



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

*Via U.S. Mail:*  
P.O. Box 883  
Washington, DC 20044

*Via Courier:*  
20 Massachusetts Ave. NW  
Washington, DC 20001

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December 15, 2014

VIA E-MAIL

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

Counsel:

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

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

Sincerely,

Eric B. Beckenhauer



Department of Homeland Security  
Bureau of Customs and Border Protection

**UNITED STATES BORDER PATROL**  
Yuma Sector Complaint Report Form



Report Number: **b6,b7C**

Station: BLY

**EMPLOYEE:** (person taking information)

Name: **b6,b7C** Star Number: **b6,b7C** Date: 06/26/2014 Time: 19:23 HRS

Method Report Received: ☐ In person ☒ Phone ☐ Other: \_\_\_\_\_

**CITIZEN COMPLAINTANT:** (ASK, but not required)

Name: **b6,b7C**

Address: \_\_\_\_\_

Phone: **b6,b7C**

**RELEVANT INFORMATION:** (criminal activity to report)

OFFICER RELATED COMPLAINT:

Name of Officer(s): **b6,b7C**

Date/Time of Incident: 06/26/2014 18:56 HRS

Location of Incident: Rd/Hwy AZ Highway 95 Milepost 76.6 Community Quartzsite Arizona

Landmark(s): 1153 checkpoint / Stone Cabin

Description of Incident: On June 26th, 2014 at approximately 1730 hours, **b6,b7C** contacted the station and stated she wanted to make a complaint against agents at the 1153 checkpoint. She stated that the agents questioned her and her father about their route of travel even though they had already stated they were **b6,b7C**. She stated they kept asking them questions while a dog sniffed their vehicle. This made them feel intimidated and interrogated.

STATION RELATED COMPLAINT:

Number of Officer 3 Date/Time of Incident: 2014-06-26 18:56:00.0

Location of Incident: Rd/Hwy AZ Highway 95 Milepost: 76.6 Community: Quartzsite Arizona

Landmark(s): 1153 checkpoint / Stone Cabin

Description of Incident:

On June 26th, 2014 at approximately 1730 hours, **b6,b7C** contacted the station and stated she wanted to make a complaint against agents at the 1153 checkpoint. She stated that the agents questioned her and her father about their route of travel even though they had already stated they were **b6,b7C**. She stated they kept asking them questions while a dog sniffed their vehicle. This made them feel intimidated and interrogated.

Other Agencies None

IMMEDIATE ACTION TAKEN: ☐ NONE ☒ YES (explain)

Memos were requested from agents involved and will be forwarded up the chain of command.

AFTER ACTION:



NONE



YES (explain)

Completed by:

(name)

Date/Time



b6,b7C



16870 W. Hobson way  
Blythe, CA 92225

U.S. Customs and  
Border Protection

June 26, 2014

MEMORANDUM FOR:

b6,b7C  
Acting Chief Patrol Agent  
Yuma Sector

FROM:

b6,b7C  
Border Patrol Agent  
Blythe Station

b6,b7C

SUBJECT:

Citizen's Complaint

On June 26, 2014, I, Agent b6,b7C was assigned to the United States Border Patrol 1153 Checkpoint located on Arizona Highway 95 at mile marker 76. At approximately 4:45 p.m. a blue pickup truck approached the checkpoint while I was in the primary inspection lane. Inside I observed a female driving vehicle and a male subject sitting in the passenger seat. I greeted the two subjects and questioned them as to their citizenship. The driver stated that they were both b6,b7C I asked the two subjects where they were headed to. The male passenger became irate and confrontational and replied that it was "None of my goddamn business." I explained to the subject that I was merely doing my job, that I had been polite and respectful to them, and that such language was not necessary. The passenger then became verbally abusive and began to shout expletives at me. Once the canine finished sniffing the vehicle I released the vehicle from the primary inspection lane and I told the two subjects that they were free to go. The passenger continued to be verbally abusive. I then ordered the subjects to leave the checkpoint. The vehicle continued down the road while the male passenger continued to shout expletives at me.

b6,b7C

CBP00000827

Date and Time: 06/26/2014 2000 HRS

Border Patrol Agent: b6

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

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

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

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

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

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

(ii) The employee requests representation.’

Employee's Signature: b6

Union Representative: \_\_\_\_\_

Supervisor Supplying Notice: SBPA b6



U.S. Customs and  
Border Protection

b6,b7C

June 26, 2014

MEMORANDUM FOR:

b6,b7C  
Acting Chief Patrol Agent  
Yuma Sector

FROM:

b6,b7C  
Border Patrol Agent  
Yuma Station

b6,b7C

SUBJECT

1153 Checkpoint Complaint

On June 26, 2014, at approximately 1645 hours while working at the 1153 Border Patrol Checkpoint, I, b6,b7C was working my assigned canine in the pre-primary lane when a blue pickup approached the primary agent b6,b7C. During the questioning the passenger of the pickup became confrontational with agent b6,b7C. I heard the passenger say "it's none of your damn business". I was working my dog and didn't hear the whole conversation. b6,b7C stated to me after the vehicle departed that the passenger started cussing at him for no reason. It looked like the passenger was trying to provoke agent b6,b7C. I could see the passenger motioning with his hands towards agent b6,b7C.

b6,b7C

CBP00000829

Date and Time:

6/26/14 1700hrs

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

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

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

(ii) the employee requests representation.”

Employee's Signature

**b6**

Union Representative

Supervisor supplying notice

**b6**

b6,b7C



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

June 26, 2014

MEMORANDUM FOR:

b6,b7C  
Acting Chief Patrol Agent  
Yuma Sector

FROM:

b6,b7C  
Border Patrol Agent  
Blythe Station

b6,b7C

SUBJECT:

Citizen Complaint

On June 26, 2014 I was assigned checkpoint duties at the Border Patrol Checkpoint located on U.S. Highway 95 at mile marker 76. During my shift I received a phone call from Supervisor b6,b7C informing me that an individual by the name of b6,b7C called the station to complain about their interaction at the checkpoint. Agent b6,b7C was on primary at that time and I was inside the checkpoint trailer. I first learned of the encounter when the phone call was received from the station.

b6,b7C

CBP00000831



Date and Time: 06/26/2014 2000 HRS

Border Patrol Agent: b6

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

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

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

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

(ii) The employee requests representation.’

Employee's Signature: b6

Union Representative: \_\_\_\_\_

Supervisor Supplying Notice: SBPA b6

b6,b7C



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

June 26, 2014

MEMORANDUM FOR:

b6,b7C

Acting Chief Patrol Agent  
Yuma Sector

FROM:

b6,b7C

Border Patrol Agent  
Blythe Station

b6,b7C

SUBJECT:

Citizen Complaint

On Wednesday, June 26<sup>th</sup>, 2014, I, Border Patrol Agent (BPA) b6,b7C was assigned to the 1153 Border Patrol Checkpoint at mile marker 76 on US Highway 95 northbound. At approximately 5:20 p.m., I was inside the checkpoint trailer when a call came in from the Blythe Station. At that time, I found out that earlier in the day there had been a citizen complaint regarding an exchange between a motorist and BPA b6,b7C

As I did not witness the event, I don't know what transpired and had no involvement.

b6,b7C

CBP00000833

Date and Time: 06/26/2014 2000 HRS

Border Patrol Agent: b6

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

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

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

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

(ii) The employee requests representation.’

Employee's Signature: b6

Union Representative: \_\_\_\_\_

Supervisor Supplying Notice: SBPA b6



Office: Blythe Station

Schedule: Thursday, June 26, 2014

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



Department of Homeland Security, Customs and Border Protection

**Sensitive But Unclassified**

Total Manpower is: **b2,b7E**

Examined and Approved by: \_\_\_\_\_

b6,b7C



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

January 15, 2013

MEMORANDUM FOR:

b6,b7C  
Chief Patrol Agent  
Yuma Sector

FROM:

b6,b7C  
Supervisory Border Patrol Agent  
Blythe Station

b6,b7C

SUBJECT:

Citizen Complaint

On January 15, 2013 at approximately 1630 hours, I was assigned supervisory duties when I received a telephonic call from b6,b7C (DOB: b6,b7C). b6,b7C stated he wanted a copy of the report Border Patrol generated after an incident that occurred on November 10, 2012 at the checkpoint located on Arizona Highway 95. b6,b7C briefly explained the incident as what he felt was an unlawful five hour detention after he refused to go to secondary. b6,b7C stated that the Federal Bureau of Investigations and Arizona Department of Public Safety were also involved. b6,b7C stated that Border Patrol Agent b6,b7C had kicked his vehicle's door damaging it and that he was informed by friends that he needed to fill out a claim form.

b6,b7C was belligerent and agitated through the beginning of the conversation, but later become calm. I advised b6,b7C that he could request that information through his attorney or the Freedom of Information Act (FOIA) and provided the website. I also informed b6,b7C that I could mail a Claim for Damage, Injury or Death (SF-95) form. b6,b7C provided me with his mailing address b6,b7C and information.

A Report of Apprehension or Seizure I-44 was generated by BPA b6,b7C. SF-95 will be mailed to b6,b7C's record checks did not reveal any derogatory information.

All documentation was forwarded to FOS b6,b7C.

CC: Patrol Agent in Charge, Blythe Station

b6,b7C

CBP00000836

b6,b7C



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

January 16, 2013

MEMORANDUM FOR:

b6,b7C  
Chief Patrol Agent  
Yuma Sector

FROM:

b6,b7C b6,b7C  
Border Patrol Agent  
Blythe Station

SUBJECT:

Incident at 1153 Checkpoint

On January 16, 2013 I was ordered by Acting Field Operations Supervisor b6,b7C to resubmit this memorandum, originally submitted on November 10, 2012.

On November 10, 2012, I Border Patrol Agent (BPA) b6,b7C was assigned to the Border Patrol Checkpoint located on Arizona Highway 95 at mile post 76. At approximately 10:30 a.m. MST, I was inside the checkpoint and heard a commotion going on outside. I stepped outside, and observed Agents b6,b7C and b6,b7C ordering a subject (later identified as b6,b7C) to the ground. At this point I also noticed that the vehicle b6,b7C was driving was parked on a diagonal in the lane of traffic, beyond the entrance to the secondary inspection area.

b6,b7C was not compliant to the other Agents' commands, and was cursing profusely at us. I further noticed that Agents b6,b7C and b6,b7C had their weapons drawn. I drew my weapon and provided cover so that Agent b6,b7C could handcuff b6,b7C. Agent b6,b7C handcuffed b6,b7C and I assisted Agent b6,b7C in moving b6,b7C to the holding cell inside of the checkpoint. While moving b6,b7C, he told us we were "fucking pussies" and, "fuck you cocksuckers", among many other profanities. Once in the cell, I conducted a pat-down of b6,b7C for weapons. While searching b6,b7C he said, "Search my balls, you like that don't you, you fucking pussy?" I did not find any weapons on b6,b7C.

At this time I learned that b6,b7C had been referred to secondary due to a canine alert, and that he attempted to flee the checkpoint. In the presence of Agent b6,b7C I retrieved b6,b7C's driver's license from his wallet, which was on the dashboard of his car. Agent b6,b7C contacted the Blythe Border Patrol Station to notify the Duty Supervisor of the incident.

b6,b7C

CBP00000837



I then contacted Yuma Sector Radio Communications **b7E** and requested record checks on **b6,b7C,b7E** returned that **b6,b7C** did not have any warrants out for his arrest, and had no criminal history. I also requested record checks on **b6,b7C**'s vehicle (**b6,b7C** license plates **b6,b7C**). **b7E** returned that the vehicle was not stolen, **b7E** **b7E** and was registered to **b6,b7C**.

Through the walls of the checkpoint, I could hear that **b6,b7C** was screaming, cursing, and banging on the walls. I went inside to check on **b6,b7C** and noticed that he was bleeding and had a cut on his forehead. I asked **b6,b7C** if he needed medical attention and he said, "Fuck you get the fuck away from me". I requested that **b7E** send medical assistance to the checkpoint to have **b6,b7C** checked out as a precaution. **b7E** asked if we required the support of local law enforcement, and I requested that a unit be sent to the checkpoint. Supervisory Border Patrol Agent (SBPA) **b6,b7C** arrived on scene and talked to **b6,b7C** at **b6,b7C**'s request.

At approximately 11:30 a.m. MST several local and Yuma Proving Grounds medical personnel arrived at the checkpoint. **b6,b7C** refused medical care from all personnel, saying, "don't fucking touch me". All medical personnel departed from the checkpoint at approximately 12:00 p.m. MST.

Various family members of **b6,b7C** began arriving at the checkpoint and spoke with SBPA **b6,b7C**. After a few minutes of speaking with the family members, SBPA **b6,b7C** instructed me to allow **b6,b7C** member of **b6,b7C**'s family into the holding cell to see and speak with **b6,b7C**. After a few minutes, SBPA **b6,b7C** and I directed the family members to a Yuma County Sheriff's Deputy who had arrived on scene.

At this time SBPA **b6,b7C** instructed me to move **b6,b7C**'s car into the secondary inspection area, and to conduct a search of the vehicle. With the assistance of Agents **b6,b7C** and **b6,b7C** I searched the back of **b6,b7C**'s vehicle. I found a hunting rifle **b7E** **b7E** I did not discover any contraband.

At this point I resumed primary traffic duties at the checkpoint.

**Date and Time:** January 16, 2013

**Border Patrol Agent:** BPA **b6**

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

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

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

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

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

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

**(ii) the employee requests representation.’**

**Employee’s Signature:**

**Union Representative:**

**Supervisor Supplying Notice:**

**b6**  
**b6**



b6,b7C



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

January 16, 2013

MEMORANDUM FOR:

b6,b7C  
Chief Patrol Agent  
Yuma Sector

FROM:

b6,b7C  
Border Patrol Agent  
Blythe Station

b6,b7C

SUBJECT:

Incident at 1153 Checkpoint

On January 16, 2013, I was ordered to resubmit this memorandum which was submitted on November 10, 2012 by Acting Field Operations Supervisor b6,b7C

On November 10, 2012, I, Border Patrol Agent b6,b7C was assigned to 1153 checkpoint on Arizona Highway 95 mile marker 76 near Stone Cabin, Arizona. At approximately 10:30 a.m., a 2006 Honda Civic b6,b7C approached my location in the primary area of the checkpoint.

When the vehicle stopped at my location, I identified myself as a U.S. Border Patrol Agent. I then questioned the driver of the vehicle (later identified as b6,b7C) where he was going. He replied "Quartzsite". While I was questioning the driver I noticed a rifle on the front passenger seat and also noticed an ice chest on the back seat. I asked b6,b7C what he had in the ice chest. He replied, "What does that have to do with my citizenship". K-9 handler b6,b7C told me to secondary the vehicle for further inspection. I asked (as I pointed to the white canopy) b6,b7C to move his vehicle to the secondary inspection lane under the white canopy. b6,b7C said he was not going to secondary. b6,b7C became agitated and started using foul language. I told b6,b7C multiple times to go to secondary. b6,b7C said he was not going and he asked why he had to go to secondary. I informed him that the K-9 alerted to his vehicle and to move his vehicle to secondary. b6,b7C refused to move his vehicle and asked if he was being detained. At that point K-9 Agent b6,b7C told him he was being detained because the K-9 alerted to his vehicle. Agent b6,b7C told him to move his vehicle to secondary inspection area.

Agent b6,b7C came over to the primary inspection area where I was standing. He asked b6,b7C to move his vehicle to secondary. b6,b7C said he would not go to secondary. Agent b6,b7C told b6,b7C four times to move his vehicle to secondary. b6,b7C refused and did not comply. Agent b6,b7C then told b6,b7C to move the vehicle to secondary or he would move it for him. b6,b7C said, "Fuck you I'm not going to secondary." b6,b7C then accelerated his vehicle at a high rate of speed in what appeared to be an attempt to flee the checkpoint. Agent b6,b7C quickly told me to get to a sedan and follow b6,b7C.

b6,b7C

CBP00000840

Incident at 1153 Checkpoint

Page 2

While leaving the primary inspection area, b6,b7C almost hit K-9 b6,b7C and his service dog b6,b7C. If it was not for Agent b6,b7C pulling his service dog out of the way of b6,b7C's vehicle path, Service dog b6,b7C would have been hit. When Agent b6,b7C jumped out of the way he hit the passenger side door. b6,b7C slammed on his brakes but could not come to a complete stop until he had past the secondary inspection lane. b6,b7C was going too fast to enter the secondary inspection area.

The vehicle came to a complete stop and the door swung open. Due to the fact that I had observed a rifle on the passenger seat I drew my service weapon in the direction of the vehicle. b6,b7C jumped out of the vehicle and I directed him to get on the ground. b6,b7C did not comply until Agent b6,b7C told him he would get "tasered" if he did not comply. I then tried to place the handcuffs on b6,b7C but he refused to give me his hands. Agent b6,b7C again told b6,b7C to comply or he would be "tasered". b6,b7C gave me his hands and I was able to put the handcuffs on him. While I was putting the handcuffs on him, he was cursing at us saying, "Fuck you guys, you cock-suckers". I then helped b6,b7C to his feet and escorted him to a holding cell area.

When we placed b6,b7C into the holding cell Agent b6,b7C patted him down for weapons. While Agent b6,b7C patted b6,b7C down he was telling Agent b6,b7C "go ahead and feel my balls you pussy". The whole time Agent b6,b7C was patting him down b6,b7C was verbally assaultive. When b6,b7C was in the holding cell he was extremely agitated and belligerent. As I was closing the cell door he kicked the door into my body. He then started banging his head against the cell door and walls. After placing b6,b7C in the holding cell I returned to the primary inspection area and continued inspecting vehicles.

Date and Time: January 16, 2013

Border Patrol Agent: BPA **b6**

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

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

(ii) the employee requests representation.’

Employee's Signature

Union Representative

Supervisor Supplying Notice:

**b6**  
**b6**



b6,b7C



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

January 16, 2013

MEMORANDUM FOR:

b6,b7C

Chief Patrol Agent  
Yuma Sector

FROM:

b6,b7C

Border Patrol Agent  
Blythe Station

b6,b7C

SUBJECT:

Incident at 1153 Checkpoint

On January 16, 2013, I was ordered to resubmit this memorandum which was submitted on November 10, 2012 by Acting Field Operations Supervisor b6,b7C

On November 10, 2012, I, Border Patrol Agent (BPA) b6,b7C was assigned to traffic checkpoint duties at the United States Border Patrol 1153 checkpoint located on Arizona State Highway 95 mile marker 76.

I was working as the back up agent when at approximately 1030 hours, a four door Honda Civic, bearing b6,b7C license plate # b6,b7C occupied by a single male later identified as b6,b7C b6,b7C (b6,b7C DL# b6,b7C) approached the primary inspection lane of the checkpoint. As the vehicle was in primary I approached the vehicle on the passenger side. I observed a rifle and high caliber rounds resting on the passenger side seat in plain view. At that point I heard the driver, b6,b7C start yelling at Agent b6,b7C. Agent b6,b7C was attempting to refer the vehicle to the secondary inspection area as requested by canine handler Agent b6,b7C. b6,b7C began yelling, "I'm not fucking moving to secondary, this is fucking bullshit!" Agent b6,b7C asked b6,b7C a few more times but b6,b7C kept using profanity, asking why he had to go to secondary inspection, and saying he was not going to go to secondary inspection. At that point I walked around the vehicle in order to speak to b6,b7C in an attempt to diffuse the situation.

I approached the driver's side door and asked b6,b7C if he would please move to the secondary inspection area. b6,b7C said he was not fucking moving and why did he have to go to secondary inspection. I told b6,b7C that if he went to the secondary inspection area I would gladly explain it to him. He replied with profanity and said he would not go. I then told b6,b7C to move to the secondary inspection area as I pointed to the white canopy in the secondary inspection area. b6,b7C said, "I'm not fucking moving!" Realizing he might not move I told b6,b7C that if he did not move his vehicle I would have to move it for him. b6,b7C yelled, "Are you fucking threatening me!" I said, "No, I'm not threatening you, I just need you to move your vehicle into secondary." After more profanity b6,b7C said, "Fuck you,

b6,b7C

CBP00000843

I'm not going to secondary!" b6,b7C accelerated his vehicle out of the primary inspection area. In the manner that b6,b7C accelerated his vehicle, it appeared to me that he was attempting to flee the checkpoint. I told Agent b6,b7C to get in a sedan and follow him.

While leaving the primary inspection area b6,b7C almost hit K-9 b6,b7C and his service dog b6,b7C. If Agent b6,b7C would have not pulled his service dog out of the way of b6,b7C's vehicle path, Service dog b6,b7C would have been hit. When Agent b6,b7C jumped out of the way he hit the passenger side door and yelled, "Hey!" b6,b7C slammed on his brakes but could not come to a complete stop until he had past the secondary inspection lane. b6,b7C was going too fast to enter the secondary inspection area. Based on b6,b7C's behavior and reactions, if Agent b6,b7C had not hit his vehicle, b6,b7C would not have stopped at all.

When the vehicle came to a stop, I was approaching the vehicle when I saw the door fling open and after a second or two b6,b7C exited the vehicle. As this happened I remembered the rifle that was within arms length of b6,b7C and with his aggressive behavior I drew my service issued pistol. b6,b7C exited the vehicle with an aggressive stance and continued to be verbally abusive towards us. b6,b7C was given commands to get on the ground but he was not complying. After noticing b6,b7C had no weapons in his hands I deescalated to my service issued taser and ordered b6,b7C to comply with the commands or he would be tasered. After a second command to comply or be tasered was given, b6,b7C looked at my taser, hesitated for a second and then proceeded to get on the ground. Agent b6,b7C then tried to handcuff b6,b7C but he would not give him his hands. I again ordered b6,b7C to comply with the commands or he would be tasered. b6,b7C gave Agent b6,b7C his hands and was handcuffed as he continued to use profanity. b6,b7C was then placed in the holding cell and from the outside b7E I could hear yelling, screaming and banging around in his cell.

At this point I called the Blythe Border Patrol Station in Blythe, California and informed Supervisory Border Patrol Agent (SBPA) b6,b7C of the situation. SBPA b6,b7C arrived at the checkpoint shortly thereafter.



Date and Time: January 16, 2013

Border Patrol Agent: BPA **b6**

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

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

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

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

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

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

(ii) the employee requests representation.’

Employee's Signatu

Union Representati

Supervisor Supplying Notice:

**b6**

**b6**

Office: Blythe Station

Schedule: Saturday, November 10, 2012

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

Department of Homeland Security, Customs and Border Protection

**Sensitive But Unclassified**

Total Manpower is: b2, b7E

Examined and Approved by: \_\_\_\_\_



Department of Homeland Security  
Bureau of Customs and Border Protection

**UNITED STATES BORDER PATROL**  
Yuma Sector Complaint Report Form



Report Number: BLY20130100001  
Station: BLY

**EMPLOYEE:** (person taking information)

Name: b6,b7C Star Number: b6,b7C Date: 01/15/2013 Time: 19:03 HRS

Method Report Received: ☐ In person ☒ Phone ☐ Other: \_\_\_\_\_

**CITIZEN COMPLAINANT:** (ASK, but not required)

Name: b6,b7C  
Address: b6,b7C b6,b7C  
Phone: b6,b7C

**RELEVANT INFORMATION:** (criminal activity to report)

OFFICER RELATED COMPLAINT:

Name of Officer(s): BPA b6,b7C BPA b6,b7C BPA b6,b7C BPA b6,b7C

Date/Time of Incident: 01/15/2013 11:48/12 18:51 HRS

Location of Incident: Rd/Hwy HWY 95 Milepost 79 Community 1153

Landmark(s): 1153

Description of Incident: On January 15, 2013 at approximately 1630 hours, I was assigned supervisory duties received a telephonic call from b6,b7C (DOB: b6,b7C). b6,b7C stated he wanted a copy of the report Border Patrol generated after an incident that occurred on November 10, 2012 at the checkpoint located on Arizona Highway 95. b6,b7C briefly explained the incident as what he felt was an unlawful five hour detention after he refused to go to secondary. b6,b7C stated that the Federal Bureau of Investigations and Arizona Department of Public Safety were also involved. b6,b7C stated that Border Patrol Agent b6,b7C had kicked his vehicle's door damaging it and that he was informed by friends that he needed to fill out a claim form.

STATION RELATED COMPLAINT:

Number of Officer 4 Date/Time of Incident: 2012-11-10 10:00:00.0

Location of Incident: Rd/Hwy HWY 95 Milepost: 79 Community: 1153

Landmark(s): 1153

Description of Incident:

On January 15, 2013 at approximately 1630 hours, I was assigned supervisory duties received a telephonic call from b6,b7C (DOB: b6,b7C). b6,b7C stated he wanted a copy of the report Border Patrol generated after an incident that occurred on November 10, 2012 at the checkpoint located on Arizona Highway 95. b6,b7C briefly explained the incident as what he felt was an unlawful five hour detention after he refused to go to secondary. b6,b7C stated that the Federal Bureau of Investigations and Arizona Department of Public Safety were also involved. b6,b7C stated that Border Patrol Agent b6,b7C had kicked his vehicle's door damaging it and that he was informed by friends that he needed to fill out a claim form.

Other Agencies DPS, FBI

IMMEDIATE ACTION TAKEN: ☐ NONE ☒ YES (explain)

A Report of Apprehension or Seizure I-44 was generated by BPA b6,b7C. SF-95 will be mailed to b6,b7C.

AFTER ACTION:



NONE



YES (explain)

Completed by:

(name)

Date/Time



Department of Homeland Security  
Bureau of Customs and Border Protection

**UNITED STATES BORDER PATROL**  
Yuma Sector Complaint Report Form



Report Number: \_\_\_\_\_  
Station: \_\_\_\_\_

**EMPLOYEE:** (person taking information)

Name: \_\_\_\_\_ Star Number: \_\_\_\_\_ Date: \_\_\_\_\_ Time: \_\_\_\_\_

Method Report Received: ☐ In person ☐ Phone ☐ Other \_\_\_\_\_

**CITIZEN COMPLAINANT:** (ASK, but not required)

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_

**RELEVANT INFORMATION:** (criminal activity to report)

**OFFICER RELATED COMPLAINT:**

Name of Officer(s): \_\_\_\_\_

Date/Time of Incident: \_\_\_\_\_

Location of Incident: Rd/Hwy \_\_\_\_\_ Milepost \_\_\_\_\_ Community \_\_\_\_\_

Landmark(s): \_\_\_\_\_

Description of Incident: \_\_\_\_\_



STATION RELATED COMPLAINT:

Number of Officer Involved: \_\_\_\_\_ Date/Time of Incident: \_\_\_\_\_

Location of Incident: \_\_\_\_\_ Milepost \_\_\_\_\_ Community \_\_\_\_\_  
Landmark(s) \_\_\_\_\_

Description of Incident

Other AGENCIES involved: \_\_\_\_\_

IMMEDIATE ACTION TAKEN: ☐ NONE ☐ YES (explain)

AFTER ACTION: ☐ NONE ☐ YES (explain)

Completed by: \_\_\_\_\_ (name) \_\_\_\_\_ Date/Time \_\_\_\_\_

**BORDER PATROL  
REPORT OF APPREHENSION OR SEIZURE**

FDIN:

<b>Office or Agency</b>  CHIEF PATROL AGENT 4035 SOUTH AVENUE A YUMA ARIZONA 85365	<b>File CASE No:</b> b7E <hr/> <b>Sector</b> YUMA <hr/> <b>Date</b> 11/11/2012
--	--

Patrol Agents b6,b7C of the YUMA station  
☐ assisted the YUMA COUNTY SHERIFFS DEPARTMENT YUMA AZ  
(Agency) (City and State)

in the apprehension and seizure of the following:

☒ apprehended/interviewed:

<b>Name (Surname in CAPS)</b> b6,b7C	<b>First</b>	<b>Middle</b>	<b>Date and Place of Birth</b> b6,b7C
<b>Address of person apprehended/interviewed</b> b6,b7C			<b>Nationality</b> b6,b7C

☐ and seized/recovered:

**VESSEL, VEHICLE OR AIRCRAFT**

Description (Year, Make Model, Color)	Motor or Serial No.	Registry or License No.	Value (Est.)

**CONTRABAND, MERCHANDISE OR OTHER**

Quantity	Description	Value (Est.)

<b>Place of Apprehension or Seizure</b> USBP CHECKPOINT b7E	<b>Date and Hour</b> 11/10/2012 1030	<b>Offense</b> DISORDERLY CONDUCT
--	---	--------------------------------------

**NARRATIVE:** (Include Circumstances of apprehension and seizure and facts to which apprehending officers can testify.)

**INCIDENT COORDINATES:**

b7E

... (CONTINUED ON I-831)

b6,b7C

Signature of Reporting Officer

Received above persons and items:

**Details regarding "HOLD" placed**

Signature and Title  
CHIEF PATROL AGENT

Office or Agency

Date

## INSTRUCTIONS

1. To be prepared when a citizen or non-deportable alien is processed for violation of the Immigration and Nationality Act, or the person arrested or article seized is delivered to an agency or person outside the Department of Homeland Security, or when such an arrest or seizure is made in a joint operation with another agency.
2. The form is addressed to the office receiving the person or article seized. In a joint operation, the form is addressed to the Chief Patrol Agent and no receipt is required.
3. Any number of persons, conveyances, or other articles may be listed on the same form provided they are a part of the same transaction.
4. Estimated values should be based on Customs appraisal when readily available or on current market values. Value of automobiles may be obtained from National Automobile Dealers' Association Handbook (Blue Book) or similar sources. Value of narcotics shall be based on the appraised value by the receiving agency. The state of refinement and location will be considered in establishing the value of seized narcotics.
5. The narrative shall briefly outline all the circumstances surrounding the apprehension or seizure and indicate the agency furnishing the original information. In a joint operation, disposition of the persons arrested or articles seized shall be shown.
6. When the person arrested is a deportable alien, or will become deportable upon conviction, an appropriate "Hold" order shall be placed and details inserted in the black box on the face of the form. In addition to this form, an I-213 shall be prepared for each alien found to be deportable at time of apprehension and that fact so noted in the narrative on the file copy only.
7. The copy retained at the Sector Headquarters of apprehension shall reflect distribution made.
8. Where words "apprehended/interviewed" and "seized/recovered" are used, delete inappropriate words.

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NARRATIVE (Continued)



Alien's Name <b>b6,b7C</b>	File Number Event No: <b>b7E</b>	Date 11/11/2012
<p>Narrative Title: Report of Apprehension or Seizure</p> <p>On November 10, 2012, I, Border Patrol Agent (BPA) <b>b6,b7C</b> was assigned to traffic checkpoint duties with my assigned Border Patrol Canine <b>b6,b7C</b> at the United States Border Patrol 1153 checkpoint located on State Highway 95 near Quartzite, Arizona.</p> <p>At approximately 1030 hours MST, a four door Honda Civic, bearing <b>b6,b7C</b> license plate # <b>b6,b7C</b> occupied by a single male later identified as <b>b6,b7C</b> DL# <b>b6,b7C</b> approached the primary inspection lane of the checkpoint. As the vehicle pulled forward I observed a hunting rifle resting on the passenger side seat in plain view. I performed a Pre-Primary K-9 sniff on the vehicle while Border Patrol Agent <b>b6,b7C</b> conducted the immigration inspection. During the K-9 sniff Canine <b>b6,b7C</b> alerted to the exterior trunk area and proceeded to move towards the driver's side window and attempted to jump in to the vehicle. I advised Agent <b>b6,b7C</b> to direct the vehicle and subject to secondary under the white canopy for further inspection. When <b>b6,b7C</b> was asked to move his vehicle he became agitated and belligerent. <b>b6,b7C</b> stated "I am not fucking moving to secondary, this is fucking bullshit" and "why am I being sent to secondary". <b>b6,b7C</b> was asked again to move his vehicle and refused. <b>b6,b7C</b> asked if he was being detained, both Agent <b>b6,b7C</b> and I explained he was being detained as a result of the K-9 alert. Border Patrol Agent <b>b6,b7C</b> approached the vehicle and asked <b>b6,b7C</b> to proceed to secondary a total of four times. <b>b6,b7C</b> replied "This is fucking bull shit; I am a <b>b6,b7C</b> and that fucking dog and handler are fucking idiots". As <b>b6,b7C</b> became increasingly belligerent towards Agent <b>b6,b7C</b> I decided to kennel my canine to provide backup.</p> <p>As I walked past the driver's side fender and crossed approximately 20 feet in front of the vehicle I heard <b>b6,b7C</b> say "Fuck you, I am not going to secondary" and heard the engine accelerate. When I turned to look I saw the vehicle moving towards my canine and quickly pulled him out of the path of the oncoming vehicle, as the car drove past me at a high rate of speed I reactively kicked the passenger side door and moved out of the way. <b>b6,b7C</b> did not slow the vehicle as he drove past me. <b>b6,b7C</b> abruptly stopped the vehicle approximately one car length past the secondary inspection area. Because <b>b6,b7C</b> was in immediate possession of a firearm, had it at arms length and demonstrated aggressive behavior I drew my service issued pistol. After a brief pause the driver's side door swung open and <b>b6,b7C</b> exited the vehicle and began moving towards me in an assaultive manner. I ordered <b>b6,b7C</b> to the ground with his arms out to the side. <b>b6,b7C</b> refused my commands and continued to act belligerent and assaultive. Agent <b>b6,b7C</b> approached from my right rear and ordered <b>b6,b7C</b> to comply or else he would be tasered. After several warnings <b>b6,b7C</b> complied and was secured. <b>b6,b7C</b> continued to behave belligerent and cursed at us as he was being placed in the detention cell. <b>b6,b7C</b> cursed and yelled during the entire encounter.</p> <p>Once <b>b6,b7C</b> was secured in the cell I proceeded to secure the vehicle. As I turned the vehicle off I heard what sounded like a phone on "speaker" mode. The person on the line</p>		
Signature <b>b6,b7C</b>	Title BORDER PATROL AGENT	



Alien's Name <b>b6,b7C</b>	File Number Event No: <b>b7E</b>	Date 11/11/2012
<p>was repetitively asking for the "border patrol to answer". I located the phone on the passenger side seat and responded "hello, sir", the person on the other end responded "you fucking border patrol, you tasered my friend, where is he? We heard everything, I am going to come down there and fuck you up, you fucking border patrol I am going down there and I am going to shoot you all, I am going to kill you all". I hung the phone up <b>b7E</b> <b>b6,b7C,b7E</b></p> <p>At approximately 1200 hours MST, Yuma County Sheriff Deputy <b>b6,b7C</b> arrived on scene and proceeded to interview <b>b6,b7C</b>. During the investigation various family members and friends arrived at the checkpoint to inquire about the events. While I was speaking with an unidentified Department of Public Safety Officer a male subject pulled up to the checkpoint and approached the agents and officers in an aggressive manner. After verbally deescalating the subjects behavior I asked him what his name was, the subject replied <b>b6,b7C</b>. The DPS officer asked if he was the one that was on the phone, <b>b6,b7C</b> replied "yes". <b>b6,b7C</b> was asked if he had threatened the Border Patrol Agent, <b>b6,b7C</b> replied "yes, I said I was coming down here to kick his ass, I didn't know who I was talking to but what would you do if you're friend is getting beat up?"</p> <p>Disposition: A search of the vehicle yielded negative results for concealed humans or narcotics. <b>b6,b7C</b> was cited by Deputy <b>b6,b7C</b> for disorderly conduct and released. The Vehicle was released to an unidentified family member. Based on the verbal threats made by <b>b6,b7C</b> the Federal Bureau of Investigations was contacted and Agent <b>b6,b7C</b> arrived on scene at approximately 1400 hours and interviewed <b>b6,b7C</b> was released without incident.</p>		
Signature <b>b6,b7C</b>	Title BORDER PATROL AGENT	

<b>CLAIM FOR DAMAGE, INJURY, OR DEATH</b>		<b>INSTRUCTIONS:</b> Please read carefully the instructions on the reverse side and supply information requested on both sides of the form. Use additional sheet(s) if necessary. See reverse side for additional instructions.		FORM APPROVED OMB NO. 1105-0008						
1. Submit To Appropriate Federal Agency:		2. Name, Address of claimant and claimant's personal representative, if any. (See instructions on reverse.) (Number, street, city, State and Zip Code)  <div style="background-color: black; color: white; font-size: 2em; text-align: center; padding: 10px;">b6</div>								
3. TYPE OF EMPLOYMENT  <div style="background-color: black; color: white; font-size: 2em; text-align: center; padding: 10px;">b6</div>		6. DATE AND DAY OF ACCIDENT April 17, 2013		7. TIME (A.M. or P.M.) 6:00am						
8. Basis of Claim (State in detail the known facts and circumstances attending the damage, injury, or death, identifying persons and property involved, the place of occurrence and the cause thereof) (Use additional pages if necessary.) On April 16, 2013 at 10:00pm My husband <div style="background-color: black; color: white; font-size: 1.2em; text-align: center; padding: 2px;">b6</div> and I were retain by Border patrol We were transported to the Station for questioning and inspection. We were asked by officers to hand over our belonging and we did. After being held all night and officers not finding any criminal history or any reason to hold us we were released. At the time of us obtaining our belongings back and being realized. I've realized my <div style="background-color: black; color: white; font-size: 1.2em; text-align: center; padding: 2px;">b6</div> card and husband's wallet was missing. After Questioning the officers I was given an apology and was told they couldn't find it and the were held Responsible for it being lost. Officer <div style="background-color: black; color: white; font-size: 1.2em; text-align: center; padding: 2px;">b6</div> said I would be reimbursed for the cost to obtain a new one. I was given form in which I had to include a recipe of the total amount paid which was \$ <div style="background-color: black; color: white; font-size: 1.2em; text-align: center; padding: 2px;">b6</div> inclosed is 2 receipts with the total cost.										
9. <b>PROPERTY DAMAGE</b> NAME AND ADDRESS OF OWNER, IF OTHER THAN CLAIMANT (Number, street, city, State, and Zip Code)										
BRIEFLY DESCRIBE THE PROPERTY, NATURE AND EXTENT OF DAMAGE AND THE LOCATION WHERE PROPERTY MAY BE INSPECTED. (See instructions on reverse side.) <div style="background-color: black; color: white; font-size: 2em; text-align: center; padding: 10px;">b6</div> card / wallet										
10. <b>PERSONAL INJURY/WRONGFUL DEATH</b> STATE NATURE AND EXTENT OF EACH INJURY OR CAUSE OF DEATH, WHICH FORMS THE BASIS OF THE CLAIM. IF OTHER THAN CLAIMANT, STATE NAME OF INJURED PERSON OR DECEDENT.										
11. <b>WITNESSES</b> <table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th style="width:40%;">NAME</th> <th>ADDRESS (Number, street, city, State, and Zip Code)</th> </tr> </thead> <tbody> <tr> <td>Officer <div style="background-color: black; color: white; font-size: 1.2em; text-align: center; padding: 2px;">b6</div></td> <td rowspan="3">16870 W. Hobson Way Blyths Ca, 92225</td> </tr> <tr> <td>Officer <div style="background-color: black; color: white; font-size: 1.2em; text-align: center; padding: 2px;">b6</div></td> </tr> <tr> <td>all staff from 6am shift</td> </tr> </tbody> </table>					NAME	ADDRESS (Number, street, city, State, and Zip Code)	Officer <div style="background-color: black; color: white; font-size: 1.2em; text-align: center; padding: 2px;">b6</div>	16870 W. Hobson Way Blyths Ca, 92225	Officer <div style="background-color: black; color: white; font-size: 1.2em; text-align: center; padding: 2px;">b6</div>	all staff from 6am shift
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all staff from 6am shift										
12. (See instructions on reverse) <b>AMOUNT OF CLAIM (In dollars)</b> <table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width:25%;">12a. PROPERTY DAMAGE <div style="background-color: black; color: white; font-size: 1.2em; text-align: center; padding: 2px;">b6</div> Card was Taken</td> <td style="width:25%;">12b. PERSONAL INJURY none</td> <td style="width:25%;">12c. WRONGFUL DEATH none</td> <td style="width:25%;">12d. TOTAL (Failure to specify may cause forfeiture of your rights.)</td> </tr> </table>					12a. PROPERTY DAMAGE <div style="background-color: black; color: white; font-size: 1.2em; text-align: center; padding: 2px;">b6</div> Card was Taken	12b. PERSONAL INJURY none	12c. WRONGFUL DEATH none	12d. TOTAL (Failure to specify may cause forfeiture of your rights.)		
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I CERTIFY THAT THE AMOUNT OF CLAIM COVERS ONLY DAMAGES AND INJURIES CAUSED BY THE ACCIDENT ABOVE AND AGREE TO ACCEPT SAID AMOUNT IN FULL SATISFACTION AND FINAL SETTLEMENT OF THIS CLAIM.										
13a. SIGNATURE OF CLAIMANT (See instructions on reverse side.)  <div style="background-color: black; color: white; font-size: 2em; text-align: center; padding: 10px;">b6</div>		13b. Phone number of signatory <div style="background-color: black; color: white; font-size: 1.2em; text-align: center; padding: 2px;">b6</div>								
<b>FRAUDULENT CLAIM</b> The claimant shall forfeit and pay to the United States the sum of \$2,000 plus double the amount of damages sustained by the United States. (See 31 U.S.C. 3729.)		<b>CRIMINAL PENALTY FOR PRESENTING FRAUDULENT CLAIM OR MAKING FALSE STATEMENTS</b> Fine of not more than \$10,000 or imprisonment for not more than 5 years or both. (See 18 U.S.C. 287, 1001.)								



# PRIVACY ACT NOTICE

This Notice is provided in accordance with the Privacy Act, 5 U.S.C. 552a(e)(3), and concerns the information requested in the letter to which this Notice is attached.

A. **Authority:** The requested information is solicited pursuant to one or more of the following: 5 U.S.C. 301, 38 U.S.C. 501 et seq., 28 U.S.C. 2671 et seq., 28 C.F.R. Part 14.

- B. **Principal Purpose:** The information requested is to be used in evaluating claims.  
 C. **Routine Use:** See the Notices of Systems of Records for the agency to whom you are submitting this form for this information.  
 D. **Effect of Failure to Respond:** Disclosure is voluntary. However, failure to supply the requested information or to execute the form may render your claim "invalid".

## INSTRUCTIONS

Complete all items - insert the word **NONE** where applicable

A CLAIM SHALL BE DEEMED TO HAVE BEEN PRESENTED WHEN A FEDERAL AGENCY RECEIVES FROM A CLAIMANT, HIS DULY AUTHORIZED AGENT, OR LEGAL REPRESENTATIVE AN EXECUTED STANDARD FORM 95 OR OTHER WRITTEN NOTIFICATION OF AN INCIDENT, ACCOMPANIED BY A CLAIM FOR MONEY DAMAGES IN A **SUM CERTAIN** FOR INJURY TO OR LOSS OF

PROPERTY, PERSONAL INJURY, OR DEATH ALLEGED TO HAVE OCCURRED BY REASON OF THE INCIDENT. THE CLAIM MUST BE PRESENTED TO THE APPROPRIATE FEDERAL AGENCY WITHIN **TWO YEARS** AFTER THE CLAIM ACCRUES.

Any instructions or information necessary in the preparation of your claim will be furnished, upon request, by the office indicated in Item #1 on the reverse side. Complete regulations pertaining to claims asserted under the Federal Tort Claims Act can be found in Title 28, Code of Federal Regulations, Part 14. Many agencies have published supplemental regulations also. If more than one agency is involved, please state each agency.

The claim may be filed by a duly authorized agent or other legal representative, provided evidence satisfactory to the Government is submitted with said claim establishing express authority to act for the claimant. A claim presented by an agent or legal representative must be presented in the name of the claimant. If the claim is signed by the agent or legal representative, it must show the title or legal capacity of the person signing and be accompanied by evidence of his/her authority to present a claim on behalf of the claimant as agent, executor, administrator, parent, guardian or other representative.

If claimant intends to file claim for both personal injury and property damage, claim for both must be shown in Item 12 of this form.

The amount claimed should be substantiated by competent evidence as follows:

(a) In support of the claim for personal injury or death, the claimant should submit a written report by the attending physician, showing the nature and extent of injury, the nature and extent of treatment, the degree of permanent disability, if any, the prognosis, and the period of hospitalization, or incapacitation, attaching itemized bills for medical, hospital, or burial expenses actually incurred.

(b) In support of claims for damage to property which has been or can be economically repaired, the claimant should submit at least two itemized signed statements or estimates by reliable, disinterested concerns, or, if payment has been made, the itemized signed receipts evidencing payment.

(c) In support of claims for damage to property which is not economically repairable, or if the property is lost or destroyed, the claimant should submit statements as to the original cost of the property, the date of purchase, and the value of the property, both before and after the accident. Such statements should be by disinterested competent persons, preferably reputable dealers or officials familiar with the type of property damaged, or by two or more competitive bidders, and should be certified as being just and correct.

(d) Failure to completely execute this form or to supply the requested material within two years from the date the allegations accrued may render your claim "invalid". A claim is deemed presented when it is received by the appropriate agency, not when it is mailed.

**Failure to specify a sum certain will result in invalid presentation of your claim and may result in forfeiture of your rights.**

Public reporting burden for this collection of information is estimated to average 15 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden,

to Director, Torts Branch  
 Civil Division  
 U.S. Department of Justice  
 Washington, DC 20530

and to the  
 Office of Management and Budget  
 Paperwork Reduction Project (1105-0008)  
 Washington, DC 20503

## INSURANCE COVERAGE

In order that subrogation claims may be adjudicated, it is essential that the claimant provide the following information regarding the insurance coverage of his vehicle or property.

15. Do you carry accident insurance? ☐ Yes, If yes, give name and address of insurance company (Number, street, city, State, and Zip Code) and policy number. ☒ No

16. Have you filed claim on your insurance carrier in this instance, and if so, is it full coverage or deductible?

17. If deductible, state amount

18. If claim has been filed with your carrier, what action has your insurer taken or proposes to take with reference to your claim? (It is necessary that you ascertain these facts)

19. Do you carry public liability and property damage insurance? ☐ Yes, If yes, give name and address of insurance company (Number, street, city, State, and Zip Code) ☒ No

<b>CLAIM FOR DAMAGE, INJURY, OR DEATH</b>		<b>INSTRUCTIONS:</b> Please read carefully the instructions on the reverse side and supply information requested on both sides of this form. Use additional sheet(s) if necessary. See reverse side for additional instructions.		FORM APPROVED OMB NO. 1105-0008 EXPIRES 5-31-05	
1. Submit To Appropriate Federal Agency: Blythe Border Patrol Station 16870 W. Hobson Way Blythe, CA. 92225		2. Name, Address of claimant and claimant's personal representative, if any. (See instructions on reverse.) (Number, street, city, State and Zip Code) <div style="background-color: black; color: white; font-size: 2em; text-align: center; padding: 10px;">b6</div>			
3. TYPE OF EMPLOYMENT	4. DATE OF BIRTH	5. MARITAL STATUS	6. DATE AND DAY OF ACCIDENT	7. TIME (A.M. OR P.M.)	
b6	b6	b6	2-25-13, Monday	8:00 Approximately	
8. Basis of Claim (State in detail the known facts and circumstances attending the damage, injury, or death, identifying persons and property involved, the place of occurrence and the cause thereof.) (Use additional pages if necessary.) See statements attached					
9. <b>PROPERTY DAMAGE</b>					
NAME AND ADDRESS OF OWNER, IF OTHER THAN CLAIMANT (Number, street, city, State, and Zip Code)					
BRIEFLY DESCRIBE THE PROPERTY, NATURE AND EXTENT OF DAMAGE AND THE LOCATION WHERE PROPERTY MAY BE INSPECTED. (See instructions on reverse side) Center console on a 2000 Nissan Maxima Home address - b6 Work address - b6					
10. <b>PERSONAL INJURY/WRONGFUL DEATH</b>					
STATE NATURE AND EXTENT OF EACH INJURY OR CAUSE OF DEATH, WHICH FORMS THE BASIS OF THE CLAIM. IF OTHER THAN CLAIMANT, STATE NAME OF INJURED PERSON OR DECEDENT N/A					
11. <b>WITNESSES</b>					
NAME			ADDRESS (Number, street, city, State, and Zip Code)		
None					
12. (See instructions on reverse) <b>AMOUNT OF CLAIM (in dollars)</b>					
12a. PROPERTY DAMAGE		12b. PERSONAL INJURY		12c. WRONGFUL DEATH	
		N/A		N/A	
12d. TOTAL (Failure to specify may cause forfeiture of your rights.)					
N/A					
I CERTIFY THAT THE AMOUNT OF CLAIM COVERS ONLY DAMAGES AND INJURIES CAUSED BY THE ACCIDENT ABOVE AND AGREE TO ACCEPT SAID AMOUNT IN FULL SATISFACTION AND FINAL SETTLEMENT OF THIS CLAIM					
13a. SIGNATURE OF CLAIMANT (See instructions on reverse side.)				13b. Phone number of signatory	
				14. DATE OF CLAIM	
<b>CIVIL PENALTY FOR PRESENTING FRAUDULENT CLAIM</b> The claimant shall forfeit and pay to the United States the sum of not less than \$5,000 and not more than \$10,000, plus 3 times the amount of damages sustained by the United States. (See 31 U.S.C. 3729.)				<b>CRIMINAL PENALTY FOR PRESENTING FRAUDULENT CLAIM OR MAKING FALSE STATEMENTS</b> Imprisonment for not more than five years and shall be subject to a fine of not less than \$5,000 and not more than \$10,000, plus 3 times the amount of damages sustained by the United States. (See 18 U.S.C.A. 287.)	

95-108

Previous editions not usable

NSN 7540-00-634-4046

 STANDARD FORM 95 (Rev. 7-85)  
 PRESCRIBED BY DEPT. OF JUSTICE  
 28 CFR 14.2

CBP00000858



# PRIVACY ACT NOTICE

This Notice is provided in accordance with the Privacy Act, 5 U.S.C. 552a(e)(3), and concerns the information requested in the letter to which this Notice is attached.

A. *Authority*: The requested information is solicited pursuant to one or more of the following: 5 U.S.C. 501, 28 U.S.C. 501 et seq., 28 U.S.C. 2671 et seq., 28 C.F.R. Part 14.

- B. *Principal Purpose*: The information requested is to be used in evaluating claims.
- C. *Routine Use*: See the Notices of Systems of Records for the agency to whom you are submitting this form for this information.
- D. *Effect of Failure to Respond*: Disclosure is voluntary. However, failure to supply the requested information or to execute the form may render your claim "invalid".

## INSTRUCTIONS

Complete all items - Insert the word **NONE** where applicable

A CLAIM SHALL BE DEEMED TO HAVE BEEN PRESENTED WHEN A FEDERAL AGENCY RECEIVES FROM A CLAIMANT, HIS DULY AUTHORIZED AGENT, OR LEGAL REPRESENTATIVE AN EXECUTED STANDARD FORM 95 OR OTHER WRITTEN NOTIFICATION OF AN INCIDENT, ACCOMPANIED BY A CLAIM FOR MONEY DAMAGES IN A **SUM CERTAIN** FOR INJURY TO OR LOSS OF

Any instructions or information necessary in the preparation of your claim will be furnished, upon request, by the office indicated in item #1 on the reverse side. Complete regulations pertaining to claims asserted under the Federal Tort Claims Act can be found in Title 28, Code of Federal Regulations, Part 14. Many agencies have published supplemental regulations also. If more than one agency is involved, please state each agency.

The claim may be filed by a duly authorized agent or other legal representative, provided evidence satisfactory to the Government is submitted with said claim establishing express authority to act for the claimant. A claim presented by an agent or legal representative must be presented in the name of the claimant. If the claim is signed by the agent or legal representative, it must show the title or legal capacity of the person signing and be accompanied by evidence of his/her authority to present a claim on behalf of the claimant as agent, executor, administrator, parent, guardian or other representative.

If claimant intends to file claim for both personal injury and property damage, claim for both must be shown in item #12 of this form.

The amount claimed should be substantiated by competent evidence as follows:

- (a) In support of the claim for personal injury or death, the claimant should submit a written report by the attending physician, showing the nature and extent of injury, the nature and extent of treatment, the degree of permanent disability, if any, the prognosis, and the period of hospitalization, or incapacitation, attaching itemized bills for medical, hospital, or burial expenses actually incurred.

PROPERTY, PERSONAL INJURY, OR DEATH ALLEGED TO HAVE OCCURRED BY REASON OF THE INCIDENT, THE CLAIM MUST BE PRESENTED TO THE APPROPRIATE FEDERAL AGENCY WITHIN **TWO YEARS** AFTER THE CLAIM ACCRUES.

- (b) In support of claims for damage to property which has been or can be economically repaired, the claimant should submit at least two itemized signed statements or estimates by reliable, disinterested concerns, or, if payment has been made, the itemized signed receipts evidencing payment.

- (c) In support of claims for damage to property which is not economically repairable, or if the property is lost or destroyed, the claimant should submit statements as to the original cost of the property, the date of purchase, and the value of the property, both before and after the accident. Such statements should be by disinterested competent persons, preferably reputable dealers or officials familiar with the type of property damaged, or by two or more competitive bidders, and should be certified as being just and correct.

- (d) Failure to completely execute this form or to supply the requested material within two years from the date the allegations accrued may render your claim "invalid". A claim is deemed presented when it is received by the appropriate agency, not when it is mailed.

**Failure to specify a sum certain will result in invalid presentation of your claim And may result in forfeiture of your rights.**

Public reporting burden for this collection of information is estimated to average 15 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or other aspect of this collection of information, including suggestions for reducing this burden,

to Director, Torts Branch  
Civil Division  
U.S. Department of Justice  
Washington, DC 20530

and to the  
Office of Management and Budget  
Paperwork Reduction Project (1105-0008)  
Washington, DC 20503

## INSURANCE COVERAGE

In order that subrogation claims be adjudicated, it is essential that the claimant provide the following information regarding the insurance coverage of his vehicle or property:

15. Do you carry accident insurance? ☒ Yes, if yes, give name and address of insurance company (Number, street, city, State, and Zip Code) and policy number. ☐ No

b6

b6

16. Have you filed claim on your insurance carrier in this instance, and if so, is it full coverage or deductible?

No

17. If deductible, state amount:

N/A

18. If claim has been filed with your carrier, what action has your insurer taken or proposes to take with reference to your claim? (It is necessary that you ascertain these facts)

N/A

19. Do you carry public liability and property damage insurance? ☒ Yes, If yes, give name and address of insurance carrier (Number, street, city, State, and Zip Code) ☐ No

b6

SF 95 (Rev. 7-85) BACK

\* U.S. GOVERNMENT PRINTING OFFICE: 1989--241-175

CBP00000859

Estimate

ID #b6

Federal Tax ID: b6

License Number: b6

Vehicle Info	VIN	Color Ext / Int.	License (St.)	Miles In / Out
2000 Nissan Maxima SE 4 Door Sedan 3.0L 6 Cyl Gas Injected 5 Speed Man Trans	b6	/		0 / 0

Owner

b6

Estimator

b6

Description	Part #	Price	Qty	Labor	Paint	Other
<b>CENTER CONSOLE</b>						
Replace CTR CONSOLE LID	ORDER FROM DEALER	\$273.07	1	0.3 Body hrs.		

**Totals**

Type	Hours	Rate/hr	Total	Taxable
OEM Parts			\$273.07	✓
Body Labor	0.3	\$48.00	\$14.40	
Taxable Amount			\$273.07	
Tax	9.400%		\$25.67	
Nontaxable Amount			\$14.40	
Net Total			\$313.14	

b6

SOLD TO	SHIPPED TO
b6	

**RETURN POLICY:** No returns on electrical or special order items. All claims and returned goods must be accompanied by this invoice. A restocking charge will be applied on all merchandise returned for credit. No returns after 30 days.

**DISCLAIMER OF WARRANTIES:** All warranties on the products sold hereby are those made by the manufacturer. The seller, SONORA NISSAN, hereby expressly disclaims all warranties, either expressed or implied, including any implied warranty of merchantability or fitness for a particular purpose, and SONORA NISSAN, neither assumes nor authorizes any other person to assume for it any liability in connection with the sale of said products. Any limitation contained herein does not apply where prohibited by law.

[illegible]



Blythe Border Patrol Station  
16870 W. Hobson Way  
Blythe, CA 92225

March 14, 2013

b6

On February 25, 2013, at approximately 8:35 AM I received a call from my son who was traveling to b6 to work. He informed me that he had been pulled into secondary at the Border Patrol check point. The check point is located on Highway 95 past Martinez Lake exit. And that during the search of my vehicle the center console of the vehicle was broken he told me he was going back because the agents searching the vehicle never informed him that the console was damaged during the search. I told him he better go back and when he got there I wanted to speak to the Agent who searched my vehicle. I was on the phone with my son and heard him speaking to the agent. I then told my son when you are done I want to speak to him. My son told him my mother wants to speak to you and handed the agent his cell phone. I asked that agent for the name of the person who searched my vehicle and he answered Agent b6 and that I was speaking to him. I told him I understand that you are all doing our job and that I didn't have a problem with them searching the vehicle or sending my son to secondary but couldn't they have taken more care in searching my vehicle. I also told him if they didn't know how to open the console all they had to do was ask my son and he would have showed them how. I told Agent b6, I know my vehicle is not brand new but we take care of our vehicles and that I was disappointed how the situation was handled. I then asked him if I could speak to his supervisor or get his phone number I said "better yet have your supervisor call me because I am at work".

Supervisor b6 called me at work immediately and said the agent was going to give my son a form to file out and that I could drop it off at the Blythe station gave me the address and the vehicle would be repaired. I told the supervisor what upset me the most was that no one told my son they broke the center console and that if they did not know how to open it all they had to do was ask my son. I feel that it was very disrespectful how the situation was handled. Yes my son is only b6 years old and they probably thought he was just a kid and he would not notice the damage but the vehicle is my and he knows what I expect from him when he drives it.

b6

Blythe Border Patrol Station  
16870 W. Hobson Way  
Blythe, CA 92225

March 14, 2013

On February 25, 2013 at approximately 8:10 A. M. as I was traveling to b6 in my mother's vehicle. I enter the Border Patrol Check Point on Highway 95 past Martinez Lake exit. I pulled up to the agent who he asked me where I was headed. I told him I was going to b6. He asked for the purpose of the trip, I replied "for work". The agent then asked me if I was the registered owner of the vehicle, I said "no" the vehicle belongs to my mother and he asked me if I had permission to use the vehicle. I said yes. Then the agent asked me to open the trunk so I did. He then asked me to pull into secondary, questioned me about the b6 in the trunk I told him it belonged to my mother, and he asked me why does she need it. I said for her employment. He asked me what my mother did and I told she works at b6. The agent asked for permission to search the vehicle I gave him permission and sat down and waited for him to search the vehicle. A second agent approached with a K-9 and asked if he could search the vehicle I said ok. He proceeded to have the K-9 search the vehicle and then he left with the K-9 and returned without the K-9. He and Agent b6 continued to search the vehicle. While Agent b6 and the K-9 agent searched the vehicle a third agent walked up to me while I was sitting down and asked me the same questions Agent b6 had already asked I answered them. Once they were done searching the vehicle they let me leave, and I was unaware of the damage to the vehicle.

I had driven half a mile from the check point and discovered that during the search the Agents had damaged the center console in the vehicle. I called my mother and informed her of what happened and told her I was going back to the check point and report the damage and she said she would hold on because she wanted to speak to the Agent responsible. Upon returning to the check point I spoke to the agent and informed him of the damage and he said he didn't notice it. Then asked me to pull in to secondary and he was going to give me some paper work. The agent walked into the office and got the paper work and before he gave it to me my mother asked to speak to him. When he was done speaking to her he gave me the paper work I needed and I asked him why I was pulled into secondary and he told me because my story sounded suspicious. I informed the agent that I would be traveling to b6 again and asked if there would be a problem every time I traveled because my story would not change.

The vehicle searched lasted for 15 to 20 minutes.

b6



b6,b7C

16870 W. Hobson Way  
Blythe, California 92225



U.S. Customs and  
Border Protection

May 7, 2012

MEMORANDUM FOR:

b6,b7C

Chief Patrol Agent  
Yuma Sector

b6,b7C

FROM:

b6,b7C

Supervisory Border Patrol Agent  
Blythe Station

SUBJECT:

Citizens Complaint

On May 7, 2012, I was advised by FOS b6,b7C that a citizen by the name of b6,b7C was complaining that he was being followed by one of the Border Patrol Agents assigned to the b7E shift on May 5, 2012 at approximately 8:00 p.m. b6,b7C goes on to claim he was followed through Blythe for approximately fifteen minutes but was never pulled over.

Border Patrol Agents (BPA) b6,b7C and b6,b7C were assigned Traffic Check Duties in the Blythe general area on the above stated date and shift. FOS b6,b7C and I asked each of them as to their involvement and BPA b6,b7C stated that at the above indicated time he was fueling his service issued vehicle in Ehrenberg, Arizona so that he could end his shift and there fore was not involved.

BPA b6,b7C stated that it was he that was following b6,b7C, b7E

b6,b7C, b7E

BPA b6,b7C stated that on May 5, 2012, at the above mentioned time, he recognized b6,b7C driving a pick-up as it was stopped at a stop light in Blythe. BPA b6,b7C decided to further investigate and notice that b6,b7C b7E

b6,b7C, b7E

b6,b7C, b7E

b6,b7C

CBP00000864



U.S. Customs and  
Border Protection

b6,b7C

May 7, 2012

MEMORANDUM FOR:

b6,b7C  
Chief Patrol Agent  
Yuma Sector

FROM:

b6,b7C b6,b7C  
Border Patrol Agent  
Blythe, California

SUBJECT:

Complaint during Traffic Check Duties

On May 5, 2012, I was assigned b7E the Blythe, California General Area on the b7E shift. At approximately 8:00 p.m., I observed a Silver Ford F-250 Pick-Up truck at the intersection of Hobsonway and Lovekin Boulevard awaiting a stop light. I recognized the driver of the truck as b6,b7C (DOB: b6,b7C). b6,b7C was arrested for harboring his illegal alien girlfriend b6,b7C b6,b7C (DOB: b6,b7C) by Blythe Border Patrol Agents a few months prior. As a result of that arrest, b6,b7C was granted a Voluntary Returned to b6,b7C has been spotted multiple times throughout the Blythe Border Patrol Area of Responsibility since her last arrest.

b7E  
b6,b7C,b7E  
b6,b7C,b7E I decided to follow the vehicle to determine if b6,b7C was an occupant.

As soon as the light turned green, b6,b7C went east along Hobsonway and as I followed behind him, b7E

b7E  
b7E  
b6,b7C,b7E arrived at the intersection of Murphy Street and 3<sup>rd</sup> Street and again made a quick turn to the south and then another quick turn to the east along Hobsonway. b6,b7C,b7E made multiple right turns allowing me a clear view into the passenger's seat and ultimately, I determined that b6,b7C was not present in the vehicle. b7E b7E I did not feel the need to conduct a vehicle stop. No further observation of b6,b7C truck or its occupants was conducted so I broke contact and returned to the station to end my shift.

b6,b7C

Date and Time: May 7, 2012 1250 hours

Border Patrol Agent: b6

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

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

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

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

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

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

(ii) the employee requests representation.’

Employee's Signature

Union Representative

b6

Supervisor Supplying Notice: SBPA b6



b6,b7C



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

February 25, 2013

MEMORANDUM FOR:

b6,b7C

Chief Patrol Agent  
Yuma Sector

FROM:

b6,b7C b6,b7C

Border Patrol Agent  
Blythe Station

SUBJECT:

Civilian Vehicle Damage

On Monday February 25, 2013, I was assigned to the USBP Immigration Checkpoint located on Arizona Highway 95 mile marker 76 near Quartzsite, Arizona. At approximately 7:30a.m., I directed a silver 2000 Nissan Maxima bearing license plate (b6,b7C) driven by (b6,b7C) to the secondary inspection area for further immigration inspection.

In secondary inspection, a canine sniff was performed. Agent (b6,b7C) notified me that the canine alerted to the driver side door and center console area. At that time, I performed a search of the vehicle. During the search I opened the lid to the center console; I did not notice it being damaged. I concluded my search and attempted to close the lid. When I went to close the lid I noticed it did not close easily. I was able to close the center console after a few attempts. The search of the vehicle was negative, and (b6,b7C) and vehicle were released. (b6,b7C) got in the vehicle and departed the checkpoint.

Approximately five minutes after leaving the checkpoint, the vehicle returned. (b6,b7C) stated that as he was driving away from checkpoint he noticed the center console lip was broken and that it was not broken before the search. I contacted SBPA (b6,b7C) to notify him of the incident. (b6,b7C) was given a Claim for Damage, Injury or Death form (SF-95) and instructed how to complete it. (b6,b7C) then departed the checkpoint without further incident.

b6,b7C

CBP00000867

Date and Time: 02/25/2013 1400 HRS

Border Patrol Agent: b6

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

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

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

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

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

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

(ii) The employee requests representation.’

Employee’s Signature: b6

Union Representative: \_\_\_\_\_

Supervisor Supplying Notice: SBPA b6

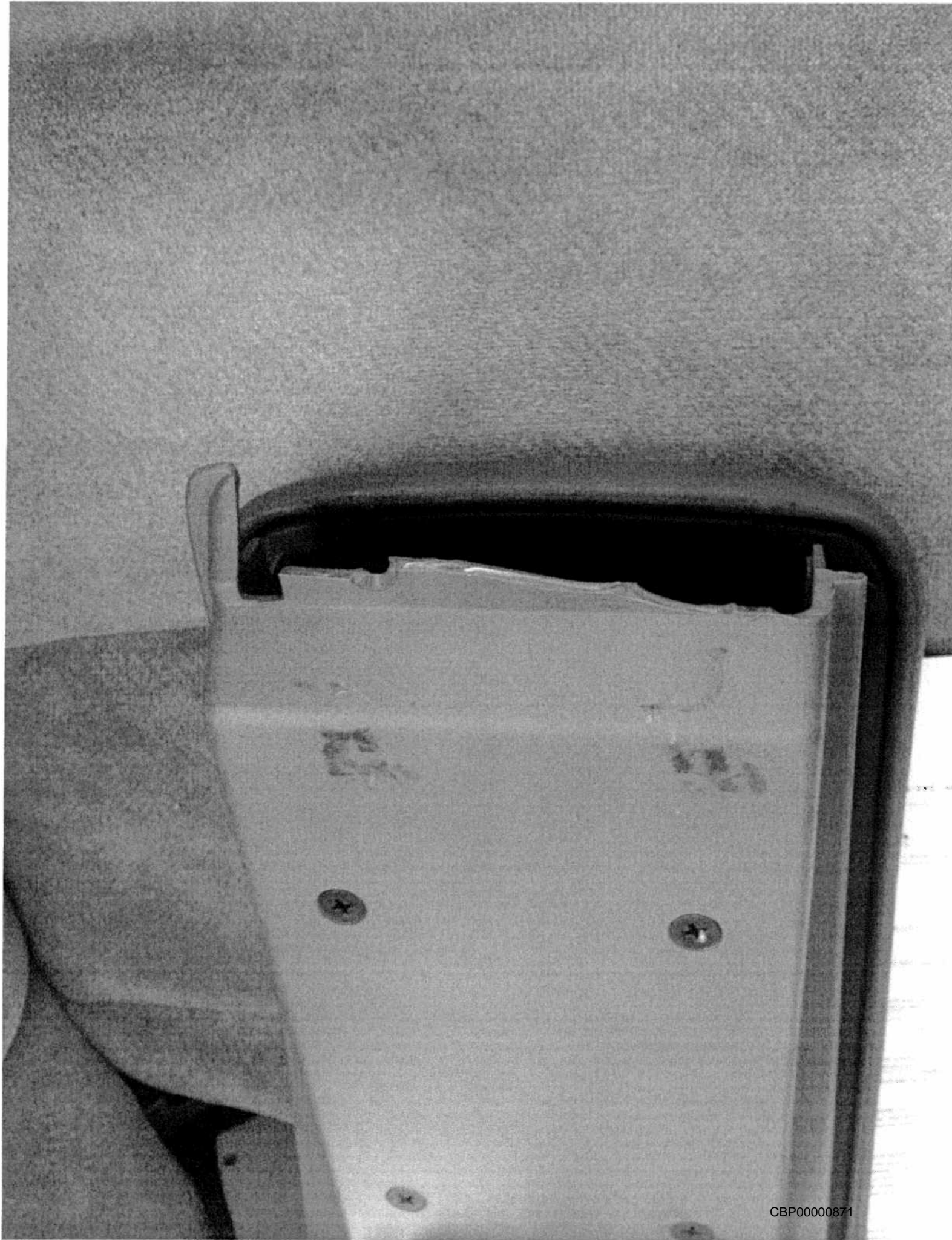




CBP00000869



CBP00000870



CBP00000871



b6,b7C



16870 W. Hobsonway  
Blythe, California 92225

U.S. Customs and  
Border Protection

April 17, 2013

MEMORANDUM FOR:

b6,b7C  
Chief Patrol Agent  
Yuma Sector

FROM:

b6,b7C b6,b7C  
Field Operations Supervisor  
Blythe Station

SUBJECT:

Lost b6,b7C Card and wallet RE: b6,b7C

On April 17, 2013, I was notified by Supervisory Border Patrol Agent b6,b7C that b6,b7C b6,b7C had reported, her b6,b7C card and the wallet of her boyfriend; b6,b7C was discovered to be missing upon her release from the Blythe Border Patrol Station.

b6,b7C was apprehended as the driver of a vehicle on Highway 93 near Wikieup, Arizona, attempting to transport and smuggle her undocumented boyfriend, b6,b7C b6,b7C to the Las Vegas, Nevada area on April 16, 2013.

b6,b7C and b6,b7C were taken into custody and the vehicle was seized for Transporting Illegal Aliens. All items from the vehicle were removed and placed in property bags or large plastic bags and transported to the Blythe Border Patrol Station for further interview and processing.

Upon the release of b6,b7C from the Blythe Station, b6,b7C reported that she could not locate her b6,b7C card and the wallet of her boyfriend. The wallet contained no money, as claimed by b6,b7C and her boyfriend, b6,b7C. A search of the Blythe Station and the personal items of b6,b7C and b6,b7C were conducted on the day shift and the items which b6,b7C claimed were missing, could not be located.

b6,b7C was provided Form SF-95, Claim for Damage, Injury or Death, and released from the Blythe Station. The complaint for the missing items was completed by Supervisory Border Patrol Agent b6,b7C.

On April 17, 2013, I served Border Patrol Agents, b6,b7C and b6,b7C with Article 31b and requested that they execute memorandums pertaining to the event, dealing with individuals and their personal belongings.

b6,b7C

CBP00000872



b6,b7C



16870 W. Hobson Way  
Blythe, CA 92225

U.S. Customs and  
Border Protection

April 17, 2013

MEMORANDUM FOR:

b6,b7C

Chief Patrol Agent  
Yuma Sector

FROM:

b6,b7C

b6,b7C

Border Patrol Agent  
Blythe Station

SUBJECT:

Citizen Complaint

On April 17, 2013, Border Patrol Agent b6,b7C and I took into custody b6,b7C b6,b7C DOB: b6,b7C who had a b6,b7C Card b6,b7C. b6,b7C was transporting an illegal alien from b6,b7C DOB: b6,b7C. While taking both subjects into custody, I remember b6,b7C showing her b6,b7C to BPA b6,b7C. I never saw the document again afterwards.

We apprehended b6,b7C first and b6,b7C second. When I instructed b6,b7C to step out of the vehicle, she gathered her personal belongings along with some of b6,b7C personal effects and placed them inside her purse, but I do not recall ever seeing b6,b7C wallet.

Upon arrival at the Blythe Station, I did not inventory or come into contact with any of the subject's belongings.

Date and Time:

4/17/2013 1810 hrs

Border Patrol Agent:

b6

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

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

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

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

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

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

(ii) the employee requests representation.’

Employee’s Signature:

b6

Union Representative :

Supervisor Supplying Notice

b6

b6,b7C



16870 W. Hobson Way  
Blythe, CA 92225

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

April 17, 2013

MEMORANDUM FOR:

b6,b7C

Chief Patrol  
Yuma Sector

b6,b7C

FROM:

b6,b7C

Border Patrol Agent  
Blythe Station

SUBJECT:

Missing property

On April 17, 2013 Field Operations Supervisor b6,b7C informed me that I have to write this memo.

I do not recall encountering a b6,b7C card belonging to b6,b7C  
Furthermore, I do not recall encountering a wallet belonging to b6,b7C

I witnessed b6,b7C verbally acknowledge that he was in possession of all his property and sign the form, 6051D in the presence of Agent b6,b7C

b6,b7C

CBP00000875

Date and Time: 4/17/13 6:11 pm

Border Patrol Agent: b6

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

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

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

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

(ii) the

Employee's Signature: b6

Union Representative : \_\_\_\_\_

Supervisor Supplying Notice

b6



b6,b7C



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

April 17, 2013

MEMORANDUM FOR:

b6,b7C  
Chief Patrol Agent  
Yuma Sector

FROM:

b6,b7C  
Border Patrol Agent  
Blythe Station

b6,b7C

SUBJECT:

Missing property

On Wednesday 17th, 2013 I, Agent b6,b7C was assigned b7E near the Wikieup, Arizona area. After performing a vehicle stop of a Grey 2001 Ford Expedition, I performed an immigration investigation of the occupants. b6,b7C the driver, presented her b6,b7C card. The passenger, b6,b7C presented his b6,b7C Consular card and subsequently admitted being in the United States illegally.

I personally returned b6,b7C card to her before she exited the vehicle. I did not see the card after returning it to her. I am unaware of where b6,b7C placed the card after it was returned to her.

Both occupants were then removed from the vehicle and asked to remove all items except cash from their persons. Their belongings were placed inside their vehicle, as questioning continued of both occupants.

The vehicle was then cleaned out and all property was placed inside a black plastic bag. Both subjects and property were then transported to Blythe Station for processing.

After arrival to the station and during processing, b6,b7C was taken outside to identify his property. He removed his personal belongings from the bags, where all items that were taken out of the vehicle were placed.

b6,b7C identified his property, it was placed in a clear evidence bag and property tagged with his information. b6,b7C stated the remaining property belonged to b6,b7C I do not recall b6,b7C retrieving a wallet and placing it in his property bag.

b6,b7C

CBP00000877

Date and Time: 4/17/13 1815

Border Patrol Agent: b6

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

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

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

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

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

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

(ii) the employee requests representation.’

Employee’s Signature: b6

Union Representative : \_\_\_\_\_

Supervisor Supplying Notice: \_\_\_\_\_

16870 W. Hobson Way  
Blythe, California 92225



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

**b6,b7C**

April 18, 2013

MEMORANDUM FOR:

**b6,b7C**

Chief Patrol Agent in Charge  
Blythe Station

FROM:

**b6,b7C**

**b6,b7C**

Border Patrol Agent  
Blythe Station

SUBJECT:

Missing **b6,b7C** card

On Wednesday, April 17, 2013 an individual apprehended by Blythe Border Patrol Agents near Wikieup, Arizona for alien smuggling, complained that she was missing her **b6,b7C** card. At no time did I ever come into contact with this individual or any of her property.

**b6,b7C**

CBP00000879

Date and Time: 4/17/2013 1811  
Border Patrol Agent: b6

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

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

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

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

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

(ii) the employee requests representation.’

Employee’s Signature b6

Union Representative : \_\_\_\_\_

Supervisor Supplying Notice b6



b6,b7C



16870 W. Hobson Way  
Blythe, CA 92225

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

April 17, 2013

MEMORANDUM FOR:

b6,b7C  
Chief Patrol Agent  
Yuma Sector

FROM:

b6,b7C  
Border Patrol Agent  
Blythe Station

b6,b7C

SUBJECT:

Citizen Complaint

On April 17, 2013, Border Patrol Agent b6,b7C and I took into custody b6,b7C  
b6,b7C DOB: b6,b7C who had a b6,b7C Card b6,b7C  
b6,b7C was transporting an illegal alien from Mexico, b6,b7C  
DOB: b6,b7C While taking both subjects into custody, I remember b6,b7C showing  
her b6,b7C to BPA b6,b7C. I never saw the document again afterwards.

We apprehended b6,b7C first and b6,b7C second. When I instructed b6,b7C to  
step out of the vehicle, she gathered her personal belongings along with some of b6,b7C  
personal effects and placed them inside her purse, but I do not recall ever seeing b6,b7C  
wallet.

Upon arrival at the Blythe Station, I did not inventory or come into contact with any of the  
subject's belongings.

Date and Time:

4/17/2013 1810 hrs

Border Patrol Agent:

b6

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

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

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

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

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

(ii) the employee requests representation.’

Employee’s Signature:

b6

Union Representative :

Supervisor Supplying Notice

b6

b6,b7C



16870 W. Hobson Way  
Blythe, CA 92225

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

April 17, 2013

MEMORANDUM FOR:

b6,b7C

Chief Patrol Agent  
Yuma Sector

b6,b7C

FROM:

b6,b7C

Border Patrol Agent  
Blythe Station

SUBJECT:

Missing property

On April 17, 2013 Field Operations Supervisor b6,b7C informed me that I have to write this memo.

I do not recall encountering a b6,b7C card belonging to b6,b7C

Furthermore, I do not recall encountering a wallet belonging to b6,b7C

I witnessed b6,b7C verbally acknowledge that he was in possession of all his property and sign the form, 6051D in the presence of Agent b6,b7C

Date and Time: 4/17/13 6:11 pm

Border Patrol Agent: b6

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

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

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

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

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

(ii) th **b6** on.’

Employee’s Signature: **b6**

Union Representative : \_\_\_\_\_

Supervisor Supplying Notice **b6**



b6,b7C



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

April 17, 2013

MEMORANDUM FOR:

b6,b7C  
Chief Patrol Agent  
Yuma Sector

FROM:

b6,b7C  
Border Patrol Agent  
Blythe Station

b6,b7C

SUBJECT:

Missing property

On Wednesday 17th, 2013 I, Agent b6,b7C was assigned b7E near the Wikieup, Arizona area. After performing a vehicle stop of a Grey 2001 Ford Expedition, I performed an immigration investigation of the occupants. b6 b7C the driver, presented her b6,b7C card. The passenger, b6,b7C presented his b6,b7C Consular card and subsequently admitted being in the United States illegally.

I personally returned b6,b7C card to her before she exited the vehicle. I did not see the card after returning it to her. I am unaware of where b6,b7C placed the card after it was returned to her.

Both occupants were then removed from the vehicle and asked to remove all items except cash from their persons. Their belongings were placed inside their vehicle, as questioning continued of both occupants.

The vehicle was then cleaned out and all property was placed inside a black plastic bag. Both subjects and property were then transported to Blythe Station for processing.

After arrival to the station and during processing, b6,b7C was taken outside to identify his property. He removed his personal belongings from the bags, where all items that were taken out of the vehicle were placed.

b6,b7C identified his property, it was placed in a clear evidence bag and property tagged with his information. b6,b7C stated the remaining property belonged to b6,b7C. I do not recall b6,b7C retrieving a wallet and placing it in his property bag.

b6,b7C

CBP00000885

Date and Time: 4/17/13 1815

Border Patrol Agent: b6

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

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

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

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

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

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

(ii) the employee requests representation.’

Employee’s Signature: b6

Union Representative : \_\_\_\_\_

Supervisor Supplying Notice: \_\_\_\_\_

16870 W. Hobson Way  
Blythe, California 92225



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

**b6,b7C**

April 18, 2013

MEMORANDUM FOR:

**b6,b7C**

Chief Patrol Agent in Charge  
Blythe Station

FROM:

**b6,b7C**

**b6,b7C**

Border Patrol Agent  
Blythe Station

SUBJECT:

Missing **b6,b7C** card

On Wednesday, April 17, 2013 an individual apprehended by Blythe Border Patrol Agents near Wikieup, Arizona for alien smuggling, complained that she was missing her **b6,b7C** card. At no time did I ever come into contact with this individual or any of her property.

**b6,b7C**

CBP00000887

Date and Time: 4/17/2013 1811  
Border Patrol Agent: b6

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

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

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

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

(ii) the employee requests representation.’

Employee’s Signature: b6

Union Representative : \_\_\_\_\_

Supervisor Supplying Notice: b6





Department of Homeland Security  
Bureau of Customs and Border Protection

## UNITED STATES BORDER PATROL

Yuma Sector Complaint Report Form



Report Number: **b6,b7C**

Station: BLY

**EMPLOYEE:** (person taking information)

Name: **b6,b7C** Star Number: **b6,b7C** Date: 04/17/2013 Time: 11:00 HRS

Method Report Received: ☒ In person ☐ Phone ☐ Other: \_\_\_\_\_

**CITIZEN COMPLAINANT:** (ASK, but not required)

Name: **b6,b7C**

Address: **b6,b7C**

Phone: **b6,b7C**

**RELEVANT INFORMATION:** (criminal activity to report)

OFFICER RELATED COMPLAINT:

Name of Officer(s): \_\_\_\_\_

Date/Time of Incident: 04/17/2013 10:37 HRS

Location of Incident: Rd/Hwy \_\_\_\_\_ Milepost \_\_\_\_\_ Community \_\_\_\_\_

Landmark(s): Blythe Border Patrol Station

Description of Incident: **b6,b7C** was booked and released for 8 USC 1324. Upon her release, **b6,b7C** asked for her **b6,b7C** Card and her husband's wallet. **b6,b7C** claims that an agent put the card in his pocket. Inside the wallet was a **b6,b7C** ATM card, **b6,b7C** ID and a **b6,b7C** ID. The wallet did not had any money in it. Agents working the processing area were unable to find the card or the wallet. Form SF-95 claim for damage, injury or death was provided to **b6,b7C**

STATION RELATED COMPLAINT:

Number of Officer \_\_\_\_\_

Date/Time of Incident: 2013-04-17 10:37:00.0

Location of Incident: Rd/Hwy \_\_\_\_\_

Milepost: \_\_\_\_\_

Community: \_\_\_\_\_

Landmark(s): Blythe Border Patrol Station

Description of Incident:

b6,b7C was booked and released for 8 USC 1324. Upon her release, b6,b7C asked for her b6,b7C Card and her husband's wallet. b6,b7C claims that an agent put the card in his pocket. Inside the wallet was a b6,b7C ATM card, b6,b7C ID and a b6,b7C ID. The wallet did not have any money in it. Agents working the processing area were unable to find the card or the wallet. Form SF-95 claim for damage, injury or death was provided to b6,b7C

**Other Agencies**

IMMEDIATE ACTION TAKEN: ☐ NONE ☒ YES (explain)

Form SF-95 provided. Memoranda requested.

AFTER ACTION:

☒ NONE

☐ YES (explain)

Completed by:

b6,b7C

4/17/13 11:00 am

Date/Time

b6,b7C



16870 W. Hobson Way  
Blythe, CA 92225

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

July 2, 2012

MEMORANDUM FOR:

b6,b7C  
Chief Patrol Agent  
Yuma Sector b6,b7C

FROM:

b6,b7C  
Field Operations Supervisor  
Blythe Station

SUBJECT:

Citizen Complaint

On July 2, 2012, Supervisory Border Patrol Agent (SBPA) b6,b7C received a telephonic citizen's complaint from b6,b7C (DOB: b6,b7C). b6,b7C stated that on June 20, 2012, at approximately 1630 hours she was placed in secondary inspection at the State Highway 95 Checkpoint (1153 Checkpoint) near Quartzsite, Arizona.

b6,b7C claims her b6,b7C card, along with her mother's card (later identified as b6,b7C DOB: b6,b7C) were given to agents working the checkpoint, and the documents were not returned to them. b6,b7C stated she searched for her documents in her vehicle, at her residence, and within her purse with negative results. b6,b7C claims that the documents were left with an unknown agent at the checkpoint. b6,b7C stated that she needs to travel to b6,b7C soon, and she requires her documents as soon as possible.

Daily Assignments form b7E for that day reveals Border Patrol Agent (BPA) b6,b7C BPA b6,b7C and BPA b6,b7C were assigned to the 1153 Checkpoint. Yuma Sector Communications did not query immigration records or criminal records for b6,b7C or b6,b7C on that date.

Agents assigned to the 1153 Checkpoint on that date were given their Weingarten Right advisements requesting memoranda regarding this incident. A search for the alleged missing documents was conducted at the 1153 Checkpoint with negative results.

Further queries on immigration history and criminal record checks indicated a border crossing history for b6,b7C on June 20, 2012. b6,b7C and b6,b7C have valid b6,b7C status.

**b6,b7C,b7E**

b6,b7C was advised to report her missing documents to the United States Citizenship and Immigration Services. YUM-BIC report number b6,b7C generated (See attachment).

b6,b7C

CBP00000892





Department of Homeland Security  
Bureau of Customs and Border Protection

**UNITED STATES BORDER PATROL**  
Yuma Sector Complaint Report Form



Report Number: **b6,b7C**  
Station: BLY

**EMPLOYEE:** (person taking information)

Name: **b6,b7C** Star Number: **b6,b7C** Date: 07/02/2012 Time: 15:11 HRS

Method Report Received: ☐ In person ☒ Phone ☐ Other: \_\_\_\_\_

**CITIZEN COMPLAINANT:** (ASK, but not required)

Name: **b6,b7C**

Address: **b6,b7C**

Phone: **b6,b7C**

**RELEVANT INFORMATION:** (criminal activity to report)

OFFICER RELATED COMPLAINT:

Name of Officer(s): BPA **b6,b7C** BPA **b6,b7C** BPA **b6,b7C**

Date/Time of Incident: 07/02/2012 16:30 HRS

Location of Incident: Rd/Hwy HWY 95 Milepost 78 Community 1153

Landmark(s): 1153

Description of Incident: Subject claims on June 20, 2012, at approximately 1630 hrs she was sent to secondary at the 1153 Checkpoint. Subject claims her **b6,b7C** card along with her mother's **b6,b7C** **b6,b7C** DOB: **b6,b7C** were given to agents working the checkpoint and were not returned to her or her mother. Subject claims she looked for her documents in her vehicle, house and purse with no results. Subject claims the documents were left with an unknown agent at the checkpoint.

STATION RELATED COMPLAINT:

Number of Officer 3 Date/Time of Incident: 2012-06-20 16:30:00.0

Location of Incident: Rd/Hwy HWY 95 Milepost: 78 Community: 1153

Landmark(s): 1153

Description of Incident:

Subject claims on June 20, 2012, at approximately 1630 hrs she was sent to secondary at the 1153 Checkpoint. Subject claims her **b6,b7C** card along with her mother's **b6,b7C** DOB: **b6,b7C** were given to agents working the checkpoint and were not returned to her or her mother. Subject claims she looked for her documents in her vehicle, house and purse with no results. Subject claims the documents were left with an unknown agent at the checkpoint.

**Other Agencies**

IMMEDIATE ACTION TAKEN: ☐ NONE ☒ YES (explain)

Memorandums was requested from all agents involved via email.

<b>AFTER ACTION:</b>	<input checked="checked" type="checkbox"/> NONE	<input type="checkbox"/> YES (explain)
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Completed by: \_\_\_\_\_

(name) Date/Time



16870 Hobson Way  
Blythe, California 92225

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

**b6,b7C**

July 3, 2012

MEMORANDUM FOR:

**b6,b7C**

Chief Patrol Agent  
Yuma Sector

FROM:

**b6,b7C**

**b6,b7C**

Border Patrol Agent  
Blythe, California

SUBJECT:

Complaint at 1153 Checkpoint

On July 3, 2012, I was ordered by SBPA **b6,b7C** to submit a memorandum relating to an incident that occurred on June 20, 2012. SBPA **b6,b7C** stated a **b6,b7C** card **b6,b7C** was alleged to be taken and not returned from an unknown subject(s) on the above referenced date.

On June 20, 2012, I was assigned to the 1153 Checkpoint on Arizona Highway 95. During my duties at the 1153 Checkpoint two unidentified female subjects were placed in the secondary lane by the agent assigned to primary inspection duties for further investigation. After the two female subjects were parked in the secondary lane, I assumed duties as the primary agent at the Checkpoint. At no point did I have any interaction with these two subjects, nor did I examine their documents.

**b6,b7C**

CBP00000896

**b6,b7C**



Date and Time 7/3/2012 8:53 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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Section 7114(a)(2) of the Civil Service Reform Act of 1978 states:

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

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

(ii) the employee requests representation.”

Employee's Signature

b6

Union Representative

Supervisor supplying notice

SBPA b6

b6

b6,b7C



16870 W. Hobson Way  
Blythe, CA 92225

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

July 10, 2012

MEMORANDUM FOR:

b6,b7C

Chief Patrol Agent  
Yuma Sector

FROM:

b6,b7C

Border Patrol Agent  
Blythe Station

b6,b7C

SUBJECT:

Missing b6,b7C

On July 02, 2012, I was informed by SBPA b6,b7C about a person by the name of b6,b7C b6,b7C alleging to have been sent to secondary inspection at the 1153 checkpoint on June 20, 2012 at approximately 6:00 p.m. and not had her b6,b7C returned by Blythe Station Border Patrol Agents after requesting it for inspection.

According to b7E for June 20, 2012, I was assigned to the 1153 checkpoint on the b7E shift.

I do not remember referring to secondary inspection or requesting records checks on a person by such name or not returning an b6,b7C on said date.

b6,b7C

CBP00000898

Date and Time: 07/03/2012 2:10 p.m.

Border Patrol Agent: b6

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

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

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

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

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

(ii) the employee requests representation.’

Employee’s Signature: b6

Union Representative b6

Supervisor Supplying Notice: SBPA b6

b6

b6,b7C



16870 W. Hobson Way  
Blythe, CA 92225

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

July 3, 2012

MEMORANDUM FOR:

b6,b7C  
Chief Patrol Agent  
Yuma Sector

FROM:

b6,b7C b6,b7C  
Border Patrol Agent  
Blythe Station

SUBJECT:

Citizen's Complaint

On Wednesday June 20, 2012, I was assigned to the 1153 checkpoint along with Agent b6,b7C b6,b7C and Agent b6,b7C. I remember a woman being sent to secondary at approximately 1800 but do not recall her name or who was the agent in primary. I do not recall who was tasked with running records checks or handling of any documents.

b6,b7C

CBP00000900



Date and Time: 07/03/2012 12:10 p.m.

Border Patrol Agent: b6

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

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

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

(ii) the employee requests representation.’

Employee's Signature: b6

Union Representative : \_\_\_\_\_

Supervisor Supplying Notice: SBPA b6

Office: Blythe Station

Schedule: Wednesday, June 20, 2012

Zone	Assignment	Fleet#	Star #	Agent Name	Shift	Time	Comments
------	------------	--------	--------	------------	-------	------	----------

**b2,b6,b7C,b7E**



Department of Homeland Security, Customs and Border Protection

**Sensitive But Unclassified**

Total Manpower is: **b2,b7E**

Examined and Approved by: \_\_\_\_\_

17:26

TECS II - PERSON SUBJECT DISPLAY (1 OF 1) 070912

b7E

b6,b7C

TECS RECORD ID b7E

ENTRY 061112 UPDATE 061312

NAME- LAST b6,b7C

PHYSICAL IDENTIFIERS

FIRST b6,b7C

MID

b6,b7C

RACE b6,b7C

SEX

HAIR

EYES

IMAGE

ALIAS

NICKNAME

STC

HT 000 000 WT 000 000 ENGLISH

PERSONAL-

S/M/T

MORE

DOB b6,b7C

POB-

CNTRY

ST

CITY

CTZN

MORE

SSN

MORE

AFN

MORE

RES

EXC/SITE

MORE

PPN

TYPE

CNTRY

ISSDT

EXPDT

MORE

ADDRESS- DATE

STREET

APT

CITY

STATE

CNTRY

ZIP

TYPE

MORE

CONTACT- b6,b7C

PHONE

b6,b7C

OWNER

b6,b7C

CASE NBR

MORE

PRIMARY

START b7E

STOP b7E

QRY NTFY b7E

STATUS

b3,b7E

REMARKS- DATE b7E

MORE

b7E

NO SUB-RECORDS

b7E

17:28

b6,b7C

PQH API/HIT DATA

070912

b7E

NAME	DOB	DATE	TIME	AGN	RSLT	LNE TYP	REF	TERM/ LANE	API
b6,b7C	b6,b7C	062012	0235	CUS		VEH		NR01	N
L268-SAN LUIS, BORDER CROSSI		DOC:	b6,b7C			US C	INSP:	b6,b7C	

TECS RECORD ID :

CARRIER CODE :

FLT/VES NUMBER :

b7E

b7E



17:28

b6,b7C

POH API/HIT DATA

070913

b7E

NAME	DOB	DATE	TIME	AGN	RSLT	LNE	REF	TERM/	LANE	APT
b6,b7C	b6,b7C	062012	2011	CUS		VEH		NR02	N	
L268-SAN LOUIS, BORDER CROSSI DOC: b6,b7C						US C	INSP:	b6,b7C		

TECS RECORD ID :

CARRIER CODE :  
FLT/VES NUMBER :

b7E

b7E

**b6,b7C**



16870 W. Hobson Way  
Blythe, CA 92225

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

April 1, 2013

MEMORANDUM FOR:

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

FROM:

**b6,b7C** **b6,b7C**  
Field Operations Supervisor  
Blythe Station

SUBJECT:

Citizen Complaint

On March 28, 2013, a gentleman identifying himself as **b6,b7C** arrived at the Blythe Border Patrol Station to file a formal complaint stating that he believed he was threatened by a Border Patrol Agent. The incident occurred at the 1151 Checkpoint on Highway 78, at about 9:30 am, that same day.

Supervisory Border Patrol Agent **b6,b7C** spoke with **b6,b7C** about the incident. **b6,b7C** stated to SBPA **b6,b7C** that upon stopping at the checkpoint he was told by the primary agent that he had approached the checkpoint too fast and that the agent had said to him "How would you like to have a gun pointed at your face". **b6,b7C** then stated that the agent appeared angry and was "touching his gun". **b6,b7C** voiced his concern over having to interact with this agent in the future since he regularly commutes through this checkpoint.

Shortly after the incident occurred, Border Patrol Agent **b6,b7C** called SBPA **b6,b7C** to advise him of the incident. SBPA **b6,b7C** outlines in his memorandum the details of his conversation with BPA **b6,b7C** told SBPA **b6,b7C** that **b6,b7C** had approached the checkpoint at a high rate of speed. BPA **b6,b7C** perceived this action as a possible threat to his safety and that of his fellow agents. Once stopped and the possibility of a potential threat eliminated, BPA **b6,b7C** approached the vehicle and told the driver to slow down and that he had approached the checkpoint too fast. He also stated to SBPA **b6,b7C** that he said "You would not like to have a gun pointed at your face.... I don't know who you are or what your intentions are".

BPA **b6,b7C** articulates in his memorandum essentially what he communicated to SBPA **b6,b7C** and included that he thoroughly explained to **b6,b7C** the importance of adhering to the posted speed limit while approaching a checkpoint to maintain both officer and public safety. BPA **b6,b7C** then conducted an immigration inspection and subsequently allowed the vehicle to pass.

**b6,b7C**

CBP00000906

Citizen Complaint

Page 2

Upon reviewing the memoranda submitted, it is obvious that BPA **b6,b7C** legitimately perceived a threat to his safety as well as his fellow agents. He prepared himself mentally for a possible life threatening situation and responded accordingly. After determining there was no threat, he explained his actions to **b6,b7C**.

**b6,b7C** supplied the following contact information.

Name: **b6,b7C**

D.O.B.: **b6,b7C**

Address: **b6,b7C**

Phone: **b6,b7C**

**b6,b7C** Driver License: **b6,b7C**



b6,b7C



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

March 29, 2013

MEMORANDUM FOR:

b6,b7C  
Chief Patrol Agent  
Yuma Sector

FROM:

b6,b7C b6,b7C  
Supervisory Border Patrol Agent  
Blythe Station

SUBJECT:

Citizen Complaint

On March 28, 2013 at approximately 10:36 a.m., b6,b7C arrived at the Blythe Border Patrol Station to file a formal complaint stating that he believed he was threatened by a Border Patrol Agent at the 1151 Checkpoint on Highway 78.

I greeted b6,b7C in the lobby area and invited him into my office. b6,b7C stated that as he approached the primary inspection lane, the agent working the lane stated that he was driving too fast and told him "How would you like to have a gun pointed to your face? You know you could get shot for that?" b6,b7C stated that he felt threatened by the agent, who at the time appeared to be angry and touching his gun. b6,b7C also stated that since he drives through the checkpoint often, he is worried of having to interact with the agent in the future.

At approximately 9:30 a.m. on the same day, Border Patrol Agent b6,b7C contacted the station to let me know about the incident. BPA b6,b7C told me that the subject was approaching the primary lane too fast and that he perceived b6,b7C actions as a possible threat to his safety and the safety of the other agents working the checkpoint at the time. BPA b6,b7C stated that he told b6,b7C "You need to slow down; you were coming in too fast. You would not like to have a gun pointed to your face. I don't know who you are or what your intentions are."

b6,b7C asked BPA b6,b7C to speak to a supervisor and he referred b6,b7C to the Blythe Station.

A review of the daily assignments b7E for the 1151 Checkpoint indicates that Border Patrol Agents b6,b7C and b6,b7C were assigned to the checkpoint during the time of the incident. All agents were provided a Weingarten Notice by SBPA b6,b7C and asked to submit a memorandum describing their involvement in this incident.

o

b6,b7C

CBP00000908





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

**b6,b7C**

April 9, 2013

MEMORANDUM FOR:

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

FROM:

**b6,b7C**  
Border Patrol Agent  
Blythe Station

**b6,b7C**

SUBJECT:

Citizen Complaint

On March 28, 2013, I was working the primary inspection lane at the 1151 Immigration checkpoint. At approximately 9:30 am a white full size van with one visible occupant approached the checkpoint at an extremely high rate of speed. It pulled off the roadway into the inspection lane and failed to slow down. It only slowed as it approached the first of two speed bumps placed in the lane.

The occupant of the vehicle pulled up beside me. I stated that this was a United States Immigration checkpoint and that he needed to slow down when approaching. I told him that we as agents didn't know who he was or what his intentions were approaching at that speed. I explained to him about officer and public safety and why he needs to slow down when entering the checkpoint. I further explained that it would not be unreasonable for an Agent, who felt threatened, to draw his weapon on a vehicle traveling toward him at such a high rate of speed.

The occupant then said, "Really?" I reiterated my point again about officer safety and that we have no idea of his intentions given his actions. He then asked again, "really?" I told him I was not joking about the seriousness of the situation.

I then performed an immigration inspection.

He asked to speak to a supervisor and I referred him to the Blythe Border Patrol Station.

At no time did I threaten or was I unprofessional when dealing with this individual.

**b6,b7C**

Date and Time: March 28, 2013

Border Patrol Agent: b6 1450 Hours

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

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

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

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

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

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

**(ii) The employee requests representation.’**

**Employee’s Signature:**

**Union Representative**

**Supervisor Supplying Notice: SBPA**

**b6,b7C**



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

March 28, 2013

MEMORANDUM FOR:

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

FROM:

**b6,b7C** **b6,b7C**  
Border Patrol Agent  
Blythe Station

SUBJECT:

Citizen Complaint

I was completely not involved with the incident involving **b6,b7C** at the 1151 Checkpoint. During that time I was inside of the trailer while the incident occurred outside the 1151 trailer and I was informed after the incident occurred.

Date and Time: March 28, 2013

Border Patrol Agent: b6 1410 Hours

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

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

**(ii) The employee requests representation.’**

Employee's Signature: b6

Union Representative : \_\_\_\_\_

Supervisor Supplying Notice: SBPA b6



b6,b7C



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

March 28, 2013

MEMORANDUM FOR:

b6,b7C

Chief Patrol Agent  
Yuma Sector

b6,b7C

FROM:

b6,b7C

Border Patrol Agent  
Blythe, California

SUBJECT:

Citizen Complaint

On March 28, 2013, I was working the b7E shift. I was assigned to the 1151 Checkpoint located on Highway 78. I am writing this memo as per SBPA b6,b7C I was informed that a citizen's complaint was made on this date. I did not witness or hear anything regarding the complaint. Therefore I have no details concerning the incident.

Date and Time: March 28, 2013

Border Patrol Agent: b6 1410 Hours

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

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

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

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

(ii) The employee requests representation.’

Employee’s Signature b6

Union Representative : \_\_\_\_\_

Supervisor Supplying Notice: SBPA

b6

b6,b7C



16870 W. Hobsonway  
Blythe, California 92225

U.S. Customs and  
Border Protection

June 29, 2012

MEMORANDUM FOR:

b6,b7C

Chief Patrol Agent  
Yuma Sector

b6,b7C

FROM:

b6,b7C

Field Operations Supervisor  
Blythe Station

SUBJECT:

Checkpoint Encounter with b6,b7C

On June 23, 2012, Border Patrol Agents (BPA) b6,b7C and b6,b7C (K9) encountered b6,b7C at the Border Patrol Checkpoint on Highway 78, near Palo Verde, California. During the pre-primary canine inspection, BPA b6,b7C states that his canine partner alerted to the vehicle driven by b6,b7C. This information was relayed to BPA b6,b7C and therefore b6,b7C was referred to secondary for further inspection.

In secondary, agents conducted record checks as part of their inspection and continued to interview b6,b7C. During this process, agents determined that b6,b7C was an employee of b6,b7C b7E. As the record checks returned, it was discovered that the vehicle driven by b6,b7C, b7E

b7E

b7E

Additionally, as the inspection progressed from interviewing b6,b7C to the search of his vehicle, b6,b7C made a statement regarding a relative of his. b6,b7C mentioned that he had a b6,b7C who was a Border Patrol agent in the Palm Springs area and that he was familiar with Border Patrol procedures. These statements led Agents b6,b7C and b6,b7C to believe that b6,b7C was making them in an attempt to expedite their inspection or in the hopes of stopping the search of the vehicle. At the conclusion of the search, no contraband or evidence of illegal activity was discovered. b6,b7C was released without further incident.

At approximately 2:15pm, b6,b7C arrived at the Blythe Station to make an informal complaint regarding his perceived mistreatment. In speaking with Field Operations Supervisor (FOS) b6,b7C, b6,b7C relayed his version of the events. During this conversation b6,b7C again mentioned his b6,b7C in the Border Patrol (b6,b7C gave the name of b6,b7C a former Blythe Station agent who transferred to the Indio Station) and stated that Agent b6,b7C told him he was being harassed and that he should complain. It should be noted that we are unaware of

what information or specifics, if any, of the contact at the checkpoint that day were relayed to Agent [b6,b7C] by [b6,b7C]. There have been no further incidents regarding this matter.

In reviewing the memoranda submitted by Agents [b6,b7C] and [b6,b7C] I believe that both conducted themselves professionally and acted accordingly. I also believe that the information revealed in the memoranda and the statements made by [b6,b7C] contained in the attached email raise significant questions that should be addressed.

APAIC [b6,b7C] was notified on June 24, 2012.

The Joint Intake Center was notified on June 29, 2012. All information regarding this incident has been forwarded to the JIC.



b6,b7C

From: b6,b7C

Sent: Saturday, June 23, 2012 3:47 PM

To: b6,b7C

Subject: Informal Complaint

b6,b7C

Please be advised of the following:

On today's date, at approximately 1415 hrs, b6,b7C asked to speak to a supervisor regarding a complaint. I identified myself as FOS b6,b7C and I advised b6,b7C that I was the Field Operations Supervisor for the b7E shift. I could assist him.

He proceeded to inform me that on today's date, while traveling through the 1151 CP at approximately 0430 hrs, he was placed in Secondary Inspection. He stated he asked why and he was told "because". He then informed me that while in Secondary, he was asked where he was coming from. He stated that he was traveling from b6,b7C where he lived. He was then asked where he was going and why, to which he informed the agent that he worked for b6,b7C b6,b7C. He was asked if he was ever incarcerated; he said no but added that the agent then asked why he took so long to answer. b6,b7C replied he didn't and the agent then commented that his delay in answering was why he was in Secondary.

He proceeded to advise me that he lives in b6,b7C, he was hired as b6,b7C b6,b7C and that he travels through the checkpoint every day. He feels that he is being harassed and that the agents should know who he is because of his frequent travel. He encountered the same concern some time last week, but a female agent recognized him and she informed the agents he is a regular traveler working in b6,b7C he was not placed in secondary.

I informed b6,b7C that all shifts rotate their staff through their assigned areas. One of these assignments for staff is that particular checkpoint. Based on staffing, most agents see that post at least twice a week. Because of this, agents find it difficult to recognize the "regular" travelers through these areas. The agents that are regularly assigned to these checkpoints are our K-9 teams. He acknowledged that he sees the same K9 teams there frequently. I then informed him that my staff sees that checkpoint area twice a week, therefore, they may not recognize him.

He then stated that he spoke to his Border Patrol b6,b7C a supervisor in the Palm Springs area. b6,b7C b6,b7C stated that in speaking with his b6,b7C about these recurring events, his b6,b7C informed him that he was being harassed and that he should complain. That was the reason for him here today (he stated his b6,b7C's name but all I remember is a b6,b7C surname starting with a b6,b7C).

I informed b6,b7C that I would let him dictate how I should handle this information. I advised him that I could inform the supervisor in charge of the agents on duty on today's date, and let him handle the concern directly. Or I could file the complaint formally and in writing to the chain-of-command. It was his option either way, but I would act on his concerns.

He stated he wanted the harassment to stop, but he understood we had a job to do. He asked that I speak to the supervisor in charge of the agents and to also let him know he worked b6,b7C b6,b7C if he needed to speak to him directly.

He then side-barred a comment on how on one occasion, he thought he heard the "dog" scratch his Suburban but when he look at his vehicle, he found no damage. I offered him form SF-95 to file for damages to which he declined.

I advised b6,b7C that I was available anytime after 10 AM if he needed to speak to me directly, he could come by and ask for you directly in the early morning, or any other supervisor as well. He thanked me and departed.

Thank you.

**b6,b7C**

*Field Operations Supervisor*

*USBP- Blythe Station- **b7E** Shift*

*Office- **b6,b7C***

*Cellular- **b6,b7C***

*Fax- **b6,b7C***

WARNING: This document is FOR OFFICIAL USE ONLY (FOUO). It is to be controlled, stored, handled, transmitted, distributed, and disposed of in accordance with DHS policy relating to FOUO information. This information shall not be distributed beyond the original addressees without prior authorization of the originator. CONFIDENTIAL NOTICE: This is a CONFIDENTIAL LAW ENFORCEMENT MESSAGE. If you have received this message in error, do not disseminate, distribute, use, or copy this communication if you are not an intended recipient. Please contact the sender by email or phone and DESTROY all copies of the original.



b6,b7C



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

June 29, 2012

MEMORANDUM FOR:

b6,b7C  
Chief Patrol Agent  
Yuma Sector

FROM:

b6,b7C b6,b7C  
Border Patrol Agent  
Blythe Station

SUBJECT:

Encounter with b6,b7C at 1151 Checkpoint

On June 23, 2012, Agent b6,b7C his canine partner and I, Agent b6,b7C were assigned to work traffic check duties at the 1151 Checkpoint located on mile marker 56 of Highway 78 south of Palo Verde, California. At approximately 4:50 a.m., while working the primary inspection area, I noticed a light brown 2003 Chevrolet Suburban bearing (b6,b7C) approach my location. I identified myself as a United States Border Patrol Agent and conducted an immigration inspection on the sole occupant of the vehicle, later identified as b6,b7C. b6,b7C stated that he was a b6,b7C. I noticed that while Agent b6,b7C were working the pre-primary inspection area, his canine partner followed the aforementioned vehicle to the primary inspection area. I asked b6,b7C where he was traveling to and he stated he was traveling to b6,b7C to work. b6,b7C stated that he worked b6,b7C and that he drove through the 1151 Checkpoint on previous occasions. Agent b6,b7C notified me that his canine partner had alerted to the vehicle and requested me to refer the vehicle to the secondary inspection area for further investigation.

At the secondary inspection area, I witnessed Agent b6,b7C identify himself as a United States Border Patrol Agent and advised him of what his canine partner was trained to detect and ask for consent to search the vehicle to which b6,b7C consented. I asked b6,b7C for proof of identification and he presented a valid b6,b7C Driver's License. I conducted records checks on both b6,b7C and b6,b7C plate b6,b7C through Yuma Sector Radio Communications Center b7E. Records checks showed that b6,b7C had negative criminal history. Records checks on the vehicle revealed that it was registered to b6,b7C. b6,b7C out of b6,b7C.

Records checks also indicated that b7E

b7E

b7E

**b7E**

I asked **b6,b7C** who the vehicle belonged to. **b6,b7C** stated that it belonged to his father **b6,b7C**. I asked **b6,b7C** what type of work he does and he claimed that he works as a **b6,b7C**. I asked **b6,b7C** how long he has been employed and he claimed that he has been working in **b6,b7C** for approximately **b6,b7C** and that he has driven through the 1151 Checkpoint on numerous occasions. I do not recall **b6,b7C** driving through the 1151 Checkpoint in the past **b6,b7C** prior to this encounter. **b6,b7C** freely stated that he often times takes "the other" checkpoint and pointed in a west direction with his hand. **b6,b7C** also freely claimed that he has a **b6,b7C** working at "the other" checkpoint. **b6,b7C** freely claimed to have another **b6,b7C** working for Border Patrol in "Arizona." This led me to believe that **b6,b7C** could be trying to use these statements to make me feel as if having family members in the Border Patrol would expedite his inspection process.

Subsequently, **b6,b7C** was released. **b6,b7C** was cooperative and friendly throughout this encounter.



Date and Time: June 29, 2012 0000hrs

Border Patrol Agent: BPA **b6**

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

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

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

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

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

(ii) the employee requests representation.’

Employee’s Signature: **b6**

Union Representative : \_\_\_\_\_

Supervisor Supplying Notice: **b6**



U.S. Customs and  
Border Protection

b6,b7C

June 24, 2012

MEMORANDUM FOR:

b6,b7C

Chief Patrol Agent  
Yuma Sector

FROM:

b6,b7C

Border Patrol Agent  
Blythe Station

b6,b7C

SUBJECT:

Contact with b6,b7C

On June 23, 2012, I was assigned K-9 responsibilities at the United States Border Patrol Checkpoint located on California Highway 78, at mile marker 56.6. At approximately 0500 hrs. I was performing pre-primary K-9 sniffs with Border Patrol Canine b6,b7C

As K-9 b6,b7C and I were conducting pre-primary inspections, a tan 2003 Chevrolet Suburban b6,b7C approached primary Agent b6,b7C with one occupant visible in the vehicle. As the vehicle passed our location, K-9 b6,b7C alerted to the vehicle. As Agent b6,b7C was conducting his immigration inspection, I requested that Agent b6,b7C refer the vehicle to the secondary inspection area. Agent b6,b7C instructed the driver, later identified as b6,b7C b6,b7C, to park the vehicle in the secondary inspection area. b6,b7C was asked to state his citizenship; b6,b7C stated that he was b6,b7C. I asked b6,b7C for consent to conduct a K-9 sniff of the interior and exterior of the vehicle. b6,b7C gave consent to conduct a K-9 sniff of the vehicle.

After b6,b7C exited the vehicle I conducted a K-9 sniff. K-9 b6,b7C again alerted to the vehicle. I asked b6,b7C and was granted consent to search the interior of the vehicle. While searching the vehicle I noticed b6,b7C,b7E. I asked b6,b7C where he worked. b6,b7C stated he had just graduated from the b6,b7C in b6,b7C b6,b7C stated he was going to b6,b7C. I asked b6,b7C how long he had been working at this location. b6,b7C stated he had been working there almost b6,b7C b6,b7C and he will be working there for about b6,b7C b6,b7C stated his b6,b7C is a Border Patrol Agent. b6,b7C stated he is familiar with Border Patrol procedures. b6,b7C made the statements about his b6,b7C and Border Patrol procedures as if he was trying to get me to stop searching his vehicle. The search of the vehicle yielded negative results.

While I conducted a search of the vehicle Agent b6,b7C requested records checks on both the vehicle and b6,b7C from Yuma Sector Communications b6,b7C,b7E's records

Page 2

Contact with [b6,b7C]

checks returned negative for wants and warrants and negative criminal history. The vehicle registration returned to [b6,b7C] and was negative for a stolen vehicle.

[b6,b7C,b7E]

**b6,b7C,b7E**

[b6,b7C,b7E]

was released from secondary inspection. [b6,b7C] returned to his vehicle and exited the Border Patrol Checkpoint at approximately 0530hrs.

Date and Time: 06/27/2012 12:09AM

Border Patrol Agent: b6

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

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

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

(ii) the employee requests representation.”

Employee's Signature

b6

Union Representative : \_\_\_\_\_

Supervisor Supplying Notice

b6



<b>CLAIM FOR DAMAGE, INJURY, OR DEATH</b>		<b>INSTRUCTIONS:</b> Please read carefully the instructions on the reverse side and supply information requested on both sides of the form. Use additional sheet(s) if necessary. See reverse side for additional instructions.		<b>FORM APPROVED</b> OMB NO. 1105-0008	
<b>1. Submit To Appropriate Federal Agency:</b> Alan D. Bersin Commissioner US Customs and Border Protection Agency Department of Homeland Security Washington, DC 20528			<b>2. Name, Address of claimant and claimant's personal representative, if any.</b> <i>(See instructions on reverse.) (Number, street, city, State and Zip Code)</i> b6 b6 b6 <b>PERSONAL REPRESENTATIVE:</b> b6		
<b>3. TYPE OF EMPLOYMENT</b> <input type="checkbox"/> MILITARY <input type="checkbox"/> CIVILIAN		<b>4. DATE OF BIRTH</b> b6		<b>5. MARITAL STATUS</b> b6	
<b>6. DATE AND DAY OF ACCIDENT</b> NOVEMBER 10, 2011			<b>7. TIME (A.M. or P.M.)</b> 7:30 P.M.		
<b>8. Basis of Claim</b> <i>(State in detail the known facts and circumstances attending the damage, injury, or death, identifying persons and property involved, the place of occurrence and the cause thereof) (Use additional pages if necessary.)</i> <p>At the border Checkpoint in California near the Arizona border, b6 was subject to an illegal stop, search, and seizure by the Department of Homeland Security, US Customs and Border Agents, and the County of Riverside Sheriff on the suspicion that he was not legally entitled to be present in the United States. b6 was not in violation of any traffic laws at the time of the stop and his vehicle was duly registered and licensed and was in good working order. There was no probable cause or any other legal reason for the stop and this was at least the third time that he had been subjected to an illegal stop. This particular incident was more extensive and he was unreasonably detained for a long period of time which was an inconvenience and was embarrassing for him and his passenger. Both b6 and his passenger have at all times been b6 was born in b6 in b6 and both of his parents are b6. He b6 is not Hispanic, does not look Hispanic, and does not even speak Spanish. This stop, search, and seizure was illegal and was a violation of his constitutional rights. This was an event of racial profiling which was uncalled for and without justification and was a more invasive repeat of two similar illegal stops. (See Attachment).</p>					
<b>9. PROPERTY DAMAGE</b>					
<b>NAME AND ADDRESS OF OWNER, IF OTHER THAN CLAIMANT</b> <i>(Number, street, city, State, and Zip Code)</i>  					
<b>BRIEFLY DESCRIBE THE PROPERTY, NATURE AND EXTENT OF DAMAGE AND THE LOCATION WHERE PROPERTY MAY BE INSPECTED.</b> <i>(See instructions on reverse side.)</i>  					
<b>10. PERSONAL INJURY/WRONGFUL DEATH</b>					
<b>STATE NATURE AND EXTENT OF EACH INJURY OR CAUSE OF DEATH, WHICH FORMS THE BASIS OF THE CLAIM. IF OTHER THAN CLAIMANT, STATE NAME OF INJURED PERSON OR DECEDENT.</b> Claimant has been subjected to embarrassment, stress, worry, anxiety, fear, terror, and wrongful accusation of doing something wrong when he was at all times innocent. Claimant has suffered damages in excess of \$2 million dollars.					
<b>11. WITNESSES</b>					
NAME		ADDRESS <i>(Number, street, city, State, and Zip Code)</i>			
b6		b6 b6			
<b>12. (See instructions on reverse) AMOUNT OF CLAIM (In dollars)</b>					
<b>12a. PROPERTY DAMAGE</b>		<b>12b. PERSONAL INJURY</b> 2,000,000.00		<b>12c. WRONGFUL DEATH</b>	
				<b>12d. TOTAL</b> <i>(Failure to specify may cause forfeiture of your rights.)</i> 2,000,000.00	
<b>I CERTIFY THAT THE AMOUNT OF CLAIM COVERS ONLY DAMAGES AND INJURIES CAUSED BY THE ACCIDENT ABOVE AND AGREE TO ACCEPT SAID AMOUNT OF THIS CLAIM.</b>					
<b>13a. Signature of claimant</b> b6			<b>13b. Phone number of signatory</b> b6		<b>14. DATE OF CLAIM</b> 05/07/2012
<b>FRAUDULENT CLAIM</b> The claimant shall forfeit and pay to the United States the sum of \$2,000 plus double the amount of damages sustained by the United States. <i>(See 31 U.S.C. 3729.)</i>			<b>CRIMINAL PENALTY FOR PRESENTING FRAUDULENT CLAIM OR MAKING FALSE STATEMENTS</b> Fine of not more than \$10,000 or imprisonment for not more than 5 years or both. <i>(See 18 U.S.C. 287, 1001.)</i>		

## PRIVACY ACT NOTICE

This Notice is provided in accordance with the Privacy Act, 5 U.S.C. 552a(e)(3), and concerns the information requested in the letter to which this Notice is attached.

A. **Authority:** The requested information is solicited pursuant to one or more of the following: 5 U.S.C. 301, 38 U.S.C. 501 et seq., 28 U.S.C. 2671 et seq., 28 C.F.R.

B. **Principal Purpose:** The information requested is to be used in evaluating claims.

C. **Routine Use:** See the Notices of Systems of Records for the agency to whom you are submitting this form for this information.

D. **Effect of Failure to Respond:** Disclosure is voluntary. However, failure to supply the requested information or to execute the form may render your claim

## INSTRUCTIONS

Complete all items - insert the word **NONE** where applicable

A CLAIM SHALL BE DEEMED TO HAVE BEEN PRESENTED WHEN A FEDERAL AGENCY RECEIVES FROM A CLAIMANT, HIS DULY AUTHORIZED AGENT, OR LEGAL REPRESENTATIVE AN EXECUTED STANDARD FORM 95 OR OTHER WRITTEN NOTIFICATION OF AN INCIDENT, ACCOMPANIED BY A CLAIM FOR MONEY DAMAGES IN A SUM CERTAIN FOR INJURY TO OR LOSS OF

PROPERTY, PERSONAL INJURY, OR DEATH ALLEGED TO HAVE OCCURRED BY REASON OF THE INCIDENT. THE CLAIM MUST BE PRESENTED TO THE APPROPRIATE FEDERAL AGENCY WITHIN **TWO YEARS** AFTER THE CLAIM ACCRUES.

Any instructions or information necessary in the preparation of your claim will be furnished, upon request, by the office indicated in Item #1 on the reverse side. Complete regulations pertaining to claims asserted under the Federal Tort Claims Act can be found in Title 28, Code of Federal Regulations, Part 14. Many agencies have published supplemental regulations also. If more than one agency is involved, please state each agency.

The claim may be filed by a duly authorized agent or other legal representative, provided evidence satisfactory to the Government is submitted with said claim establishing express authority to act for the claimant. A claim presented by an agent or legal representative must be presented in the name of the claimant. If the claim is signed by the agent or legal representative, it must show the title or legal capacity of the person signing and be accompanied by evidence of his/her authority to present a claim on behalf of the claimant as agent, executor, administrator, parent, guardian or other representative.

If claimant intends to file claim for both personal injury and property damage, claim for both must be shown in Item 12 of this form.

The amount claimed should be substantiated by competent evidence as follows:

(a) In support of the claim for personal injury or death, the claimant should submit a written report by the attending physician, showing the nature and extent of injury, the nature and extent of treatment, the degree of permanent disability, if any, the prognosis, and the period of hospitalization, or incapacitation, attaching itemized bills for medical, hospital, or burial expenses actually incurred.

(b) In support of claims for damage to property which has been or can be economically repaired, the claimant should submit at least two itemized signed statements or estimates by reliable, disinterested concerns, or, if payment has been made, the itemized signed receipts evidencing payment.

(c) In support of claims for damage to property which is not economically repairable, or if the property is lost or destroyed, the claimant should submit statements as to the original cost of the property, the date of purchase, and the value of the property, both before and after the accident. Such statements should be by disinterested competent persons, preferably reputable dealers or officials familiar with the type of property damaged, or by two or more competitive bidders, and should be certified as being just and correct.

(d) Failure to completely execute this form or to supply the requested material within two years from the date the allegations accrued may render your claim "invalid". A claim is deemed presented when it is received by the appropriate agency, not when it is mailed.

Failure to specify a sum certain will result in invalid presentation of your claim and may result in forfeiture of your rights.

Public reporting burden for this collection of information is estimated to average 15 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden,

to Director, Torts Branch  
Civil Division  
U.S. Department of Justice  
Washington, DC 20530

and to the  
Office of Management and Budget  
Paperwork Reduction Project (1105-0008)  
Washington, DC 20503

## INSURANCE COVERAGE

In order that subrogation claims may be adjudicated, it is essential that the claimant provide the following information regarding the insurance coverage of his vehicle or property.

15. Do you carry accident insurance? ☐ Yes, If yes, give name and address of insurance company (Number, street, city, State, and Zip Code) and policy number. ☐ No

16. Have you filed claim on your insurance carrier in this instance, and if so, is it full coverage or deductible?

17. If deductible, state amount

18. If claim has been filed with your carrier, what action has your insurer taken or proposes to take with reference to your claim? (It is necessary that you ascertain these facts)

19. Do you carry public liability and property damage insurance? ☐ Yes, If yes, give name and address of insurance company (Number, street, city, State, and Zip Code)

☐ No

## ATTACHMENT

b6 at all times relevant hereto was a b6  
b6 and maintained a permanent home address in b6  
He has no criminal record and has never been charged with any crime. In May 2010 while he was a b6 he received a United States Congressional Appointment to the United States Military Academy and the United States Naval Academy from b6.

On the day in question he was harassed and improperly detained by Agent b6  
b6 of the US Customs and Border Protection Agency Border Patrol and Officer b6 of the County of Riverside Sheriff's Office.

At the time of the stop (which took place in Blythe, CA) b6 was travelling with friend b6, also a b6. The two were extensively questioned regarding: their destination, their residency, how they knew one another, car registration, driver's license information, insurance information, and other items.

The questioning was rude and sarcastic and b6 was accused of making weekly trips across the Arizona-California border which is not true. The backseat of the car was searched and full information was obtained regarding driver's license, registration, and insurance as if this were a traffic stop. The car was also inspected by the County Sheriff. b6 questioned why he was stopped without probable cause and the Border Patrol Agent replied, in violation of his constitutional rights, that she did not have to give him that information. b6 also questioned the County of Riverside Sheriff as to why he was stopped and no answer was given.

b6 views the act as a violation of his constitutional rights, an invasion of his privacy, and an embarrassment in front of his friend and in front of all persons in the vicinity.

## **MAILING LIST**

**Director, Torts Branch  
United States of America  
United States Department of Justice  
Civil Division  
Washington, DC 20530**

**Janet Napolitano  
Secretary of Homeland Security  
Department of Homeland Security  
Washington, DC 20528**

**Alan D. Bersin  
Commissioner, US Customs and Border Protection Agency  
Department of Homeland Security  
Washington, DC 20528**

**Secretary of State  
State of California  
1500 11<sup>th</sup> Street  
Sacramento, CA 95814**

**California Victims Compensation and Government Claims Board  
PO Box 3035  
Sacramento, CA 95812-3035**

**Supervisor John J. Benoit  
County of Riverside  
District 4- Blythe  
260 North Broadway  
Blythe, CA 92225**

**Captain James Navarro  
Sheriff's Office  
Riverside County  
260 North Spring Street  
Blythe, CA 92225**



b6,b7C



16870 W. Hobsonway  
Blythe, California 92225

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

July 13, 2012

MEMORANDUM FOR:

b6,b7C  
Chief Patrol Agent  
Yuma Sector

FROM:

b6,b7C  
Supervisory Border Patrol Agent  
Blythe Station

b6,b7C

SUBJECT:

Public Vehicle Damage

On July 8, 2012, at approximately 1000 hours, Agent b6,b7C whom was assigned to the 1151 checkpoint, placed b6,b7C (A# b6,b7C DOB b6,b7C) into secondary inspection to verify her immigration status. During secondary inspection, a canine search was performed in which a positive alert was noted. A search of b6,b7C's vehicle (2004 Nissan Sentra bearing plates b6,b7C) was conducted and yield negative results. After a search of the vehicle and verification of immigration status both subject and vehicle were released.

At approximately 1015 hours, Agent b6,b7C notified SBPA b6,b7C that b6,b7C had returned to the 1151 checkpoint and was claiming that, after driving away from the checkpoint, her hood had come open and sustained damage. Agent b6,b7C asked b6,b7C if she had sustained any injuries during the incident to which she stated "no". After inspecting the vehicle's damage, b6,b7C was provided with claim form SF-95 and instructed on how to complete it.

Agent b6,b7C later attempted to close the hood of the vehicle but was unable to perform this due to a faulty hood latch preventing the proper closure of the hood. K9 agent b6,b7C and agent b6,b7C then used a piece of rope to secure the hood in the closed position. b6,b7C departed the checkpoint without further incident.

Memorandums were requested and submitted by all agents involved in the incident and provided here along with photos of the vehicle. K9 Agent b6,b7C stated in his memorandum that while searching the vehicle, he opened the hood to check the engine compartment area. Once finished he closed and latched the hood.

b6,b7C

CBP00000929



Department of Homeland Security  
Bureau of Customs and Border Protection

**UNITED STATES BORDER PATROL**  
Yuma Sector Complaint Report Form



Report Number: **b6,b7C**

Station: BLY

**EMPLOYEE:** (person taking information)

Name: **b6,b7C** Star Number: **b6,b7C** Date: 07/09/2012 Time: 13:49 HRS

Method Report Received: ☐ In person ☐ Phone ☒ Other: At the 1151 Checkpoint

**CITIZEN COMPLAINANT:** (ASK, but not required)

Name: **b6,b7C**

Address: **b6,b7C**

Phone: \_\_\_\_\_

**RELEVANT INFORMATION:** (criminal activity to report)

OFFICER RELATED COMPLAINT:

Name of Officer(s): **b6,b7C**

Date/Time of Incident: 07/08/2012 11:49 HRS

Location of Incident: Rd/Hwy Hwy 78 Milepost 56.6 Community \_\_\_\_\_

Landmark(s): Near the 1151 Checkpoint

Description of Incident: On July 8, 2012 at approximately 10:15 a.m., agents placed a **b6,b7C** **b6,b7C** **b6,b7C** DOB: **b6,b7C** into secondary inspection at the 1151 Checkpoint for continuation of immigration inspection. During secondary inspection, the canine alerted to the vehicle and an inspection of the vehicle (2004 Nissan Sentra **b6,b7C**) was conducted. The inspection produced negative results.

At approximately 10:35 a.m., Agent **b6,b7C** called from the 1151 Checkpoint to notify me that **b6,b7C** had returned to the checkpoint to file a complaint. **b6,b7C** complained that the hood of her vehicle was not shut correctly after the inspection, and stated that as she was driving, it lifted open and was damaged. Agent **b6,b7C** reported that there didn't appear to be any other damage to the vehicle besides the hood.

STATION RELATED COMPLAINT:

Number of Officer 4

Date/Time of Incident: 2012-07-08 11:49:00.0

Location of Incident: Rd/Hwy Hwy 78

Milepost: 56.6

Community:

Landmark(s): Near the 1151 Checkpoint

Description of Incident:

On July 8, 2012 at approximately 10:15 a.m., agents placed a [b6,b7C] [b6,b7C] DOB: [b6,b7C] into secondary inspection at the 1151 Checkpoint for continuation of immigration inspection. During secondary inspection, the canine alerted to the vehicle and an inspection of the vehicle (2004 Nissan Sentra [b6,b7C]) [b6,b7C] was conducted. The inspection produced negative results.

At approximately 10:35 a.m., Agent [b6,b7C] called from the 1151 Checkpoint to notify me that [b6,b7C] had returned to the checkpoint to file a complaint. [b6,b7C] complained that the hood of her vehicle was not shut correctly after the inspection, and stated that as she was driving, it popped open and was damaged. Agent [b6,b7C] reported that there didn't

Other Agencies No

IMMEDIATE ACTION TAKEN: ☐ NONE ☒ YES (explain)

A Claim for Damage, Injury or Death (SF-95) form was provided to [b6,b7C]. She was also provided with information on how to fill the form and she was asked to mail a copy to the Blythe Border Patrol Station.



AFTER ACTION:

☐

NONE

☒

YES (explain)

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

Completed by:

**b6,b7C**

7/8/12 12:12 P.M.  
Date/Time



**b6,b7C**



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

July 8, 2012

MEMORANDUM FOR:

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

FROM:

**b6,b7C**  
Border Patrol Agent  
Blythe Station

**b6,b7C**

SUBJECT:

Civilian vehicle damage

On July 8, 2012, I was assigned K-9 responsibilities at the United States Border Patrol Checkpoint located on California Highway 78, at mile marker 56.6. At approximately 0945 hrs, Agent **b6,b7C** was performing immigration inspections in the primary immigration area of the checkpoint.

At this time a grey 2004 Nissan Sentra with one visible occupant approached the primary inspection area. Agent **b6,b7C** referred the vehicle to the secondary inspection area to further continue his immigration inspection and at that time requested I perform a non intrusive K-9 sniff of the vehicle with Border Patrol Canine **b6,b7C**. The driver, later identified as **b6,b7C** parked the vehicle in the secondary inspection area. **b6,b7C** was asked to state her citizenship; **b6,b7C** stated that she was **b6,b7C**. **b6,b7C** I asked **b6,b7C** for consent to conduct a K-9 sniff of the interior and exterior of the vehicle. **b6,b7C** gave consent to conduct a K-9 sniff of the vehicle.

After **b6,b7C** exited the vehicle, I conducted a non-intrusive K-9 sniff. K-9 **b6,b7C** alerted to the vehicle. I asked **b6,b7C** for, and was granted consent to search the interior and exterior of the vehicle. **b7E**

**b7E** Once I was finished searching the engine compartment, I closed and latched the hood. I then moved the vehicle to the stone lot next to the checkpoint so that Agent **b6,b7C** could perform an inspection **b7E**. The search of the vehicle yielded negative results. **b6,b7C** was released from secondary inspection and continued on her way. **b6,b7C** returned to her vehicle and exited the Border Patrol Checkpoint at approximately 1005hrs.

At approximately 1015hrs **b6,b7C** returned to the checkpoint and stated her hood lifted up while she was driving, and now it was damaged. **b6,b7C** was provided with a Claim for Damage, Injury or Death (SF-95) form, and was provided with instructions on how to fill it out and where to send it. Pictures of the vehicle were taken and all the proper notifications were made.

**b6,b7C**

CBP00000933

Subject: Civilian vehicle damage  
Page 2

The hood was secured to prevent it from lifting due to the latch not working properly. **b6,b7C**  
then departed the checkpoint without further incident.

Date and Time: 07/08/2012

Border Patrol Agent: b6

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

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

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

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

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

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

(ii) the employee requests representation.’

Employee's Signature

b6

Union Representative : \_\_\_\_\_

Supervisor Supplying Notice: b6

b6,b7C



16870 W. Hobsonway  
Blythe, California 92225

U.S. Customs and  
Border Protection

July 8, 2012

MEMORANDUM FOR:

b6,b7C

Chief Patrol Agent  
Yuma Sector

FROM:

b6,b7C

b6,b7C

Border Patrol Agent  
Blythe Station

SUBJECT:

Civilian Vehicle Damage

On Sunday July 08, 2012, I was assigned to the USBP Immigration Checkpoint located on California Highway 78 at mile marker 56.6. At approximately 9:45a.m., Agent b6,b7C directed a silver Nissan Sentra bearing license plate (b6,b7C) to the secondary inspection area for further immigration inspection.

In secondary inspection, a canine sniff was performed. Agent b6,b7C notified me that the canine alerted to the vehicle. At that time, Agent b6,b7C and I performed a search of the vehicle. I notice the hood was open while I was searching the inside of the car. After I was done searching the inside of the vehicle, I noticed the hood was now closed. The search of the vehicle was negative, and the subject and vehicle were released.

At approximately 10:15a.m., the vehicle returned to the checkpoint. At that time, the driver b6,b7C stated that as she drove away from the checkpoint the hood of her vehicle lifted open and was damaged. I contacted SBPA b6,b7C to notify him of the incident. I asked b6,b7C if she had any injuries to which she answered "no". b6,b7C was given a Claim for Damage, Injury or Death form (SF-95) and instructed how to complete it. At that time, I attempted to close and secure the hood; however, due to a faulty hood latch the hood would not secure properly. Agent b6,b7C and I then used a rope to tie the hood closed. b6,b7C then departed the checkpoint without further incident.

b6,b7C

CBP00000936



Date and Time: 07/08/2012

Border Patrol Agent: b6

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

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

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

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

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

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

(ii) the employee requests representation.’

Employee's Signature: b6

Union Representative : \_\_\_\_\_

Supervisor Supplying Notice: b6

b6,b7C



16870 W. Hobsonway  
Blythe, California 92225

U.S. Customs and  
Border Protection

July 08, 2012

MEMORANDUM FOR:

b6,b7C  
Chief Patrol Agent  
Yuma Sector

b6,b7C

FROM:

b6,b7C  
Border Patrol Agent  
Blythe Station

SUBJECT:

Civilian Vehicle Damage

On Sunday, July 08, 2012, Border Patrol Agents b6,b7C and I, were assigned to the 1151 Checkpoint located on Highway 78 near mile marker 56.6.

At approximately 9:45 a.m., a silver Nissan Sentra bearing license plate b6,b7C entered the primary inspection lane. I was working as the Primary Agent and Agent b6,b7C as my backup. I identified myself as a United States Border Patrol Agent to the driver (later identified as b6,b7C) and began my immigration inspection. As I questioned b6,b7C about her citizenship, b6,b7C seemed confused and uncertain of her answers. b6,b7C, b7E b7E I asked b6,b7C to pull into the secondary inspection lane.

In secondary inspection, I asked b6,b7C for identification and continued my immigration inspection. I asked her to turn the vehicle off and step out. During this time, Agent b6,b7C asked b6,b7C for consent to perform a sniff with his assigned K-9 b6,b7C. After performing the sniff with his assigned K-9, Agent b6,b7C notified me that his canine alerted to the vehicle.

During this time, I continued my immigration inspection of b6,b7C while a search of the vehicle was being performed by Agent b6,b7C, Agent b6,b7C and Agent b6,b7C. After the search concluded negative, b6,b7C was released from secondary inspection and she continued on her way.

Approximately 10 minutes later, b6,b7C returned to the checkpoint stating that her vehicle's hood was not closed properly, and as she was driving home it lifted open and was damaged. At that time I assisted by taking pictures of the vehicle and damage. After notifications were made and documentation was provided, the hood was secured by Agent b6,b7C and Agent b6,b7C. The hood was secured due to the latch not working properly and to prevent the hood from lifting open again. b6,b7C then departed the checkpoint without further incident.

Date and Time: 07/08/2012

Border Patrol Agent: b6

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

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

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

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

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

(ii) the employee requests representation.’

Employee’s Signature:

b6

Union Representative : \_\_\_\_\_

Supervisor Supplying Notice: b6

b6,b7C



16870 W. Hobson Way  
Blythe, CA 92225

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

July 8, 2012

MEMORANDUM FOR:

b6,b7C

Chief Patrol Agent  
Yuma Sector

FROM:

b6,b7C

b6,b7C

Border Patrol Agent  
Blythe Station

SUBJECT:

Civilian Vehicle Damage

On July 8, 2012, I was assigned to the 1151 United States Border Patrol Checkpoint on California Highway 78 located at mile marker 56.6. At approximately 9:45 A.M., I was assisting Agent b6,b7C with conducting primary inspection duties.

During this time, a gray 2004 Nissan Sentra (b6,b7C License Number b6,b7C) approached the checkpoint with a single female driver (later identified as b6,b7C DOB: b6,b7C). Agent b6,b7C sent the car to the secondary inspection area to further the immigration inspection. During secondary inspection of the vehicle, I requested radio checks for b6,b7C. Canine Agent b6,b7C advised me that his canine had alerted to the vehicle so I conducted a search of the trunk area. After I searched the trunk, I took over primary inspection duties. I did not search any other part of the vehicle.

At approximately 10:15 A.M., I observed b6,b7C had returned to the checkpoint and began speaking with Agent b6,b7C. At that time, Agents b6,b7C and b6,b7C began attending to b6,b7C's vehicle. I continued my duties at the primary inspection lane.



Date and Time: 07/08/2012

Border Patrol Agent: b6

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

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

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

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

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

(ii) the employee requests representation.’

Employee’s Signature: b6

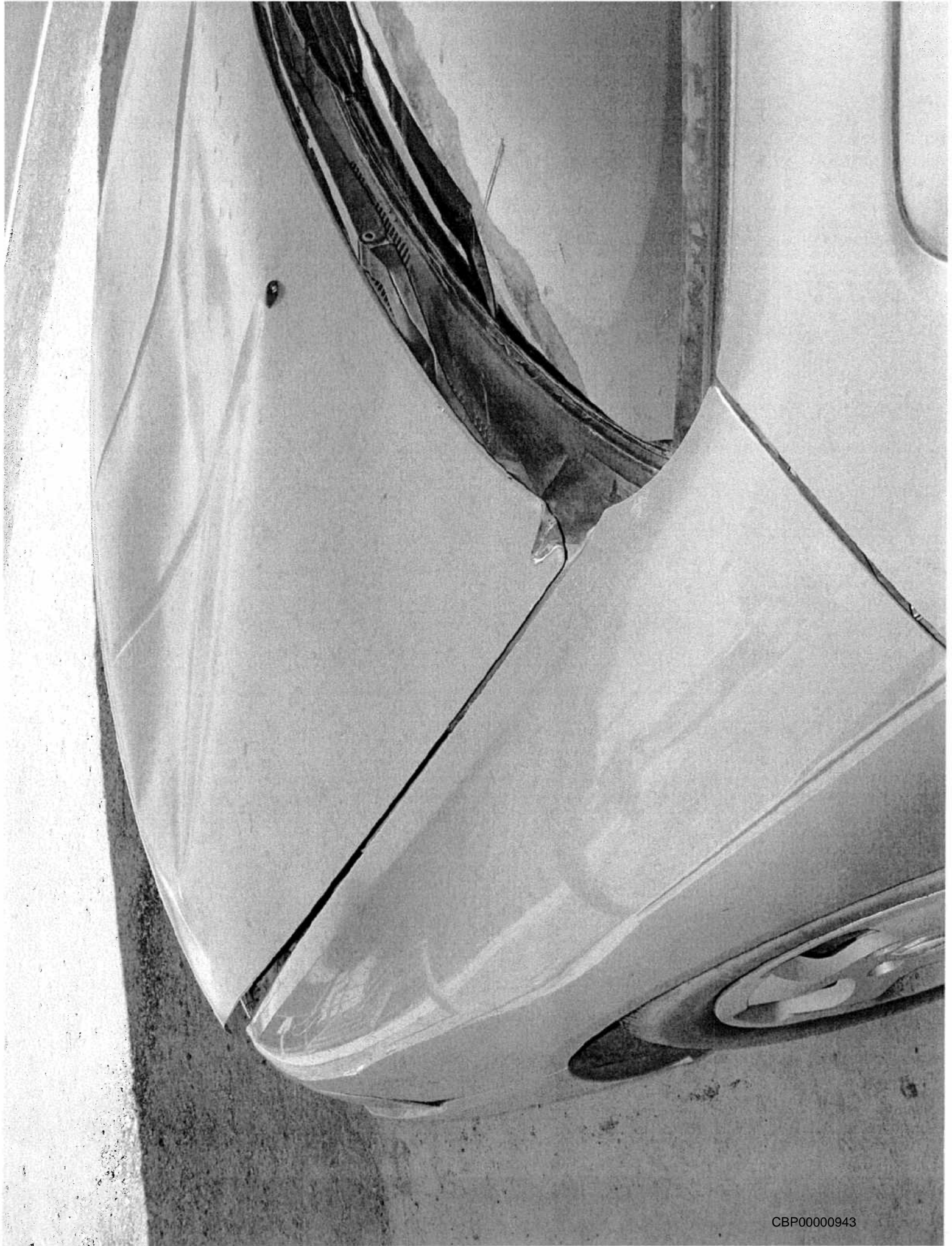
Union Representative : \_\_\_\_\_

Supervisor Supplying Notice: b6

b7E



CBP00000942



CBP00000943

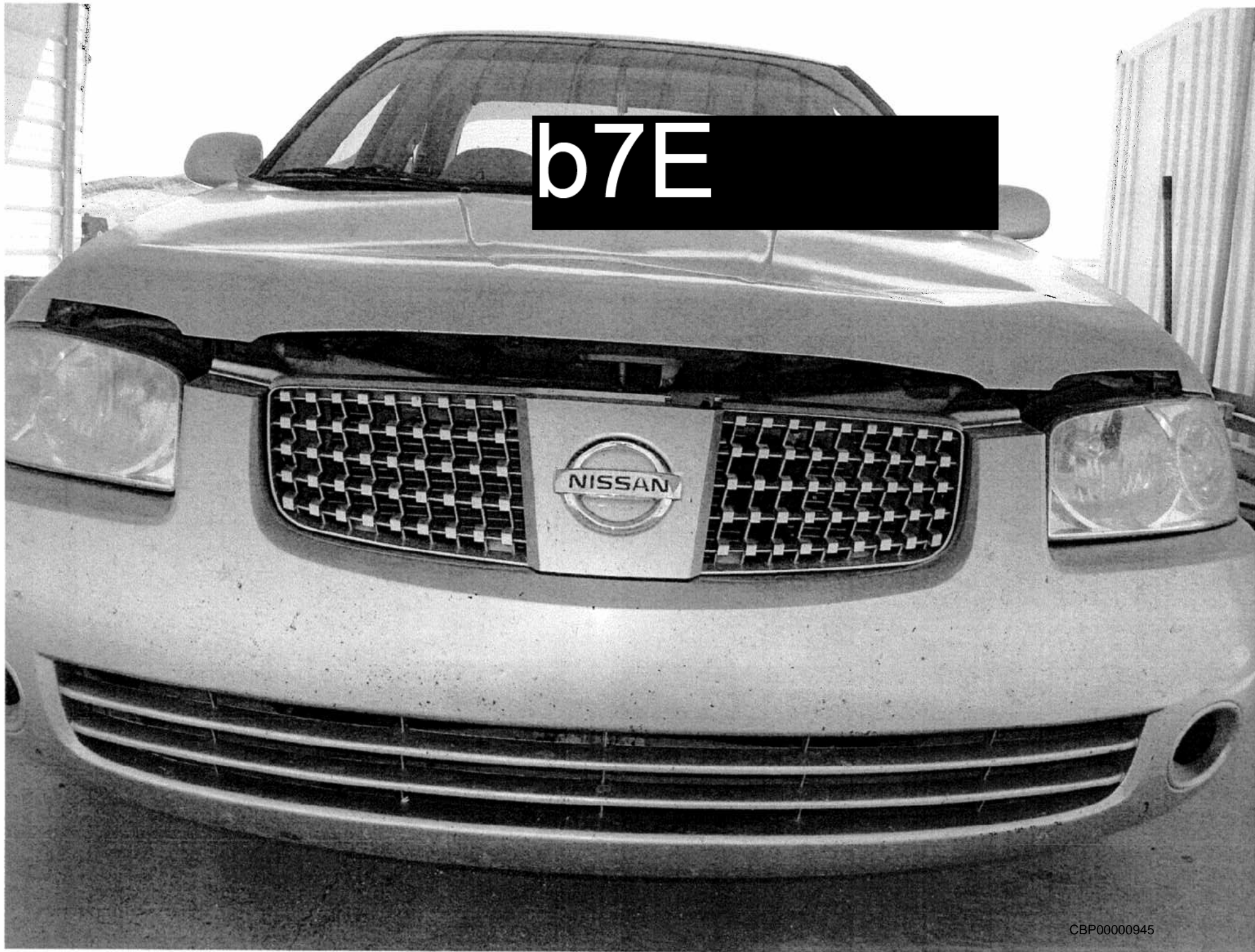




CEP00000944



b7E



Office: Blythe Station

Schedule: Sunday, July 08, 2012

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



Department of Homeland Security, Customs and Border Protection

**Sensitive But Unclassified**

Total Manpower is: **b2,b7E**

Examined and Approved by: \_\_\_\_\_

**b6,b7C**



16870 W. Hobson Way  
Blythe, California 92225

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

February 14, 2014

MEMORANDUM FOR:

**b6,b7C**

Chief Patrol Agent  
Yuma Sector

**b6,b7C**

FROM:

**b6,b7C**

Border Patrol Agent  
Blythe Station

SUBJECT:

Citizen Complaint

On November 21, 2013, I was assigned K-9 responsibilities **b7E** on Interstate near Blythe, California. I do not recall ever encountering a **b6,b7C** or a white 2004 Dodge Sprinter.







16870 W. Hobson Way  
Blythe, California 92225

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

**b6,b7C**

February 06, 2014

MEMORANDUM FOR: **b6,b7C**  
Chief Patrol Agent  
Yuma Sector

FROM: **b6,b7C**  
Border Patrol Agent  
Blythe Station

**b6,b7C**

SUBJECT: Citizen Complaint

On February 5, 2014 I was asked to write a memo on any information pertaining to **b6,b7C**'s brief detention and vehicle search. **b6,b7C** claims that he was sent to secondary inspection on November 21, 2013 **b7E**. I was assigned to work the pre-primary vehicle lanes with my service canine **b7E** however; I do not recall **b6,b7C** or his vehicle and can offer no information.

**Date and Time:** February 5, 2014

**Border Patrol Agent:** b6

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

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

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

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

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

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

**(ii) the employee requests representation.’**

**Employee’s Signature:** b6

**Union Representative :** \_\_\_\_\_

**Supervisor Supplying Notice:** SBPA b6

**b6,b7C**



10888 S. Avenue 31E  
Wellton, Arizona 85356

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

February 7, 2014

MEMORANDUM FOR: **b6,b7C**  
Chief Patrol Agent  
Yuma Sector

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

**b6,b7C**

SUBJECT: Citizen Complaint

On November 21, 2013, I was assigned K-9 duties at the checkpoint on Interstate 10 east of Blythe California. I was assigned to the shift **b7E**. I have no recollection of having contact with a white 2004 Dodge Sprinter. I do not have any recollection of any tools left in the secondary inspection area either.

Date and Time: 2/12/14 1202

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** \_\_\_\_\_

Union Representative \_\_\_\_\_

Supervisor supplying notice **b6** \_\_\_\_\_



**b6,b7C**



10888 S. Ave 31E  
Wellton, Arizona 85356

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

February 11, 2014

MEMORANDUM FOR:

**b6,b7C**

Chief Patrol Agent  
Yuma Sector

FROM:

**b6,b7C**

**b6,b7C**

Border Patrol Agent  
Wellton Station

SUBJECT:

Citizen Complaint

On November 21, 2013, while assigned **b7E** Interstate 10, I do not have any recollection of an incident involving a **b6,b7C** or a 2004 white Dodge Sprinter.

Date and Time: 2/6/14

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

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

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

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

(ii) the employee requests representation.”

Employee's Signature \_\_\_\_\_ **DD**

Union Representative

Supervisor supplying notice 06



4151 S. Avenue A  
Yuma, Arizona 85365

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

**b6,b7C**

February 6, 2014

MEMORANDUM FOR:

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

FROM:

**b6,b7C**  
Border Patrol Agent  
Yuma Station

**b6,b7C**

SUBJECT:

Citizen Complaint

On November 21, 2013 I, Agent **b6,b7C** was assigned K-9 responsibilities **b7E**  
**b7E** on Interstate 10. I don't recall ever encountering a **b6,b7C** searching or performing a  
K-9 sniff of a white Dodge Sprinter during this operation.

Date and Time: 2/6/14 1130

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

Union Representative

Supervisor supplying notice

b6





4151 S. Avenue A  
Yuma, Arizona 85365

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

**b6,b7C**

February 6, 2014

MEMORANDUM FOR:

**b6,b7C**

Chief Patrol Agent  
Yuma Sector

FROM:

**b6,b7C**

**b6,b7C**

Border Patrol Agent  
Yuma Station

SUBJECT:

Citizen Complaint

On November 21, 2013 I was assigned K-9 responsibilities **b7E** on Interstate 10. I don't recall ever encountering a **b6,b7C** or performing a K-9 sniff of a white Dodge Van.

Date and Time: 2/6/14 170 hrs

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

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

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

(ii) the employee requests representation.”

Employee's Signature b6

Union Representative \_\_\_\_\_

Supervisor supplying notice b6



10888 S. Avenue 31E  
Wellton, Arizona 85356

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

**b6,b7C**

February 13, 2014

MEMORANDUM FOR:

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

FROM:

**b6,b7C** **b6,b7C**  
Border Patrol Agent  
Wellton Station

SUBJECT:

Citizen Complaint

On November 21, 2013, I was assigned canine duties at the checkpoint on Interstate 10 east of Blythe, California. I was assigned to the shift **b7E** I have no recollection of having contact with a white 2004 Dodge Sprinter. I do not have any recollection of any tools left in the secondary inspection area either.

Date and Time: 2/13/14 9:55 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:

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

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

(ii) The employee requests representation."

Employee's Signature

b6

Union Representative

Supervisor supplying notice SBRA

b6



**b6,b7C**



10888 S. Avenue 31E  
Wellton, Arizona 85356

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

February 7, 2014

MEMORANDUM FOR:

**b6,b7C**

Chief Patrol Agent  
Yuma Sector

FROM:

**b6,b7C**

**b6,b7C**

Border Patrol Agent  
Wellton Station

SUBJECT:

Citizen Complaint

On November 21, 2013, I was assigned K-9 duties **b7E** on Interstate 10, near Blythe California. I do not recall encountering **b6,b7C** or performing a canine sniff of his 2004 white Dodge Sprinter vehicle.

**Date and Time:** February 7, 2014

Border Patrol Agent: b6

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

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

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

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

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

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

**(ii) the employee requests representation.'**

Employee's Signature: \_\_\_\_\_

**Union Representative :** \_\_\_\_\_

Supervisor Supplying Notice: SBPA b6

**b6,b7C**

16870 W. Hobson Way  
Blythe, CA 92225



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

February 11, 2014

MEMORANDUM FOR:

**b6,b7C**

Chief Patrol Agent  
Yuma Sector

FROM:

**b6,b7C**

**b6,b7C**

Border Patrol Agent  
Blythe Station

SUBJECT:

Complaint of Missing Items.

On November 21, 2013, at approximately 10:00 a.m., the driver of a 2004 Dodge Sprinter van (white in color) claims to have traveled through the I-10 Border Patrol checkpoint. The driver, identified as **b6,b7C**, claims he was sent to secondary and his vehicle searched. Subject claims a few days later he noticed a white bag containing metric sockets, a wrench, and extensions was missing. Supervisory Border patrol Agent **b6,b7C** requested that I write this memo. I do not recall anything in relation to the event described by the subject.

**Border Patrol Agent:** [b6]

Employee's Signature: \_\_\_\_\_

**Union Representative :** \_\_\_\_\_

**Supervisor Supplying Notice:** SBPA**b6**





4151 S. Avenue A  
Yuma, Arizona 85365

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

**b6,b7C**

February 7, 2014

MEMORANDUM FOR:

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

FROM:

**b6,b7C**  
Border Patrol Agent  
Yuma Station

**b6,b7C**

SUBJECT:

**b6,b7C**

On November 21, 2013, I was assigned **b7E** on I-10 westbound. I have no memory of any incident that involved **b6,b7C**.

Date and Time: 2/7/14 1525

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

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

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

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

(ii) the employee requests representation.”

Employee's Signature

b6

Union Representative

Supervisor supplying notice

b6



U.S. Customs and  
Border Protection

b6,b7C

September 11, 2012

MEMORANDUM FOR:

b6,b7C  
Chief Patrol Agent  
Yuma Sector

FROM:

b6,b7C  
Patrol Agent in Charge  
Blythe Station

SUBJECT:

Complaint on Blythe b7E, Re; BPA b6,b7C

On September 7<sup>th</sup>, 2012, Indio Station Assistant Patrol Agent in Charge (APAIC) b6,b7C notified me, via email, of concerns arising from the issuance of an intelligence document by Blythe Station on August 31, 2012. An Agent b6,b7C complained the intelligence document was inaccurate because he felt it implicated his b6,b7C as being involved in wrongdoing. The intelligence alert consisted of a b7E stemming from a series of encounters with a suspicious subject at the 1151 checkpoint beginning on b6,b7C b6,b7C. The subject, b6,b7C was referred for secondary inspection on this date after a K9 alerted on his vehicle. During the secondary inspection, b7E b7E b6,b7C,b7E As agents investigated further, subject b6,b7C told agents his b6,b7C was a Border Patrol Agent b6,b7C b7E b7E the case was referred to the Joint Intake Center.

On August 30, 2012, Border Patrol Agent b6,b7C noticed b6,b7C near the northwest corner of the station near the agent parking lot. As Agent b6,b7C approached the vehicle b7E Agent b6,b7C was able to read the license plate, and the next day Lead Intelligence Agent b6,b7C connected the vehicle with the b6,b7C b6,b7C encounter at 1151 checkpoint. b6,b7C,b7E b6,b7C,b7E b6,b7C,b7E With this series of events taken into consideration, b7E for officer safety, was issued by Blythe Station Intelligence on August 31, 2012. This is the same b7E that Agent b6,b7C took issue with as he forwarded a complaint through his chain of command

On September 10, 2012, I talked with Field Operations Supervisor (FOS) b6,b7C of the Indio Station who spoke on behalf of Patrol Agent in Charge b6,b7C regarding how and why Blythe Station formulated the intelligence document b7E I explained to FOS b6,b7C the document generated by Blythe Station originated from a logical chain of events leading



Complaint on Blythe [b7E], Re; BPA [b6,b7C]

Page 2

to a conclusion that some type of illegal or questionable activity had taken place in regards to the vehicle referred to secondary inspection at 1151 checkpoint on [b6,b7C], [b7E]

[b7E]

[b6,b7C,b7E]

[b7E]

[b6,b7C,b7E]

[b6,b7C,b7E]

[b6,b7C,b7E]

[b7E]

[b6,b7C,b7E]

[b6,b7C,b7E]

[b6,b7C,b7E] I told FOS [b6,b7C]

that I did not think it could be construed that way, and the [b7E] would remain exactly as originally penned. I also indicated Blythe intelligence agents did a stellar job of formulating a [b7E] for officer safety reasons. I thanked FOS [b6,b7C] for his interest on the subject, we exchanged customary pleasantries, and the call ended.

On September 11, 2012, I conversed with APAIC [b6,b7C] briefly explaining events that lead me to support the [b7E] alert. In talking with APAIC [b6,b7C] I explained that Blythe's position on the [b7E] remained unchanged and that we wished to keep it as is. APAIC [b6,b7C] said he understood and would report the information through his chain of command. I indicated I would do the same.

**b6,b7C,b7E**

For further information on this case see memorandum (attached) submitted by SOS [b6,b7C] [b6,b7C] and FOS [b6,b7C]

Attachment

Cc: Blythe Station





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

b6,b7C

September 10, 2012

MEMORANDUM FOR:

b6,b7C  
Chief Patrol Agent  
Yuma Sector

FROM:

b6,b7C  
Special Operations Supervisor  
Blythe Station

b6,b7C

SUBJECT:

Blythe Station b7E

On August 31, 2012, Blythe Station Intelligence Unit sent out a b7E titled Officer Safety Alert. b6,b7C,b7E

b6,b7C was initially encountered on b6,b7C at the 1151 checkpoint on Highway 78 near Palo Verde, CA. b6,b7C was referred to secondary as the vehicle he was driving had a primary K-9 alert. The vehicle, b6,b7C was referred to secondary. A search of the vehicle was negative. Information gathered at the scene was that b6,b7C claimed to work for b6,b7C

b6,b7C and the vehicle were released at that time. b6,b7C then drove to the Blythe Border Patrol Station and made an informal complaint. Memorandums were generated from Agents b6,b7C and b6,b7C documenting the encounter at the checkpoint along with a cover memorandum from FOS b6,b7C. The encounter also alluded to that b6,b7C had a b6,b7C in the Border Patrol and he was familiar with Border Patrol ways. b6,b7C stated that when he told his b6,b7C Agent b6,b7C whom is a former Blythe agent b6,b7C what happened, he was advised by Agent b6,b7C to complain as he was being harassed. This incident was documented and sent to the Joint Intake Center on June, 29, 2012.

On August 30, 2012, at about midnight, a Border Patrol Agent b6,b7C was returning from quarterly qualifications noticed b6,b7C near the northwest corner of the station near the agent parking lot. b7E The agent began walking over to the vehicle when it sped away. The agent identified the vehicle as the one that was encountered at the checkpoint a few months earlier. The information was referred to Lead Intelligence Agent b6,b7C. Agent b6,b7C ran the license plate b7E

b7E  
b6,b7C,b7E  
b6,b7C,b7E

b6,b7C,b7E  
b7E



Blythe Station b7E  
Page 2

b6,b7C,b7E put out b7E titled Officer Safety Alert and sent it to the  
Blythe Station b7E  
b7E  
b7E

Border Patrol Agent b6,b7C sees the b7E and writes memoranda to his station command  
in regards to the b7E Agent b6,b7C addresses in his memoranda that his b6,b7C,b7E  
b6,b7C,b7E the b7E should be retracted if found to be  
inaccurate/untrue b7E b6,b7C then writes memoranda to El  
Centro Chief Patrol Agent b6,b7C to look into the b7E in question for accuracy and  
correction. In PAIC b6,b7C's memoranda states that the b6,b7C,b7E  
b6,b7C,b7E This statement is totally false and is nowhere mentioned in the  
Blythe b7E This statement is an assumption from Agent b6,b7C

b6,b7C,b7E

b6,b7C,b7E

On September 07, 2012, I made contact with APAIC b6,b7C and we discussed the b7E at  
length. At the time of our conversation, he was unaware that b7E was the reason for the  
Officer Safety Alert sent out by the Blythe Station. I informed APAIC b6,b7C that PAIC b6,b7C  
was out of the office and that I would also update him to the facts surrounding the case and we  
would call him back on Monday morning to further discuss the b7E

Monday September 10, 2012, PAIC b6,b7C APAIC b6,b7C and I conducted a teleconference call  
with FOS b6,b7C as both the PAIC and APAIC were not available. We  
Blythe Station b7E  
Page 3

explained our position of the b7E to FOS b6,b7C who was previously informed of the incident and had few questions once we provided the facts of the b7E. FOS b6,b7C stated he would update both his PAIC and APAIC of our conversation.

Due to the detail of facts mentioned above, I believe the information listed in the b7E is accurate and truthful and contains no erroneous information. Please see all material attached to support the b7E that was issued on August 30, 2012.

Attachments





Department of Homeland Security  
Bureau of Customs and Border Protection

UNITED STATES BORDER PATROL  
Yuma Sector Complaint Report Form



Report Number: b6,b7C

Station: BLY

**EMPLOYEE:** (person taking information)

Name: b6,b7C Star Number: b6,b7C Date: 07/19/2014 Time: 14:39 HRS

Method Report Received: ☐ In person ☒ Phone ☐ Other: \_\_\_\_\_

**CITIZEN COMPLAINANT:** (ASK, but not required)

Name: b6,b7C  
Address: b6,b7C  
Phone: b6,b7C

**RELEVANT INFORMATION:** (criminal activity to report)

OFFICER RELATED COMPLAINT:

Name of Officer(s): b6,b7C  
Date/Time of Incident: 07/18/2014 20:10 HRS  
Location of Incident: Rd/Hwy AZ Hwy 95 Milepost 70 Community Quartzsite Arizona  
Landmark(s): South of 1153 checkpoint

Description of Incident: Update: July 19, 2014, 1230 hours, it was confirmed that b6,b7C never made it north of the 1153 checkpoint, she did a halfway meet with her mother south of the checkpoint and returned to b6,b7C. b6,b7C again stated he has no problem with the stop but is concern about the uprofessionalism of the agent and his families safety.

On July 18, 2014, at approximately 2000 hours, b6,b7C contacted the Blythe station and stated that agents had conducted a stop on a vehicle his wife and child were in. b6,b7C stated that his wife, b6,b7C had traveled from b6,b7C to Quartzite Arizona to drop off her sister whom lives in b6,b7C. On her way back south to b6,b7C she was stopped south of the 1153 checkpoint. b6,b7C was upset that during the stop the agents acted in a very unprofessional manner. During the stop one of the agents requested that she lower her rear window, when she explained that the only one in the back seat was her infant daughter, the agent stated "I don't give a fuck who is in the back seat, lower the window" while un-holstering his gun. b6,b7C stated that being a b6,b7C b6,b7C he understands the suspicion of vehicles traveling north and south in such a short time period. But he is very concern with the unprofessionalism and dangerous actions his family was exposed to by our agents. b6,b7C stated that there was no immediate threat for the agent to have used such language or have drawn his weapon.



STATION RELATED COMPLAINT:

Number of Officer 2 Date/Time of Incident: 2014-07-18 14:15:00.0

Location of Incident: Rd/Hwy AZ Hwy 95 Milepost: 70 Community: Quartzsite Arizona

Landmark(s): South of 1153 checkpoint

Description of Incident:

Update: July 19, 2014, 1230 hours, it was confirmed that b6,b7C never made it north of the 1153 checkpoint, she did a halfway meet with her mother south of the checkpoint and returned to b6,b7C again stated he has no problem with the stop but is concern about the uprofessionalism of the agent and his families safety.

On July 18, 2014, at approximately 2000 hours, b6,b7C contacted the Blythe station and stated that agents had conducted a stop on a vehicle his wife and child were in. b6,b7C stated that his wife, b6,b7C had traveled from b6,b7C to Quartzite Arizona to drop off her sister whom lives in b6,b7C. On her way back south to b6,b7C she was stopped south of the 1153 checkpoint. b6,b7C was upset that during the stop the agents acted in a very unprofessional manner. During the stop one of the agents requested that she lower her rear window, when she explained that the only one in the back seat was her infant daughter, the agent stated " I don't give a fuck who is in the back seat, lower the window" while un-holstering his gun. b6,b7C stated that being a b6,b7C b6,b7C he understands the suspicion of vehicles traveling north and south in such a short time period. But, he is very concern with the unprofessionalism and dangerous actions his family was exposed to by our agents. b6,b7C stated

Other Agencies None

IMMEDIAT E ACTION TAKEN: ☐ NONE ☒ YES (explain)

Memos have been requested from Agents involved.

AFTER ACTION:



NONE



YES (explain)

Completed by:

(name)

Date/Time



U.S. Customs and  
Border Protection

b6,b7C

July 18, 2014

MEMORANDUM FOR:

b6,b7C

Acting Chief Patrol Agent  
Yuma Sector

FROM:

b6,b7C

b6,b7C

Border Patrol Agent  
Blythe Station

SUBJECT:

Turn around at 11-53 Checkpoint.

On July 18, 2014, I Border Patrol Agent (BPA) b6,b7C was assigned to the 11-53 Checkpoint. On July 18, 2014, I was asked by Supervisory Border Patrol Agent (SBPA) b6,b7C b6,b7C to author this memo about a vehicle that turned around before reaching the 11-53 Checkpoint. At approximately 2:15 p.m. BPA b6,b7C who was assigned to primary inspection lane of the checkpoint notified myself, and the other agents present that he witnessed a vehicle heading north turn around before the checkpoint and head back south. BPA b6,b7C got in a marked Border Patrol sedan and attempted to catch up with the vehicle. I got in a marked Border Patrol truck and began to catch up with BPA b6,b7C to provide backup for the vehicle stop that I figured would surely follow. Upon catching up with the suspect vehicle BPA b6,b7C began running record checks b7E on the service radio. As I approached BPA b6,b7C's sedan he activated his service lights to make a stop on the vehicle. The subject did not immediately stop the vehicle. The subject took an unnecessary long time to stop the vehicle. Upon exiting my service vehicle I noticed that the vehicle was extremely tinted to the point where I could not see any of the occupants in the vehicle. b7E b7E I was the first BPA to approach the vehicle. The subject had the windows rolled up and did not roll them down as I approached the vehicle. I drew my weapon, and with my other hand tapped on the rear window telling the subject "roll the window down". The subject complied and started screaming that her child was in the back seat. I told the subject "show me her hands" which after around the third command she did. I then looked into the back seat and saw the child and holstered my weapon. BPA b6,b7C then began to explain to the subject why she was stopped. The subject stated that she dropped off her other child to a relative before the checkpoint. This was her reasoning behind her turning around before the checkpoint. BPA b6,b7C stated the record checks were clear and the subject was released.

Date and Time: 07/18/2014 2030 HRS

Border Patrol Agent: b6

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

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

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

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

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

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

(ii) The employee requests representation.’

Employee's Signature: b6

Union Representative: \_\_\_\_\_

Supervisor Supplying Notice: SBPA b6



b6,b7C

16870 W. Hobson way  
Blythe, CA 92225



U.S. Customs and  
Border Protection

July 18, 2014

MEMORANDUM FOR:

b6,b7C

Acting Chief Patrol Agent  
Yuma Sector

FROM:

b6,b7C

b6,b7C

Border Patrol Agent  
Blythe Station

SUBJECT:

Citizen's Complaint

On July 18, 2014, I, Agent b6,b7C was assigned to the United States Border Patrol 1153 Checkpoint located on Arizona Highway 95 at mile marker 76. At approximately 2:15 p.m. I observed a black Lexus sedan approaching the checkpoint while I was in the primary inspection lane. Before the vehicle reached the checkpoint I saw it stop, turn around, and start heading back southbound. b7E

b7E

b7E

I then left the checkpoint and followed the vehicle in a clearly marked Border Patrol sedan for further investigation.

b7E

b7E

b7E

b7E

b7E

As a result,

I believed that the occupants of the vehicle were involved in some sort of immigration violation or other illegal activity. At approximately 2:20 p.m. I activated my overhead lights and initiated a vehicle stop on Arizona Highway 95 near mile marker 70. The vehicle took approximately 30 seconds to yield to the side of the road after I activated my emergency overhead lights. b7E

b7E

As I approached the vehicle I saw that Agent b6,b7C who was also assigned to the 1153 Checkpoint, had arrived to provide me with backup. He had his service issued sidearm drawn and at the low ready position. At no time did he point his weapon at the vehicle or its occupants. The driver of the vehicle did not roll down her heavily tinted windows as we walked towards it. As a result, even from several feet away, we could still not see into the vehicle or identify its occupants. Agent b6,b7C ordered the driver to roll down the windows several times. The driver eventually complied. Inside I observed a female driver and a small child in the backseat. I identified myself to the driver as a Border Patrol Agent and questioned her as to her citizenship.

She stated that she was a [b6,b7C] I asked her as to why she did not roll her windows down when we first approached. The driver stated that she was merely afraid for her daughter, the child in the backseat. I asked her as to why she had turned her vehicle around in front of the checkpoint. The driver said that she had dropped her other child off along the highway with family members in a different vehicle and that she was returning to [b6,b7C] [b6,b7C] her current place of residence. I was satisfied that there was no immigration violation or any other illegal activity occurring and, once records checks on the vehicle returned, I released the vehicle without any further incident. No foul language was used throughout the encounter.

On July 22, 2014, I contacted Yuma Sector Radio Communications [b7E] for further information on the vehicle ([b6,b7C]). [b7E] returned with a 2001 Lexus with a registered owner by the name of [b6,b7C] out of [b6,b7C]

Date and Time: 07/18/2014 2030 HRS

Border Patrol Agent: b6

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

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

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

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

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

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

(ii) The employee requests representation.’

Employee's Signature: b6

Union Representative: \_\_\_\_\_

Supervisor Supplying Notice: SBPA b6

b6,b7C



16870 W. Hobson Way  
Blythe, CA 92225

U.S. Customs and  
Border Protection

July 19, 2014

MEMORANDUM FOR:

b6,b7C

Acting Chief Patrol Agent  
Yuma Sector

FROM:

b6,b7C

b6,b7C

Border Patrol Agent  
Blythe Station

SUBJECT:

Citizen Complaint on July 18, 2014.

On July 18, 2014, Border Patrol Agents (BPA) b6,b7C and I were assigned traffic check duties at Blythe Station's 1153 checkpoint, located on Highway 95 near mile marker 76.

At approximately 2:15 p.m., I was informed by Agent b6,b7C that a vehicle heading northbound on Arizona Highway 95 had turned around just before the checkpoint. At that time, Agent b6,b7C and Agent b6,b7C proceeded southbound in two marked units. At approximately 2:20 p.m., I was standing at the primary lane at the checkpoint when a four door sedan with two females approached. The female who was driving stopped and asked me, "You guys aren't going after my daughter are you?" I politely replied, "I don't know who they are going after but if she turned around right before the checkpoint...yes". The driver told me she had just dropped off her grandchild with her daughter for a halfway meet and her daughter turned around to head back home to b6,b7C. I stated to the driver that I would try to get ahold of the agents via the radio. The two females continued northbound on Arizona Highway 95 and no further encounters were made.

b6,b7C

CBP00000980



Date and Time: 07/19/2014 2000 HRS

Border Patrol Agent: b6

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Employee’s Signature: b6

Union Representative: \_\_\_\_\_

Supervisor Supplying Notice: SBPA b6

16:59

TECS II EXTERNAL MESSAGE DISPLAY

07222014

b7E

QUEUE TYPE: PERSONAL

QUEUE NAME:

b7E

MSG STATUS:

\*\*\*\*\* TEXT OF MESSAGE \*\*\*\*\* PAGE 01 \*\*\*\*\*

b7E ON 07/22/14 AT 16:58:12

RR: b6,b7C

13:58 07/22/2014 b6,b7C

13:58 07/22/2014 b6,b7C

b7E

TXI

LIC: b6,b7C LIY/2014.LIT/PC

LIC: 001 TAB: b6,b7C EXPIRE: 09/30/2014

VIN: b6,b7C VYR:2001 VMA:LEXS VMO:IS3 VST:4DSD

NAM: b6,b7C CUST#: b6,b7C

ADR: b6,b7C

CTY: b6,b7C ST: b6,b7C ZIP: b6,b7C GVW:000000

TTL: b6,b7C DTE: 11/02/2008

1ST LIEN: b6,b7C AMT: DATE: 08/26/2008

MESSAGE IS DISPLAYED. b7E

b7E

b7E

b7E

ATTN:

b6,b7C

b6,b7C

CBP00000002

P.1/4

b6,b7C

b6,b7C

JUL-22-2014 13:42 From:

16:59

TECS II EXTERNAL MESSAGE DISPLAY

07222014

b7E

QUEUE TYPE: PERSONAL

QUEUE NAME: b7E

MSC STATUS:

\*\*\*\*\* TEXT OF MESSAGE \*\*\*\*\*

PAGE 02 \*\*\*\*\*

ADDR: b6,b7C

CTY: b6,b7C

ST: b6,b7C

ZIP: b6,b7C

P PLT: b7E

MESSAGE IS DISPLAYED. b7E

b7E

END OF THIS MESSAGE

b7E

Office: Blythe Station

Schedule: Friday, July 18, 2014

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



Department of Homeland Security, Customs and Border Protection

**Sensitive But Unclassified**

Total Manpower is: **b2,b7E**

Examined and Approved by: \_\_\_\_\_