The term "hot box" is utilized by marijuana users when they drive around in their vehicle smoking marijuana.

After a thorough search of the vehicle, no other contraband was found. Both subjects and the vehicle were released.

On April 28, 2012, Supervisory Border Patrol Agent b6,b7C requested this memorandum. SBPA b6,b7C stated that a third party had filed a citizen complaint regarding a laptop that was damaged during this encounter. I remember seeing a laptop bag, but I cannot confirm there was a laptop inside because none of the bags were opened.

b6,b7C

CBP00000639

Date and Time: 4/28/2012 6:00 a.m.

Border Patrol Agent: b6

Under Article 31, Subsection b (3) of the Collective Bargaining Agreement between the National Border Patrol Council and the Immigration and Naturalization Service, you are provided with the following information.

The Civil Service Reform Act gives employees in units represented by an exclusive labor organization the right to have a union representative present at a meeting, which involves an examination by a representative of the agency in connection with an investigation if the employee believes the examination may result in disciplinary action.

Section 7114(a)(2) of the Civil Service Reform Act of 1978 states:

“(2) An exclusive representative of an appropriate unit in an agency shall be given the opportunity to be represented at--

(B) any examination of an employee in the unit by a representative of the agency in connection with an investigation if--

(i) the employee reasonably believes that the examination may result in disciplinary action against the employee, and

(ii) the employee requests representation.’

Employee's Signature:

b6

Union Representative :

Supervisor Supplying Notice:

b6

b6,b7C



16870 W. Hobson Way
Blythe, CA 92225

U.S. Customs and
Border Protection

April 28, 2012

MEMORANDUM FOR:

b6,b7C

Chief Patrol Agent
Yuma Sector

b6,b7C

FROM:

b6,b7C

Border Patrol Agent
Blythe Station

SUBJECT:

Citizen Compliant

On April 27, 2012, I Border Patrol Agent b6,b7C was assigned to checkpoint duties at the 1151 immigration checkpoint on California Highway 78, at mile marker 56.6. At approximately 12:40 p.m., I was positioned in the primary inspection area. A silver Ford Mustang drove up and the driver and passenger presented themselves for an immigration inspection.

In the English language, I identified myself as a U.S. Border Patrol Agent and asked the driver as to his citizenship and nationality. The driver stated that he is a b6,b7C citizen and b6,b7C. I then asked the passenger of the vehicle as to his citizenship and nationality. The passenger stated he is a b6,b7C citizen and b6,b7C.

During the interview, Agent b6,b7C advised me to refer the vehicle and passengers to the secondary inspection area due to a canine alert. I then directed the driver to park in the secondary inspection area. After referring the vehicle to secondary, I did not have any other contact with the vehicle or occupants.

b6,b7C

CBP00000641

Date and Time: 4/28/2012 6:00 a.m.

Border Patrol Agent: b6

Under Article 31, Subsection b (3) of the Collective Bargaining Agreement between the National Border Patrol Council and the Immigration and Naturalization Service, you are provided with the following information.

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(B) any examination of an employee in the unit by a representative of the agency in connection with an investigation if--

(i) the employee reasonably believes that the examination may result in disciplinary action against the employee, and

(ii) the employee requests representation.’

Employee's Signature: b6

Union Representative : _____

Supervisor Supplying Notice: b6

b6,b7C



16870 W. Hobson Way
Blythe, CA 92225

U.S. Customs and
Border Protection

April 28, 2012

MEMORANDUM FOR:

b6,b7C

Chief Patrol Agent
Yuma Sector

FROM:

b6,b7C

b6,b7C

Border Patrol Agent
Blythe Station

SUBJECT:

Citizen Complaint

On April 27, 2012, I Agent b6,b7C was assigned to the 1151 Checkpoint located on Highway 78, mile marker 56.6.

At approximately 12:40 p.m. while performing secondary inspections at the 1151 Checkpoint, I encountered two subjects in a silver Ford Mustang. The vehicle was referred to the secondary inspection area after Agent b6,b7C indicated that his canine alerted to the vehicle.

At the secondary inspection area I assisted Agent b6,b7C search the vehicle. During the search I noticed on the driver side rear seat minimal traces of marijuana "shake". The owner of the vehicle was then called to the vehicle by Agent b6,b7C. He was asked what the green substance was; the driver stated that "it was marijuana" and that he had "hot boxed it" in his vehicle a few weeks ago. The subject was then told to return to the seating area under the canopy. Agent b6,b7C and I continued to search the vehicle. A further search of the vehicle yielded negative results and both subjects were released.

On April 28, 2012, I was ordered to write this memorandum by Supervisory Border Patrol Agent b6,b7C. SBPA b6,b7C mentioned that a third party had filed a citizen complaint regarding damage to a laptop during this incident. I did not see or handle any laptop while conducting the search of the vehicle.

b6,b7C

CBP00000643

Date and Time: 4/28/2012 6:00 a.m.

Border Patrol Agent: b6

Under Article 31, Subsection b (3) of the Collective Bargaining Agreement between the National Border Patrol Council and the Immigration and Naturalization Service, you are provided with the following information.

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“(2) An exclusive representative of an appropriate unit in an agency shall be given the opportunity to be represented at--

(B) any examination of an employee in the unit by a representative of the agency in connection with an investigation if--

(i) the employee reasonably believes that the examination may result in disciplinary action against the employee, and

(ii) the employee requests representation.’

Employee's Signature: b6

Union Representative : _____

Supervisor Supplying Notice: b6



U.S. Customs and
Border Protection

b6,b7C

March 20, 2013

MEMORANDUM FOR:

b6,b7C
Chief Patrol Agent
Yuma Sector

b6,b7C

FROM:

b6,b7C
Acting Field Operations Supervisor
Blythe Station

SUBJECT:

Civilian Vehicle Damage Claim

On March 20, 2013 at approximately 11:45 a.m., I was called by Border Patrol Agent b6,b7C who said a b6,b7C b6,b7C was at the 1153 checkpoint and wanted to make a claim regarding alleged damage to her vehicle caused by a BP Canine during an earlier inspection at 7:45 a.m. that morning. Agent b6,b7C said she claims the BP Canine had put a scratch on the driver side rear door of her blue 2013 Nissan Sentra bearing b6,b7C license plate b6,b7C. Agent b6,b7C said there was a small hairline line in the area of the claimed damage that was barely visible.

I instructed Agent b6,b7C to take pictures of the claimed damage area. I also directed him and Canine Handler b6,b7C to write memos regarding the incident. b6,b7C was given an SF-95 form to submit regarding the claim. I have attached pictures of the area of the claimed damage. The line on the door is so small as to not appear in the printed pictures. I do have the electronic versions of the pictures available.

Attachments



U.S. Customs and
Border Protection

b6,b7C

March 20, 2013

MEMORANDUM FOR:

b6,b7C

Chief Patrol Agent
Yuma Sector

FROM:

b6,b7C

b6,b7C

Border Patrol Agent
Blythe Station

SUBJECT:

Vehicle Damage Claim

On March 20, 2013, I was assigned to the 1153 checkpoint located on Hwy 95 and mile marker 76. At approximately 0745 hours, b6,b7C driving a blue 2013 Nissan Sentra bearing b6,b7C plate b6,b7C approached the primary inspection area. I conducted an immigration inspection and b6,b7C stated she was a b6,b7C. During my immigration inspection, K9 handler b6,b7C performed a free air sniff of the vehicle. At this time, I did not observe any damage done to the vehicle by the K-9.

At approximately 1130 hours, b6,b7C returned to the checkpoint and stated that she wanted to file a claim regarding the assigned K-9 scratching her rear driver side door in the blue Nissan Sentra. b6,b7C stated this damage occurred at approximately 0745 hours today, when she previously came through the checkpoint. I looked at the claimed damage area carefully and could only observe a very fine horizontal line. b6,b7C was given a SF95 form to complete and submit to the Blythe Station. I took pictures of the suspect area with the digital camera assigned to the checkpoint. Several pictures were taken, but no damage can be seen from looking at the pictures. The Blythe Station was notified of this incident.

b6,b7C

Date and Time: March 20, 2013

Border Patrol Agent: b6

Under Article 31, Subsection b (3) of the Collective Bargaining Agreement between the National Border Patrol Council and the Immigration and Naturalization Service, you are provided with the following information.

The Civil Service Reform Act gives employees in units represented by an exclusive labor organization the right to have a union representative present at a meeting, which involves an examination by a representative of the agency in connection with an investigation if the employee believes the examination may result in disciplinary action.

Section 7114(a)(2) of the Civil Service Reform Act of 1978 states:

“(2) An exclusive representative of an appropriate unit in an agency shall be given the opportunity to be represented at--

(B) any examination of an employee in the unit by a representative of the agency in connection with an investigation if--

(i) the employee reasonably believes that the examination may result in disciplinary action against the employee, and

(ii) the employee requests representation.’

Employee’s Signature: b6

Union Representative :

Supervisor Supplying Notice: b6



U.S. Customs and
Border Protection

b6,b7C

March 20, 2013

MEMORANDUM FOR:

b6,b7C
Chief Patrol Agent
Yuma Sector

FROM:

b6,b7C
Border Patrol Agent
Yuma Station

b6,b7C

SUBJECT:

Vehicle Damage Claim

On March 20, 2013 at 1130 hours, I, agent b6,b7C, was assigned to the 1153 USBP checkpoint. At this time b6,b7C stopped at the checkpoint, and wanted to file a claim regarding my assigned canine b6,b7C scratching the rear driver side door of her blue 2013 Nissan Sentra b6,b7C plate b6,b7C b6,b7C stated this damage occurred at approximately 0745 hours earlier the same day, when she previously came through the checkpoint. At that time I did perform a free air sniff with my canine b6,b7C of her vehicle, and observed no damage that occurred to her during the sniff. I gave b6,b7C a SF95 to complete and submit to the Blythe Station.

BPA b6,b7C took pictures of the suspect area with the digital camera assigned to the checkpoint. Several pictures were taken, and no damage could be seen in person, or by reviewing the pictures. I mentioned this to b6,b7C and she agreed that it is very difficult to see, and that she too took pictures but was unable to see any damage. The Blythe Station was notified of this incident.

b6,b7C

Date and Time: March 20, 2013

Border Patrol Agent: b6

Under Article 31, Subsection b (3) of the Collective Bargaining Agreement between the National Border Patrol Council and the Immigration and Naturalization Service, you are provided with the following information.

The Civil Service Reform Act gives employees in units represented by an exclusive labor organization the right to have a union representative present at a meeting, which involves an examination by a representative of the agency in connection with an investigation if the employee believes the examination may result in disciplinary action.

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(i) the employee reasonably believes that the examination may result in disciplinary action against the employee, and

(ii) the employee requests representation.’

Employee's Signature: b6

Union Representative : _____

Supervisor Supplying Notice: b6

b6,b7C



16870 W. Hobson Way
Blythe, California 92225

U.S. Customs and
Border Protection

January 22, 2014

MEMORANDUM FOR:

b6,b7C

Chief Patrol Agent
Yuma Sector

FROM:

b6,b7C

b6,b7C

Supervisory Border Patrol Agent
Blythe Station

SUBJECT:

Citizen Complaint

On January 10, 2014, at approximately 11:00 a.m., a gentleman identifying himself as b6,b7C contacted the Blythe Border Patrol Station via telephone, to file a formal complaint stating that after a search of his vehicle, some of his tools were missing.

b6,b7C claims that on November 21, 2013, while traveling from Phoenix, Arizona back home to b6,b7C he was stopped at a temporary checkpoint on Interstate 10 near the California Port of Entry. b6,b7C stated that he was sent to secondary inspection and that his vehicle (2004 white Dodge Sprinter truck) was searched there. b6,b7C also stated that agents removed everything from inside the vehicle and placed it in a separate area.

b6,b7C claims that an agent asked him to sit on a bench on the side of the freeway and that from there he could not see what the agents were doing with his vehicle and property. b6,b7C said that after the agents concluded the search, they put the property back inside his vehicle and allowed him to continue his travel.

b6,b7C stated that a few days later he went to look for a set of metric tools when he realized they were not there. b6,b7C claims to be missing a set of metric sockets, a wrench and extensions that were inside a white bag. I asked b6,b7C why it took him this long to report the incident or to contact us. b6,b7C stated that as soon as he realized the tools were missing, he started to contact different agencies because he was not sure what agency was in charge of the checkpoint. b6,b7C stated that after contacting a few agencies he was told that it was a Border Patrol Checkpoint and that is when he called.

A review of the daily schedule on November 21, 2014 corroborates the fact that a temporary checkpoint b7E was set on Interstate 10. Due to b7E the fact that fifty days had passed since the incident, I cannot dismiss or corroborate the complaint.

I had called **b6,b7C** twice to see if he could give me a specific time of the day when he drove through the checkpoint with no success. A form SF-95 was mailed to the address that **b6,b7C** provided. No promises to get reimbursed were made to **b6,b7C** during our conversation.

b6,b7C



16870 W. Hobson Way
Blythe, CA 92225
U.S. Customs and
Border Protection

June 22, 2014

MEMORANDUM FOR:

b6,b7C
Acting Chief Patrol Agent
Yuma Sector

FROM:

b6,b7C b6,b7C
Border Patrol Agent
Blythe Station

SUBJECT:

1153 Checkpoint Incident

On Tuesday, June 17, 2014 I was assigned to the 1153 Blythe Border Patrol Checkpoint. At approximately 10:00 a.m., a b6,b7C vehicle stopped at the primary inspection lane. Border Patrol Agent (BPA) b6,b7C was working the primary lane and I was positioned in the secondary lane. The driver was the sole occupant of the vehicle and as BPA b6,b7C was questioning him he was waving his arms around and appeared to be agitated.

Agent b6,b7C signaled me and I came over to her. She explained b7E b7E that he was not answering her questions. I approached the driver of the vehicle, later identified as b6,b7C Military ID # b6,b7C b6,b7C is an employee at b6,b7C and was driving a government assigned vehicle.

As I was standing next to agent b6,b7C by the driver's door, agent b6,b7C asked the driver for his country of citizenship. b6,b7C,b7E replied in a high tone of voice that he did not have to answer our questions and that he did not even have to stop or talk to agents at the checkpoint due to the fact that he was carrying classified information for a military project.

b6,b7C repeated this statement several times in a loud voice. b6,b7C also told us that if we had a problem with that to go ahead and call the base commander to verify the information. I requested the commander's telephone number from b6,b7C but he failed to provide a number.

I explained to b6,b7C as he was still very agitated that we were not asking him about his classified military project but that we only needed to know his country of citizenship. Finally b6,b7C replied I am a b6,b7C and was allowed to proceed on his way without further incident.

b6,b7C

b6,b7C



16870 W. Hobson Way
Blythe, CA 92225

U.S. Customs and
Border Protection

June 22, 2014

MEMORANDUM FOR:

b6,b7C

Acting Chief Patrol Agent
Yuma Sector

FROM:

b6,b7C

Border Patrol Agent
Blythe Station

b6,b7C

SUBJECT:

1153 Checkpoint Incident

On June 17, 2014, I was assigned to work the Border Patrol Checkpoint on Highway 95 near Quartzsite, Arizona. At approximately 10:00 am, while working the primary inspection lane, a b6,b7C vehicle with government plates stopped at my location. I identified myself as a Border Patrol Agent (BPA) and I asked the driver, later identified as b6,b7C several questions about his travel that day. During my questioning b6,b7C,b7E b6,b7C,b7E I also noticed that b6,b7C had an accent. This is common for people who are citizens of a country other than the United States. b7E I continued asking him questions.

During my questioning b6,b7C asked me "Why are you asking me these questions?" b6,b7C then told me that he did not need to answer any more of my questions and that he worked for b6,b7C. I asked b6,b7C to pull the vehicle to the secondary inspection area. He stated that he did not need to move and he was done answering my questions. I signaled to the secondary agent, BPA b6,b7C to come over to me. I told BPA b6,b7C that the driver b7E would not answer my questions.

BPA b6,b7C began explaining to b6,b7C that he needed to answer our questions. b6,b7C told BPA b6,b7C that he did not need to answer any of our questions because he was carrying classified information. I then asked b6,b7C his country of citizenship. I asked him for his date of birth in which he stated, "I am not going to answer that." He also would not provide a driver's license when I asked him for one. BPA b6,b7C explained to b6,b7C that we were not questioning him about his classified information. b6,b7C stated that he did not need to answer any of our questions and that we only needed to call the base commander to verify his information. He gave me his military ID card (ID# b6,b7C) to record his information. BPA b6,b7C asked b6,b7C for the number to call the base commander. b6,b7C said that he was not going to give us that information.

b6,b7C

CBP00000653

Page 2

1153 Checkpoint Incident

BPA [b6,b7C] reiterated to [b6,b7C] that we were only trying to get his country of citizenship and that we were not inquiring about his classified information. [b6,b7C] finally stated that he was a [b6,b7C] citizen. [b6,b7C] was then released from the checkpoint without further incident.

I notified SBPA [b6,b7C] of the incident at approximately 11:30 a.m.