

U.S. Department of Justice

Civil Division, Federal Programs Branch

Via U.S. Mail:

Via Courier:

P.O. Box 883

20 Massachusetts Ave. NW Washington, DC 20001

Washington, DC 20044
Tel: (202) 514-3338

eric.beckenhauer@usdoj.gov

Fax: (202) 616-8470

Eric B. Beckenhauer Trial Attorney

September 24, 2014

VIA E-MAIL

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

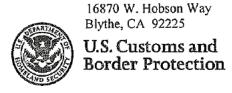
If you have any questions about the enclosed materials, please contact me at (202) 514-3338.

Sincerely,

Eric B. Beckenhauer

2014 FEB 19 AM 11:06

YUMA SECTOR



February 18, 2014

b6

MEMORANDUM FOR: b6

Chief Patrol Agent

Yuma Sector

b6

FROM:

Border Patrol Agent

Blythe Station

SUBJECT: Citizen Complaint

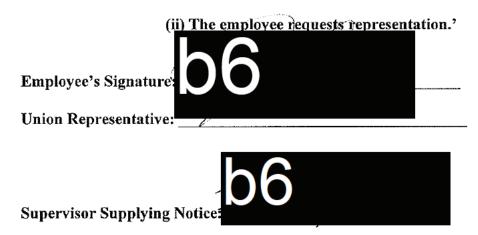
On February 18, 2014 I was asked to write a memo about a citizen complaint that took place b7E in the secondary inspection area on November 21, 2013. To the best of my knowledge I don't recall this secondary inspection incident.

Date and Time:	2/18/2014	0900 HRS	
Border Patrol Agent:	b6		

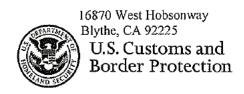
Under Article 31, Subsection b(3) of the Collective Bargaining Agreement between the National Border Patrol Council and the Immigration and Naturalization Service, you are provided with the following information.

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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



2014 FEB 19 AM 11:06



b6

February 5, 2014

YUMA SECTOR

MEMORANDUM FOR:

b6 Chief Patrol Agent

Yuma Sector

FROM:

Border Patrol Agent

Blythe Station

Citizen Complaint SUBJECT:

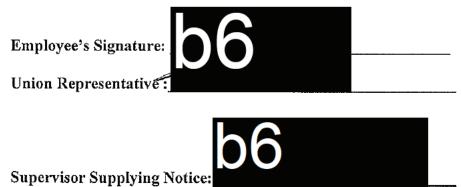
On November 21, 2013 I was assigned, and worked **D7E** on Interstate 10. I do not remember ever encountering b6 his van, or his tools.

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.

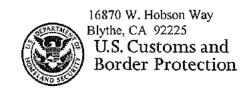
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- (i) the employee reasonably believes that the examination may result in disciplinary action against the employee, and
 - (ii) the employee requests representation.'





2014 FEB 19 AM 11:06

YUMA SECTOR



February 3, 2014

	b6
TENTOD ANDLINE DOD.	
IEMORANDUM FOR:	

Chief Patrol Agent Yuma Sector

FROM:

b6 **b**6

Border Patrol Agent

Blythe Station

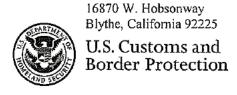
SUBJECT: Citizens Complaint

On February 3, 2014 I was asked to write a memo on any information pertaining to 56 s brief detention and vehicle search on November 21, 2013. I was assigned to work the primary vehicle lanes by 57E however; I do not recall 56 or his vehicle and can offer no information.

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

2014 FEB 19 AM 11:06

YUHA SECTOR



February 4, 2014

b6 MEMORANDUM FOR:

Chief Patrol Agent

Yuma Sector

FROM:

b6

b6 Border Patrol Age

Blythe Station

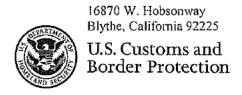
SUBJECT: Citizen Complaint

On November 21, 2013, I was assigned to the passenger lanes 57E 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:
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:
Union Representative :
Supervisor Supplying Notice:

2014 FEB 19 AMII: 07

YUMA SECTOR



February, 04 2014

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 **57E**At this time I do not remember having any interaction with the vehicle or subject identified as **56**

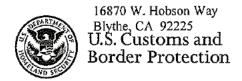
Date and Time:	02/04/2014	0600 hours	
Border Patrol Agent:	b 6	L	
Under Article 31, Subsect the National Border Pa Service, you are provided	trol Council	and the Immigration	

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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 - (ii) the employee requests representation.'

2014 FEB 19 AM 11:07



b6

YUMA SECTOR

February 4, 2014

b6 MEMORANDUM FOR:

Chief Patrol Agent

Yuma Sector

FROM:

b6 Border Patrol Agent

Blythe Station

Citizen Complaint SUBJECT:

On November 21, 2013, I was assigned traffic check duties 57E time, I do not recall having any contact with a white 2004 Dodge Sprinter Van or a 56

At this

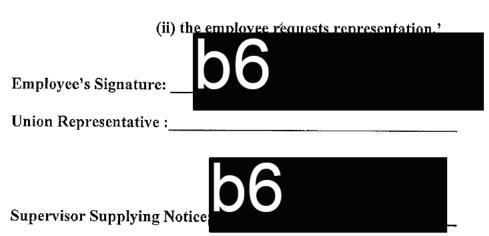
b6

Date and Time:	02/03/2014	1500 hours	
Border Patrol Agent:	b6		

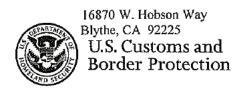
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2014 FEB 19 AM 11:07



b6

YUMA SECTOR

February 3, 2014

MEMORANDUM FOR: b6

Chief Patrol Agent

Yuma Sector

FROM:

b6

Border Patrol Agent

Blythe Station

SUBJECT:

Citizens Complaint

On February 4, 2014, I was asked to write a memo about a citizen complaint that took place in the secondary inspection area on November 21, 2013. To the best of my knowledge I don't recall this secondary inspection incident.

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.

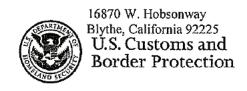
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 - (ii) the employee requests representation.'

Employee's Signature:	
Union Representative :	
Supervisor Supplying Notice:	



2014 FEB 19 AM 11:07



YUMA SECTOR

February 3, 2014

MEMORANDUM FOR:

b6

Chief Patrol Agent

Yuma Sector

FROM:

b6

Border Patrol Agent

Blythe Station

SUBJECT:

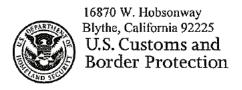
Citizen Complaint

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

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.
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(ii) the employee requests representation.'
Employee's Signature:
Union Representative :
Supervisor Supplying Notice

RECEIVED 2014 FEB 19 AM II: 07

YUMA SECTOR "



b6

February 3, 2014

MEMORANDUM FOR:

b6

Chief Patrol Agent

Yuma Sector

FROM:

b6

Border Patrol Agent

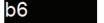
Blythe Station

SUBJECT:

Citizen Complaint

On November 21, 2013, at approximately 10:00 a.m., I was assigned to the vehicle inspection lanes 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, 166

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.
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(ii) the employee requests representation.'
Employee's Signatures 56
Union Representative :
Supervisor Supplying Notice



2014 FEB 19 AM 11:07



February 3, 2014

YOMA SECTOR

MEMORANDUM FOR:

b6

Chief Patrol Agent

Yuma Sector

FROM:

b6 b6

Border Patrol Agent

Blythe Station

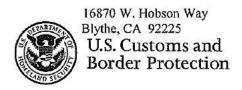
SUBJECT:

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 66 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 66 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.

Date and Time: 02/03/2014 1200 hours
Border Patrol Agent:
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(ii) the employee requests representation.'
Employee's Signature: _b6
Union Representative :
Supervisor Supplying Notice:

2014 FEB 19 AM 11:07



b6

YOHA SECTOR February 3, 2014

b6 MEMORANDUM FOR:

Chief Patrol Agent Yuma Sector

b6 FROM:

Border Patrol Agent

Blythe Station

SUBJECT: Citizens Complaint

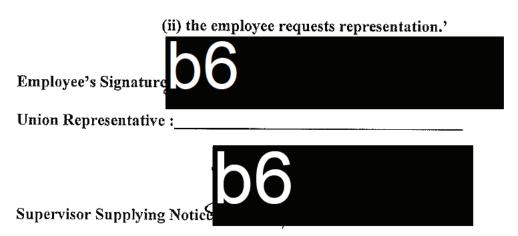
On February 3, 2014 I was asked to write a memo on any information pertaining to b6 s brief detention and vehicle search. D6 claims that he was sent to secondary inspection on November 21, 2013 b7E at approximately 10:00 a.m.. b6 claims that while in secondary, agents took his belongings out of his 2004 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 57 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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Office: Blythe Station

Schedule: Thursday, November 21, 2013

Zone Assignment Fleet# Star # Agent Name Shift Time Comments

Department of Homeland Security, Customs and Border Protection

Sensitive But Unclassified

Total Manpower is:



Examined and Approved by:

Page 1

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

CBP00000601

Zone	Assignment	Fleet#	Star #	Agent Name	Shift	Time	Comments
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	7		,		7		

Department of Homeland Security, Customs and Border Protection

Sensitive But Unclassified

Total Manpower is: 62,67E

Examined and Approved by:

Page 1

Printed: 2/3/2014 11:07:53 AM

CBP00000602

2013 OCT 22 AM 10: 43



4151 S. Avenue A Yuma, Arizona 85365 U.S. Customs and

Border Protection

b6,b7C

U.S. BORDER PAIROL YUMA SECTOR

October 21, 2013

MEMORANDUM FOR:	b6,b7C Chief Patrol Agent
FROM:	b6,b7C b6,b7C
. nom	Border Patrol Agent Yuma Station

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

1.1	conduct an exterior sinii or the ti	ruck 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

was on midnights, I was always conducting a secondary search of another vehicle when b6,57C 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 is 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 is 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.

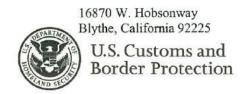
The next time I saw b6,b7C come through the checkpoint, he had his dog inside the cab of the truck with him. I conducted an exterior sniff of the truck and I told b6,b7C that I appreciated him putting his dog inside the truck. b6,b7C was allowed to proceed.

CBP00000603

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. **57E** 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 bb, 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,b/C** stated that he wanted to talk to a supervisor about me. BPA b6,b/C gave 06,07C the number to the Blythe, CA Border Patrol Station. 06,07C 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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(ii) the employee requests representation.'
Employee's Signature: b6
Union Representative :
b.C
Supervisor Supplying Notice:06

2013 OCT 22 AM 10: 43



U.S. EUKDER PAIROL YUMA SECTOR

October 21, 2013

b6.b7C

MEMORANDUM FOR:

b6,b7C

Chief Patrol Agent

b6,b7C

FROM:

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 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 '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

, K

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.'

16870 W. Hobsonway

Blythe, California 92225

U.S. Customs and

Border Protection

b6,b7C

2013 OCT 22 AM 10: 43

U.S. BORDER PAIROL YUMA SECTOR

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 the pickup to secondary.

By the time I got to the secondary lane, the driver of the pickup, later identified as 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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- "(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:

Union Representative:

Supervisor Supplying Notice:

b6,b7C

RECEIVED

2013 OCT 22 AM 10: 43

October 21, 2013

U.S. BURDER PAIROL YUMA SECTOR 16870 W. Hobson Way Blythe, California 92225 U.S. Customs and Border Protection

MEMORANDUM FOR:

b6,b7C

Chief Patrol Agent

Yuma Sector

b6,b7C

FROM:

b6,b7C

Border Patrol Agent Blythe Station

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 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 with him. b6,b7C stated that b6,b7C had sent him to the secondary inspection area before and had threatened to shoot b6,b7C also stated that 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.

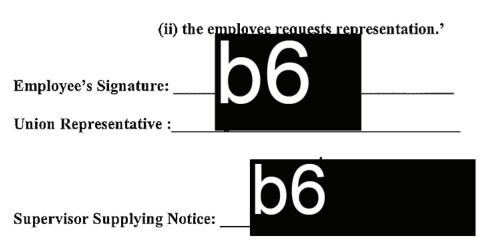
Date and Time:	10/21/2013	0901 hours	
		"	_

Border Patrol Agent: b6

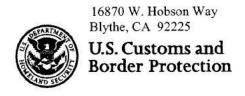
Under Article 31, Subsection b(3) of the Collective Bargaining Agreement between the National Border Patrol Council and the Immigration and Naturalization Service, you are provided with the following information.

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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



b6



May 23, 2013

MEMORANDUM FOR:	Chief Patrol Agent	
FROM:	Supervisory Border Patrol Agent Blythe Station	
SUBJECT:	Citizen Complaint	
a telephonic call from b6	DOB: b6 stating that he wanted to report damage r Patrol Agents at the Highway 78 checkpoint near Palo Verde,	
recently purchased it. D6 California from El Centro, Capproximately 12:00 p.m., hi Patrol Checkpoint on Highw scratched in the quarter pane	alifornia on May 23, 2013, for work purposes. D6 claimed at is son was sent to secondary inspection by agents at the Border ay 78. D6 stated that his vehicle, a red 2003 Cadillac SLS, was	
When asked if he wanted to to get the scratches on the ved disrespectful or unprofession	file a complaint for unprofessionalism, b6 stated he just wanted hicle fixed and that his son did not claim the agents were hal.	
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 b 6		
All documentation was forwarded to Field Operations Supervisor b6		





b6,b7C

Blythe, CA 92225
U.S. Customs and
Border Protection

16870 W. Hobson Way

May 25, 2013

MEMORANDUM FOR:

b6,b7C

Chief Patrol Agent

Yuma Sector

FROM:

b6,b7C **b6,b**7

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 maker 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

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

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 D7E 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

Date and Time:	05/24/2013	0610 HRS			
Border Patrol Agent:	b6	SALES OF CASE			
*	rol Council and the	ive Bargaining Agreement between Immigration and Naturalization rmation.			
labor organization the rig which involves an examina	ht to have a union re tion by a representati	n units represented by an exclusive epresentative present at a meeting we of the agency in connection with mination may result in disciplinary			
Section 7114(a)(2) of	f the Civil Service Refe	orm 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) Th	e employee requests r	epresentation.'			
Employee's Signature:					
Union Representative :					
Supervisor Supplying Notice	_e b6				



May 29, 2013

MEMORANDUM FOR: b6,b7C

Chief Patrol Agent

Yuma Sector

FROM: b6,b7C

b6,b7C

Border Patrol Agent Blythe Station

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 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.

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.

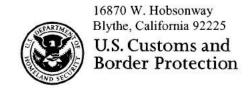
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- (i) The employee reasonably believes that the examination may result in disciplinary action against the employee, and
 - (ii) The employee requests representation.'

Employee's Signature: 66
Union Representative:

Supervisor Supplying Notice



June 2, 2013

MEMORANDUM FOR: b6,b7C

Chief Patrol Agent Yuma Sector

FROM: b6,b7C

Border Patrol Agent Blythe Station

SUBJECT: Checkpoint Incident

b6,b7C

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.

Border Patrol Agent: ____

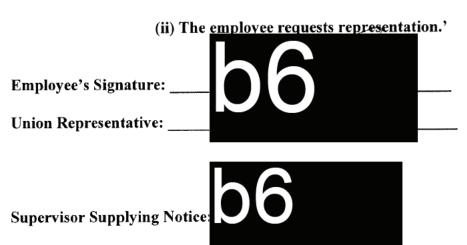
b6

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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UNITED STATES BORDER PATROL

Yuma Sector Complaint Report Form



Report Number: b6 Station: BLY EMPLOYEE: (person taking information) Star Number: b6 Date: Time: 19:00 HRS 05/23/2013 Name: X Phone In person Method Report Received: Other: CITIZEN COMPLAINTANT: (ASK, but not required) b6 Name: Address: b6 b6 Phone: (criminal activity to report) **RELEVANT INFORMATION:** OFFICER RELATED COMPLAINT: Name of Officer(s): D6 Date/Time of Incident: 05/23/2013 17:46 HRS 56.6 Location of Incident: Rd/Hwy **HWY 78** Milepost Community 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.

IMMEDIAT E ACTION	TAKEN: NONE	X YES (explain)	
Other Agencies			
•			
purposes. D6 class	b6 DOB: 06 aimed at approximately 12 HWY 78. 06 stated to stated he understand spection. When asked if he had been stated in the stated he understand spection.	went to Blythe, CA from 200 hours his son was sent to so hat his vehicle a red 2003 Cadil ands Border Patrol has a job to do ne wanted to file a complaint for	s to him and he had recently purchased it. El Centro, CA on May 23, 2013 for work econdary inspection by agents at the Border lac SLS was scratched in the quarter o, but that Border Patrol damaged his unprofessionalism, 56 stated he just it the agents were disrespectful or
Description of Inciden	nt:		
Landmark(s): 1151 (Checkpoint		
Location of Incident:	Rd/Hwy HWY 78	Milepost: 56.6	Community: 1151
Number of Officer	3	Date/Time of Incident: 2013-0	05-23 12:00:00.0
STATION RELA	ATED COMPLAINT:		

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

AFTER ACTION:	NONE	X YES	(explain)
d			
Completed by:			
		(name)	Date/Time

Office: Blythe Station Schedule: Thursday, May 23, 2013

Comments Zone Shift Time Assignment Fleet# Star # Agent Name

Department of Homeland Security, Customs and Border Protection

Sensitive But Unclassified

Total Manpower is:



Examined and Approved by: Page 1

Printed: 5/23/2013 8:58:05 PM



January 9, 2013

MEMORANDUM FOR:	b6,b7C		
	CL: CD - 1 A		

Chief Patrol Agent Yuma Sector

FROM: b6.b7C

o6,b7C Supervisory Border Patrol Agent 56,b7C

Blythe Station

SUBJECT: Citizen Complaint

On December 6, 2012 at approximately 6:15 p.m., I received a telephone call from 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 66.67C 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 66,67C, Agent 66,67C, and Agent 66,67C.

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



December 13, 2012

	h6 h70
MEMORANDUM FOR:	b6,b7C
MEMORANDOM FOR.	,,,,,,

Patrol Agent in Charge

Blythe Station

FROM: D6,57C 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 while Agent 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. The gentlemen 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.

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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(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:



December 11, 2012

MEMORANDUM FOR: b6,b7C

Patrol Agent In Charge

Blythe Station

b6,b7C

FROM: b6,b7C

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. 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.

Date and Time: December 7, 2012 @ 0225 Hours
Border Patrol Agent:
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: Union Representative :
Supervisor Supplying Notice:



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 **56,57C** citizen, we released him. The driver reiterated that he wanted to file a complaint. Following this, Agent **66,57C** 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.

Date and Time: December 10, 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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(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:
Onion Representative
Supervisor Supplying Notice: b6

Office: Blythe Station Schedule: Sunday, December 02, 2012

Zone Assignment Shift Comments Fleet# Star # Agent Name Time

Department of Homeland Security, Customs and Border Protection

Sensitive But Unclassified

Total Manpower is:



Examined and Approved by:

Page 1 Printed: 12/6/2012 8:12:44 PM



UNITED STATES BORDER PATROL

Yuma Sector Complaint Report Form



	Report Number: b6				
EMPLOYEE: (person taking information) Name: D6 Star	Number: b6	Date:12/	06/2012	Time:	Station: UNK
Method Report Received:	XPhone	Other:	- 10741 NINGS - 1	· . · · · · · · · · · · · · · · · · · ·	
Name: b6	not required)		~~~		
Address: b6 Phone: b6	sense ve				
RELEVANT INFORMATION: (criminal of Officer(s): BPA b6 BPA b6	BPA <mark>b6</mark>				
Date/Time of Incident: 12/06/2012	18:21 HRS				
Location of Incident: Rd/Hwy HWY 78	Milepost 56.6	6 Comm	unity	1151 C	Checkpoint
Description of Incident: b6 states secondaried at the 1151 checkpoint after claimin San Diego, CA to Prescott, AZ via HWY 78 for w felt the agents working the checkpoint asked him the agents were disrespectful or unprofessional, again and that he felt as a b6 citizen could not give specific examples on h formal complaint.	too many questions 106 stated he he did not need to g	citizen. D6 at he resides in b s and made him f e was asked the s go through secon	state 6 eel like a cr same quest dary immig	s he was b6 riminal. Vions ove ration ins	coming from claims he When asked if r and over

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
_andmark(s): 1151	Checkpoint		
Description of Incider	nt:		
checkpoint after clain AZ via HWY 78 for wo checkpoint asked him or unprofessional, of citizer	ning to be a 06 ork purposes and that he too many questions and stated he was as	citizen. b6 states he ware states in b6 b6 made him feel like a criminal. Water the same questions over an arough secondary immigration instruction.	on hours he was secondaried at the 1151 as coming from San Diego, CA to Prescott, claims he felt the agents working the When asked if the agents were disrespectful ad over again and that he felt as a spections. D6 could not give wanted to file a formal complaint.
Other Agencies	N/A		
IMMEDIAT E ACTION	TAKEN: NONE	X YES (explain)	
IMMEDIATE ACTION	NONE	(explain)	

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

STATION RELATED COMPLAINT:

AFTER ACTION:	NONE	X YES	(explain)	
31b Weingarten forms were	issued to all agents in	nvolved and	d memorandums were requested.	
Completed by:				
		(name)	Date/Time	



UNITED STATES BORDER PATROL Yuma Sector Complaint Report Form



Report Number: Station:

EMPLOYEE: (p	erson taking in	formation)			
Name:		Star Number:	Date:	Time:	
Method Report Received:	☐ In per	son Phone	Other		
CITIZEN COMPLAIN	TANT:	(ASK, but not required))		
Name:					
Address:					
Phone:	A				
RELEVANT INFORM OFFICER RELATED		(criminal activity to repo	ort)		
Name of Officer(s):					
Date/Time of Incident:					
Location of Incident:	Rd/Hwy	Milepost	Com	munity	
Landmark(s):		437144			
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: IMMEDIAT E ACTION TAKEN: YES (explain) NONE AFTER ACTION: NONE YES (explain) Completed by: (name) Date/Time



May 2, 2012

MEMORANDUM FOR:	D6,b/C Chief Patrol Agent
FROM:	b6,b7C b6,b7C (A) Patrol Agent In Charge Blythe Station
SUBJECT:	Citizen Complaint at 1151 Checkpoint
On April 27 2012 at appro	vimetaly 1400 have CDDA b6 b7C

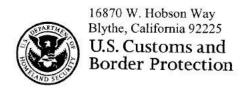
On April 27, 2012, at approximately 1400 hours, SBPA b6,b7C took a call from b6,b7C stating that her sons are harassed every time they go through the 1151 Checkpoint near Palo Verde, CA. She stated that two Mac Books may have been damaged during a search on the date stated above.

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, year old b6,b7C and 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.



April 28, 2012

SUBJECT:

MEMORANDUM FOR:	b6,b7C Chief Patrol Agent
	Yuma Sector b6.b7C
FROM:	b6,b7C
	Supervisory Border Patrol Agent Blythe Station

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, year old b6,b7C and year old b6,b7C year old b6,b7C of the 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.

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 66,67C and Agent 66,67C and Agent 66,67C An SF-95 was provided to 6,67C and all documentation was forwarded to FOS 66,67C

CC: Patrol Agent in Charge, Blythe Station

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

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

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 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 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.

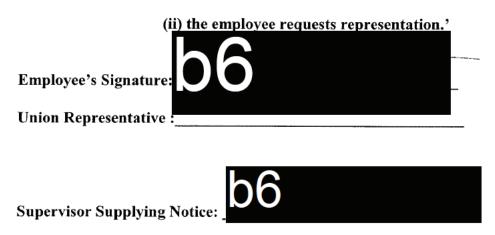
Date and Time: _	4/28/2012	6:00 a.m.	
Border Patrol Ag	ent:b6		

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



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

SUBJECT:

Citizen Compliant

On April 27, 2012, I Border Patrol Agent **b6,b/C** 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 both 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.



Date and Time: 4/28/2012 6:00 a.m.
Border Patrol Agent:b6
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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: D6



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 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 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.

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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(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: D6
Union Representative :
Supervisor Supplying Notice:

FROM:

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

March 20, 2013

b6,b7C MEMORANDUM FOR:

Chief Patrol Agent

Yuma Sector

b6,b7C

Acting Field Operation's Supervisor

Blythe Station

Civilian Vehicle Damage Claim SUBJECT:

On March 20, 2013 at approximately 11:45 a.m., I was called by Border Patrol Agent b6,b7 said a b6,b7C b6,b7C 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

Blythe, California 92225

U.S. Customs and
Border Protection

b6,b7C

March 20, 2013

MEMORANDUM FOR: b6,b7C

Chief Patrol Agent

Yuma Sector

FROM: b6,b7C DO,D7 C

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.

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.

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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 en Employee's Signature:	ployee requests representation.
Union Representative :	
Supervisor Supplying Notice:	b6

4035 S. Avenue A Yuma, Arizona 85365 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

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 b16,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 occurred to her during the sniff. I gave b6,b7C a SF95 to complete and submit to the Blythe Station.

06,b/

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.



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.

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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: b 6	
Union Representative :	I
Supervisor Supplying Notice:	



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 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 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.

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. back inside his vehicle and allowed him to continue his travel.

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.



Citizen Complaint Page 2

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.



June 22, 2014

MEMORANDUM FOR:	b6,b7C	
	Acting Chief Patrol Ag	ent
	Yuma Sector	
FROM:	_{b6,b7C} b6,	0

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 that he was not answering her questions. I approached the driver of the vehicle, later identified as 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.



June 22, 2014

MEMORANDUM FOR:	b6,b7C Acting Chief Patrol Agent Yuma Sector
FROM:	Yuma Sector b6,b7C Border Patrol Agent Blythe Station 66,b7C
SUBJECT:	1153 Checkpoint Incident
Quartzsite, Arizona. At app 06,b7C identified myself as a Borde 06,b7C	rigned to work the Border Patrol Checkpoint on Highway 95 near proximately 10:00 am, while working the primary inspection lane, a vehicle with government plates stopped at my location. I er Patrol Agent (BPA) and I asked the driver, later identified as several questions about his travel that day. During my questioning
6,b7C,b7E 6,b7C,b7E 56,b7C had an accent than the United States. b7E	I also noticed that This is common for people who are citizens of a country other I continued asking him questions.
worked for b6,67C. I asked	hat he did not need to answer any more of my questions and that he 6,b7C to pull the vehicle to the secondary inspection area.
was carrying classified information was carrying classified information asked him for his date of bir would not provide a driver's that we were not taken that he did not need to base commander to verify his orecord his information. B	that he did not need to answer any of our questions because he remation. I then asked b6,b7C his country of citizenship. I the in which he stated, "I am not going to answer that." He also so license when I asked him for one. BPA b6,b7C explained to not questioning him about his classified information. b6,b7C answer any of our questions and that we only needed to call the is information. He gave me his military ID card (ID# b6,b7C asked b6,b7C for the number to call the base
Commander, 50,570	said that he was not going to give us that information.

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.