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Civil Division, Federal Programs Branch

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August 8, 2014

VIA E-MAIL

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

Counsel:

Enclosed please find 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

## FY 12 Checkpoint Complaints (Tucson)

As a second generation native of Arizona who was born in [b6], AZ in [b6] and now lives in [b6], AZ, I would like to say I was appalled to read this morning's front page article of your agents detaining one of Arizona's most treasured citizens at your I-19 checkpoint on June 12. I am speaking of the Honorable Raul H., Castro who I was proud to serve on his campaign committee in 1972 and both his Campaign and Inaugural Ball Committee in 1974 and your asinine and inhumane treatment of Governor Castro per the article in the June 23, 2012, Arizona Daily Star. I go thru the checkpoint every single morning on my way to my office in Tucson and this article confirms how utterly useless the checkpoint really is! If your heavily armed agents cannot discern the difference between a terrorist and a 96-year old former Governor, I respectfully suggest your operation is a costly farce which only serves to rob common, law-abiding citizens of their freedom and relegates all of us on the Arizona/Sonora border to living in a police state with a bunch of BP agents who are totally lacking in common sense. I demand an apology be issued to not only Mr. Castro, but all of his thousands of supporters and admirers who by extension are insulted by your dim-witted agents' behavior!

The disrespectful treatment of Governor Castro is another example of the insensitivity of individual members of the Department of Homeland Security. Not only because of his status in the community but because of his age and infirmity. All people should be treated with respect, but in the case of senior citizens it is especially important. Your agents work for us and therefore should conduct themselves in a manner that indicates their respect for the needs of each citizen. It is my suggestion that the agents conducting the checkpoint be sent for sensitivity training and given a lecture on using common sense in the face of individual circumstances.

Former Governor and U.S. Ambassador of four countries, Mr. Raul Castro, age 96, was selectively detained from a vehicle being driven by a non-Hispanic female. It matters not how little time the actual detention, but rather the Border Patrol agent's decision to select the Hispanic passenger of the vehicle from which was detected radiation, and not detain the owner and driver of the vehicle. The Border Patrol agent responsible for this blatant prejudicial act of abuse against a 96 year old senior citizen of Hispanic descent must be either re-trained or fired immediately.

Please let me begin by saying I appreciate the Border Patrol, and the majority of the agents in the field treat me with courtesy. However, in the wee hours of 30 January 2012, between 1 and 2 AM, I was woken from sleep and pressed for information and identification with no reasonable suspicion, while simply camping on public lands. I am a b6, employed by the b6 and the b6, Yuma, AZ. I've been working on the border since 1980, including mapping the vegetation of Cabeza Prieta NWR from 1999 to 2003, during the peak of border crossings. I've had plenty of agents come across my camps. All have either paused, looked and drove on, or stopped and simply asked, Everything OK? But around 1 AM, 30 Jan. 2012, while camped in a large arroyo 2 miles northeast of the heavily visited Fortuna Mine (Yuma Sector), an agent saw my camp, and instead of driving by or inquiring, called for assistance. Ultimately, 4 agents would show up. Certainly the senior agent present should have seen the lack of a threat: a 2011 Hyundai Santé Fe (rental, with Oregon plates) parked in plain view only thirty feet from the road, a still-smoldering campfire, a guitar, and cook stove. Bright lights from the agent's vehicle shone on my camp and me, still in my sleeping bag. A single agent handled all interactions; the others stood by. He began by saying he was sorry to disturb me, but he wanted to know what I was doing and how long had I'd been doing it. I said I was on the third day of a four day field trip. Is there a problem? He said that in 7 1/2 years he'd never seen anyone camping in this particular spot. There ensued some small talk (he was always pleasant), and then he asked me for identification. He said he wanted to check my ID against the rental records for the vehicle. This, I believe, is hardly reasonable. If I'd been surrounded by burlap bags, or lots of different sized footprints, or something, then, well, maybe. I told them that I'd never been woken and asked for identification while camped out on the Goldwater. I sincerely hope that I am not asked again. Thank you for taking the time to read this. I'm not interested in getting anybody in trouble (I didn't ask for names); I just wanted you to know that the agents need to respect the privacy and sleep of folks camped out on our public lands.

I was pulled over at the border patrol point just south of Green Valley Arizona at approximately 8pm this evening. I had been fishing with my husband at Pena Blanca Lake all day prior to returning home for the evening. In order to get home, I crossed through the Border Patrol check point. I was asked to pull over which I did. They said the canine was going to go through the vehicle. Of course I complied and sat on the cement bench and waited. The officer - who wouldn't give me his name came over and said there was pot in the vehicle. I told him that this was impossible - I do not use drugs and there is no way they would ever be in my car. After about 20 minutes the officer came back and began screaming in my face telling me that he is looking for bails of marijuana - I told him that I couldn't help him because I don't use drugs. He then walked away and after about five minutes, came back and said I could go. I was not searched nor

did they ask my name. When I got home I inspected my vehicle - he said there was "chunks of pot on the floor" which of course, I could not find. I did find that they cut out the carpet on the flooring under my seats and gashed the carpet in other areas with several "X" marks. I want to know if I am entitled to reimbursement for the carpet repairs since obviously no drugs were found - I wasn't even searched or arrested. It is obvious that they had no evidence to arrest me yet they can cause such significant property damage? Something needs to be done about this, and about the way that they treat people.

I decided to submit this complaint after considerable research. I have many friends in LE and some in BP, I know how important the role they serve is and that it can be a tough and dangerous job, so I don't want to make it harder for them to do their job. My goal is to create a record and attempt to resolve the issue. I have no intention of getting a specific officer in trouble or having his comrade's pay for his mistake. I'll keep this as short as I can; after a vehicle search I'm missing personal items that may be irreplaceable. I've done my best to search the Border Patrol website and review Arizona state laws on this subject, and I'm not a lawyer of course, but here is one thing I have found to support my complaint. Background: I'm a mobile mechanic in Tucson. One of my customers called and asked me to go with him to fix his other car that his son (and his son's friend) had driven to Nogales. So I gathered my tools and he drove us down there. The car had leaked coolant and overheated blowing the tank off the radiator disabling it. So he had car towed to his relative's house. We picked up the guys and drove back towards Tucson. Here is a brief rundown of how my visit went at about 2:30am. As we approached there was one car in front of us and one behind us. All three cars were told to pull over. We were told the drug dog reacted to the car and they were just going to "scan" the car (when we talked to the other drivers, they were told the same.) We stopped in front of the first tent and were told to leave all our belongings including phones, bags, and electronic devices in the car and wait in the tent. Once we got out they moved the car about 500ft further down, obscuring the car from our view inside the tent. Everyone but me sat down in chairs, I stood by the end of the tent (facing toward the check point and away from the cars) and occasionally peeked around the corner to watch this new scanner truck, and later see what was taking so long. They had the dog recheck all three cars then took it back to the check point. The truck pulled up to our car, did its thing and moved to the third vehicle. An officer then searched the entire car for over 30 min. The vehicle behind us left less than 15 min after we all pulled over. Finally we were allowed to leave. We got in the car and left, nothing looked moved or disturbed at all (despite the fact that I saw my backpack sitting on top of the car for a few min.) By the way we were never asked for identification even though my customer and his son were Hispanic; and none of the officers introduced themselves. Once I got home, I went to take my med before bed and noticed a lot were missing. I immediately counted them and almost half were missing, 54

out of 120 to be exact. I've been prescribed a schedule 2 substance for over 3 years now and never let them out of my sight. I trusted officers. So I left my backpack (a giant wallet to me where I keep money, ID, firearms) in the car like they instructed. Contact me with any questions you may have. The Driver/owner of the car has given consent to contact him regarding this matter which I will provide if asked.

Anonymous complaint: How is it that the Border Patrol can stop and pick up an enrolled tribal member of the Tohono O'odham Nation? The Border Patrol does not have the jurisdiction to do that to any enrolled member of any tribe by law. The individual that was picked up was intimidated and threatened by several agents from Ajo and Tucson. One of the agents was a black man threatening to beat up the individual if he didn't be quiet. I know by law that that is against the law to do, by any person no matter who it is. Now the individual is in jail wrongfully because the Border Patrol agents know that they are wrong in what they did to the individual and are trying to cover up what they did. I don't believe that these border patrol agents should get away with what they have done to the individual involved in this complaint. Something needs to be done about this matter. Before we sue the border patrol for wrongfully treating this this individual. Aside from this incident, there have been all sorts of harassment from the Border Patrol throughout the Tohono O'odham Nation on many occasions. There have been complaints against the Border Patrol, but still the harassment, threatening, and wrong treatment keep happening. You all are the "Border Patrol", aren't you supposed to be guarding the border and not the Tohono O'odham Nation?!

I live in Tucson, AZ, and have a condition diagnosed by my specialist as Aggressive Degenerative Arthritis. It is very painful. I am in chronic pain every day. The State of Arizona recently passed allowing the use of Medical Marijuana and I have my medical marijuana card. This card allows me to use medical marijuana for my chronic pain. On Saturday, September 29, 2012, I drove to Cochise County, AZ, to visit a friend and spent the night. I did take my legally prescribed medical marijuana with me. As I was driving back to Tucson, AZ, I was forced to go through the Border Patrol checkpoint on State Highway 90. An agent requested that I pull over to the secondary inspection point. As I stopped my car, I told the first agent that I could tell him what was in the suitcase in my trunk. The agent asked me what was in it and I told him that it was my medical marijuana, and that I have my State issued medical marijuana card. The agent asked for my State issued medical marijuana card along with my Arizona Driver's license, and I provided both to the agent. Another agent with the last name of [b6] came to talk to me. She was visibly upset and informed me that I just drove through a Federal checkpoint and that they "don't recognize State laws." She then asked me if I had something to drink in

the car and told me to sit on a bench, which I did. I saw Agent [b6] and a couple of other agents talking briefly, and to make a long story short, she informed me that she would have to confiscate my medical marijuana, along with my pipe and grinder. First of all, I resent being forced to drive through a Federal checkpoint, which is located on State property, approximately 60 miles north of the Arizona and Mexico border. Why is the Border Patrol not on the actual border in the first place? Additionally, I should be allowed to drive anywhere in the United States without being stopped by the Federal government asking me if I am a United States citizen. And if I have a medical condition, diagnosed by a licensed doctor in the State of Arizona, I should be able to drive anywhere in the State of Arizona with my medical marijuana, since the use of it is legal in this State. I resent the Federal Government confiscating my items and request that they are returned to me.

I wish to file a formal complaint against every officer who dealt with wife. She was traveling on personal business and was singled out. This happens every time she travels alone through that highway 95 corridor between Yuma and Quartzsite. I will also be filing a lawsuit against the officers who dealt with her and the USBP. Please contact me.

My wife and I live in Phoenix, AZ and were driving to Coronado, CA after we both got off work Thursday March 15 on I-8 West. We are 100% white and US Citizens and have made this drive hundreds of times and have never been told to pull over at a checkpoint. My wife's grandmother has a condo in Coronado and we were going to visit for the weekend. It was about 9:00 PM on Thursday March 15th when we approached the checkpoint past Yuma, AZ. This would be the first checkpoint you come to driving west on I-8 past Yuma in CA. We noticed the drug sniffing dog was pulling hard to the car in front of us but that car was let through. Then we pulled up and the dog must have signaled he smelt something so we were told to pull over to the side underneath a shelter like structure. We were told to get out of the truck and walk over to a seating area where we could not see the truck anymore. I was searched and told to put my hands behind my back in which I felt like I was going to be handcuffed. We were asked by at least 4 different officers where we are from, where we are headed, what we do for a living and so on. My wife had an ASU sweatshirt on so they kept on asking us if we were on spring break. I am 28 years old and my wife is 26 years old and we are both well out of college. They were asking us things like ....so you both smoke pot or what? Neither my wife nor I have ever smoked pot in our lives and I felt like we were being interrogated for no reason. After about 10 minutes we were allowed to walk back to the truck and told that the dog must have smelt marijuana on the car in front but for some weird reason that car was able to go through. Of course they didn't find anything on us anywhere. I wanted to

write because I don't think the actions of the Border Patrol officers that night were justified and it makes me wonder why they let the car in front of us go through. Why is it that my wife and I can't drive from Phoenix to Coronado, CA after work without being pulled over and searched like criminals? I do not appreciate being accused of smoking pot and being patted down like I just committed a crime or something. I think this incident should be reviewed as I would hope it doesn't happen to anyone else.

Constant hits from canine unit are causing secondary inspection. Today was the sixth time a secondary inspection was performed on my vehicle. Each time I'm told that the dog hitler-ed my vehicle requiring it to be inspected for drugs..... And each time I'm repeatedly questioned: whose car is this, do I do drugs, do my friends do drugs, who is the mechanic and does he do drugs. The answer's I have to repeat OVER and over..... it's my car, I've never done drugs, I don't think so but that's irrelevant because no one but me rides in the car, and the mechanic is my father who definitely does not do narcotics. Adding to that the fact I've been working in Rio Rico, AZ since I was 13 and driving back and forth since then daily Monday thru Friday going between my job and home in Sahuarita why as of late have I all of a sudden become a drug lord? With inspections that detain me for almost 2 hours...that cause damage to my car (they fished my gas tank scratched the paint and pushed in my gas tank door requiring it be replaced...without apology). Today while I waited... I watched as the dog controller directed the dog to sniff out bags from a Mexican shuttle. The dog went in and out of the van and around the bags without "hitlering", scratching or getting aggressive at anything yet the controller was determined to dig thru and eventually found nothing MUCH LIKE MY CAR it was real nice of him to waste all of our time though. I understand it's a necessary evil but I would appreciate some tips to not have to deal with this every time... thank you in advance.

This complaint concerns the check point at Tubac. This is the second time in 2.5 years your dog has hit on my car and nothing was found. I came thru the check point at approx. 5:30 pm. Of course nothing was found but the dog handler stated that there HAD to have been drugs in the car his dog is never wrong. This is the second time for me and several friends all have had the same problem, and like me had food in the car. Not sure if that was the problem, but you need to talk with your rude dog handler, instruct him not to make accusations that are unfounded. Treat me like a common criminal on the side of the road, telling me there HAD to have been drugs in the car!!! Now I have to go clean my cloth seats because of the dog prints and hair!!! Why are not the seats covered BEFORE the dog is let in.....this is unacceptable!!!! He needs to be counseled. Someone my son's age talking to me like that is ALL WRONG!!

My 19 yr. old daughter travels now for a job from Saint David to Sierra Vista the "back way" through Tombstone. She has had two consecutive searches of her vehicle after two consecutive trips. The Canine supposedly alerted on her trunk area and her car was emptied, searched and all cleared. She had to ask for her license back AFTER she had to place all her belongings back into her vehicle! Ok, one time, I can accept; good Job! Now today, no dog, she approaches after the two previous cars are waived through and she is immediately asked to open her trunk, THEN they call the same K9 with a DIFFERENT handler. Again, nothing! Now two out of two; we are PROFILING! She continued and saw the next cars waived through quickly with no hesitation. I am retired Graham County Deputy/San Carlos PD K9 handler; 1998-2002. This dog is false alerting, tired and having two different handlers is contrary to canine narcotic training. My wife, daughter in question and I have all seen this dog and it is alerting to almost every vehicle as an active alert. My daughter must drive this route Monday through Friday as she starts her new job. How can I assure her this is not going to happen every day? She is petite, nervous and Hispanic. She is adopted from a bad CPS experience and the police have not been her favorites until she was into foster care/adoption. How can I assure her she is not being profiled and singled out when every bit of evidence points in that direction?

There were two lanes at the checkpoint. We were in the left lane. The right lane moved continuously for over 20 minutes while we didn't move at all. During that time, in the car that was two ahead of us, a young man urinated out the window. The right lane again continued to move with the left lane now moving at a snail's pace. We travel through this checkpoint often and have experienced this before with one lane moving expediently while another lane is at a standstill!! Crossing an international border is quicker than this checkpoint! Crossing the one lane checkpoint at Pine Valley CA is quicker!!!

I was eastbound on Hwy.8 at 1430 hours 3-20-12. I was stopped at a check point and one of you dogs flagged my car for drugs. I was told to pull over and submit to a search of my vehicle and person. No drugs or weapons were found because there were none. I think that is totally wrong that you have to let a drug dog put dirt all over you nice car seats and leave saliva here and there. There was another couple of people that were also searched and waiting to be released. Nothing was found in their vehicle either. The canine was obviously having a bad day. I think your officers could at least wipe up the dogs mess. My complaint is that they, "BROKE A COMPARTMENT DOOR ON MY DASH BOARD BECAUSE THEY DIDN'T KNOW HOW TO OPEN IT AND FORCED IT

OPEN!". I want to know how I can get compensation for the repair of this door. They knew they broke and didn't say anything.

My son and I were driving our 2001 Honda thru the checkpoint. Agent b6 (No ID or name tag present on his uniform).

Agent b6 : "Are you American citizens"

I and son: Yes we are American citizens

Agent b6 : "May I see your IDs"

I: "Why do you need our IDs?"

Agent b6 : "Do you have a problem"

I: "Yes, I do not know why you need our IDs" (we provided our driver licenses)

Agent b6 : "Because I said, pull your car over to the space in front"

I: What's your name and why do you not have a name tag?

Agent b6 : Park your car for a vehicle search

I "Bullshit you are pulling us over for no reason, I do not consent to searches"

We park on the space

Agent b6 : Put everything on top of the dash.

I "I do not consent to searching my car"

Agent b6 : You have no rights the dog hit on your car and we are going to search you don't have a choice"

I : The dog did not hit, we are being pulled over only because we are being profiled, The dog could not have hit because the wind (about 10-15mph was blowing away from the dogs nose) and the dog did not display any activity indicating a hit, the dog hit on two cars in a row ! Look around you have pulled over 3 Hispanic occupied cars is that a coincidence?

Agent G. Class (dog handler): Comes over and says the dog hit and that's why I was pulled over.

I: Your dog is incompetent because there is nothing in the car that could set the dog off and the dog did not show any indication of a hit, the wind is blowing away from the dog, and you only came up to the car for about a two seconds, besides you were already on the

car behind me (I saw you on my mirror) when I was giving my ID to the agent (b6 [REDACTED]). You know the only reason we are pulled over is because I asked why he needs my ID and we are clearly being profiled no other reason. Your stupid dog is incompetent and is not trained. Where was your dog trained?

G Class: The dog hit on your car, my dog comes from Germany.

I: Your dog is incompetent and is giving false alarms, did it occur to you what the odds are of hitting on 3 vehicles driven and occupied by Hispanics.

G class: I'll bet you a paycheck the dog hits after 15 minutes.

I: I'll bet you \$5.00 your dog is incompetent

G Class: I'll bet you my paycheck

I would've bet him a paycheck but I thought he would rub some scent on my car and have the dog hit. Dog came out after 15 minutes and he searched the passenger side and trunk with no hit. Obviously, I would have won a paycheck or a \$5.00 bet, but the only reason I was pulled over was because (agent b6 [REDACTED]) was being protected on his harassment tactics!

Facts:

1. Nothing found (excuse the dog was set off by a prescription bottle that's been in the car for 3 years).
2. 30-35 minute delay
3. b6 [REDACTED] refused to give me his name (name provided by supervisor b6 [REDACTED] b6 [REDACTED]).
4. Incompetent searches because they did not search my engine compartment or the front driver side. The other two vehicles the dog was in the engines and every area of the vehicles.
5. Agents acting unprofessional disclosing information about the lady sitting next to us "yeah we got her the ID run says she is driving on a suspended license" that information should be kept private.
6. Agent b6 [REDACTED] stating to me the lady next to me is a known drug trafficker and he has personally busted her. Providing unethical information.
7. Three Hispanic driven and occupied vehicles pulled over at the check point.

8. Agent [b6] unable to engage in a professional conversation and explain to us why we are being pulled over. He refused to answer any questions and said the supervisor will provide his name and answers.

9. Agent [b6] is clearly incompetent and unable to answer questions and is obviously protected by his co-workers for his incompetence and was easily irritated because I asked a simple question.

10. There was an agent (I apologize to him for not remembering his name) in a blue customs uniform, early fifties with a white beard. The agent was very courteous and provided information during the 30 minute ordeal. He explained the process and got permission from Agent [b6] for me to make a phone call to inform family that I would be 30 minutes late because of the search. He clearly knew there was no reason for us being pulled over or being detained for that long of a period and he defused the situation with his calm demeanor and professional answers.

11. My son has being pulled over and searched 3 times from July thru now; my daughter has been pulled over 2 times on about 8 visits from Phoenix.

12. This is my 3rd time in 3 years.

13. My wife white completion/green eye has never been pulled over in her lifetime (driving the same exact vehicles my daughter/son and I drive)!!

To correct this situation:

1. Have every Government employees wear a name tag.
2. Search all vehicles...all vehicles I do not object to a search if everyone else is being detained equally, that means every one.
3. Obtain and search for better scent dogs...German Sheppard /Malinois breeds are bred for protection not scent, because a dog comes from Germany does not qualify it for a competent scent dog.
4. It's a known fact there are far superior dog breeds when it comes to scent recognition German Sheppard breeds are inferior.
5. If you detain a US citizen based on a dog's nose then have the best and have another dog to confirm the first dogs findings.

It's an invasion of my privacy when an incompetent agent coped with an incompetent dog or handler can't do their job. The next time I am asked to be pulled over I will not come out of my vehicle and I will not open the doors/trunk for a search unless I am explained very clear on why I am being searched. The only reason I can see is because

we are being profiled because of our Hispanic origin. Stop harassing my family period!! No more unsubstantiated excuses based on an incompetent dog /handler/profiling agent.

Agent **b6** and the 2 other agents are acting like a corrupted agency protecting each other of unethical behavior. This harassment of my family has to stop.

I sent this letter because I now see the construction of the new check point. I believe in border security and I support the Border and Custom agents. I do not support unethical behavior and Hispanic profiling.

While taking a trip to Laughlin, NV. We were stopped by Border Patrol, we were in two (2) vehicles and both pulled over. I was under the impression like the local police or highway patrol the Border Patrol had to have a reason to pull someone over, and I am told now they do! The Border Patrol on northbound highway 93 on 01/14/2012 were pulling over every vehicle, no reasonable cause. We went back to see if they were able to see inside the vehicles as they passed by, they could not have! Yet they stopped every car. I do understand what they are doing, but on the level that they are, putting themselves above the constitution! We had two two (2) family members taken in, both of which are in the process of filing for visas. Again I do understand the importance of what you are doing, just not to that extreme. We are trying to do what we can but the Border Patrol will not even give us any info. Please contact me at the number I have included in this message.

On June 9th, 2012 at approximately 5:30 p.m., my wife and I were traveling to Tucson from Sierra Vista. We were stopped at the Border Patrol check point on Highway 90 after the canine alerted to our vehicle. I was asked if I would allow my trunk to be searched and I stated "no". The officer asked for my identification which I produced. I was then asked to move to the secondary search area which I did. I waited for an officer to come to the car and rolled down my window. I was asked to exit the vehicle by, I believe, Officer **b6**, who also stated that I should leave my cell phone and wallet in the car. My wallet was in my hand as I had just given my identification to the other officer. As I exited the vehicle I put my wallet in my pocket. Officer **b6** became very angry and stated that I was not to photograph or videotape the search of my vehicle. My phone was in a holster on my belt and I never mentioned anything about taking photos or videotaping the search. I explained to Officer **b6** that I did not plan on videotaping anything and he stated that he had a family and he did not want to be on the internet. I then explained that it was my right to videotape the search if I chose to and he stated that it was his check point and I would do as I was told. I then asked what would happen if I videotaped the search and he stated that he would yank the phone from my

hand if I took it out. I then proceeded to take out my phone and Officer b6 grabbed my arm and forcibly took the phone from me. I then spoke with a Huachuca City police officer who happened to be at the checkpoint and asked if there was any reason that I could not videotape the search and he stated that he did not know. I then asked Officer b6 if I could speak to his supervisor and I also wanted him to call the Department of Public Safety as I wanted to file a report for assault. At this point, Officer b6 came over and I explained the situation to him. I also asked him if there was any reason for the officer to take my phone and he refused to answer me. I then asked for the officer's name and he stated that he could not give that to me. I stated that it was on their uniforms and I did not see any reason that he could not give me the name and he again stated that he could not do that. I asked him to call DPS so I could make a report. He stated that he would do that but that it would not go anywhere since he didn't believe I was assaulted. Officer b6 came back a few minutes later and stated that DPS would not be coming as it was a local law enforcement issue and that I could call and wait for an officer. I stated that I would make a report to law enforcement later I just wanted to leave the checkpoint. Our vehicle was eventually cleared and I was given my phone and identification back and allowed to leave. Officer b6 had no reason or right to take my cell phone and certainly should not have grabbed my arm. I will be contacting the ACLU and an attorney to file a formal complaint against Officer b6. Officer b6 was not only unprofessional; he was rude and violated my civil rights.

On September 6th, 2012, at approximately 12:00pm I was travelling alone in my white 2010 Chrysler 300 with valid AZ tags northbound on HWY 83 when I approached a CPB checkpoint. I am a 37 year old male of European descent who speaks perfect English. Agent b6 asked me some basic questions about where I was coming from and where I was going, I answered without hesitation. Agent b6 then asked me to "pop the trunk" and I refused. Agent b6 became visibly annoyed by my refusal to give up my Constitutional right against unlawful search and demanded to see my identification. We exchanged some questions and answers about the legality of his demands and the legality of my refusals. Agent b6 instructed me to pull over to secondary inspection. Agent b6 entered a building and left me sitting in my car for quite some time, over 30 minutes. When Agent b6 returned he demanded I exit my vehicle and surrender my keys. I exited but refused to surrender my keys. By this time a different agent came over to assist but he didn't have a name tag, just an empty Velcro strip where the name tag should've been. Both agents threatened to "lock me in a cell" if I didn't comply and demanded me to empty my pockets. I complied. Agent b6 proceeded to walk a K9 around my vehicle, the dog failed to alert anywhere. Agent b6 grabbed my keys, unlocked my vehicle and began to illegally search my vehicle without any permission or probable cause. Nothing illegal was found. I was forced to stand there for a period of time

before I was handed my identification back and released from detainment at approximately 12:55pm, almost an entire hour. Agent b6 insisted the dog had alerted to something illegal being in my vehicle but when I asked where, Agent b6 refused to answer. The fact that nothing illegal was found, even after an illegal search, either proves Agent b6 is lying or it proves the dog is not 100% accurate and a dog alert alone should not be enough probable cause to search a vehicle without the owner's consent. I respectfully request this matter to be looked in to further and Agent b6 be reprimanded accordingly. I have most of the video and all of the audio recorded on my cellular phone camera and I'm in the process of converting it to a hard copy to be used as evidence if required.

On Feb 3, 2012, about 8:45 pm, I was travelling west on HWY 90 heading back home to Sierra Vista, AZ from Bisbee when a vehicle came up behind me out of nowhere to ride my bumper for 8 to 10 miles. I slowed down 5 miles per hour from 65 to 60 so that he could pass me, but would not pass. This was being a concern for me if I had to apply my brakes, he would have been hitting me from behind and there was no way the vehicle could avoided hitting me from behind. Still at this time, the vehicle was not identifiable. The lane would soon turn into a two lane in about in less than 2 miles, so I got into the right lane so that he could pass, again, the vehicle stayed behind me staying close to me (I would say less the 2 cars length). Then I realized that this vehicle is stalking me for some reason, and it was getting scary on who is in this vehicle following me. I was getting close to home and whoever was in the car, I did not want them to realize where I lived, so I continue to drive to Fry's Food Store where I pulled into the parking lot where there was people and bright light in the parking lot. As I looked back to see who it was, the vehicle was then identify as a Border Patrol car. I called 911 and identify myself to the dispatcher that this Border Patrol car was has been following me. I gave her my location and some additional information, then she gave me the Naco Border Patrol number, I had to call an additional time to get the number due to being scare, of not knowing if these are true Border Patrol agents or not. So I called the Naco sector and spoke to the agent who answers the call and I had asked if they knew why the vehicle was following me and if they knew about it. In the mean time, they had pulled over to my 3'o'clock side and stayed there for about 5 minutes until they moved the car in front of me to my 12 o'clock. This was getting scarier, no one from the car would get out and I was trying to get the car number from the back, but was not able to. For every move that I made to see the number on the back, the car would prevent me from seeing it. At this point, I was still not sure if these people in the car were true agents. Having a difficult time trying to reach the Naco office at first, I made contact and I identify myself and that a Border Patrol car has been following me close for about 10 miles or more. I had asked if they knew anything about it. The Naco office indicated that they could not tell me that information. They asked for

my vehicle make and model, and color and I told them of my location. While I was talking to the Naco office the Border Patrol car drove off to the other side of the parking lot with their lights on while I was talking to the Naco station. They asked me if I can give them the number of the Border Patrol car. I believe I mentioned that I was unable to view the back to get their number but I will drive over there where they are located to see the back of the car. As I started to drive over to their location to get their car numbers, the Border Patrol car, drove over to meet me first then turn on the top lights behind me. As I was talking to the NACO station, one of the agents walked up to my driver's window and I mention to him that I was talking to their NACO supervisor. The supervisor asks me to find out the agents name. The agent showed me his name tag, which read, b6, I did not get the other agents name that was with him. The Naco supervisor said that he was valid. While on the line with the supervisor, I had asked if this call was being recorded, and they said yes, it was. I continue to explain that the Border Patrol vehicle was tailgating me real close for 8 to 10 miles. I asked the supervisor on what are my instructions, He said to comply with the agents (end of call with Naco supervisor). Agent b6 asked for my identification, and I handed over my driver's license to him being my window was half way down and he had asked me to roll it down further. I figured being half way down was good enough to hand over any paperwork and to talk with them was good enough. He said at first that I was speeding, and I mention to him that I was not. As a matter of fact, I was going slower. He said that he didn't want a confrontation. Later, he went on to say that my car fit a vehicle description that they were looking for and that was why they follow me. I mention to him that they were following me real close, and to place me at risk of having an accident. He said the reason why we did that was they could not read my license plate. He could not identify if it was an "N" or an "M". I mention that it took them a long time riding close to my bumper to identify the letter, "No Response". As the other officer in the vehicle was "I guess" running my plates, it took a long time. I asked how long this take to run my plates does. He said, "Not long." The other officer came up to the driver's side and handed me my licenses and said that you're clear, something of that sort. I reply, "I could have told you that". Agent b6, said "That he was doing his job" "End of conversation"

In summary, I feel for my safety could have been in jeopardy of not knowing who these people were, and why they are following me close and what their intentions were. By possibly listening to the audio tapes of my call to 911 and the Naco station, I believe that you could hear the nervousness of myself trying to get something resolved quickly so that I can understand their motives on why they pulled me over. No tickets or arrests were issued. I did nothing wrong, just trying to protect my safety from the unknown. Reports have been released in AZ saying that there have been impostors posing as law enforcement in uniforms and vehicles. Knowing that, I have not done anything wrong, and on a long dark road which I was on, could have led me into being a dangerous situation. I believe that this information that I had provided will not go unnoticed and that

the proper actions be taken as a supervisor to correct these agents' actions to prevent accidents on the highways and not to panic the drivers as they did me in the Fry's parking lot with their games of harassment.

I live in southern Arizona and frequently travel between the Phoenix area and the Sierra Vista area. Every time I am on the road between the two areas, I have had a Border Agent come speeding up behind my car and tailgate me until I change lanes and let them pass. I travel at the posted speed limit and am very frustrated that the agents act as if the traffic laws do not apply to them.

I went to visit my sister in Tombstone, AZ. On the way back to Phoenix I was stopped at the border checkpoint outside of Tombstone. The border agent asked me a few questions along with my citizenship. He then asked me for my ID and to pull over. After stepping out and away from the rental vehicle I was driving, another agent guided a dog to sniff around the car and inside the car. As I stood and watched the dog make a mess of the car interior, Officer [b6] asked me more questions, my driver's license, and gave me degrading looks. After what felt like forever and the dog was done, I was told I could go. Officer [b6] handed me what I saw, felt, and know was only 1 ID which was my Nevada ID. I was so shocked at what the dog had done to the interior of the car I took a minute to inspect the spilled coffee, dirt prints and saliva all over. When I went back to the office to ask for my driver's license back, Officer [b6] claimed he gave it to me. When I told him I did not get my driver's license back from him, only my Nevada ID, he said I might have misplaced it. I told him again he did not hand it to me. We both went to the car and search the whole car, my belongings, and the ground but found no license. After a while a few more officers came and searched the car themselves but found no ID. One officer who was of Hispanic decent/looks gave me degrading looks and used the wrong pronoun repeatedly when addressing me. I eventually had no choice but to leave without a driver's license and a sense of deep humiliation. I am a US citizen by birth and I felt the search I was subjected to was extremely excessive, unnecessary, and incredibly humiliating. I know in my mind I was subjected to this humiliating experience and theft of my driver's license because I am a Transsexual Female. When I left I told the Hispanic agent I will be contacting a lawyer.

I am a plumbing contractor that lives in Sierra Vista. I was leaving a ranch at the end of Guadalupe Ranch Road east of Douglas AZ. Please check the log about 5:30 6:00 on 4-18-12. About ten miles from Douglas a BP agent parked on the side of the road pulls out and follows me at a very close and unsafe distance I tried to go faster and put distance

between us but the dirt road won't allow it without putting me in undo danger. The agent follows me all the way until I get to paved road that leads into Douglas. He then proceeds to turn on his lights and pull me over. He approaches my vehicle with an AR style rifle with a tactical sling. HUH? His body posture is like he is looking for a fight. His partner sneaks alongside my passenger side and each time I look in my mirror he tries to hide by ducking out of view. The officer approaches my window and asks where I was coming from, I answer his question. He asks the name of the ranch. I wasn't able to immediately recall the name of ranch. He asks in an aggressive smart ass tone, "what don't you know the name of where you are working?" I said no, I can't remember off the top of my head. So I told him I could show him and pulled up my work order on my phone. He acts dismissive like he doesn't care after all. He then asks for me to roll down my back window. I did comply. Reasonable suspicion? Probable cause? I'm not a lawyer and I bet he won't tell me my rights if I did ask. (Was clearly trying to work in a grey area.) He then asks if they can search my vehicle. I said yes. I know how it works, if I say no what is your Probable cause, they aren't going to just get back in their truck and leave. It was intimidating to walk up to my vehicle with a tactical rifle, and unprofessional not to state why they pulled me over. I even handed him a business card. He then tells me that he can hear my tire hissing and I have a flat. It went flat in less than a couple minutes. By pulling me over they forced me off the road causing me to get a flat tire. Just more insult to injury. What shows me how unprofessional these guys are, is that another officer shows up. I ask if I can leave the vehicle and look at my tire at first they say no they have to check everything out first. They then let me check my tire. As I am changing my tire the third officer proceeds to ask me, "is the vehicle registered in the company name." There is no reason to ask that except to try to catch me lying I guess. I would bet they know everything there is to know about my vehicle before they pulled my over and got out of their vehicles. So:

1. No reason to exit a vehicle with tactical rifle and sling with fingers on the trigger. This is no different than pulling his side arm on me. Without justification. (I understand being safe, this is beyond safe.)

I am a U.S. Citizen which he never even asked, and never established. He never even asked for ID. I offered a business card to prove I was a plumber. It wasn't until the third guy asked once he read the card that I was b6 and owned the company. They still don't know it was me, because they never asked for ID. So again, a BS question that means nothing at face value if they haven't established who I was. How do they know?

2. No need to ask me who the truck is registered to. Just a BS question to try and trip me up. Plus he tried to force an answer by how he asked how the truck was registered. Why check my truck out, clear me, then try to trip me up on how I answer whose name the truck is registered to? Again, unprofessional.

3. I told them it was intimidating the way they acted. They still treated me with disdain. I can read pantomimes. One thing I know for sure the officer that approached my vehicle was looking for a fight.

I ask you what probable cause he had. What reasonable suspicion was there? (A). Why did he even pull me over, and don't tell me to let me know my tire was flat. Because a he would not have exited the vehicle looking like he was hunting game and (B). The tire didn't have a puncture until I pulled off the road. (I can easily base this on how fast it lost all air) (C). He didn't mention it until later. And why did he exit the vehicle with a rifle in a tactical position?

4. Not one of the three officers established if I was a U.S. citizen or asked for ID. (This just tells me their brains were somewhere else.)

5. Their intimidating tactics and out right show of unnecessary force, only proves to me they were looking for a fight. Personal safety was the last thing on their mind.

6. Why pull me over if not to establish my citizen ship or my I. D. What right/cause did they have to pull me over?

7. Why follow me for miles right on my bumper. MORE intimidation. I hope you have vehicle cameras, pull his footage and you will see.

8. The meaning of the communication is the result I got. I clearly understood I was being intimidated and that they were looking for a fight. I have zero trust in the officers.

9. Don't they know the truck and who it was registered to before they leave the vehicle? The logical thing to do was establish that I was the owner of the vehicle first? It never happened.

I live in Benson but regularly transit through the HWY 90 check point but also because of my job transit through many of the check points on occasion. The majority of these have been uneventful and the agents have been efficient, courteous and professional, though I have noticed that they are a bit less so lately. Please put that portion of this text into the compliment section. Friday, 20 APR 2012, evening however, the agent was rude and very much intended to impress that he was in charge. At about 1945 I approached the check point in the left lane and came to a stop behind 4 vehicles: three cars and a motorcycle. After about a minute, I noted that the lane was not moving forward. So I checked my mirrors, looked around and carefully moved to the right lane and up to the agents.

Agent: You aren't allowed to change lanes.

Me: I'm sorry, what?

Agent: I said you aren't allowed to change lanes.

Me: Okay, well I have done it before and there wasn't an issue.

Agent: You're not allowed to change lanes. We have officers (?) and dogs moving and we don't wear vests (why not?). You could hit one of them. You don't want to hurt anyone, do you? (By the way, there were three agents and a canine at the left lane, two chatting and one at the vehicle, and two at the right lane)

Me: Of course not. I have done this before and in fact when (I stumbled over my words here so I cleaned it up) the check point first reopened I did this and the agent...

Agent: Well don't do it when I am here.

Me: Okay, so how am I supposed to know you are here?

Agent: Just don't do it (stern, I guess because I did not get his point). Are you American citizens?

Me: Yes we are.

Agent: Have a nice night.

Please do not think that I do not understand the agent's concern but I was fully aware of my surrounding and would not have moved over had any activity been occurring near me. I have spent the last several hours reading through regulations on the CHP.GOV website and elsewhere for a regulation, rule or something that states I cannot change lanes to expedite my transit through the checkpoint, but failed to find one.

A member of your organization on 04/19/12, at approximately 9:30pm at night, causing my 4year old daughter and me to suffer emotional distress and a feeling of being victimized under the color of law due to his actions and illegal search of my personal property. The stop occurred on Highway 10, beginning 6 miles east of the California and Arizona border and ending 3 miles west of the same border. This officer refused to give his name or state, when I asked, the reason for the forced stop. The entire incident lasted approximately 20-30 minutes. I had pulled into the last rest stop, approximately 6 miles east of the Border Check Stop, to care for my daughter. There were no vehicles present except "sleeping" Semi-Trucks. A vehicle appeared to drive into the rest stop and stopped approximately 200 yards behind me with lights on, so I could not see who or

what it was. I thought I was blocking the vehicle's way as the exit was partially blocked by a Truck. When the vehicle failed to go around me, seemed to be waiting for something, I became cautious/nervous and proceeded to leave the rest stop. Due to the pitch black out on the highway, I was unable to ascertain anything about the vehicle, until it stopped tailing me at barely a 2 car length, and pulled into the left lane slightly behind me. I was able to see that the car looked like a Ford, it was white and I was just able to make out the words 'Border' and what looked like the word 'Patrol' when the vehicle dropped back behind me and continued to tail me. I was going about 60mph since I was staying behind a Semi-Truck waiting for this vehicle to move on. I called my husband on my cell phone to let him know what was going on and that this was starting to make me nervous and frightened, especially since my daughter was in the car with me. To confirm that the officer was tailing me, I signaled left and moved over to the left lane; the vehicle did the same. My husband said not to worry, I should be coming up to the Border Station where there were other personnel and it would be a lit area. At first I did not see any personnel until I came right up to the stop sign at the station. I was preparing to stop and ask an officer what was going on but was vigorously waived on, not to stop. I was hoping that the vehicle tailing me was just traveling in my direction and not following me intentionally. However, I looked in my rear view window and saw the vehicle stop for a moment, then proceeded to continue to follow me. After about 2 miles the vehicle put on its' lights and I noticed there was another vehicle behind him with lights on as well. The second vehicle, based on the height of the placement of its lights, may have been a truck or a tow truck. As it was pitch black outside, I couldn't tell for sure. I tried to look ahead to find a safe place to pull over, where there were people and lights, but there was nothing for another 10 miles from the border at the city of Blythe. My husband was still on the phone when I finally had no choice but to pull over on the side of the highway, in the middle of nowhere, a lone woman with her young daughter, for apparently no reason at all, by an individual unknown to me, that I knew had the right to exert force or use deadly force should I not comply with being pulled over etc. and so I did so. An officer from the vehicle that had been trailing me approached my vehicle from the right side with his hand on his firearm ordering me to turn off the car and roll down my right side windows. He and another officer proceeded to flash flashlights into my vehicle, at my daughter, and around the interior to obviously see what they could find in plain sight. I ask the officer his name and the reason why he pulled me over. He responded that he had probable cause. I asked him what that probable cause was since I couldn't even see a reasonable cause to do so. He didn't answer me but turned from the vehicle to speak with this companion. The next few minutes consisted of intimidating questions in tones of voice that indicated that I should just answer questions but not to ask any. Ultimately the officer requested "permission" to search the trunk of my vehicle. I knew that if I didn't, things would become more difficult and my daughter was getting more frightened the longer this took. Right before I agreed to allow the search of the trunk, the officer said I

was acting nervous. I replied I was nervous considering he had been trailing me since the rest stop in Arizona, then had waited to pull me over in the middle of nowhere after crossing into California, when he could have done this back at the Border Station where it was lit and occupied by other individuals. I didn't know him, his motives and he still failed to tell me what this was about. The other officer replied that only criminals and people trying to hide things get nervous. As the second officer stayed by the passenger window he continued to look about the car with his flashlight, the other officer began to search the trunk. When I realized he was not just searching the trunk but inside my personal affects my personal property as well, of which I did not give him permission to do. I questioned the officer in my window, "what is he doing back there?" The officer went to speak with the one who had been trailing me in response to my query. A minute or so later, my trunk was shut. The second officer came back handed me my driver's license. I asked "is that it?" He replied yes, and then walked to the rear of my vehicle where he started to question the officer who initiated the stop, "why did you pull her over?" and it appeared that they were arguing. My daughter was scared and began to question if these men were taking our things. After having to reassure her and calm her down, I spoke to my husband on the phone. He told me to continue to drive but to continue to be careful, that there was nothing more I could do at this time. For the next few hours of driving I was emotional messed-up looking for anything and everything unusual was I going to be pulled over again and what would happen this time. That night my daughter had nightmares about the incident. The incident had left me feeling terrorized by the officer who followed me for 9 miles, in the dark, without cause. I was constantly concerned about my driving home and made it a point upon returning to Arizona to travel only during daylight hours because I was afraid of actions by officers of the law, here, in America. I am trying to be hopeful that I was not profiled and that it would not happen again.

Hwy90 Border Patrol Check Point 5-22-2012 8pm. I pulled up to the Border Patrol Check Point around 8pm in a white Chrysler Sebring. I have factory tint windows and as a courtesy I usually roll down the driver and passengers side windows all the way. The BP agent b6 asked me "just the two of you?" (Referring to my toddler in the back seat and I) I said "yes". He then disappears out of sight. Apparently, walking to the back of my car, I thought I heard him say "ok go" so I started to pull away slowly than 3 to 4 Agents start yelling at me to stop. I stopped said sorry I thought I heard you say go. The agent says no all I asked you was if it was just the two of you. Now here is where I have the problem if the Agent is going to walk away from the vehicle and not say anything to me that says ok your clear go. Now I am a US CITIZEN I was born in CA and I am a GOV/State Employee. Yet every time I go through hwy90 BP Checkpoint I get harassed. You may claim you don't racial profile but you sure seem like it considering

I have current AZ plates, I have a current AZ License, and I own a home in AZ! Yet every time I go through I get the third degree. The BP agents were rude to the point where I came home and wrote you this letter. The agents need to have more communication with the driver of the vehicle so the driver is aware of what they are doing. This whole conflict could have been avoided if the agent would have just stated what he was doing and what he wanted me the driver to do. Instead of walking away and leaving me the driver assuming it was clear to move on.

I was in a vehicle at 8pm passing through the check point located between Benson, and Sierra Vista. The driver was waved to the side for further inspections. The agents involved (unnamed), were thorough and routine as far as the initial search of the vehicle. They decided to run all of our names. I apparently had a warrant that came back to the officer, and I was placed in handcuffs. My girlfriend was also restrained, due to a warrant. As we waited for 2 hours for Cochise County sheriff's department deputies to pick us up, the 6 or so officers behaved EXTREMELY outside of professional parameters. They placed calls on my cellphone to someone that had called me during the arrest and made jokes to them; rather than simply turning my phone off. The officers proceeded to "play" on the tablet my girlfriend had, which is a personal computer device. They commented on some of the games they played on the device. They then attempted to make it seem as though I had a false I.D. I carried my driver's license, as well as a secondary state issued Driver's Permit. The agents attempted to insinuate that my girlfriend was a "drug dealer", because she had small button bags, used to contain jewelry making materials. They then proceeded to open a sealed package for a "grow your own Venus flytrap!" novelty plant, and tear it apart. The K-9 officer made a comment about my girlfriend and me cleaning up the feces of the dog he was training that was in a transport vehicle. As she and I watched the agents do these un-professional acts of intimidating, humiliating, and condescending behaviors, they laughed and joked about the fact that we were suffering. My girlfriend was hysterical and crying her eyes out. When I commented about filing this grievance, the officers refused to provide me their names, or a means of filing a grievance. The Cochise County Sheriffs deputies that provided transport to the jail, acknowledged my requests for reprimanding of the agents. A reference of my complaint will be included in their report regarding this case. The officers noted that a grievance would be more than appropriate. They could not offer a position on the evidence I offered, but said that I "should definitely report this." These are appalling things to have taken place. I am requesting that the officers involved be reprimanded, to prevent other people from going through the same thing. A compensation of loss is not appropriate in this case. I am requesting a follow up to let me know what has been done to correct this wrong-doing. Thank you for your time and I appreciate your investigation into this matter.

Lukeville AZ Checkpoint. I have had a place in Puerto Penasco for four years and am the b6 for one of the resorts. I have meetings once a month and travel through this checkpoint many times a year. I have never had a problem. Every once in a while, not enough gates open but lately it has been excellent. Yesterday, I was wondering why the line was taking so long. As I approached the post, b6, an older guy, was processing the cars. He was extremely slow, not even sure he was thorough. I could tell he had a real attitude as I drove up. He stood at the entrance and moved his fingers, did not say word for me to give him my passport. I reached my arm out as far as I could and he snapped his fingers for me to reach way out of the car, get off my seat. I almost had to just open the door. He was very slow at processing it. Asked me the typical questions; His attitude does not reflect the attitude of a good U.S. Border Patrol, not even a citizen of the US. He is an embarrassment to the Patrol. Other than him, it has been an excellent checkpoint. Thank you.

#### FY 12 Checkpoint Complaints (Yuma)

On Friday the 23rd I was crossing the checkpoint in Wellton when an agent told me to pull to the side. The agent proceeded to demand my driver's license. I was held at the checkpoint for over an hour as the agents continued to harass me and insult me. They kept telling me I'm not a citizen and "their" system isn't pulling up anything so if they wanted they could deport me. I explained to the agents that I was a U.S. citizen and I have a U.S. passport and also a voter registration card. They then proceeded to tell me that I must have received it in error. One agent even proceeded to tell me I was lucky to be in his country. I told him I've been in this country since 1995 and my father was a citizen and I also inherited his citizenship because I was under the age of 18. That's how I got us my U.S. passport. He told me I obviously didn't know the laws in this country. I would understand if I was crossing the international border for agents to be this thorough. But at an internal checkpoint these agents were just demeaning. These are the agents that give the CBP a bad name because they harass people. I was outraged that they would threaten me by telling me they could deport me if their system couldn't find me. As a citizen I feel like those agents are acting like I need papers to travel in my own country. Finally, when I asked the agents to provide me with their names so I could file a complaint they refused. The supervisor told me I didn't need anyone's name except his.

I travel by car from my home in Tempe to San Diego about every other month for vacation. I have been stopped twice in the last three years and only at the checkpoint between Yuma AZ and Gila Bend AZ returning to Tempe AZ. Both times they searched

my car and found nothing. The Border Patrol agent had K9 and had the dog actually get into my car for "sniffing". The previous time I was told that my car "had to high of a radiation (radioactive) reading. I consider myself a law abiding citizen but either these check point officers in Arizona are so "gung ho" they imagine problems or they are they could be considered a problem with "harassing the citizens of the U.S." Either way I felt as if I was violated.

On the night of August 9, 2013, I and a colleague were heading to Tucson from Sells, AZ. When we stopped at the checkpoint, we were asked if we were involved in any illegal activity and if we had IDs. b6 (driver) stated that we did and the agents didn't have any right to ask for them. Agent b6 then asked us to pull up and over for a thorough search. We eventually surrendered our Identification cards and our names were eventually cleared with dispatch. The driver was questioning another agent about the process of searching vehicles and he got upset because we clearly saw the canine put into the cab of the truck. He got upset because we did not authorize the agents to put the canine into the truck. We got two different stories about the process, one from Agent b6 and one from the other agent standing guard. I was recording halfway through the incident and was told that I was not able to record, but I knew it was my legal right to keep recording. We were released and I then asked for barge numbers, but they didn't have any (which seems a little odd to me, being that they are federal agents) so I proceeded to record their names and capture a mug shot. The other Agent snapped and tried to grab my phone out of my hand but luckily I was able to keep possession of the phone. I put my phone up again to continue recording but then he tried to grab my phone again so I quickly put it in my pocket. He then grabbed my left arm and used his right arm to grab the back of my neck and shoved me toward the truck. We had an exchange of words and we eventually got into the vehicle and drove off. We parked next to the USBP bus that was stationed there and called the Pima County Sheriff's Office. I spoke with an Officer and filed an incident report. I have the responding Officer's contact number, badge number, and case number is necessary for your records. I also have video evidence of the assault that was inflicted upon me. I am not sure of Agent's name that is responsible for this unfortunate event but I hope you will do your best in resolving this matter. Please feel free to contact me with the information provided.

This incident took place on Highway 95 (North of YPG) on Monday 19 August, 2013 just after 5am. I did not get the name or badge number of the individual I spoke to however; he appeared to be a Caucasian (non-Hispanic) male with brown hair, average height, and average build. When I came to a stop at the checkpoint, the BP agent immediately informed me he was conducting an investigation and demanded that I roll down all my windows. I politely responded that I do not consent to searches. Through the course of discussion, I also informed him that my presence at the checkpoint does not constitute probable cause. As a direct result of not consenting to the warrantless search (4th Amendment), the BP agent informed me that he would not allow me to pass the check point unless I consented to be searched. I told him I would not consent. He then demanded I turn around and go back south. Since this is a clear impingement on my right

to travel without due process I proceeded north and continued on to my work site. A short time later I was pulled over by the same agent in a BP vehicle. The agent informed me that I ran a federal checkpoint and demanded to see my driver's license and registration. I informed him that I did not run the checkpoint since I stopped and spoke with him earlier. I also informed him that I would not provide the documents and I requested to speak with a police officer. He left and presumably contacted the police. He approached my vehicle a second time and attempted to gain more information from me. I again stated that I wanted to speak with a police officer. The BP agent then informed me that 'YPD' was on the way. (I later spoke with law enforcement and discovered that the location is the jurisdiction of the Yuma County Sherriff's office and not YPD.) Nonetheless, the BP agent returned a third time. This time he was noticeably shaken. I could see his hand holding the flashlight was shaking uncontrollably and his voice was cracking. He quickly informed me that I was 'free to go' and then asked why I refused to be searched. I informed him that I have a 'reasonable expectation of privacy' and that I am not required to consent to searches but that he was more than welcome to shine his flashlight through my windows to look inside. The agent politely informed me that running the checkpoint is a federal offense and not to do it. He then bid my good day and left. I left without further incident. Even though I am a government employee myself and I work at YPG, I currently do not have a GSA vehicle so I am often required to drive my POV to test sites. I realize this puts me under additional scrutiny the same as the general public. However, the agents need to understand that not freely giving up one's rights does not constitute suspicious behavior. As a result of past negative experiences at the same checkpoint, I have consulted with my attorney, YPG security and law enforcement as to what my rights and responsibilities are regarding interactions at BP checkpoints.

Earlier today, my **b6** year-old son, **b6**, was driving from Tempe AZ to San Diego, CA. While en route, he encountered a Border Patrol Checkpoint along Interstate 8, near Yuma, Arizona. He pulled in, answered the questions asked of him, as did the other 3 male occupants of his car. Before continuing thru the checkpoint, the female Border Patrol Officer said to one of the passengers: "So you're going to let that fruitcake drive you, eh?" - indicating my son, the driver. It should be noted that all 4 occupants of the car are going to San Diego to attend an event for their Fraternity, **b6** **b6**. These 4 young men are students at **b6**, and they are gay. This comment was extremely offensive to all of them and was uncalled for. Anyone who is employed by the Government of the United States should NOT be verbally abusive to ANY group of people, for ANY reason. Although my son did not note a name or badge number, he describes the Officer as a "middle-aged, blonde woman". This event occurred at approximately 11:30 a.m., local (Pacific) time. I would appreciate an investigation into this incident, and a response that I may forward to my son. Thank you for your attention to this matter.

On 29 June 2012, I stopped at the checkpoint on I-8 just west of Yuma, AZ at approximately 11pm. Even at that late hour, the line was backed up at least .5 miles. Upon reaching the front, I asked the BP agent what was taking so long and mentioned that I had been at Iraqi border check points that were faster. The agent became upset and sent me to the secondary check point. I am concerned at this abuse of power over something so small, because we are still a nation that espouses freedom of speech. Nothing I said or did could be construed as suspicious for any of the reasons that the BP checkpoints are there. This was simply an agent taking out her frustration on someone that angered her, and it makes me worry what other of our rights as citizens are being trampled due to lack of correct supervision. Coincidentally, I passed through three other checkpoints during my road trip and none were as slow and backed up as that one; a trend which was confirmed on my return trip.

I went through a check point while traveling home from work in the Yuma, AZ area to Phoenix and was asked to pull over for further inspection. I had two other coworkers with me and one of the patrol officer's asked if it would be ok for a dog to check or vehicle. I told him it would be ok and we were told to wait away from the vehicle. Another officer brought over a dog that had wet feet and mud on them and had the dog get into the back seat of the vehicle. I told the officers that that was not ok because I had my lap top computer on my back seat and papers for my job. I stood up and said it again and the officers told me to get back. The dog handler seemed to enjoy that he was letting the muddy dog go from our back seat to the front seat and the fact that I was upset they were doing this. Nothing was found but the dog damaged my leather seats, my lap top computer and some work related forms that are not acceptable for me to turn in. After the dog got out and checked the back of our vehicle, the officer told us that we could now go; I asked to see a supervisor because of the damage that had just occurred. The officer went into a small free standing office, while he was in there another officer told me to move my vehicle forward. I replied "no" that I was waiting for the supervisor, he told me that he had control over the area that they had us park in and we would have to move. I told him again that we were waiting for the officer that had just walked into their office; at that point I noticed that he put his hand on his weapon like he was going to remove it. By then the other officer returned and I was then told that there was no supervisor currently there and the officer that told us to pull over would have to help me. I asked for a card with the officer's information that had just allowed the dog to do this and was told they were not given cards. While I appreciated the job that is at hand and I am sure that they encounter some difficult tasks, there is absolutely no excuse for just allowing a dog with mud on it to enter someone private property and damage without any concern. I am white male and have been a US citizen all of my life along with the two other people with me which are also white males. We were dressed in our safety orange work shirts with our

company info on them. I have never been so rudely treated and more importantly disappointed in the so called people that are paid to protect us are allowed to treat US citizens this way. I will be sending this complaint to as many elected officials as it takes to get response back.

On April 30, 2012, at approximately 4:00 pm, complainant [b6], a U.S. citizen complained about being questioned after stopping to enter a fast food restaurant off I-10 in Blythe, California by Border Patrol officers. Z had just passed through the Border Patrol checkpoint at CA/AZ border with his wife and two children without incident when Border Patrol officers followed him to the first exit off I-10 in CA, where he was proceeding to get something to eat at a restaurant with his family. Border Patrol officers detained him and his family as they exited the vehicle and asked them questions concerning their immigration status, proof of residence in CA and if he had ever been arrested. Z questioned the officers as the authority they had detained him under and the Border Patrol officers answered him that basically he was under the control of their lawful authority as they questioned him. BP officers stated that this info provided by corroborates his story. Border Patrol officers then terminated the interview. Complainant believes he was racially profiled based on his nationality and ethnicity. Complainant got one vehicle plate number.

Place: Border Patrol Checkpoint on east-bound Interstate-8 roughly 30 miles east of Yuma, AZ. I am guessing this is Yuma sector - Wellton. Date/Time: Nov. 13, 2012, Tuesday, roughly 4:45pm. I stopped at the checkpoint and they asked me to pull over for a detailed inspection because the drug-sniffing dog alerted to my car. In my humble opinion, the dog was barking loudly because the car in front of me that had pulled over for a detailed inspection was sending marijuana scent on the wind to the dog's nose. I can't prove it, but I know the four young people in that car were asked to stay longer than me, probably to get citations for having marijuana. I heard the officer talking to them about finding the marijuana. Anyway, the officer found no drugs in my car. So, he said I could be on my way. I continued east to Tucson and got off the Interstate for dinner about 6:45pm. When I opened the back door of my van, I was appalled to find out that my sleeping bag had two long tears, each about two feet long with the white stuffing coming out. The tears had not been there before. Maybe the officer didn't tell me about the damage he did because he didn't want to get in trouble. But, he seemed like an honest person, so I guessing that he tore it open without knowing about it when he pulled the sleeping bag out of the car. Anyway, I think you owe me the money for a new sleeping bag. It was made by Coleman, was extra-long and extra wide and was good down to 32 degrees. I am guessing that a replacement will cost roughly \$100. I can buy a new one and send you a receipt for the exact replacement cost. I can take a picture of the damage and send it to you by email if you like. Also, I know the name of one of the Border

Patrol officers at the stop. And I can identify the officer who did the damage, if you need that information. If you need to research this damage with the officer who did it, please do it without delay while it is fresh on his mind and mine. I called the Duty Superintendent and he told me to submit a complaint on the internet site.

I am reporting an incident that occurred yesterday, 10th of November, 10:00a.m. At the stone cabin immigration check point approximately 70 miles north of Yuma Arizona on Highway 95. I am a 53 year old Caucasian male United States Citizen born in Pocatello Idaho. After identifying and determining my citizenship Border Patrol agents continued to harass threaten and intimidate with forcible violence. Due to the negative and hostile attitude, I refused to tell them what was in my empty ice chest and invoked my 4th amendment rights. They proceeded to bring over the dog in which was a ridiculous display of gross negligence and incompetence of both the handler and dog that could not differentiate between my supposed possession of illegal substance and a bag of Jumbo Jacks. Now being that they had adequately established reasonable cause on my bag of Jumbo Jacks, they threatened the use of force and bodily injury that I go to secondary. Following their explicit instructions of going to secondary and the threat of what would happen if I didn't, I went. The outcome of my complying and going 30 feet to an unmarked secondary designation, the dog handler kicked and caved my door on the passenger side. When I got out of the car to confront the assailant of my 2006 Honda civic I was met by 3 armed officers weapons drawn and a 4th with a Taser. I complied with their screaming threats to lay on the ground and allowed them to handcuff me. Over 4 hours later waiting handcuffed in a detention cage the sheriff released me due to not finding any criminal material and no criminal history. The possession of Jumbo Jacks that alerted the dog obviously wouldn't hold water in a court of law. I have reason to believe due to what was overheard that they are conspiring to lie that I tried to run over the agent that kicked in my door. No doubt an effort to cover up and justify the destructive and damaging behavior. They then changed the lie to he hit his knee on the door, but then realizing that you can't cave a side door on a vehicle traveling forward with your knee they again changed it to, I tried to run over the dog. My daughter who later arrived at the scene talking to the DPS Agent Highway Patrol, the DPS agent commented how he hated the way they handled and treated people in an unprofessional and demeaning manner. It makes him look bad because the public associates what he does with Border Patrol. I'm sure he has more of an opinion on that subject. By the way your supervisor dropped a "fuck you" on my daughter when she was questioning the actions that took place. She was catching them in their lies and told them to tell the truth. It will come out. She will be filing that complaint at the local level. These officers are nothing more than bullies trying to taunt and push law abiding citizens to situations of duress which would allow them to impose so called justifiable force. For the record these

officers are lying pieces of trash and a disgrace to the office they represent. From personal experience of living in the desert southwest, I know that all of your officers are not like this. However, I want you to know that I have contacted the FBI and am requesting a formal inquisition to this situation and will be seeking punishment to match the crime. I am also requesting that the office of Internal Affairs perform an investigation of their own and intervene on any retaliation from the federal judicial system. U.S. citizens have a God-given right to travel unmolested by Border Patrol on the highways of the desert southwest. A small thank you for the taxes we pay rather than a beat down a dog looking for a free meal.

Follow-up:

I have spoken to the FBI and Internal Affairs. They seemed very professional and interested in the situation listed below. As of yet they have not gotten back to me concerning this situation. My car door was kicked in and I have been attacked and damaged by Border Patrol agents. My constitutional rights as well as my civil rights were violated because Border Patrol agents could not follow checkpoint procedures. When I called The Blythe Office of Border Patrol to get a copy of the incident report so I could pursue getting my vehicle repaired I was told by a supervisor I had to contact the U.S. Attorney's Office in order to get the report. This is another example of harassment and intimidation by your officers. Again I believe that this is a cover-up to hide their gross negligence that took place at checkpoint. I am a citizen of solid standing and no criminal record, I am not a criminal and I will not stand for being treated like this by these agents. I never tried to run over anybody, I never tried to flee the scene, and no illegal substances were found. The fabrication of lies and misrepresentations by the Border Patrol agents needs to be investigated immediately. If it is a crime for me to lie, falsify documents, and conspire false testimony against someone then surely there must be laws that prevent government agents from doing the same. I am seeking assistance from this agency to intervene and thoroughly investigate this situation or pass this to those that can. You may contact me any time for further information. If you need a full detailed report of my statement and pictures of the damage to my vehicle please contact b6 [REDACTED] with Internal Affairs and/or b6 [REDACTED], FBI, Yuma Arizona.

## FY 13 Checkpoint Complaints (Tucson)

Regarding the checkpoint on Highway 85 south of Why, AZ. I was leaving Mexico this morning and stopped at the checkpoint and was asked by the Agent b6 where I was coming from. I told him Puerto Penasco and said to him where else does everyone go along this route. His answer to me was other destinations and then proceeded to tell me that he would never go into Mexico and I why would I? Is it Border Patrol policy to discourage US citizens from traveling into Mexico? Also, agents should keep their opinions to themselves if they feel any animosity towards another country and its people. People like Agent b6 should never be hired in the first place and they should be reassigned to another location if he does not like Mexico or its people.

I was going through the checkpoint in Tubac Arizona. There were three lanes open. I chose the middle lane that had four vehicles in front of me. When approaching the checkpoint I did not observe any signs that said to not pass or switch lanes. My lane was not moving, and the other two lanes, traffic was going right through. I looked in my review mirror and side mirror to make sure no other vehicles were approaching, and when I saw that it was clear, I switched over to the left lane. When I got to the officer, I cheerily said hello, and immediately he gets an attitude. Why did you switch lanes he asked me? I advised that my lane was not moving and that there were no cars coming so I switched. He advised that I could not do that. I proceeded to tell him there were no signs that said I couldn't and I did check to make sure no vehicles were coming. He said "What, are you in a hurry, and I told him matter of fact I am. I did apologize for switching lanes, and then he said "You must be ignorant". At that point I asked where his supervisor was, and he said the man over there in grey. I did tell the supervisor what had transpired, I believe his name was b6, but cannot be sure as I was so upset about the verbiage agent b6 had used towards me. The supervisor stated he could not apologize for his men as he had not been part of the conversation. I understand he should not be apologizing for his agent, but an apology for his actions should have been forthcoming. He said he would go talk to the agent about being rude. At no time did anyone of the agents state that there was a sign stating I could not switch lanes while in line. Just because you wear a badge on your chest, you are a public servant and there is no reason for calling people names and being downright rude.

I declined to respond to the immigration check questions as is my choice and right. I am complaining on the behavior of the agent once he decided I was free to leave, the agent loudly snapped his finger and said loudly to "YOU KNOW WHAT? JUST GET THE HELL OUTTA HERE!". I asked for his supervisor or a name. I was declined the name and told to go to secondary. I had my sleeping 9 month old daughter with me and did not want to wake her. So I decided this was the best course of action. I feel that agent b6 behavior was unquestionably unprofessional and inappropriate for the circumstance. He needs to understand the he represents the United States Border Patrol and not just himself. I am writing this complaint not for the agent to be reprimanded, but to be aware that his actions are accountable and this type of behavior will not go without

repercussions. I made a phone call to the Wilcox station today and talked with an agent b6 who took my complaint over the phone.

On April 10th while driving into Mexico through the Mariposa cross point in Nogales AZ, I had to make a stop at a check point that is located just before entering into Mexico. It was a very cold day and I was driving along with my 8 month babies and my mother that was sitting on the back sit watching the babies. I stopped and rolled the window to talk to the officer. This person acted very disrespectful and got upset because I originally lowered my window half way, which I did because it was very cold and I had young babies in the back seat. I answered every single question and gave him every single document that he asked for. He was totally rude and kept threatening me that if he wanted he would make me get out of the car in the cold weather along with my two babies; my answer was just to do his job and do whatever he needed to do. When he asked me for ID I gave him my driver license and my SENTRI card, to what he responded saying that the SENTRI card has not legal value and that it meant nothing to him, and that I could lose it if he wanted. That he was going to take it to take a picture of it. I gave it to him and once again told him to do whatever that he needed to do. When he went back to check on my card he thought that I was listening and talking one of his coworkers he referred to me with disrespect and called me a "bitch". I talked to somebody that was there and told them that what he did was totally wrong because during the whole time I was respectful and I deserved the same treatment, that it was totally wrong what he did. I don't think that any citizen that go through those cross points deserve to be treated this way, these officers are there to protect and serve the U.S. citizens not to threaten them or abuse the power they believe they have. I felt hurt, threatened and humiliated to be treated that way and on top of that I don't want to have any issue next time I use my SENTRI card. I hope somebody would listen and do something about this so it does not happen to anybody again.

I was traveling on US-90 north bound to I-10 on 04/23/2013. There is a check point. On the right lane of the check point a BP agent made a threat against my life since I did not lower my windows all the way down. The window was opened about 4 inches and he could see my face. BP Agent "He asked once more to lower my window". I replied, "no sir I will not" and the BP Agent followed with "Let me tell you something I have you license plate number". I fear for my life at this point after these comments. I need someone from BP to call me ASAP and I have a video of BP comments.

I am a b6 with the Tohono O'odham Community College. The college owns a 25 passenger bus to transport employee commuters from Tucson to the campus in Sells, AZ. That bus is clearly identified as a college vehicle by signage. On June 20, 2013 at that bus was routinely stopped at the checkpoint on highway 86 just east of the Tohono O'odham Reservation boundary. This routine stop typically occurs without incident since the bus is familiar to the regular agents at that location, and they simply ask the routine questions and let us pass. However, on a number of occasions it has been pulled aside

because the agent “smells marijuana” and a trained drug detection dog is taken onto the bus after all passengers are asked to step off. The dogs have never indicated any evidence of drugs on the bus in nearly four years. On June 20, 2013 Agent [b6], while standing outside the bus, asked all passengers to vacate the bus because he smelled marijuana. None of the 15 passengers had detected any unusual odors when they boarded the bus 30 minutes earlier. Agent [b6] had not actually stepped onto the bus; he was standing on the ground two steps below the internal floor of the vehicle. As soon as the college employees departed the bus into 100+ degree heat with no shade, Agent [b6] became belligerent and started challenging female employees who had brought their purses with them and placed them on the ground in plain sight. When they requested their purses be checked by the dog while in their view, he snatched them from the ground to return them to the bus. I, as the senior staff person, informed him that one of those purses belonged to a member of the United States Armed Forces who was not allowed to permit her security ID (that was inside the purse) out of her sight. Only after the K-9 agent stepped in and informed the items could be scanned in view of the owners did he relent to having the purses scanned by the K-9 agent in view of the owners. Was he not aware of this possibility, or was this more hostility aimed at intimidating us? After the K-9 inspection, I asked Agent [b6] if the dog identified anything and he told me he had no idea, even though the dog and its handler had walked away from bus and returned to their routine. He made no effort to get an answer either. I informed Agent [b6] this was a bus from the community college on the Reservation and the college had very strict policies forbidding the use of drugs or alcohol by its staff on any college property. I asked for Agent [b6] name and badge number and he continued his belligerent attitude. I indicated I was going to complain to the agency and the Chairman of the Tohono O’odham Nation about his attitude and the treatment we received by agents who proclaimed they could detect marijuana without even boarding the bus, even though no trained drug detection dog, or K-9 agent, had ever detected any illegal substances in more than a dozen such instances. Agent [b6]’s supervisor finally came to check on what the discussion was about. When I informed him Agent [b6] claimed not to remember his badge number the supervisor provided it to me. When I inquired if we could board the bus, the supervisor asked Agent [b6], whom the supervisor seemed to think should have known but had not bothered to ask. The supervisor then cleared us to board.

As we finished working our 12 hours shift at my future daughter-in-law and I, we were approaching mile marker 38 or 40 of Indian route 15 north. My daughter- in- law gets stop by a Border Patrol vehicle, I stop behind the BP truck, and the officer steps out of his truck with his hand on his gun (his gun was in the holster, it never came out) at this time I notice that I am cased in by three BP trucks one behind me and one on each side of my truck. Now do you really need to display this type of abuse of power and this is not the first time that this happens on this road to u. This is the third time that this happens, and this time I am filing a complaint with TO nation's Board, since the TO nation is our employer, may be they will put a stop to the harassment to which we are being subjected to by BP on Indian Route 15 north.

I live in Tucson AZ and work in Tubac Az. I pass everyday going back home from work through the check point on I 19. On Saturday 7/06/13 at about 10:20pm I was passing through the check point and the dog alerted them of something so I went to secondary. Just to start off, every question answered by all the BP's were answered to me in a very unprofessional tone and rude at that. After they cleared my car, they told me I could leave now. As I was walking back to my car I decided to let them know that I pass every day and that sometimes your BP agents with the dog gets too close to the car and that I feel like I'm going to run the dog over because of your agents letting the dog get so close to the car and they let the dog go in front of the car when its moving. Both of the agents standing there went off saying in a rude and unprofessional manner that "It would be a bad day for me" because of all the jail time I would make. While the other Agent officer b6 (I believe that's how you spell it) stated very rudely "You'd be the only DUMBASS WHO WOULD BE THAT" and stated that it's a federal crime. I was not going to get on their unprofessional level and just asked him his name and walked away. I don't know about you but I did nothing wrong to get treated like that. I'm a dog owner and I love animals and that's why I showed a concern for the dog. With the way I was answered it was clear to me that both BP agents were more interested in accusing me of running over the dog and what they would want to do to me then showing any concern at all for the dog's safety. I would never try to run a K9 over, but I have been in the situation where my car is moving slowly passing the dog to get to the BP and yet they let the dog loose enough where they are putting the dog's life at risk. I don't think that's right and I wanted to show my concern for the dog's life. Apparently your officers don't mind the dog's life and prefer to keep doing what they do. Not once did they ever even think of maybe agreeing with me that it's dangerous for the dog or even show any concern at all. As a concerned citizen, I don't think I deserved to be called a Dumbass with such rude tone of voice. I would please like something done about this matter and would like a follow up if it's possible. Thanks for your time

I go through the Border Patrol check point just south of Kansas Settlement Rd. and State Rte 191, just north of Tombstone Az. Frequently on hunting trips. I am always asked "Where are you going today" And I always answer" Anywhere I want to." I have no problem with the agents checking to see if I have any illegals stashed in my car, and I don't even mind the dogs checking to see if I have any drugs, but I don't believe it is appropriate to ask where I am going. I feel it is not any of the agents business, and will continue to refuse to answer this question. Please inform me if I am wrong. Please inform the agents if they are wrong.

On April 7, 2013, complainant was going through Tubac checkpoint from Rio Rico going north to Tuscon. A BPA canine alerted at complainant's car. He was told to pull to secondary. Complainant was traveling with his girlfriend and her minor son. They were asked to step out of the vehicle for further inspection. The canine was allowed into the car and complainant did not appreciate that. Complainant believes that the canine is

failing as there was nothing found. Complainant stated that the same canine falsely alerted to a vehicle in front of him as well. Complainant stated that the canine needs to be retrained. Complainant stated that BPA [b6] canine handler was upset with complainant because complainant questioned the ability of his canine. Complainant stated that the tone of voice and demeanor of BPA [b6] was unprofessional and insulting.

Complainant wants to make 2 complaints:

- 1) Canine is not functioning well. The Belgian Malinois is making false alerts to traveler's vehicles.
- 2) Unprofessional behavior of BPA [b6]. Tone of voice and demeanor was insulting.

Pulled up to Border Patrol checkpoint. Officer comes running toward my car with his hand on his firearm making a gesture as though he is going to draw on me. I stopped the car and he walks up to my window telling me to open my trunk and I asked if he had probable cause to search me and he said "What are you a lawyer?" I said no but I feel it is my duty as a U.S. citizen to read and understand the laws that have been established. Then he tells me to leave. This happened at approximately 1800 on HWY 90 between Sierra Vista, Arizona and Benson, AZ. I would also like to express the sheer number of federal officers as this checkpoint on a holiday such as Father's Day is very intimidating to non-U.S. citizens as well as normal U.S. citizens. I would like to suggest that these officers be better informed of their duties and be given some sort of sensitivity training to teach them how to address people and understand that just because someone doesn't like to be searched doesn't mean that they are criminals. It is a right for a U.S. citizen to refuse to be searched.

Upon Leaving Ft Huachuca on 7-31-13 at approx. 12:10pm, after passing through Sonoita headed towards Tucson on 83 my family and I were stopped at a Border Patrol check point. Clearly my wife, four kids and self are Caucasian. Not only was my patrol cap with my rank clearly visible to him on my dashboard, through the windshield. Nothing was of suspect or an alarm of suspicion. He was tall, white, very slender and brown hair. He had no right or place to question me in the manner in which he was speaking to me. I do not appreciate that sort of harassment from this man. I am an active duty soldier of the United States Army. I have served in Afghanistan. I have been awarded a Purple Heart by the United States Government for injuries I sustained in Afghanistan. I have respect for Border Patrol and everything they do for our country. But to be harassed was unacceptable and being spoken to like that was unwarranted! I was born and raised in the United States of America. I believe my skin was paler than the man in question. Positively unwarranted and a disgrace. Hopefully this letter does some good. I sincerely hope this isn't the way he treats all patrons stopping at this check point. Thank you for taking the time to read this complaint. I hope something good can come from this unnecessary situation.

My husband and I were on our way to Santa Rosa to see friends. On the way we stopped to take some photos; it was sunset. We were on Rt 15 heading north. We pulled off the

road and I was taking photos, my husband remained in the vehicle. Border Patrol passed us, I gave a quick wave. We are often on the T'ohono O'odham Nation, so we understand the workings of Border Patrol. It seems best to let them know we are "okay" ~ just stopping for a picture or two. A few moments later the Border Patrol turned around, and past us coming southbound. Within a few moments I was back in our truck, and we were headed north. BP got behind us. Then they began "racing up" to our bumper and backing off. My husband moved aside thinking they were in a hurry to get somewhere. Their (BP) driving was very erratic, and actually concerning. Racing up again and again onto our bumper. When we turned off toward Santa Rosa, they got behind us and put on their lights. We pulled over, a bit shaken and agitated by their behavior. It was VERY aggressive. We asked WHY we were being stopped. This did not seem to make them happy. We were on our way to an engagement that started at 7 pm. It was approximately 6:45, and we told them we did not want to be late and didn't really know exactly how to find where we were going. They said they stopped us because we looked suspicious. Then they said "you have Washington Plates". We yes, we do. "What business do YOU have in Santa Rosa?" they asked. We didn't feel that was an appropriate question in the least. We go see friends all over the nation. We are on the nation at least 1x a week. They again said we were acting suspicious, driving a suspicious vehicle...My husband is 60, I am 52. We are Caucasian. Our truck is a 2012 Nissan Frontier Pick Up. What exactly IS suspicious about that? Then they tried to say we were speeding. Given the circumstance I would say this...We were on our way to visit friends in Santa Rosa. We were essentially looking for the place - a place we'd never been. Do you drive fast when you're looking for something? It's a low traffic road. We are aware of the free range cattle as we travel to Sells every single week. It's none of the Border Patrol's business as to why we are going to see people. They searched our vehicle even though they really had no reason to. They threatened to call the T.O.P.D. because they were making up a lie that we were speeding. I said "go ahead" because "I know the T.O. PD and government aren't happy with you anyway!" This they did not like at all. So, I am letting you know that they did not want to give badge numbers, were rude, escalated, threatening, unsafe driving, harassing, and this letter will be sent not only to the TO Council, the TO Police, but copies will be sent to every newspaper that carries stories and letters regarding your highly unskilled and unprofessional harassing behavior. Someone had best have a talk with young Agent b6 and let him know that his uniform and his vehicle are a privilege; not a right. And that if he's acting on behalf of the US Government and the Homeland Security Dept., he should perhaps learn HOW to do his job. Learning to discern friend from foe should perhaps be the FIRST step of his learning curve. Rude. Arrogant, mean and mean spirited. Dangerous. Frightening and Intimidating. These are the values of the Homeland Security? Had we been "older" people, it's likely his racing up to our bumper would've caused an accident! We are aware of very similar incidents out near Topawa, out near Hickiwan. And I will continue to write letters until I see results. You guys need to clean up your act. It's dangerous and highly unprofessional.

## FY 13 Checkpoint Complaints (Yuma)

I do not believe it is constitutional to perform illegal searches and seizures of American citizens at checkpoints. I was illegally searched and arrested as a result of that search, at a checkpoint east of Yuma, AZ. First, a dog was ordered to search my car without suspicion or consent. If the dog is, in fact, an officer of the law, how is it that the dog can execute a search without proper suspicion? This is unconstitutional. A human officer cannot search any vehicle for any reason at any time. A canine officer cannot logically be exempt from this restriction. I am a college graduate, with honors, yet I was detained and arrested for under 2 grams of marijuana. Yes, I made a poor choice, but how is my minor infraction in the state of California, a class one misdemeanor in the state of Arizona, somehow worse than denying a citizen their constitutional right?

Second, I do not know what the officer meant when he said, "pull over to the pull out. The dog has marked your car". I did not see the dog behave any differently than it had with the car in front of me. How do I know that the dog indeed marked my car and the officer did not just profile me? This is not proper due process for Americans, and it goes against everything for which this great nation stands. Who audits the Border Patrol? Who will hold them accountable for violating my constitutional rights? Why are my taxes paying for the Border Patrol to illegally search and then arrest American citizens? If they are given the authority to enforce all laws, is immigration really a problem that constitutes Americans being treated like foreigners or outlaws in their own land. At another checkpoint an officer asked, "Are you sure you're a citizen?" This is not funny; this is not the America I would like to raise a family in. Lastly, I am a middle school Spanish teacher. I have no record; I am neither a radical liberal nor a radical conservative. Yet, I must spend my time going to a court date nearly 1000 miles from my home. I must pay a ridiculous fine for something I have a doctor's recommendation for. This leads me to believe the Border Patrol has way too much money and time on their hands. After all, if we place checkpoints anywhere within 75 miles of the Border, what is to stop this from being doubled to anywhere within 150 miles of the border? What is to stop all interstates from having checkpoints anywhere, anytime for anything much like one experiences in Mexico, or Guatemala, or many other 3rd world countries where the citizens has no or very few rights to privacy, nor a constitution as strong as ours? I will be sending this letter to as many representatives and members of congress as possible. I will be sending a copy to the president's office as well. I will also be reading this letter in court if given the opportunity. I will do my best to protect our citizens and the children I teach from illegal and unconstitutional treatment. If there is a lawyer already developing or processing a case for this, I will be sure to join her/his team. I do not want money; I just want the Border Patrol to stop illegally searching and arresting Americans for trivial criminal or minor legal infractions. The arresting officer was very polite and professional. He himself commented that he wished he could let citizens go when they only possessed small amounts of marijuana for personal use. He alluded to the fact that writing me up was more or less time he was wasting that could be better spent on immigration, or more serious offenders of the law.

I was stopped at the Interstate 8 East checkpoint in Arizona by Yuma. Unfortunately, I had medical marijuana from California and was issued a misdemeanor for drug possession from the checkpoint inspection. Being American born with documents to prove this, I find it ridiculous that your patrol would actually go through something besides verifying my status here. I have never had any felony or misdemeanor convictions prior to this. Even with the drug misdemeanor being "set-aside" in Arizona, this conviction is hindering my job search and has changed my life forever. To have this issue for marijuana possession is unethical and to actually enforce it and have your patrol look down on me is beyond comprehension. Now I am in the same category as real criminals. You should change your strategy at these checkpoints, specifically for marijuana. Think about what people with no criminal history have to deal with afterwards. It is inhumane to treat American born citizens like this.

I first want to say that I appreciate the valuable service the BP provides in protecting the U.S. I have been a member of the U.S. Army for 25 years and a government civil servant for about 5 years. Working at YPG I am often required to pass through the BP checkpoint on HWY 95 between Yuma and Quartzite during my work duties. Most incidents are uneventful. However, there are incidents over the last 6 years that I feel some of the questions/actions of the BP agents have been inappropriate. I only recently discovered this website and the means to report this activity. Here is a collection of questions I've been asked from BP agents that I believe go beyond their required job function. What is your social security number? What is your home address?, What is your home phone number?, Where were you born? - What state? - What city? What is your date of birth?, What company do you work for?, What projects are you working on for YPG?, What equipment are you using/what is it for? Where (what site) are you going to? How long will you be there? "What 'goes on' out there at YPG? "Several of these questions violate operational security (OPSEC) policies for government employees and require me to report the activity to my supervisor and OPSEC officer. Some of the activities that I have witnessed that give me cause for concern are as follows:

- In the past I have been asked to show (hand over) my government I.D. card. (Why is this necessary?)

- While driving a government vehicle (GSA) I have been asked to pull over into secondary for inspection. The BP agents asked about the government equipment I was carrying. They wanted to know what it was, how it operated, what is being used for. At one point a BP agent threatened to break open some of the government equipment. He stated that he 'had to' in order to 'inspect it'. At that point I started calling YPG Security to send out an officer to protect the government equipment. When the BP agent found out who I was calling, he backed off on his threat and left the government equipment alone. Another incident involved my refusal to answer personal questions not related to citizenship. Again, I was driving a government vehicle on government business along with a co-worker. The BP agent got very upset at my refusal to answer several additional questions and shouted, "What!? You don't want to answer my questions! I don't know who you are! You could be the next Timothy McVeigh!".

Fortunately, the site supervisor came over and relieved him and sent him into the trailer. When I questioned the supervisor why he wanted to know who my employer was he specifically told me that I was, 'required to have a job in order to cross the checkpoint'. (Please specify what law, statute, policy, etc. states that I am required to be employed in order to travel on HWY 95 and be allowed to proceed through a BP checkpoint). Thank you for addressing my concerns. I would appreciate some guidance regarding my rights on whether or not to answer questions from a BP agent, whether or not I am legally required to be employed and divulge my employer information to cross a checkpoint, what questions are in fact inappropriate and or illegal, and how to handle and respond to inappropriate questions from BP agents. If you need any additional information feel free to contact me.

Recently we were in the San Diego area for a west coast trip. While returning on I-8, we stopped at the Yuma AZ checkpoint. Upon stopping, we were told to pull over for further questioning. After we pulled over, an officer repeatedly asked me and my wife if we were U.S. citizens to which I answered. We were then told our vehicle needed to be inspected for illegal drugs and we would have to sit outside. While we sat in the heat, a search dog pilfered our car for 10 minutes. After that, we were told we could go. I've always had quite a bit of respect for the job the Border Patrol does; but this has left a sour taste in my mouth. I can understand this at an actual border crossing and would expect no less from Border Patrol. The problem that I have with this is a U.S. citizen going from one U.S. location to another, without leaving the country. To me, this is infringing on my Fourth Amendment rights as well as a waste of my tax money. These agents should be on the Border, instead of harassing U.S. citizens. I'm contacting my senator about this as this kind of thing needs to stop. If I were an illegal trying to enter the country, I sure as heck would not "check in" for inspection.

I travel by car from my home in Tempe to San Diego about every other month for vacation. I have been stopped twice in the last three years and only at the checkpoint between Yuma AZ and Gila Bend AZ returning to Tempe AZ. Both times they searched my car and found nothing. Agent b6 had a dog this time and had the dog actually get into my car for "sniffing". The previous time I was told that my car "had to high of a radiation (radioactive) reading. I consider myself a law abiding citizen but either these check point officers in Arizona are so "gung ho" they imagine problems or they are they could be considered a problem with "harassing the citizens of the U.S." Either way I felt as if I was violated. Agents at this check point are very unprofessional. They made me feel like I was a criminal. I was told they were doing an investigation on me and the others in my car. There were no grounds for this behavior.

## FY 14 Checkpoint Complaints (Tucson)

This morning I went through the Highway 90 checkpoint. Upon stopping at his check point Officer b6 approached the car and looked through my windows which are not tinted at all, and asked, "Was I a U.S. Citizen" and my answer to that question was "yes". He stepped back away from the car and I proceeded to drive off. I was driving off and he ran to the car hitting on my windows and asking me to stop. So I stopped and asked what the problem is and his response was, "I'm still talking to you". So I asked would you like for me to pull over so you and can finish talking and offered him my military ID and license which he refused to take. So I asked again what is the problem and what do you want? He asked where do you work at and I said Tucson and why does it matter. Mind you, I have a Fort Huachuca sign on my window, I'm a black woman that was by herself and I drive this checkpoint five days a week and had no problem with any other Border Patrol officer. Please let me point each day they have a dog with them checking the cars for drugs or whatever. I have no problem with that. The dog always comes to my car smells, and go lay down as he did the same thing today. So I asked again what the problem is? Why did this officer feel a need to harass me and while he is doing this with a smile on his face. I was scared and started to cry, trying to figure out what that was all about and the way he was acting. I called my husband and was told to file a complaint and he will be getting with his commander about it also. What was the need to harass me like that and to smile about it? I called that location to file the complaint and I talked to the manager of that location to explain what happened and he advised me he deals with people like me every day. I asked what people are you talking about; I'm not a drug dealer and I don't have illegals in my car, so what people are you talking about. And I said black people and I got no comment on that.

On October 21, 2013, Agent b6 called the police on me because he claimed that my license plates were expired. On October 23, 2013, he called the police on me; again, because he claimed I hit someone else's car at HIS checkpoint (Hwy 83 North of Sonoita, AZ). I have had considerable problems with this character to the point that I have chosen to exercise my rights by protesting the checkpoint. There are many times when he asked silly questions which have absolutely nothing to do with passing through a checkpoint. I have been through that checkpoint over a hundred times and have seen this idiot probably on half of those. He knows who I am and even knows my name, but continues to ask me if I am a U.S. Citizen. Can a person really be so stupid? I have talked to other locals and they report similar issues with CBP Officer b6. Some of these reported that b6 would stop them, FALSELY claim that his dog alerted, and then check ashtrays in the vehicles. There is something seriously wrong with this guy. At this point I will have to consider b6 to be a serious threat to my life.

On December 26, 2014, I went through the checkpoint on Highway 90, between Whetstone and Benson. I was part of long line of cars waiting to get through checkpoint. After the Agent's dog sniffed our car we preceded to Agent b6 who obviously profiled my children and me. Based on his demeanor, actions and content of what he had said to us it was apparent he has an inferiority complex and a belief that in his position he is untouchable. As I drove up to Agent

b6, I greeted him with the natural "Howdy howdy" as I do every day Monday through Friday to the other agents. I work on Fort Huachuca and drive through the check point every work day. Agent b6 started with the aggressive approach by ignoring my gesture as he immediately started looking into the car while he blurted out "is this your vehicle" without any eye contact. Then he asked "how many people are in the vehicle? With the windows down and it was pretty evident that there was three, my children and I. Then he asked me "are these your children"? I answered him "yes" and laughed thinking to myself boy this trainee might not be psychologically fit to make the cut and become a career agent. Sure enough Agent b6 immediately reinforced my thoughts by blurting out "What do you think that's funny...what's so funny about that question". I looked at him with shock...thinking this knucklehead trainee is attacking me and trying to provoke me in front of my children. He continued on with his verbal assault trying to give me a verbal class on human trafficking and telling me I should look it up on the internet to learn the facts. As I continued to look at Agent b6 as if he was nuts during his dissertation on human trafficking I can see through his body language his anger just kept building to the extent his lips started to quiver. I finally interrupted him by saying "and...where are you going with this". At that point he about blew his top and said "I tell you what...you got any ID...let me see some ID". I gave him my Army CAC card, Retired ID Card and my drivers' license. Then he told me he needed me needed to pull over. At that point I told him "No, you don't have any just cause to pull me over give me my ID cards back. As he handed me my ID cards he asked me "How do I know these are your kids" I told him you asked me that already. Then he asked me again "are these your kids...really are they your kids". As my 3 year old became scared and started whining. At that point I told him "you are a real knucklehead you know that". Then he told me human smugglers always come through this check point and the kids fake that they are a sleep. Then he told me to wake up my 12 year old who was in a very hard sleep since she stayed up all Christmas night. I woke her up by nudging her twice and when she finally looked at me I said "he has something to ask you". He blurts out "is this your Dad" which startled her and she responded "huh...yeah" then Agent b6 asked "really he's your Dad" and she responded "well he's my Step Dad". Then Agent b6 without being asked started to tell me his line of questioning is legitimate and within the guidelines that he did nothing wrong. At that point I said, his name and he responded with "yeah...why don't you write it down so you don't forget". At that point, I was debating if I should take him up on his earlier offer to pull over so I could go address his Immediate Supervisor about his profiling and unprofessionalism. I didn't because traffic was backed up at least a tenth of a mile already plus as angry as Agent b6 was, I figured it would be best to leave and defuse the situation. Being a part of the Federal Government for more than 30 consecutive years and still going, plus being in a position where I make at least six to eight times as much as he does in annual salary, I am aware when it comes to derogatory behavior, all of us can be touched. Agent b6 profiling us based on our appearance has become the norm for my family. For us it seems to be an unspoken practice by Customs, Border Patrol and other Federal and State Agencies. So the profiling is not what really bothered us. We have grown accustomed to it. What bothered us is how Agent b6 conducted himself so unprofessionally. Traumatizing my children, being talked down to and being treated as a dirt bag is totally unacceptable. To have Agent b6 conduct himself in such an unprofessional manner was very disgraceful upon the federal agency he represents. He definitely needs corrective training and a psychological evaluation to determine long term wise if he will become a liability or a asset. Lord knows the federal government has had its share of bad apples slip through the cracks and ended up embarrassing the agency they worked for and our

Great Nation. Instead of going off track after he asked me the first times if these were my children, he simply could have said, "Sir I need you to wake up your daughter so I can talk to her". After waking her up, then asked her if I was her Dad and any other legitimate questions.

My name is b6 and I live in b6, Arizona for the past two years. I have had to go through a Border Patrol check point on Highway 90 in Whetstone, AZ. After many requests for additional searches, unnecessary questioning and harassment - I decided to record my conversation with members of Border Patrol in the Tucson sector when I was asked to go through secondary screenings. The video/recording sheds light on the U.S. Border Patrol's recklessness and their ability to operate with the free pass to act on "mere suspicion" - bias or gut feelings. In the recording, an agent boasts about not having to provide a reason as to why he felt that I was a reasonably suspicious person, while also bragging about being protected by unions, when notified that I would file a formal complaint. I am a military combat veteran, have a bachelor's degree in Homeland Security and know that what is captured on this recording shows the heavy bias and untouchable bravado that Border Patrol agents operate under. When I requested to speak to a supervisor, he also, admitted that "there's no exact standard" that establishes who should be subjected to being removed from their vehicle and timely secondary screenings, because everything is "based on how the agent feels," making personal bias and agendas totally acceptable.

I would like to file a complaint as of this morning my son and I were sitting for 5 min while the person with the dog was talking to the other Border Patrol agent about the game making both of us late for work. This occurred at 7:30 am. This was at the Tubac check point

I was driving down Apache Pass Road toward Bowie, AZ the other evening when a Border Patrol vehicle tagged my plates, attempted to pass me, and then after a while pulled me over. His only reason for pulling me over was that my vehicle/ license were registered in another town. What he doesn't know is how cool the town I'm just coming from is! In a way he helped me by reminding me to change my address with the DOT before my 10 day limit is up. I understand he was just doing his job to prevent drug trafficking in the area, so he's helping people from hurting themselves using dangerous drugs and getting involved with the crime that's associated in trafficking them. What I don't agree with is how the Border Patrol appears to be limited to using law enforcement techniques. Rather than acting like friends of the community, they are just there focused on law enforcement. Aren't their programs that attempt to help people & communities in northern Mexico set goals to reach qualities of life in their own community? If there were programs like that that became trendy and increasingly safe, I and so many Baja Arizonans have much to offer! So I'm disappointed I haven't heard of any programs that Border Patrol has assisted in to foster community spirit even on the Arizona side, so we can make friends between Southern Arizonans and people of Sonora. Has the Border Patrol, since the time drug trafficking and violence have become a known problem, ever investigated techniques that analyzed how improving relations between communities, never-mind countries, could benefit people living in both Sonora and Arizona? How facilitating culture to grow could in the long term dissolve the one-way flow north? In towns where I've grown up, shedding light on each other's daily life,

encouraging each other to develop our skills, professions, hobbies, athleticism, and goals is exactly where adults look to enrich their children's lives. Together as a community, kids are steered away from using drugs in order to have a better life. It doesn't mean adults don't look away from problems, but when they do, they are still hoping to help. -- All that with the end result of drug trafficking and violence falling out of style.

On January 25, 2014, the Ajo Station received a formal (verbal) citizen's complaint. He stated that an Ajo Agent was unprofessional and demeaning during questioning at the Traffic Checkpoint located at mile marker 18 of Highway 85.

The Agent was identified and his actions are currently being reviewed. The appropriate corrections will be made if determined necessary.

On February 12, 2014, b6 [REDACTED] called to complain that her husband, b6 [REDACTED], was "harassed" by Border Patrol at the federal route 15 checkpoint. b6 [REDACTED] complains of harassment centered on the Border Patrol agent advising him that he needed to replace his resident alien card due to its very poor condition. There does not appear to be any information to backup b6 [REDACTED] complaint of harassment. Border Patrol advised the b6 [REDACTED] replace his card to ensure that his photograph is identifiable on his card.

On March 3, 2014, a green Cadillac approached the pre-primary area of the Interstate 19 Border Patrol Checkpoint near Tubac. A Border Patrol K9 alerted to the vehicle and the vehicle was referred to the secondary. In secondary, the driver, was agitated and wanted to know why he was referred to secondary. The complainant was advised that he was referred to secondary because the K9 alerted to his vehicle. The complainant was unhappy that the K9 entered the vehicle near his groceries, and stated that he was going to be very upset if there was any damage to his vehicle. Once the K9 handler completed his inspection, the complainant returned to his vehicle, and claimed that the K9 had ripped his rear seat, possibly scratched his bumper and that the trunk lock no longer functioned properly. The complainant stated that he was going to contact the station and complain.

On 1/28/2014, b6 [REDACTED] requested a supervisor at the Interstate 19 Checkpoint near Tubac. b6 [REDACTED] complained that earlier in the day at approximately 1700, he passed through the I-19 checkpoint and the driver side door and passenger door were scratched by the on duty canine in the middle lane. b6 [REDACTED] did not become aware of the scratches until he was at the Safeway in Green Valley. After completing his shopping he returned to the checkpoint and informed the on-duty Supervisor.

On January 31, 2014, a complainant requested a supervisor at the Interstate 19 checkpoint near Tubac to file a complaint. The complainant stated that on January 28, 2014, his 2008 Chevrolet

Malibu was scratched by a service canine in primary in the third lane. He did not have the vehicle in question with him, therefore the Border Patrol agent could not verify if indeed it was scratched. Complainant stated that on 1/28 he drove through the checkpoint with dogs in his car while en-route to Tucson from Nogales. He remembers the K-9 in lane three, sniffing his car and he remembers hearing the canine jump onto his car, but never saw it. A couple days later, he noticed paw prints and scratched on the passenger side door, which he believes were from the BP K-9. A U.S. Border Patrol officer notified the complainant of the claim for damage reimbursement procedures and we scheduled him to come to the Nogales Station with his car on February 13, 2013, to get photos and an SF-95. The complainant did not wish to file a complaint, but is interested in trying to get reimbursed for the scratches.

On March 6, 2014, at silver 2005 Honda Civic sedan with three individuals inside was referred to secondary inspection at the I-19 Immigration Checkpoint. While in the secondary inspection area, the complainant told the Supervisory Border Patrol Agent (SBPA) at the checkpoint that he wanted a paper to file a complaint. The SBPA questioned him as to the nature of his complaint, and he stated that two days before, he was in the same vehicle and had been referred to secondary inspection because of a canine alert. The nature of his complaint was that they had recently bought the vehicle and that the canine handler allowed the dog to jump into the car. The complainant was concerned about how agents were allowed to put K9's into the car and was given clarification by the SBPA. He seemed satisfied with the answer, but was not completely satisfied with the occurrence. He also stated that because of the canine handler having the canine perform a more thorough inspection, that "the dog scratched my car." The complainant stated that he doesn't recall who the Border Patrol agent canine handler was. The SBPA took the complainant's information and they departed the checkpoint.

Hi. This particular incident occurred on December 1, 2013 at approximately 09:00 hours. I was driving a silver 2013 VW Jetta with AZ plates northbound on Hwy 83 approaching Sahuarita Road on my way to a business meeting. About five minutes after passing through a Border Patrol "immigration" checkpoint and being waved through without being asked anything (I am a white male with no heavy accent and nothing to indicate I've immigrated or participated in any criminal activity whatsoever), I observed a large unmarked silver pickup truck, presumably a civilian vehicle, approaching me from behind at a high rate of speed, well over 100 mph. I was driving under the speed limit behind two RV's at the time. The truck tailgated me, about 1-2 car lengths at any given time, for about five miles before activating the flashing blue and red emergency lights indicating me to pull over, which I did immediately. That's when I began recording with my phone. Having never been pulled over by Border Patrol while driving, I was surprised when I saw CBP Agent b6 exit the truck and approach my vehicle. He proceeded to ask me whose car it was. I asked if I was being detained and Agent b6 did not answer, but instead kept repeating his question. I informed him that I would be leaving if I was not being detained. Only then did Agent b6 inform me that I was in fact detained and asked for my identification. I informed Agent b6 that I cannot answer any questions without an attorney present and asked why he pulled me over. Agent b6 never gave me a reason why he pulled me over, but instead kept repeating his questions and threatened to call DPS on me for not

identifying myself. When I still refused, Agent b6 stated DPS was in route and I was still detained. Sometime later several more CBP agents arrived, including one who appeared to be a supervisor, and at least one additional agent who refused to identify himself when I asked for his name twice. Agents b6 and b6 demanded that I shut off the engine to my vehicle and hand over the keys, to which I refused by remaining silent. Agent b6 then placed stop sticks in front of my vehicle and informed me they'd be performing an "immigration inspection and K-9 inspection". Agent b6 then pulled out a large assault rifle chambered a round and stood near the truck Agent b6 was driving. Agent b6 proceeded to walk a dog around my vehicle and it failed to alert to anything. Agent b6 then retrieved the stop sticks from in front of my vehicle and informed me the inspection was concluded. I asked if I was still detained or free to leave, to which Agent b6 replied, "I was free to leave". I asked Agent b6 if there was anybody he'd like to say hi to on YouTube, to which he replied "no". Overall I was detained for approximately 38 minutes and was never given a reason for the initial traffic stop, despite requesting a reason several times and one unnamed agent refused to identify himself. The entire incident was captured on video and has since been uploaded to YouTube and several other websites as well. I can provide the link or a hard copy if needed.

This is more of a general complaint. I travel frequently from Tucson to Sierra Vista and back and I like to use a less common route because I enjoy the ride and scenery. I have been delayed on multiple occasions with the line of questioning being why am I taking that route instead of the more common route. I have the right to take any route I please without being delayed or question. I'm a US citizen and was born here and I'm white. A couple of times they had me pop my trunk. I will no longer answer any questions other than my citizenship and I will not allow myself or car to be searched without a warrant. I understand there is a problem with illegals and drugs, but I'm obviously not a border hopper and my car is small with no place to hide illegals. If they think I'm smuggling drugs, the dog would alert. That's why I will no longer be questioned or searched without proper legal documents and warrants. I know this is a specific few overzealous agents since this happens once out of every five or six times I pass through and I support the others. Thanks for reading this.

On Feb. 14, 2014, I was in my office at about 5pm waiting for my daughter to pick me up from work so we could go out for the holiday which was Valentine's Day. I was in my office and she ran in and stated "mom the Border Patrol is outside they followed us" so I hurriedly went out with her and found one of the agents questioning my son-in-law. I identified myself and let the agent know the vehicle was mine and asked the reason for them stopping my vehicle? The agent stated there were told to look out for my red truck? I then asked the agent why? And he stated he did not know why? So then why are you stopping my vehicle if you don't know why? He stated we are not stopping your vehicle. I stated to him then why are you here questioning my son-in-law? He stated again they got a report from TOPD (Tohono O'odham Police Department) to look out for my red vehicle. I asked again why? And I also asked why they aren't here if that is true what you're saying? The agent had nothing more to say to me. He began asking my son-in-law if he's ever been arrested by CBP? And also asked my daughter the same thing? And of course they both stated no they haven't. During the conversation with the agent he stated that my red vehicle was seen coming from Topawa?! I stated to him yes it did and does come from Topeka, I live there! So of course you're going to see my vehicle come from there! I work in

Sells so I travel daily morning & night to get to and from work and on weekends! So my question now is. So if you come or live south of Sells you are not subject to stops and harassment?! And you're now judged by where you come from if it's somewhere south of Sells? I also let the agent know that I pass agents every morning and night on the road, and never once has one ever had the reason to stop me! And I did ask my daughter where the agents were when they were followed and she stated they were parked at Cowlick Road which is about a half a mile south of Sells away from my office. One thing I did let the agents know is that I am cooperative with CBP and in fact I support them in stopping the illegal activities in our community of Topawa. A lot of people in our community do not like the presence of CBP in our village but I support you all because I know there is illegal activities going on in our community and I speak up for CBP, but if this is the treatment I will be getting then maybe I will not support you all. Just to share with you that yes, I am aware of this because I too was involved but have since turned my life around and because I have grandchildren I do not support this activity anymore. I continue to work with other agents who can assist us villagers in combatting this problem in our community. So I hope that agents as these do not ruin the relationship that our community is working to build with CBP. I hope that they will get the facts straight before following and stopping vehicles and to have answers as to why my vehicle was being followed or stopped by CBP. I am not sure which sector these agents were from whether it is Casa Grande, Tucson or Ajo? I await a response to this complaint and I thank you for taking the time to make my complaint an important issue.

Unlawful search of my belongings, and vehicle, verbally assaulted by agents, was threatened to have a "bullet put into my head", disrespected by agents and supervisor, and refused right by agents to have my vehicle turned off.


#### FY 14 Checkpoint Complaints (Yuma)


Every time I drive through this checkpoint, with my 60 year old African American husband, (I am a white, 65 year old woman), you pull us over and search our vehicle and basically harass us. Next time this happens I am going to my lawyers. I document it every time you waste my time and yours simply because of racial profiling! Every single time, it never fails. Just once I would like to not be racially profiled. It only ever happens at this checkpoint. I'm beginning to think they are a bit racist at this one. I expect more out of the officers running the station. Thank you for your time.


I am writing you regarding an incident that occurred while returning home to Las Vegas, NV from Yuma, AZ with my children & young nephew. We were visiting my parents for Thanksgiving and what was supposed to be wonderful festive memories for me and my children turned into a nightmare filled with strong emotional distress at what's seems to be unjust behavior by Border Patrol agents. We were driving north on highway 95 in Arizona as we approached an immigration checkpoint at approximately 8 am. I normally think nothing of these stops because I am a law abiding citizen of the United States, I have no criminal background and


I do not do any type of illegal drugs. However, this particular time I became very uneasy as I came to a stop and 3 officers with a K9 surrounded my vehicle with a look of suspicion on their faces. I rolled down my window and an officer asked me where I was going? I told him Las Vegas. He asked why, "I said that's where I live". I was asked where I was coming from and I replied Yuma. He asked, "Why I was there". I explained we were visiting family for Thanksgiving. He replied in a tone of sarcasm, "You have family in Yuma?" He then asked if everyone in the vehicle were U.S. citizens, I replied yes. The officer instructed me to pull over in a shed then asked me and the children to step out of the vehicle. He said the K9 detected something and they will need to search my vehicle. He asked if I had any weapons, I replied "no." He asked if we were in Mexico, I said "no." He asked if I was born in the United States, I did not understand the significance of this question because I told him I'm a U.S. Citizen. I was born in another country but I've been in the U.S. since childhood and I do not speak with a foreign accent, but I cooperated and replied, "I was born in Trinidad & Tobago". I then explained to the officers that everyone with me were minors except for my oldest son in the front seat (age 19). I had my 15 year old son in the back seat who may appear to be an adult, and my 11 year old son and 11 year old nephew. We were told to sit on some stairs while the officers searched every inch of my vehicle; they removed our entire luggage and sifted through every bag going through all of our personal belongings. How degrading, humiliating, and emotionally distressful (especially for the children). As I sat and watched the other entire vehicles one after the other being allowed to pass through the checkpoint without the heavy questioning, no one surrounding their vehicles, no K9 sniffing them, and no urgent looks of suspicion. I then concluded that I & my children were the victims of racial profiling by the Border Patrol Officers. We are Black/African Americans in an early model Cadillac Deville leaving a city that borders Mexico. A person who believes in stereo types that is desperate to find people violating the law might make a wrong assumption. After a complete search of my car and all of our belongings, they found nothing! I was asked if I use marijuana, I replied "no." I was then asked if I may have had a passenger that smoked marijuana, I answered "no". He said it is possible that the vehicle owner before me may have had marijuana stored under the driver's seat because he saw some marijuana residue there and I should have my vehicle detailed to ensure this does not happen again. I told him, "ok, thank you," knowing that this is impossible because the entire vehicle has been thoroughly detailed several times. I was not given any apology. This was a terrible incident, and I could not find any way to explain to my children who were deeply disturbed why we were singled out and treated as criminals. We did absolutely nothing wrong. We were bullied by men with guns who surrounded us with their dog to intimidate us, made us sit on concrete stairs in 45 degree weather for a half hour while they searched our vehicle and belongings. We felt humiliated, violated and harassed, as though our U.S. Citizenship was no longer valid and our rights were not respected. I believe they were so sure they were about to have a bust, they didn't even consider that we may be innocent law abiding citizens on our way from grandma's house! Thank you for your time and I hope this matter will be properly investigated.


 <p align="center"><b>DEPARTMENT OF HOMELAND SECURITY</b></p> <p align="center"><b>Immigration and Customs Enforcement</b> <b>Office of Professional Responsibility</b></p> <p align="center"><b>REPORT OF INVESTIGATION</b></p> <p align="center">HB 4200-01 (37), Special Agent Handbook</p>		<b>1. CASE NUMBER</b> b7E
		<b>PREPARED BY</b> b6,b7C
		<b>2. REPORT NUMBER</b> 001
<b>3. TITLE</b> EMPLOYEE, UNKNOWN/Unknown/General Misconduct-Rude or Discourteous Conduct/BENSON, COCHISE, AZ		
<b>4. FINAL RESOLUTION</b>		
<b>5. STATUS</b> Initial Report	<b>6. TYPE OF REPORT</b> Allegation	<b>7. RELATED CASES</b>
<b>8. TOPIC</b> BPA was allegedly rude and unprofessional during a traffic stop near Benson, AZ.		
<b>9. SYNOPSIS</b> <p>On June 16, 2011, the Joint Intake Center (JIC), Washington, D.C., received information via the Internal Affairs hotline reporting the alleged misconduct of a U.S. Customs and Border Protection (CBP) Border Patrol Agent (BPA). According to information received, on June 1, 2011, 10:35 a.m. (AZ time), civilian b6,b7C (phone # b6,b7C) was going east bound on Interstate 10 about fifteen miles west of Benson, AZ, when he was reportedly tailgated and subsequently stopped by the BPA. b6,b7C believed the BPA's last name was b6,b7C. b6,b7C reported the BPA stopped him because he could not read his license plate. b6,b7C stated the BPA was rude and unprofessional during the traffic stop. b6,b7C said he asked the BPA for his identification, and the BPA refused to give it and pointed to his name tag which read " b6,b7C. b6,b7C also stated a female was in the BPA's service vehicle, but didn't indicate if she was uniformed or not.</p>		
<b>10. CASE OFFICER (Print Name &amp; Title)</b> b6,b7C Specialist	<b>11. COMPLETION DATE</b> 20-JUN-2011	<b>14. ORIGIN OFFICE</b> b7E
<b>12. APPROVED BY(Print Name &amp; Title)</b> b6,b7C Specialist	<b>13. APPROVED DATE</b> 21-JUN-2011	<b>15. TELEPHONE NUMBER</b> No Phone Number
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<div data-bbox="110 226 279 403"></div> <div data-bbox="399 163 1036 197"><p><b>DEPARTMENT OF HOMELAND SECURITY</b></p></div> <div data-bbox="496 403 938 470"><p><b>REPORT OF INVESTIGATION CONTINUATION</b></p></div> <div data-bbox="516 483 919 512"><p>HB 4200-01 (37), Special Agent Handbook</p></div>	<p><b>1. CASE NUMBER</b></p> <p>b7E [REDACTED]</p>
	<p><b>PREPARED BY</b></p> <p>b6,b7C [REDACTED]</p>
	<p><b>2. REPORT NUMBER</b></p> <p>001</p>
<p><b>10. NARRATIVE</b></p> <p>None.</p>	

<div data-bbox="110 226 279 403"></div> <div data-bbox="399 163 1036 197"><b>DEPARTMENT OF HOMELAND SECURITY</b></div> <div data-bbox="496 399 938 470"><b>REPORT OF INVESTIGATION Exhibit List</b></div> <div data-bbox="516 483 919 512">HB 4200-01 (37), Special Agent Handbook</div>	<b>1. CASE NUMBER</b> b7E [REDACTED]
	<b>PREPARED BY</b> b6,b7C [REDACTED]
	<b>2. REPORT NUMBER</b> 001
None	

		<b>DEPARTMENT OF HOMELAND SECURITY</b>	
		<b>REPORT OF INVESTIGATION</b> HB 4200-01 (37), Special Agent Handbook	
<b>1. CASE NUMBER</b> b7E		<b>PREPARED BY</b> b6,b7C	
<b>2. REPORT NUMBER</b> 001			
<b>3. TITLE</b> b6,b7C /SUPVY BP AGENT b7E /NACO, COCHISE, AZ			
<b>4. FINAL RESOLUTION</b>			
<b>5. STATUS</b> Initial Report	<b>6. TYPE OF REPORT</b> Allegation	<b>7. RELATED CASES</b>	
<b>8. TOPIC</b> FOS b7E allegedly instructed BPAs to "violate citizens [sic] civil rights" (Naco, AZ).			
<b>9. SYNOPSIS</b> On June 27, 2012, the Joint Intake Center (JIC), Washington, DC, received an e-mail from U.S. Customs and Border Protection (CBP) Border Patrol Agent (BPA) b6,b7C, AZ, in which misconduct on the part of Field Operations Supervisor (FOS) b7E, also of Naco, is alleged. According to BPA b6,b7C e-mail, FOS b7E "instructed Border Patrol Agents [BPA] to violate citizens [sic] civil rights. He did so by instructing agents to stop any vehicle on the US / Mexican border road that is open to the public."			
<b>10. CASE OFFICER (Print Name &amp; Title)</b> b6,b7C Specialist	<b>11. COMPLETION DATE</b> 27-JUN-2012	<b>14. ORIGIN OFFICE</b> b7E	
<b>12. APPROVED BY(Print Name &amp; Title)</b> b6,b7C Specialist	<b>13. APPROVED DATE</b> 27-JUN-2012	<b>15. TELEPHONE NUMBER</b> No Phone Number	
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<div style="text-align: center;"> <b>DEPARTMENT OF HOMELAND SECURITY</b>  <b>REPORT OF INVESTIGATION CONTINUATION</b>  HB 4200-01 (37), Special Agent Handbook</div>	<b>1. CASE NUMBER</b> b7E
	<b>PREPARED BY</b> b6,b7C
	<b>2. REPORT NUMBER</b> 001
<b>10. NARRATIVE</b> <p>DETAILS OF INVESTIGATION:</p> <p>On June 27, 2012, the Joint Intake Center (JIC), Washington, DC, received an e-mail from U.S. Customs and Border Protection (CBP) Border Patrol Agent (BPA) b7E, Naco, AZ, in which misconduct on the part of Field Operations Supervisor (FOS) b7E, also of Naco, is alleged. According to BPA b7E e-mail, FOS b7E "instructed Border Patrol Agents [BPA] to violate citizens [sic] civil rights. He did so by instructing agents to stop any vehicle on the US / Mexican border road that is open to the public."</p> <p>Following is the body of BPA b7E e-mail to the JIC. No changes have been made to grammar, punctuation or spelling. Any changes in format are due to formatting limitations within the Joint Integrity Case Management System (JICMS).</p> <p>&lt;Begin&gt;</p> <p>On 06-26-12 and 06-27-12 at approx. 0615 hrs, FOS b7E instructed Border Patrol Agents to violate citizens civil rights. He did so by instructing agents to stop any vehicle on the US / Mexican border road that is open to the public. He wanted the vehicle stopped , occupants identified by mere presence of the vehicle on the roadway.</p> <p>He continued by saying he didn't care if it was the Chief of the Border Patrol and the agent conducted a high risk traffic stop removing the Chief and pronging him out on the ground at gun point. He continued by saying that it would be better because the Chief would then know they were doing their job.</p> <p>He continued to instruct agents that if they suspected any smuggling activity whether they had a case or not to seize their vehicle and property regardless any evidence indicating such criminal activity.</p> <p>This was all said in front of 30 to 40 agents and shift first and second line supervisors.</p> <p>&lt;End&gt;</p>	

<div data-bbox="110 226 279 403"></div> <div data-bbox="399 163 1036 197"><b>DEPARTMENT OF HOMELAND SECURITY</b></div> <div data-bbox="496 403 938 470"><b>REPORT OF INVESTIGATION Exhibit List</b></div> <div data-bbox="516 483 919 512">HB 4200-01 (37), Special Agent Handbook</div>	<b>1. CASE NUMBER</b> b7E [REDACTED]
	<b>PREPARED BY</b> b6, b7C [REDACTED]
	<b>2. REPORT NUMBER</b> 001
None	

---

**From:** b6,b7C  
**Sent:** Wednesday, July 04, 2012 8:52 AM  
**To:** JOINT INTAKE  
**Subject:** Naco Border Ptrol Station- FOS b7E

On 07-02-12 at 0610 hrs, FOS b7E order agents to violate citizens civil rights by the following :

FOS b7E instructed agents this date to perform vehicle stops on any vehicle moving in the town of Naco. Any one that was in the town of Naco or lived in the town is involved in smuggling. FOS b7E continued the briefing by threatening agents. He did so by passing out the GS 12 Border Patrol Agent job description and ordering agents to read it because he is holding them to the job description.

---


**From:** b6,b7C  
**Sent:** Wednesday, June 27, 2012 12:22 PM  
**To:** JOINT INTAKE  
**Subject:** Naco Border Patrol Station

On 06-26-12 and 06-27-12 at approx. 0615 hrs, FOS b6,b7C instructed Border Patrol Agents to violate citizens civil rights. He did so by instructing agents to stop any vehicle on the US / Mexican border road that is open to the public. He wanted the vehicle stopped , occupants identified by mere presence of the vehicle on the roadway.

He continued by saying he didn't care if it was the Chief of the Border Patrol and the agent conducted a high risk traffic stop removing the Chief and pronging him out on the ground at gun point. He continued by saying that it would be better because the Chief would then know they were doing their job.

He continued to instruct agents that if they suspected any smuggling activity whether they had a case or not to seize their vehicle and property regardless any evidence indicating such criminal activity.

This was all said in front of 30 to 40 agents and shift first and second line supervisors.

 <p align="center"><b>DEPARTMENT OF HOMELAND SECURITY</b></p> <p align="center"><b>REPORT OF INVESTIGATION</b></p> <p align="center">HB 4200-01 (37), Special Agent Handbook</p>		<b>1. CASE NUMBER</b>
		b7E <b>PREPARED BY</b> b6,b7C 
		<b>2. REPORT NUMBER</b>
		001
<b>3. TITLE</b> EMPLOYEE, UNKNOWN/Unknown/b7E/NACO, COCHISE, AZ		
<b>4. FINAL RESOLUTION</b>		
<b>5. STATUS</b> Initial Report	<b>6. TYPE OF REPORT</b> Allegation	<b>7. RELATED CASES</b>
<b>8. TOPIC</b> A civilian alleges his "civil rights" were violated during an August 22, 2012, vehicle stop by BPAs.		
<b>9. SYNOPSIS</b> On August 31, 2012, the Joint Intake Center (JIC), Washington, DC, received an e-mail from U.S. Customs and Border Protection (CBP) Supervisory Border Patrol Agent (SBPA) b6,b7C Naco, AZ, reporting an allegation of misconduct lodged by civilian b6,b7C. In his e-mail, SBPA b6,b7C states that b6,b7C felt "his civil rights had been violated" during an August 22, 2012, vehicle stop made by agents assigned to the Naco Border Patrol Station.		
<b>10. CASE OFFICER (Print Name &amp; Title)</b> b6,b7C Specialist	<b>11. COMPLETION DATE</b> 05-SEP-2012	<b>14. ORIGIN OFFICE</b> b7E
<b>12. APPROVED BY(Print Name &amp; Title)</b> b6,b7C Specialist	<b>13. APPROVED DATE</b> 05-SEP-2012	<b>15. TELEPHONE NUMBER</b> b6,b7C
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## DEPARTMENT OF HOMELAND SECURITY

REPORT OF INVESTIGATION  
CONTINUATION

HB 4200-01 (37), Special Agent Handbook

## 1. CASE NUMBER

b7E

## PREPARED BY

b6,b7C

## 2. REPORT NUMBER

001

## 10. NARRATIVE

## DETAILS OF INVESTIGATION:

On August 31, 2012, the Joint Intake Center (JIC), Washington, DC, received an e-mail from U.S. Customs and Border Protection (CBP) Supervisory Border Patrol Agent (SBPA) b6,b7C Naco, AZ, reporting an allegation of misconduct lodged by civilian b6,b7C. In his e-mail, SBPA b6,b7C states that b6,b7C felt "his civil rights had been violated" during an August 22, 2012, vehicle stop made by agents assigned to the Naco Border Patrol Station.


JIC research produced a copy of the Significant Incident Report (SIR) referred to in SBPA b6,b7C e-mail. The SIR, which was prepared on August 22, 2012, indicates that after it was observed that b6,b7C was wearing a sidearm, an agent drew his weapon and "covered" b6,b7C until it was determined he was not a safety risk. The SIR also indicates b6,b7C was belligerent toward agents during the course of the traffic stop and he used his cell phone to videotape his encounter with the agents.

Following is the body of SBPA b6,b7C e-mail to the JIC. No changes have been made to grammar, punctuation or spelling. Any changes in format are due to formatting limitations within the Joint Integrity Case Management System (JICMS).

&lt;Begin&gt;

On August 22, 2012 at approximately 1300 hours Naco Border Patrol Agent b6,b7C b6,b7C and b6,b7C performed a vehicle stop on a vehicle. The vehicle was driven by b6,b7C and she was accompanied by her husband, b6,b7C b6,b7C made statements to SOS b6,b7C of the Douglas Border Patrol Station on August 23, 2012 during a conversation, that he felt his civil rights had been violated during the vehicle stop and that he had video taped the event with his cell phone camera. SIR# b7E b7E was completed on the day of this incident due to the b6,b7C the encounter.

&lt;End&gt;

<div data-bbox="115 233 277 401"></div> <div data-bbox="399 163 1036 197"><b>DEPARTMENT OF HOMELAND SECURITY</b></div> <div data-bbox="496 401 938 472"><b>REPORT OF INVESTIGATION Exhibit List</b></div> <div data-bbox="516 485 919 510">HB 4200-01 (37), Special Agent Handbook</div>	<b>1. CASE NUMBER</b> b7E [REDACTED]
	<b>PREPARED BY</b> b6, b7C [REDACTED]
	<b>2. REPORT NUMBER</b> 001
None	

**U.S. DEPARTMENT OF HOMELAND SECURITY**  
**U.S. Customs and Border Protection**  
**SIGNIFICANT INCIDENT REPORT**  
 CBP Directive 3340-025C

1. DATE OF INCIDENT: 8/22/2012			LOCATION OF INCIDENT:		SIR NUMBER:	
TIME OF INCIDENT: 1:00 PM			Palominas, AZ		b7E	
REPORTED TO COMMISSIONER'S SITUATION ROOM VIA PHONE ON:						
DATE: 8/22/2012		TIME: 7:12 PM		TO: b6,b7C		
2. REPORTING OFFICE:		DFO/SECTOR:		POE/STATION:		
Office of Border Patrol		Tucson Sector		Naco Station		
PERSON MAKING REPORT: b6,b7C						
OFFICE PHONE: b6,b7C		CELL PHONE:		FAX NUMBER:		
POINT OF CONTACT: b6,b7C						
OFFICE PHONE: b6,b7C		CELL PHONE:		FAX NUMBER:		
3. Type of Incident: b7E						
b7E						
4. SYNOPSIS: (USE CONTINUATION SHEET IF NECESSARY)						
See Attached Continuation						
SEIZURE TYPE:		QUANTITY:		VALUE:		
NUMBER OF ARRESTS:		MALE:		FEMALE:		CITIZENSHIP:
5. NOTIFICATIONS MADE:						
1. <input checked="" type="checkbox"/> TELEPHONIC REPORT TO COMMISSIONER'S SITUATION ROOM		b7E		8/22/2012 7:12 PM		
2. <input type="checkbox"/>						
3. <input type="checkbox"/>						
6. INJURIES/FATALITIES:						
NAME AND EXTENT OF INJURY:				AGENT		EAP ADVISED
1.						
2.						
NAME OF FATALITIES:						
1.						
2.						
7. ACTION TAKEN:						
All proper notifications have been made.						
8. MEDIA INTEREST EXPECTED:						
Possible.						

CBP FORM 6 (01/05)

b7E

 CBP00000057  
 9/5/2012

# SIGNIFICANT INCIDENT REPORT Continuation Sheet

Page 2 of 4

DATE OF INCIDENT: 8/22/2012	LOCATION OF INCIDENT:	SIR NUMBER:
TIME OF INCIDENT: 1:00 PM	Palominas, AZ	b7E

<b>Synopsis: (cont.):</b>
On August 22, 2012, at approximately 1300 hours MST, Border Patrol Agent (BPA) b6,b7C assisted by Lead Border Patrol Agents (LBPA) b6,b7C and b6,b7C performed a vehicle stop on a white 1996 Ford Crown Victoria with Arizona Plates b6,b7C. The location of the vehicle stop was on Palominas Road approximately quarter mile north of Highway 92 in Palominas, Arizona.
The driver of the vehicle was b6,b7C, DOB: b6,b7C COB: b6,b7C.
The passenger in the car was her husband, b6,b7C, DOB: b6,b7C COB: b6,b7C.
During the stop, b6,b7C videotaped the agents as they interviewed him and his wife. At one point shortly after the initial stop, b6,b7C exited the passenger's side of the vehicle and Agent b6,b7C observed that b6,b7C was wearing a sidearm. The agent drew his Service weapon and covered b6,b7C briefly until it was determined that he was not a safety risk, at which point Agent b6,b7C re-holstered his sidearm.
A subsequent consensual search of the vehicle returned negative for contraband or illegal aliens. b6,b7C then informed b6,b7C that they were free to go.
b6,b7C was belligerent toward the agents during the course of the stop and demanded to speak with a supervisor. He also told b6,b7C that he wanted him to remain in the area until the supervisor arrived.
A short time later, SBPA b6,b7C arrived at the location and met with b6,b7C. b6,b7C continued to videotape the conversation between him and Supervisor b6,b7C.
b6,b7C told SBPA b6,b7C that his civil rights had been violated by the agents and that he was going to air the video he had on either CNN or Facebook on August 22, 2012. He then made a phone call to an unknown subject with his cell phone and stated that it was his attorney. SBPA b6,b7C did

CBP FORM 6 (01/05) cont.

b7E

CBP00000058  
9/5/2012

# SIGNIFICANT INCIDENT REPORT

## Continuation Sheet

Page 3 of 4

DATE OF INCIDENT: 8/22/2012	LOCATION OF INCIDENT:	SIR NUMBER:
TIME OF INCIDENT: 1:00 PM	Palominas, AZ	b7E

not speak with the attorney and informed b6,b7C that if he had any further complaint concerning this incident, to contact the Naco Border Patrol Station.

As there were no violations discovered during the vehicle stop, Agent b6,b7C advised b6,b7C b6,b7C that they were free to go and all of the agents cleared the scene.

All of the agents and SBPA b6,b7C were instructed to prepare memorandums detailing the circumstances surrounding the vehicle stop and search of the vehicle.

Vehicle RO:

b6,b7C

Address: b6,b7C

Vehicle tags: b6,b7C

Expiration: b6,b7C

VIN: b6,b7C

VYR: b6,b7C VMA: b6,b7C VMO: b6,b7C VST: b6,b7C

CUST#: b6,b7C

b7E

b7E

b7E

This report was prepared by b6,b7C and reviewed and approved by b6,b7C

Notifications:

b7E

CBP FORM 6 (01/05) cont.

b7E

CBP00000059  
9/5/2012

## SIGNIFICANT INCIDENT REPORT

### Continuation Sheet

Page 4 of 4

DATE OF INCIDENT: 8/22/2012	LOCATION OF INCIDENT:	SIR NUMBER:
TIME OF INCIDENT: 1:00 PM	Palominas, AZ	b7E [REDACTED]

b7E

b7E

CBP FORM 6 (01/05) cont.

CBP00000060

9/5/2012

b7E

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**From:** b6,b7C @CBP.DHS.GOV>  
**Sent:** Friday, August 31, 2012 6:48 PM  
**To:** JOINT INTAKE  
**Cc:** b6,b7C  
**Subject:** Allegation

On August 22, 2012 at approximately 1300 hours Naco Border Patrol Agent b6,b7C and LBPA b6,b7C performed a vehicle stop on a vehicle. The vehicle was driven by b6,b7C and she was accompanied by her husband, b6,b7C made statements to SOS b6,b7C of the Douglas Border Patrol Station on August 23, 2012 during a conversation, that he felt his civil rights had been violated during the vehicle stop and that he had video taped the event with his cell phone camera. SIR# b7E was completed on the day of this incident due to the b6,b7C video taping the encounter.


b6,b7C


**Naco Station**


**Office –** b6,b7C

**Cell –** b6,b7C



 <p align="center"><b>DEPARTMENT OF HOMELAND SECURITY</b></p> <p align="center"><b>REPORT OF INVESTIGATION</b></p> <p align="center">HB 4200-01 (37), Special Agent Handbook</p>		<b>1. CASE NUMBER</b>
		b7E
		<b>PREPARED BY</b>
		b6,b7C
		<b>2. REPORT NUMBER</b>
		001
<b>3. TITLE</b>		
b6,b7C /BORDER PATROL AGENT/b7E b7E /WELLTON, YUMA, AZ		
<b>4. FINAL RESOLUTION</b>		
<b>5. STATUS</b>	<b>6. TYPE OF REPORT</b>	<b>7. RELATED CASES</b>
Initial Report	Allegation	
<b>8. TOPIC</b>		
Alleged abuse of authority during traffic stop; Inappropriate comments		
<b>9. SYNOPSIS</b>		
<p>On November 27, 2012, the Joint Intake Center (JIC), Washington, DC received an email from Customs and Border Protection (CBP) Assistant Chief Patrol Agent (ACPA) b6,b7C, Yuma, AZ forwarding a citizen's complaint against Border Patrol Agent (BPA) b6,b7C Wellton, AZ. It was reported that b6,b7C complained that BPA b6,b7C abused his authority as a law enforcement officer when he pulled him over in an illegal traffic stop. b6,b7C reported that he believed he was pulled over because he was travelling in the left lane and did not move over when BPA b6,b7C came up behind him and flashed his headlights. b6,b7C also reported BPA b6,b7C made inappropriate comments.</p> <p>The source document is attached to the file.</p>		
<b>10. CASE OFFICER (Print Name &amp; Title)</b>	<b>11. COMPLETION DATE</b>	<b>14. ORIGIN OFFICE</b>
b6,b7C Specialist	27-NOV-2012	b6,b7C
<b>12. APPROVED BY(Print Name &amp; Title)</b>	<b>13. APPROVED DATE</b>	<b>15. TELEPHONE NUMBER</b>
b6,b7C Supervisor	27-NOV-2012	b6,b7C
THIS DOCUMENT IS LOANED TO YOU FOR OFFICIAL USE ONLY AND REMAINS THE PROPERTY OF THE DEPARTMENT OF HOMELAND SECURITY. ANY FURTHER REQUEST FOR DISCLOSURE OF THIS DOCUMENT OR INFORMATION CONTAINED HEREIN SHOULD BE REFERRED TO HEADQUARTERS, DEPARTMENT OF HOMELAND SECURITY, TOGETHER WITH A COPY OF THE DOCUMENT.		
THIS DOCUMENT CONTAINS INFORMATION REGARDING CURRENT AND ONGOING ACTIVITIES OF A SENSITIVE NATURE. IT IS FOR THE EXCLUSIVE USE OF OFFICIAL U.S. GOVERNMENT AGENCIES AND REMAINS THE PROPERTY OF THE DEPARTMENT OF HOMELAND SECURITY IT CONTAINS NEITHER RECOMMENDATIONS NOR CONCLUSIONS OF THE DEPARTMENT OF HOMELAND SECURITY. DISTRIBUTION OF THIS DOCUMENT HAS BEEN LIMITED AND FURTHER DISSEMINATION OR EXTRACTS FROM THE DOCUMENT MAY NOT BE MADE WITHOUT PRIOR WRITTEN AUTHORIZATION OF THE ORIGINATOR.		

<div data-bbox="110 226 279 403"></div> <div data-bbox="399 163 1036 197"><p><b>DEPARTMENT OF HOMELAND SECURITY</b></p></div> <div data-bbox="496 403 938 470"><p><b>REPORT OF INVESTIGATION CONTINUATION</b></p></div> <div data-bbox="516 483 919 512"><p>HB 4200-01 (37), Special Agent Handbook</p></div>	<p><b>1. CASE NUMBER</b></p> <p>b7E [REDACTED]</p>
	<p><b>PREPARED BY</b></p> <p>b6,b7C [REDACTED]</p>
	<p><b>2. REPORT NUMBER</b></p> <p>001</p>
<p><b>10. NARRATIVE</b></p> <p>None.</p>	

<div data-bbox="110 226 279 403"></div> <div data-bbox="399 163 1036 197"><b>DEPARTMENT OF HOMELAND SECURITY</b></div> <div data-bbox="496 399 938 470"><b>REPORT OF INVESTIGATION Exhibit List</b></div> <div data-bbox="516 483 919 512">HB 4200-01 (37), Special Agent Handbook</div>	<b>1. CASE NUMBER</b> b7E [REDACTED]
	<b>PREPARED BY</b> b6,b7C [REDACTED]
	<b>2. REPORT NUMBER</b> 001
<p>None.</p>	

b6,b7C

**From:** b6,b7C  
**Sent:** Tuesday, November 27, 2012 10:31 AM  
**To:** JOINT INTAKE  
**Cc:** b6,b7C  
**Subject:** FW: SCANNED DOCUMENT

**Attachments:** SCANN001.PDF



SCANN001.PDF  
(513 KB)

Please be advised that the following complaint was reported to YUM sector on November 27, 2012. After having reviewed the report I feel that this warrants a referral Joint Intake Center for initial screening.

R/  
b6,b7C

b6,b7C  
Assistant Chief Patrol Agent  
Yuma Sector  
U.S. Border Patrol  
WK. b6,b7C  
CELL b6,b7C

10888 Avenue 31E  
Wellton, Arizona 85356



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

**b7E**

November 26, 2012

MEMORANDUM FOR:

**b6,b7C**  
Chief Patrol Agent  
Yuma Sector

**b6,b7C**

FROM:

**b6,b7C**  
Patrol Agent in Charge  
Wellton Station

SUBJECT:

Citizen's Complaint Re: **b6,b7C**

This memorandum will serve to inform you of a citizen's complaint lodged against **b6,b7C,b7E** Border Patrol Agent (BPA) **b6,b7C** on November 24, 2012 by **b6,b7C**. **b6,b7C** called in his complaint to Supervisory Border Patrol Agent **b6,b7C** who then notified Field Operations Supervisor (FOS), **b6,b7C** called **b6,b7C** to assure him that his complaint was being addressed by management.

Upon comparison of the two differing stories, BPA **b6,b7C** version of the events defies logic and common sense. I am therefore submitting the attached memoranda for appropriate action.

Attachments

b7E



10888 S. Ave 31E  
Wellton, Arizona 85356

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

November 24, 2012

MEMORANDUM FOR: b6,b7C  
Patrol Agent in Charge  
Wellton Station

FROM: b6,b7C b6,b7C  
Field Operations Supervisor  
Wellton Station

SUBJECT: Citizen Complaint

On November 24, 2012, I was advised by Supervisory Border Patrol Agent (SBPA) b6,b7C of a citizen complaint filed against Border Patrol Agent (BPA) b6,b7C and BPA b6,b7C. SBPA b6,b7C advised me that he was contacted via phone by b6,b7C on November 23, 2012, at approximately 0245 hours concerning a vehicle stop made on him by BPA b6,b7C and BPA b6,b7C. b6,b7C gave SBPA b6,b7C a statement concerning the complaint but asked to speak to someone from "upper management" the following day.

I contacted b6,b7C on November 24, 2012, at approximately 1330 hours. I introduced myself as Field Operations Supervisor b6,b7C, informed him that I was the shift commander for BPA b6,b7C and BPA b6,b7C and asked him to give me a statement of what had happened the previous night. b6,b7C informed me that he was headed home to California from Tucson, Arizona. He was driving westbound on Interstate 8 in the left hand lane approximately 10 miles west of Gila Bend, Arizona. He stated that he was traveling at approximately 77 mph with no other cars near him on the Interstate. b6,b7C advised that shortly thereafter, a vehicle with bright headlights approached quickly from the rear and began tailgating him; he stated that the vehicle began to flash his bright lights on and off. b6,b7C stated that there weren't any other vehicles on the Interstate and that he couldn't understand why the vehicle wouldn't just go around him. b6,b7C stated that he tapped his brakes to try and get the vehicle to back off from his bumper but when he did the vehicle activated red and blue emergency lights. b6,b7C maintained that he immediately slowed down and began to pull off towards the right shoulder. As he was pulling over, the vehicles red and blue lights were turned off and it was then that he noticed it was a Border Patrol vehicle as it quickly sped past him on the left side. b6,b7C said that as the vehicle passed, he could see a phone number displayed on the rear. He decided to try and catch up to the Department vehicle and copy down the number so he could call and report the incident. As he approached the Department vehicle from behind, he stated that the red and blue lights were again activated and he was subsequently pulled over.

b6,b7C advised me that when BPA b6,b7C approached his vehicle, he advised him that he was being pulled over for swerving. b6,b7C claimed that he countered BPA b6,b7C assertion and asked "why would I be swerving, all I have had to drink is this Red Bull"; he then stated to BPA b6,b7C that he felt he was being pulled over because he was traveling in the left lane and didn't move over when he came up from behind and flashed his headlights. b6,b7C then claimed that BPA b6,b7C stated "you need to learn how to drive, I'll keep you out here all night; I'm getting paid right now." BPA b6,b7C then requested his ID b7E b7E and went back to his Department vehicle. Upon his return, b6,b7C advised him that he wanted to file a complaint and requested that BPA b6,b7C give his name and his partners name (BPA b6,b7C). He then stated that BPA b6,b7C abruptly ripped off his name-tag and held it inside his car and stated "do you want the phone number too".

After our conversation, b6,b7C advised me that he felt that BPA b6,b7C was abusing his authority as a law enforcement officer. He also felt that BPA b6,b7C made an illegal stop and insinuated that he would be seeking further legal action. b6,b7C was also concerned that I would fail to follow through with reporting this action up the chain due to our "brotherhood," I assured him that was not the case and gave him the Wellton station phone number so that he could call back at a later date to ensure I was who I claimed to be. He also attempted to reveal that he too was a government employee with a top secret clearance and that his father was a retired Border Patrol Agent, but I stopped him and assured him that wasn't relevant to this complaint and that we expect professionalism from all of our agents no matter who they encounter in the field.

Before concluding the call, I questioned BPA b6,b7C involvement; b6,b7C stated that he was not physically or verbally involved; he just wanted his statement to back up his claim.

Complainant: b6,b7C  
Contact Number: b6,b7C

This memorandum is being forwarded for appropriate action.

b6,b7C

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**From:** b6,b7C  
**Sent:** Saturday, November 24, 2012 4:03 AM  
**To:** b6,b7C  
**Cc:** b6,b7C  
**Subject:** Citizen Complaint

I received a citizen complaint against Agent b6,b7C today at about 0245 hours. b6,b7C (phone # b6,b7C) would like to speak with upper management about the incident.

Incident Narrative as reported by b6,b7C

b6,b7C was driving in the left lane, westbound on Interstate 8 about 10 miles west of Gilla Bend at 77 mph with no other cars around him when a vehicle came up behind him and began to flash high beams at him and tailgate him. His opinion was that there were no other cars around and whoever it was could go around him. The tailgating vehicle then activated emergency lights to pull him over. He slowed down and pulled over but the emergency vehicle just went by him. b6,b7C saw the phone # on the back of the truck and also observed that it was a Border Patrol vehicle when the truck passed. He then tried to catch up to the Department Vehicle to copy down the phone number when the Department Vehicle slowed down and reactivated the emergency lights and this time pulled b6,b7C over. At some point during the stop, b6,b7C asked why he (b6,b7C) was doing this and b6,b7C told him that he (b6,b7C) was swerving. b6,b7C asked for ID and b6,b7C gave him his driver's license.

b6,b7C feels that he was pulled over because he was traveling in the left lane and didn't move over when b6,b7C came up behind him. He felt like everything was done out of spite against him and he was harassed by b6,b7C who was abusing his authority.

I b7E was told that b6,b7C did run checks on a California plate and that b6,b7C backed him up on the stop. No checks were called in on b6,b7C.

I had the duty desk contact both individuals to come see me. I Weingartened both agents and told them they could work on the memos tomorrow. I placed both Weingartens on b6,b7C desk.

b7E



10888 S. Ave 31E  
Wellton, Arizona 85356

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

November 24, 2012

MEMORANDUM FOR: b6,b7C  
Patrol Agent in Charge  
Wellton Station

FROM: b6,b7C  
Border Patrol Agent  
Wellton Station

**b6,b7C**

SUBJECT: Citizen Complaint

On November 23, 2012, I was assigned to work the east county AOR near Gila Bend, AZ. At approximately 0220 hours on November 24, 2012, while traveling westbound on Interstate 8, I observed a silver Toyota Tacoma, bearing California license plate number b6,b7C near mile post 90. The vehicle swerved once into the right lane of traffic as I approached. The Toyota Tacoma was traveling to what appeared to me, a low rate of speed in the left lane.

I approached the vehicle enough to physically see the license plate number and to request a record check on the license plate through sector dispatch. I observed the vehicle's brake lights activate and the vehicle rapidly decelerated. This action caught me by surprise and I had to brake drastically in order to avoid colliding into the Toyota Tacoma. I had no indication of any obstruction being present on the roadway and as I approached the vehicle, it was the only vehicle traveling westbound in the area at the time. When I dismounted the microphone from the vehicle radio, I accidentally activated my overhead emergency lights for a few seconds. I immediately turned my emergency lights off. The vehicle continued in the left lane briefly and then switched to the right lane. At this point I passed the vehicle in the left lane.

b6,b7C

CBP00000070

## Citizen Complaint

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As I passed the vehicle, I attempted to create some distance between my vehicle and the Toyota Tacoma. Before I could contact BPA [b6,b7C], who was traveling behind me, to ask him to follow the vehicle at a safe distance and request checks; I noticed through my side mirror the Toyota Tacoma was following me at very close proximity. I accelerated to approximately 90 MPH and the vehicle continued to tailgate me. Based on my experience, I perceived this as extremely erratic behavior. In the interest of public safety I decided to conduct a vehicle stop. I switched lanes and decelerated my vehicle, allowing for the Toyota Tacoma to pass me on the right lane. Once the vehicle passed me I activated my lights and sirens and initiated the stop near mile post 89, in the westbound lane of Interstate 8, near Sentinel, AZ. BPA [b6,b7C] immediately stopped behind me and assisted me.

After contacting sector radio with the license plate information, BPA [b6,b7C] and I approached the vehicle and encountered [b6,b7C] as the driver and single occupant of the Toyota Tacoma bearing [b6,b7C] license plate number [b6,b7C]. [b6,b7C] was upset and questioned me as to why I was pulling him over. As I began to explain to [b6,b7C] why I pulled him over, he interrupted me and stated he didn't swerve and that he wasn't tired because he was drinking a Red Bull energy drink. I then attempted to continue and explain to [b6,b7C] that he did not yield to faster moving traffic, he was traveling to what appeared to me below the speed limit, and he suddenly activated his brakes when I approached him to obtain his license plate number. I further explained to [b6,b7C] that while I wasn't aware of him violating any laws, his behavior seemed erratic and I pulled him over to further investigate his actions on the road. I also explained to [b6,b7C] it was extremely unusual to have a civilian vehicle tailgating a marked law enforcement vehicle at a high rate of speed and at such close proximity. [b6,b7C] stated he followed me at close proximity because I did it to him, and considered that harassment. [b6,b7C] also said the activation of my emergency equipment was harassment and I should contact the police or let him go. I did not explain to [b6,b7C] the initial activation of my emergency equipment was accidental. I asked [b6,b7C] for his driver's license and walked away from his vehicle with BPA [b6,b7C] in order to contact sector radio.

[b7E] his license plate number returned with no record in the system. I re-read the plate number [b7E] and waited on a response. After approximately five minutes, [b7E] no derogatory information associated with the plate number. The registered owner of the vehicle was [b6,b7C]. At that point I returned to the vehicle, returned [b6,b7C] his driver's license and advised him he was free to leave.

Citizen Complaint

Page 3

Before leaving b6,b7C stated that he followed me at close proximity to obtain the telephone number located on the rear of my government vehicle. He explained that he wanted the telephone number to file a complaint because he felt harassed. b6,b7C asked me for my name and stated he wanted to file a complaint on me. I removed the name tape from my uniform and handed it to b6,b7C so he could write it down. I also provided b6,b7C with BPA b6,b7C b6,b7C name and the telephone number to the Wellton, Arizona Border Patrol Station. At this point BPA b6,b7C and I called ourselves clear of the stop and left the area. The vehicle stop was approximately 10 minutes long.

Date and Time: November 24, 2012 3:40 AM

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 disciplinary action against the employee, and

(ii) the employee requests representation.”

Employee's Signature

**b6, b7C**

Union Representative

Supervisor supplying notice **b6, b7C**

b7E



10888 S. Ave 31E  
Wellton, Arizona 85356

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

November 24, 2012

MEMORANDUM FOR: b6,b7C  
Patrol Agent in Charge  
Wellton Station

FROM: b6,b7C b6,b7C  
Border Patrol Agent  
Wellton Station

SUBJECT: Citizen Complaint

On November 23, 2012, I was assigned patrol duties in the eastern portion of the Wellton Station's area of responsibility. At approximately 0155 hours, I began my travel westbound from the Shell Station in Gila Bend to the Wellton Station. At approximately 0220 hours, I noticed that BPA b6,b7C was behind a silver Toyota Tacoma in the left lane. I witnessed the driver of the truck suddenly decelerate his vehicle causing BPA b6,b7C to do the same. I observed BPA b6,b7C activate his emergency equipment in his government assigned vehicle and then immediately deactivate them. I sped up to close the distance between myself and the other two vehicles.

As I closed the distance, I noticed the Tacoma switch to the right lane and suddenly decelerated causing the vehicle to swerve. At which point, BPA b6,b7C passed the vehicle on the left side and switched into the right lane in front of the truck. After BPA b6,b7C switched lanes, the driver accelerated his vehicle bringing it to what appeared to be less than a car's length behind the agent's vehicle. BPA b6,b7C switched to the left lane and slowed down allowing for the vehicle to pass him in the right lane.

Once the vehicle passed BPA b6,b7C, he got behind it and initiated a traffic stop at approximately 0235 hours on Interstate 8, near Mile Marker 89. I pulled behind BPA b6,b7C to assist him in the traffic stop. Due to the limited shoulder space, both BPA b6,b7C and I approached the vehicle from the passenger side. Following approximately five feet behind BPA b6,b7C, I assumed the role as cover as he made contact with the driver.

b6,b7C

CBP00000074

## Citizen Complaint

Page 2

As I maintained cover, BPA b6,b7C briefly spoke with the subject. The conversation was inaudible to me. BPA b6,b7C attained his identification and walked back to his vehicle in order to request a records check on the Tacoma. Once the checks were received, BPA b6,b7C walked back to the truck and returned the identification to the subject. The driver asked if he was free to go and BPA b6,b7C responded, "Yes." Shortly after, BPA b6,b7C and I cleared the area.

Date and Time: November 24, 2012 3:40 AM

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 disciplinary action against the employee, and

(ii) the employee requests representation.”

Employee's Signature

**b6,b7C**

Union Representative

Supervisor supplying notice **b6,b7C**