

Sensitive Security Information

U.S. Department of Homeland Security
Denver International Airport
8700 Peng Blvd. Suite 3111
Denver, CO 80249



Transportation
Security
Administration

Interoffice Memorandum

From: Christopher A. Urquhart, SPOT Transportation Security Manager

Date: February 19, 2014

Re: Pre-Decisional Meeting for Master Behavior Detection Officer (MBDO) (b)(6)

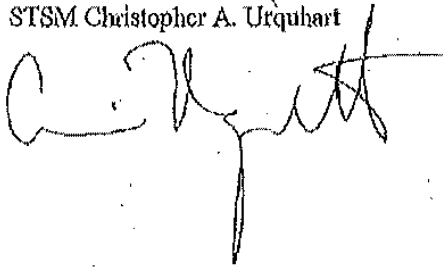
On February 15, 2014, I held a pre-decisional meeting with MBDO (b)(6) at approximately 1130 with STSM (b)(6) in attendance. I informed MBDO (b)(6) that I have information alleging he and his partner failed to follow the SPOT Standard Operating Procedures regarding the notifications required pursuant to a SPOT LEO Referral to the STSO, STSM, and the FSD prior to the subject individual's admittance to the sterile area. I explained to him that the information and documentation, including his own statement, would be reviewed to make a determination on the appropriate corrective or disciplinary action for this incident. I also covered the following:

1. He may be subject to formal disciplinary action from a Letter of Reprimand up to removal from the service depending upon factors that either mitigate or aggravate the penalty.
2. He has the opportunity to provide additional information to me in writing as a result of this meeting.
3. He was made aware of the EAP and LifeCare information and that those services are available to him.

MBDO (b)(6) took responsibility for the failure to make the appropriate notifications prior to the subject individual's admittance to the sterile area and stated that he was caught up in the moment and simply forgot. He expressed his understanding of the SOP requirements which he did not perform in this instance and he assured me the mistake would not occur again. We discussed strategies to avoid this kind of error in the future, and the meeting ended without incident. MBDO (b)(6) declined providing additional information.

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STSM Christopher A. Urquhart

A handwritten signature in dark ink, appearing to read 'C. Urquhart', with a long vertical stroke extending downwards from the end of the signature.

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U.S. Department of Homeland Security
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8700 Pena Blvd. RM 3111
Denver, Colorado, 80249



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Statement/Declaration

I, Christopher A. Urquhart, declare and state as follows:

At 1011 on February 8, 2014 I received a phone call from Master Behavior Detection Officer (MBDO) (b)(6) (b)(6) notified me that he and MBDO (b)(6) had conducted a Screening Passenger's by Observation Techniques (SPOT) Law Enforcement Officer (LEO) Referral. During the call it came to light that (b)(6) and (b)(6) had allowed the passenger to proceed into the sterile area prior to contacting me or ensuring the Federal Security Director (FSD) was notified in order to review the actions of the LEO, the screening that had been conducted, and clear the passenger to proceed into the sterile area. I immediately instructed (b)(6) to find the passenger. He stated the passenger was booked on a Southwest Airlines flight departing from gate C-29. I headed for C Concourse to assist in resolving the situation and boarded the same train as (b)(6). We proceeded to the departure gate indicated on the passenger's boarding pass which (b)(6) had a photo copy of from the SPOT LEO Referral process.

When we arrived at the listed gate (b)(6) spoke to an airline employee when he did not immediately see the passenger. (b)(6) was informed that the passenger had missed the original flight and had been rebooked on another flight which would depart from gate C-34 shortly. (b)(6) and I moved toward gate C-34. I anticipated the need to escort the passenger back to the security screening checkpoint depending upon the FSD's direction when I called him so I contacted the Denver Police Department (DPD) dispatch at 1023 to request support. When we arrived at gate C-34 (b)(6) positively identified the passenger and indicated to me a female sitting in the boarding area. He identified a woman who looked like the photo on the copy of the Florida driver's license he and (b)(6) had taken during the referral process.

I contacted the FSD at 1036 and relayed the situation to him including the failure to notify him prior to the passenger being permitted into the sterile area. The FSD asked several questions and took into account the passenger's observed and assessed behaviors and the fact that they were (b)(3) 49 U.S.C. § 114(f). He considered her demographic information, her domestic travel itinerary, and the screening the passenger and her property had been subjected to before he determined that he was comfortable with her proceeding in her travels. I explained to the FSD that we were waiting on a DPD representative so we could contact the passenger to verify contact information for reporting purposes. The FSD expressed concern about the DPD officer's failure to involve himself in the resolution process during the SPOT LEO Referral on North checkpoint. I explained that it is uncommon and that we normally have a very good response and involvement from DPD officers in these situations.

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The DPD officer who responded to gate C-34, Officer (b)(6), (b)(7)(C) was coincidentally the same officer who declined involvement on North checkpoint when the SPOT LEO Referral was being conducted. He stated that he watched the passenger being patted down and observed how she was talking to the officer conducting the pat down and (b)(3) 49 U.S.C. (b)(3) 49 U.S.C. § 114(f). He relayed to me that he had not been concerned about her demeanor or actions because she was running late for her flight so he had not questioned the passenger or taken any other action when (b)(6) contacted him for LEO assistance with the resolution of the situation.

When (b)(6), (b)(7)(C) had been briefed on the current situation on C Concourse and was prepared to assist with contacting the passenger it was determined the passenger (b)(6) had previously positively identified was not the actual passenger involved in the SPOT LEO Referral on North. Both (b)(6) and (b)(6), (b)(7)(C) confirmed that the passenger we were looking at was not the correct person. (b)(6) attempted again to locate the passenger but was unsuccessful. (b)(6) then spoke to another airline representative who informed him that the passenger had boarded a flight just a few minutes prior. As the only reason for contacting the POI at that point was to verify a good contact phone number for reporting purposes, and given the fact that the FSD had assessed the situation and approved her continuing in her travels, I instructed (b)(6) to return to his normal duties, I informed the DPD officer, and I returned to my own duties.

In accordance with 28 U.S.C. 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed on February 14, 2014

Date

In Denver, Colorado

Location

By

Signature

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Denver, Colorado, 80249



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Statement/Declaration

I, Christopher A. Urquhart declare and state as follows:


Following a mishandled Law Enforcement Officer (LEO) referral involving BDO (b)(6) (b)(6) and BDO (b)(6) I spoke with the officers both together and separately. I spoke with both officers together and separately in order to accurately determine the events and contributing factors surrounding the incident. I also spoke to both officers together and separately to ensure their understanding of proper procedure to avoid similar instances in the future. During the conversation with both officers in the private screening area on the North checkpoint as well as when I spoke to them one on one in my office, I discussed the procedural requirements of the SPOT SOP to include all required notifications and the steps mandated prior to the authorization of a LEO referred person into the sterile area. I referenced a hard copy of the SPOT SOP in my office in order to ensure their understanding of proper procedure and we reviewed step by step the process and notification requirements they must adhere to in the future. The level of specificity in these reviews of the applicable procedures was similar to the process I have used in the past to remediate an officer after an annual SOP assessment failure prior to retesting. Both officers stated their understanding and acknowledged their mistakes multiple times throughout these several conversations. Following these conversations and review of procedure I have confidence in both officers possessing a clear understanding of the SPOT SOP requirements during a LEO referral.

In accordance with 28 U.S.C. 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed on 04.12.2014
Date

At Denver, Colorado
Location

By


Signature

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U.S. Department of Homeland Security
TSA / DEN
8700 Pena Blvd
Denver Colorado, 80249



Transportation
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Statement/Declaration

In accordance with 28 U.S.C. 1746, I declare under penalty of perjury that the foregoing is true and correct.

I, (b)(6) M8DO, while working on North check point with fellow BDO's (b)(6) performing SPOT on the MI 2 lane. (b)(6) passed behaviors back he had observed (b)(6) (b)(3) 49 U.S.C. § 114(r) I, (b)(6) Acknowledged (b)(6) assessment and stated observing the passenger. I assessed the passenger (b)(3) 49 U.S.C. § 114(r) at which time (b)(6) questioned whether (b)(3) 49 U.S.C. § 114(r) The team started debating

(b)(3) 49 U.S.C. § 114(r)

(b)(3) 49 U.S.C. § 114(r) I continued to follow the passenger at a distance as I was unsure if the passenger would be a referral or not.

Executed on----

At Denver International Airport, Denver, CO

By (b)(6) 2-8-14 (b)(6)

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U.S. Department of Homeland Security
TSA/DOH
3700 Potomac
Denver, Colorado, 80249



Transportation
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Statement/Declaration

In accordance with 28 U.S.C. 1746, I declare under penalty of perjury that the foregoing is true and correct.

I, (b)(6) Master Behavior Detection Officer (MBDO) was working on North check point on February 8, 2104, at approximately 0940 working with fellow Behavior Detection Officer's (BDO) MBDO (b)(6) MBDO (b)(6) and MBDO (b)(6) performing Screening of Persons by Observations Technique (SPOT) on the Managed Inclusion 2 (MI 2) lane. BDO (b)(6) passed behaviors back he had observed on passenger Ms. (b)(6) BDO (b)(6) assessed (b)(3)49 U.S.C. § 114(r) (b)(3)49 U.S.C. § 114(r) acknowledged BDO (b)(6) assessment of Ms. (b)(6) and started observing her more closely. I assessed Ms. (b)(6) (b)(3)49 U.S.C. § 114(r) (b)(3)49 U.S.C. At which time BDO (b)(6) questioned whether Ms. (b)(6) (b)(3)49 U.S.C. (b)(3)49 U.S.C. § 114 The team debated (b)(3)49 U.S.C. § 114(r) was going to place Ms. (b)(6) in the standard screening lane as per the Standard Operating Procedure (SOP) for the behaviors assessed without question (b)(3)49 U.S.C. § 114(r) (b)(3)49 U.S.C. § 114(r) I continued to follow the passenger at a distance as I was unsure if the passenger would be a referral or not due to the debate of which behaviors would be confirmed and assessed. BDO (b)(6) and I urged BDO (b)(6) and BDO (b)(6) to make a decision on the behaviors as Ms. (b)(6) was progressing through the checkpoint. At the last minute it was decided (b)(3)49 U.S.C. (b)(3)49 U.S.C. thus we referred Ms. (b)(6) for additional screening. I proceeded through the Pre Check lane to notify the officers on the lane so Ms. (b)(6) (b)(3)49 U.S.C. § 114(r) and we could start the referral process. The Lead Transportation Security Officer (LTSO) on the lane stated she had to (b)(3)49 U.S.C. search on Ms. (b)(6) property. I acknowledged this and let the LTSO take the bag in question for the search. I informed Ms. Small we needed to do some additional screening on her and her property. During my interaction with the LTSO and Ms. (b)(6) I heard BDO (b)(6) state he was going to notify the BDO Point of Contact (POC). BDO (b)(6) also stated she was contacting the Supervisor Transportation Security Officer (STSO) of the checkpoint we had a referral on the checkpoint. BDO (b)(6) and I proceeded to the search table with Ms. (b)(6) and the LTSO. As the LTSO was searching Ms. (b)(6) bag, BDO (b)(6) and I started casual conversation with Ms. (b)(6) at which time she stated the reason why she was running late this morning. Ms. (b)(6) also began urging the LTSO to hurry with the search of her bag. Ms. Small stated (b)(3)49 U.S.C. § 114(r) (b)(3)49 U.S.C. § 114(r) with the LTSO as the search continued. BDO (b)(6) and I (b)(3)49 U.S.C. § 114(r) At that time we decided to wait on the assessment to see if Ms. (b)(6) would continue (b)(6) (b)(3)49 U.S.C. § 114(r) toward the LTSO. The search of Ms. (b)(6) bag was taking a long time (b)(3)49 U.S.C. (b)(3)49 U.S.C. § 114(r) Ms. (b)(6) had in her bag. BDO (b)(6) questioned Ms. (b)(6) about the (b)(3)49 U.S.C. § 114(r) Ms. Small also stated she was in

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SENSITIVE SECURITY INFORMATION

need of her medication for Parkinson's disease and could not get any until she returned home in Florida. Ms. (b)(6) again, (b)(3) 49 U.S.C. § 114(n) urged the LTSO to hurry with her bag. At this time it was agreed (b)(3) 49 U.S.C. § 114(n) which elevated Ms. (b)(6) to a LEO referral. I went to contact the LEO and to copy Ms. (b)(6) boarding pass and ID. When I engaged the LEO, Denver Police Department Officer (b)(6) (b)(7)(C) I explained the behaviors to him and told him it elevated Ms. (b)(6) to a LEO-referral and we needed him to speak with her. While I was speaking to Officer (b)(6) (b)(7) I heard BDO (b)(6) say something over the radio, though I am not sure of what he said. Officer (b)(6) (b)(7) asked me when her flight was. I responded 1005, at the current time it was 0957. Officer (b)(6) (b)(7) stated no wonder she's upset, she's really late. Officer (b)(6) (b)(7) proceeded over to the area of the search table; I went to copy Ms. (b)(6) boarding pass and ID at the Supervisors' podium. (b)(6) I returned to the search table Officer (b)(6) (b)(7) was approximately 10 feet away. Ms. (b)(6) was receiving her pat-down and the LTSO (b)(3) 49 U.S.C. § 114(n) (b) When the bag returned BDO (b)(6) told Ms. (b)(6) he had to look through the bag once more, but it would not take as long as the first time. Ms. (b)(6) again insisted on the urgency to hurry up. At the conclusion of BDO (b)(6) looking through her bag we asked Officer (b)(6) (b)(7) if he was ok with her, he replied that he saw no reason to engage Ms. (b)(6) she was running late. BDO (b)(6) and I then released Ms. (b)(6) had reached the sterile area. When BDO (b)(6) and I got together to debrief each other on the referral we were informed by BDO (b)(6) that management nor the Federal Security Director (FSD) had been contacted and we were not to release Ms. (b)(6) until the FSD had cleared her. At this time BDO (b)(6) proceeded after Ms. (b)(6) to concourse "C" and I proceeded to the POC to start the referral report.

Executed on--

At Denver International Airport, Denver, CO

By (b)(6)

2-10-14
4-24-14

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U.S. Department of Homeland Security
TSA/DEN
8700 Pena Blvd, RM 3111
Denver, Colorado, 80249



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Statement/Declaration

I (b)(6) declare and state as follows:

I was asked to answer the following questions relating to a referral which occurred February 8, 2014. The answers to the questions with in this statement are to clarify my statements made on February 10, 2014 as asked.

1. "Why did you allow the passenger to leave?"
2. "Where you aware the SOP states only the FSD or FSD designee can authorize the passenger to enter the sterile area following a LEO referral?"
3. "Why didn't you contact the POC for notification of the LEO referral and/or why didn't you contact a BDA TSM?" "Did you know this was required?"

1. I was under the impression Ms (b)(6) was cleared to leave the checkpoint and enter the sterile area.
2. At the time of this referral, being a new transfer to DEN, I was unsure of who needed to be contacted in this event and at the time I thought the BDO's not involved in the referral made the calls to back up the BDO's working the referral, team work if you would. I am aware the SOP states only the FSD or FSD designee can authorize the passenger to enter the sterile area. As stated in question 1, I was under the impression Ms (b)(6) was cleared.
3. I was under the impression BDO (b)(6) and BDO (b)(6) had made the necessary notifications and BDO (b)(6) had requested either BDO (b)(6) or BDO (b)(6) to do so when we went to the LEO referral. Yes, I am aware notification to a BDA TSM is required in the event of a LEO referral.

In accordance with 28 U.S.C. 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed on April 12, 2014
Date

At Denver International Airport, Denver, CO
Location

WARNING: This record contains information that may result in the identification of a source of information.

(b)(6)

Under 49 CFR parts 25 and 260, no part of this record may be disclosed to persons without a "need to know," as determined by the Transportation Security Administration by the Secretary of Transportation. Unauthorized release of information is prohibited by 5 U.S.C. 552 and 49 CFR parts 25 and 260.

Signature

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Denver, Colorado, 80249



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Statement/Declaration

I, (b)(6) declare and state as follows:

I was also asked to clarify further with the following questions relating to a referral which occurred February 8, 2014. The answers to the questions with in this statement are to clarify my statements made on February 10, 2014 as asked.

1. Did you hear (b)(6) ask if management and/or the FSD had been notified and cleared the passenger?
2. Did you hear (b)(6) or (b)(6) respond that notifications were made and/or the passenger was clear?
3. Did you ask (b)(6) if the passenger was cleared by the FSD?

1. No, I did not hear (b)(6) ask if management and/or the FSD had been notified and/or cleared the passenger.
2. No, I did not hear (b)(6) or (b)(6) respond that notifications were made and/or the passenger was clear.
3. No, I did not ask (b)(6) if the passenger was cleared by the FSD.

In accordance with 28 U.S.C. 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed on April 12, 2014
Date

At Denver International Airport, Denver, CO
Location

WARNING: This record
classified to 40 CFR
may result in civil

By

(b)(6)

28 parts 15 and 1510. No part of this record may be disclosed to persons without a "need to know" as
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8700 Pena Blvd
Denver Colorado, 80249



Transportation
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Statement/Declaration

In accordance with 28 U.S.C. 1746, I declare under penalty of perjury that the foregoing is true and correct.

I, (b)(6) At approximately 0940 hours on February 08, 2014, Behavior Detection Officers (BDO) (b)(6) and (b)(6) observed passenger (b)(6) (07/17/62) exhibiting behaviors in the managed inclusion line on North Checkpoint of the main terminal. Passenger (b)(6) was first seen exhibiting the behavior (b)(3)49 U.S.C. § 114(r) (b)(3)49 U.S.C. § 114(r). She was also assessed as displaying the behavior (b)(3)49 U.S.C. § 114(r) (b)(3)49 U.S.C. § 114(r) which brought her to the referral threshold. Passenger (b)(6) personal items were submitted by her to x-ray screening (b)(3)49 U.S.C. § 114(r) (b)(3)49 U.S.C. § 114(r). This screening was performed before her pat down. During the (b)(3)49 U.S.C. § 114(r) search passenger (b)(6) began (b)(3)49 U.S.C. § 114(r) (b)(3)49 U.S.C. § 114(r). At first BDO (b)(6) informed BDO (b)(6) that he (b)(3)49 U.S.C. § 114(r) (b)(3)49 U.S.C. § 114(r), (b)(6). Both BDO's performing the referral, (b)(6) and Pavez agreed on this which elevated the passenger to the level of a LEO call. BDO (b)(6) contacted the checkpoint LEO, Officer (b)(6), (b)(7)(C) on duty at that time. When Officer (b)(6), (b)(7)(C) arrived he observed the pat down taking place. At the distance he was from the passenger and BDO (b)(6), more than fifteen feet away, he could not hear the rest of the casual conversation taking place. The officer did not seem interested in what was taking place and informed BDO (b)(6) that what he was observing was a late passenger and was alright with her. Passenger (b)(6) was allowed to proceed after Officer (b)(6), (b)(7)(C) was done with her.

Executed on--

At Denver International Airport, Denver, CO

By (b)(6)

2.08.14

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Statement/Declaration

In accordance with 28 U.S.C. 1746, I declare under penalty of perjury that the foregoing is true and correct.

I, (b)(6) At approximately 0940 hours on February 08, 2014, Behavior Detection Officers (BDO) (b)(6) and (b)(6) and (b)(6) observed passenger (b)(6) exhibiting behaviors in the managed inclusion line on North Checkpoint of the main terminal. The environmental baseline in that area of the checkpoint was as follows: (b)(6)

(b)(3):49 U.S.C. § 114(r)

(b)(3):49 U.S.C. § 114(r)

Passenger (b)(6) was first exhibiting the behavior (b)(3):49 U.S.C. § 114(r)
She was also assessed as displaying the behaviors (b)(3):49 U.S.C. § 114(r)

(b)(3):49 U.S.C. § 114(r) Passenger Small's personal items were submitted by her to x-ray screening (b)(3):49 U.S.C. § 114(r)

(b)(3):49 U.S.C. § 114(r)

(b)(3):49 U.S.C. § 114(r) This screening was performed before her pat down; (b)(3):49 U.S.C. § 114(r)

During (b)(3):49 U.S.C. § 114(r) search passenger (b)(6) (b)(3):49 U.S.C. § 114(r)

(b)(3):49 U.S.C. § 114(r), (b)(6)

(b)(6)

(b)(6)

(b)(3):49 U.S.C. § 114(r)

(b)(3): (b)(6) § 114(r)

Both BDO's performing the referral, Holloway and Pavez agreed on this which elevated the passenger to the level of a LEO call. BDO (b)(6) contacted the checkpoint LEO, Officer (b)(6), (b)(7)(C) on duty at that time. When Officer (b)(6), (b)(7)(C) arrived he observed the pat down taking place. At the distance he was from the passenger and BDO (b)(6) more than fifteen feet away, he could not hear the rest of the casual conversation taking place. The officer did not seem interested in what was taking place and informed BDO (b)(6) that what he was observing was a late passenger and was alright with her. Passenger Small was allowed to proceed after Officer (b)(6), (b)(7)(C) was done with her.

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Sensitive Security Information

End of statement.

Executed on-- 4.23.14 originally on 2.08.14

At Denver International Airport, Denver, CO

(b)(6)

By

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TSA / DEN
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Denver Colorado, 80249



Transportation
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Statement/Declaration

In accordance with 28 U.S.C. 1746, I declare under penalty of perjury that the foregoing is true and correct.

I, (b)(6) on February 08, 2014 at approximately 0940 hours, was performing SPOT in the managed inclusion line on North Checkpoint of the main terminal with team members Behavior Detection Officers (BDO) (b)(6) and (b)(6) BDO (b)(6) (b)(6) who was the team lead for that day, was on lunch.

At this time BDO (b)(6) called over the radio that a female passenger (b)(6) (07/17/62) was exhibiting behaviors. Passenger (b)(6) was first seen exhibiting (b)(3):49 U.S.C. § 114(r) (b)(6) by BDO (b)(6) (b)(3):49 U.S.C. § 114(r) (b)(3):49 U.S.C. § 114(r)

This was something we, as a team, attempted to make officer (b)(6) understand. BDO (b)(6) finally agreed with. She was also assessed by the team as displaying the behaviors (b)(3):49 U.S.C. § 114(r)

Passenger Small was designated as Pre-check by her Airline (b)(3):49 U.S.C. § 114(r) (b)(3):49 U.S.C. § 114(r) to the divestment tables in the Pre-check area where she began her divestment. When she was passing through the walk through metal detector BDO (b)(6) changed his mind and called over the radio (b)(3):49 U.S.C. § 114(r) (b)(3):49 U.S.C. § 114(r)

BDO (b)(6) told BDO (b)(6) over the radio that it was his referral if he was assessing the behavior bring to the referral level. BDO (b)(6) agreed but told everyone he had to tell the TSO to close down the MI-2 lane and, despite BDO (b)(6) strong and repeated reminders that the referrals was his responsibility, he proceeded to walk away from us toward the MI-2 lane entrance at the front of North Checkpoint.

BDO (b)(6) was already with the passenger and so I followed him since BDO (b)(6) was concerning himself with another matter.

Passenger (b)(6) personal items were submitted by her to x-ray screening. (b)(3):49 U.S.C. § 114(r) This screening was performed before her pat down.

During (b)(3):49 U.S.C. § 114(r) search passenger (b)(6) (b)(3):49 U.S.C. § 114(r) (b)(3):49 U.S.C. § 114(r) (b)(6) (b)(6)

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Sensitive Security Information

Passenger Small was referring to the Lead Officer conducting (b)(3)(49 U.S.C. § 114(r)) search. At that

(b)(3)(49 U.S.C. § 114(r))

(b)(6)

(b)(3)(49 U.S.C. § 114(r)) BDO (b)(6) informed me that he was (b)(3)(49 U.S.C. § 114(r))

(b)(3)(49 U.S.C. § 114(r))

(b)(3)(49 U.S.C. § 114(r)) We both agreed on this which elevated the passenger to the level of a LEO call. BDO (b)(6) contacted the checkpoint LEO, Officer (b)(6)(b)(7)(C) on duty at that time.

During this time I contacted, over the radio, the other members of my team letting them know we had a LEO call with passenger (b)(6). There was no acknowledgement. I then asked if they could follow through for us with contacting the proper channels for this situation and BDO (b)(6) acknowledged 'no worries'.

When Officer (b)(6)(b)(7)(C) arrived he observed the pat down taking place. At the distance he was from the passenger and I, more than fifteen feet away, he could not hear the rest of the casual conversation taking place. The officer did not seem interested in what was taking place, leaning on the the x-ray conveyor belt on the lane with his arms crossed. BDO (b)(6) was standing close to Officer (b)(6)(b)(7)(C). I could not hear them but saw that they were talking. At no time did Officer (b)(6)(b)(7)(C) attempt to speak with passenger (b)(6). BDO (b)(6) then approached me and told me Officer Mastroianna had stated to him that he was not concerned with Passenger (b)(6) to him she was nothing more than a late passenger.

After this BDO (b)(6) and I allowed the passenger to proceed.

BDO (b)(6) and I then went to a private screening room to review our referral. While we were comparing notes there was a knock on the door. It was BDO (b)(6) the team lead. He wanted to know how the referral had gone. He had not been aware that the referral had escalated to a LEO notification. He asked me if the management was aware.

I called STSM Urquhart to make sure he had been contacted, perhaps my earlier communication on the radio had not been heard properly because as it turned out STSM Christopher Urquhart had not been contacted and he urged me to find the passenger and have a LEO called to escort her back to North Checkpoint. I rushed to the train to find passenger Small. I was aware of her flight information so I figured she would be heading for Concourse 'C'. STSM Urquhart accompanied me to the concourse and once there we went straight to her gate. I spoke with the agents at the ticket counter and they advised me she was late to her flight so they rebooked her on another and that she could be found at another gate. STSM Urquhart and I walked to that gate. I thought I saw passenger (b)(6) but it was only a woman who looked very similar. I asked the agents at the ticket counter to that gate regarding passenger Small and they informed me she was able to get on that flight and leave the airport.

WARNING: This record contains Sensitive Security Information that is controlled under 49 CFR parts 15 and 1520. No part of this record may be disclosed to persons without a "need to know", as defined in 49 CFR parts 15 and 1520, except with the written permission of the Administrator of the Transportation Security Administration, or the Secretary of Transportation. Unauthorized release may result in civil penalty or other action. For U.S. government agencies, public disclosure is governed by 5 U.S.C. 552 and 49 CFR parts 15 and 1520.

~~Sensitive Security Information~~

STSM Urquhart discussed this situation with PSD (b)(6). The PSD, I was told by STSM Urquhart, that the PSD was alright with the situation but more concerned about the lax attitude of Officer (b)(6), (b)(7) toward passenger (b)(6).
End of statement.

Executed on-- 4.23.14 originally on 2.14.14

At Denver International Airport, Denver, CO

By (b)(6)

~~WARNING: This record contains Sensitive Security Information that is controlled under 49 CFR parts 15 and 1520. No part of this record may be disclosed to persons without a "need to know", as defined in 49 CFR parts 15 and 1520, except with the written permission of the Administrator of the Transportation Security Administration, or the Secretary of Transportation. Unauthorized release may result in civil penalty or other action. For U.S. government agencies, public disclosure is governed by 5 U.S.C. 552 and 49 CFR parts 15 and 1520.~~

Sensitive Security Information

U.S. Department of Homeland Security
TSA / DEN
8700 Pena Blvd
Denver Colorado, 80249



Transportation
Security
Administration

Statement/Declaration

In accordance with 28 U.S.C. 1746, I declare under penalty of perjury that the foregoing is true and correct.

I, (b)(6) on February 08, 2014 at approximately 0940 hours, was performing SPOT in the managed inclusion line on North Checkpoint of the main terminal with team members Behavior Detection Officers (BDO) (b)(6) and (b)(6)

At this time BDO (b)(6) called over the radio that a female passenger (b)(6) (07/17/62) was exhibiting behaviors. Passenger (b)(6) was first seen exhibiting (b)(3) 49 U.S.C. § 114(r) by BDO (b)(6) (b)(3) 49 U.S.C. § 114(r)

(b)(3) 49 U.S.C. § 114(r) (b)(3) 49 U.S.C. § 114(r) This was something we as a team attempted to make officer (b)(6) understand. BDO (b)(6) after some debated finally agreed. She was also assessed by the team as displaying the behaviors (b)(3) 49 U.S.C. § 114(r)

Passenger Small was a passenger designated as Pre-Check by her Airline (b)(3) 49 U.S.C. § 114(r) (b)(3) 49 U.S.C. § 114(r)

to the divestment tables in the Precheck area and began her divestment. When she began to cross through the walk through metal detector BDO (b)(6) changed his mind and called over the radio (b)(3) 49 U.S.C. § 114(r)

BDO (b)(6) told BDO (b)(6) over the radio that it was his referral if he was assessing the behavior bringing to the referral level. BDO (b)(6) agreed but told everyone he had to tell the TSO to close down the MI-2 lane and he proceeded to walk away from us toward the MI-2 lane entrance at the front of North Checkpoint.

BDO (b)(6) was already with the passenger and so I followed him since BDO (b)(6) was concerning himself with another matter.

Passenger (b)(6) personal items were submitted by her to x-ray screening. (b)(3) 49 U.S.C. § 114(r) This screening was performed before her pat down.

During (b)(3) 49 U.S.C. § 114(r) search passenger (b)(6) (b)(3) 49 U.S.C. § 114(r), (b)(6)

(b)(6) (b)(3) 49 U.S.C. § 114(r)

We both agreed on this which elevated the passenger to the level of a LEO call. BDO (b)(6) contacted the checkpoint LEO, Officer I (b)(6), (b)(7)(C) on duty at that time.

WARNING: This record contains Sensitive Security Information that is controlled under 49 CFR parts 15 and 1520. No part of this record may be disclosed to persons without a "need to know", as defined in 49 CFR parts 15 and 1520, except with the written permission of the Administrator of the Transportation Security Administration, or the Secretary of Transportation. Unauthorized release may result in civil penalty or other action. For U.S. government agencies, public disclosure is governed by 5 U.S.C. 552 and 49 CFR parts 15 and 1520.

Sensitive Security Information

During this time I contacted, over the radio, the other members of my team letting them know we had a LEO call with passenger Small. BDO (b)(6) acknowledged with a 'copy' and BDO (b)(6) acknowledged. I then asked, via radio, if they could follow through for us by contacting the proper channels for this situation, meaning if they could contact management to inform them that BDO (b)(6) and I had a LEO call. (b)(3); 49 U.S.C. § 114(r)

(b)(3); 49 U.S.C. § 114(r) (b)(3); 49 U.S.C. § 114(r)
BDO (b)(6) acknowledged 'no worries'. I was under the assumption that BDO (b)(6) had understood my message and was contacting our manager on duty. I was aware of the SOP and how I must contact the proper channels to have the passenger cleared after they have elevated to a LEO call. But considering the circumstances I was asking for help from my team to assure that we didn't have a more serious situation with the passenger.

When Officer (b)(6); (b)(7) arrived he observed the pat down taking place. At the distance he was from the passenger and me, more than fifteen feet away, he could not hear the rest of the casual conversation taking place. The officer did not seem interested in what was taking place and informed BDO (b)(6) that what he was observing was a late passenger and was alright with her.

After the LEO I called over the radio asking if management had contacted the FSD and if the passenger was allowed to proceed. Again I heard BDO (b)(6) answer, "It's all good." I trusted that everything was taken care of due to BDO (b)(6) answer. Passenger (b)(6) was allowed to proceed.

I called STSM Christopher Urquhart to make sure he had been contacted but as it turned out he had not been contacted and he urged me to find the passenger and have a LEO called to escort her back to North Checkpoint.

STSM Urquhart and I rushed to the train to find passenger Small. I was aware of her flight information so I determined she would be heading for Concourse 'C'. STSM Urquhart accompanied to the concourse and once there we went straight to her gate. But as it turns out she was late for her flight and had gotten on another flight just a few minutes before we arrived.

End of statement.

Executed on--

4.23.14 ORIGINAL/ON 4.8.14

At Denver International Airport, Denver, CO

By

(b)(6)

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Sensitive Security Information

U.S. Department of Homeland Security
TSA / DEN
8700 Pena Blvd
Denver Colorado, 80249



Transportation
Security
Administration

Statement/Declaration

In accordance with 28 U.S.C. 1746, I declare under penalty of perjury that the foregoing is true and correct.

I, (b)(6) on February 08, 2014 at approximately 0940 hours, was performing SPOT in the managed inclusion line on North Checkpoint of the main terminal with team members Behavior Detection Officers (BDO) (b)(6) and (b)(6)

At this time BDO (b)(6) called over the radio that a female passenger (b)(6) was exhibiting behaviors. Passenger (b)(6) was first seen exhibiting (b)(3) 49 U.S.C. § 114(r) by BDO (b)(6) (b)(3) 49 U.S.C. § 114(r)

(b)(3) 49 U.S.C. § 114(r) This was something we as a team attempted to make officer (b)(6) understand. BDO (b)(6) agreed. She was also assessed by the team as displaying the behaviors (b)(3) 49 U.S.C. § 114(r)

Passenger (b)(6) was a passenger designated as (b)(3) 49 U.S.C. § 114(r) to the divestment tables in the Precheck area and began her divestment. When she began to cross through the walk through metal detector BDO (b)(6) changed his mind and called over the radio (b)(3) 49 U.S.C. § 114(r)

BDO (b)(6) told BDO (b)(6) over the radio that it was his referral if he was assessing the behavior bringing to the referral level. BDO (b)(6) agreed but told everyone he had to tell the TSO to close down the MI-2 lane and he proceeded to walk away from us toward the MI-2 lane entrance at the front of North Checkpoint.

BDO (b)(6) was already with the passenger and so I followed him since BDO (b)(6) was concerning himself with another matter.

Passenger (b)(6) personal items were submitted by her to x-ray screening. (b)(3) 49 U.S.C. § 114(r) This screening was performed before her pat down.

During (b)(3) 49 U.S.C. § 114(r) search passenger (b)(6) (b)(3) 49 U.S.C. § 114(r) BDO (b)(6) informed me (b)(3) 49 U.S.C. § 114(r)

We both agreed on this which elevated the passenger to the level of a LEO call. BDO (b)(6) contacted the checkpoint LEO, Officer (b)(6) (b)(6), (b)(7)(C) on duty at that time.

During this time I contacted, over the radio, the other members of my team letting them know we had a LEO call with passenger (b)(6). BDO (b)(6) acknowledged with a 'copy' and BDO (b)(6) acknowledged. I then asked if they could follow through for us with contacting the proper channels for this situation and BDO (b)(6) acknowledged 'no worries'.

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~~Sensitive Security Information~~

When Officer (b)(6)(b)(7)(C) arrived he observed the pat down taking place. At the distance he was from the passenger and I, more than fifteen feet away, he could not hear the rest of the casual conversation taking place. The officer did not seem interested in what was taking place and informed BDO (b)(6) that what he was observing was a late passenger and was alright with her. Passenger Small was allowed to proceed after Officer (b)(6)(b)(7)(C) was done with her.

Assuming management had been contacted I called again to make sure but as it turned out STSM Christopher Urquhart had not been contacted and he urged me to find the passenger and have a LEO called to escort her back to North Checkpoint.

I rushed to the train to find passenger (b)(6). I was aware of her flight information so determined she would be heading for Concourse 'C'. STSM Urquhart accompanied to the concourse and once there we went straight to her gate. But as it turns out she was late.

End of statement.

Executed on-- 4.23.14

At Denver International Airport, Denver, CO

By

(b)(6)

~~SENSITIVE SECURITY INFORMATION~~

U.S. Department of Homeland Security
TSA/DEN
8700 Pena Blvd, RM 3111
Denver, Colorado, 80249



Transportation
Security
Administration

Statement/Declaration

I, Master BDO (b)(6) declare and state as follows:

At about 0950 hours on 08 Feb 2014, I was on the North checkpoint DEN in the MI2 lane. I was walking the line in front of TSC, and engaged a woman

(b)(3):49 U.S.C. § 114(r) I made a radio call with the passenger description (b)(3):49 U.S.C. § 114(r)

MBDO (b)(6) (b)(3):49 U.S.C. § 114(r)

(b)(3):49 U.S.C. § 114(r) Either MBDO (b)(6) or (b)(6) then said (b)(3):49 U.S.C. § 114(r)

"referral". MBDOs (b)(6) and (b)(6) who were closest to the pax at the time, fell back and began the referral process. I informed the MI2 iPad officer that MI2 was suspended because the BDOs were busy, and I emptied the MI2 queue into standard screening. I notified

(b)(6) and (b)(6) that I would gather baseline info, and would notify the (b)(6) that we had a referral, and did so. Moments later MBDO (b)(6)

(b)(3):49 U.S.C. § 114(r) returned, and we resumed MI2 operations. BDOs about 1015 entered the private screening room with Team Lead

(b)(6) (b)(3):49 U.S.C. § 114(r) into the room, and Johnston instructed (b)(6) to notify STSM (b)(6) of the LEO referral. End of statement

In accordance with 28 U.S.C. 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed on 13 Feb 2014
Date

Denver, CO

(b)(6)

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FOIA review. No part of this record may be disclosed to persons without a "need to know," as determined by the Transportation Security Administration or the Secretary of Transportation, unless otherwise indicated. Release is governed by 5 U.S.C. 552 and 49 CFR parts 15 and 159.

SENSITIVE SECURITY INFORMATION

U.S. Department of Homeland Security
TSA / DEN
8709 Pena Blvd
Denver Colorado, 80249



Transportation
Security
Administration

Statement/Declaration

In accordance with 28 U.S.C. 1746, I declare under penalty of perjury that the foregoing is true and correct.

I, Behavior Detection Officer (b)(6) was performing SPOT Behavior Detection and Analysis on North Checkpoint, Denver International Airport, at about 0950 hours and during a SPOT referral occurring at that time on the checkpoint, I was never asked to notify anyone that a LEO referral was in process, and I never indicated to anyone that the Federal Security Director or a Transportation Security Manager had cleared the passenger to proceed. End of statement.

Executed on— April 10, 2014

At Denver International Airport, Denver, CO

By Behavior Detection Officer

(b)(6)

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SENSITIVE SECURITY INFORMATION

U.S. Department of Homeland Security
TSA / DEN
8700 Pena Blvd
Denver Colorado, 80249



Transportation
Security
Administration

Statement/Declaration

In accordance with 28 U.S.C. 1746, I declare under penalty of perjury that the foregoing is true and correct.

I, (EBDO) (b)(6) was POC in the DEN CC on Saturday morning of February 8, 2014. I received a phone call from North Checkpoint (MBDO) (b)(6) that a behavior based referral was about to begin at around 0940. I told (b)(6) to call me when the referral was complete with all the information. Around 0955 I received a call from (MBDO) (b)(6) stating that the referral was complete and that the referral became a LEO referral while in casual conversation. Pavez stated that the passenger had proceeded to the gate without contacting myself or STSM Christopher Urquhart. I then asked that (b)(6) go to the gate where the passenger was departing from and contact a LEO to bring her back for FSD authorized release to travel. I was not contacted by any other parties in regards to this incident. (End of Statement)

Executed on—2/14/2014.

At Denver International Airport, Denver, CO

By

(b)(6)

SENSITIVE SECURITY INFORMATION

U.S. Department of Homeland Security
TSA / DHS
8700 Pena Blvd
Denver Colorado, 80249



Transportation
Security
Administration

Statement/Declaration

In accordance with 28 U.S.C. 1746, I declare under penalty of perjury that the foregoing is true and correct.

I, Behavior Detection Officer (BDO) (b)(6) declare and state as follows:

On February 8, 2014 at approximately 1002 hours I returned to North check point from lunch. While on lunch my team had a referral in the pre check lane. While I was on lunch I radioed to my team to let me know if they needed any help with the referral. We had a seven man team so we were able to keep M12 running. When I returned I went into the back screening room of North check point where BDO (b)(6) (b)(6) and BDO (b)(6) were discussing the referral. When I started to discuss the referral with them I noticed they had made copies of the passengers boarding pass and driver's license. They then informed me the referral turned into a LEO referral. I asked if they had notified the POC and STSM Christopher Urquhart and the check point supervisor. Per our discussion they stated they had not informed anyone yet of the referral changing to a LEO. I had (b)(6) immediately call STSM Urquhart and inform him of our situation.

Executed on— 2-10-2014

At Denver International Airport, Denver, CO

By

(b)(6)

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~~SENSITIVE SECURITY INFORMATION~~

U.S. Department of Homeland Security
TSA / DEN
8700 Pena Blvd
Denver Colorado, 80249



Transportation
Security
Administration

Statement/Declaration

In accordance with 28 U.S.C. 1746, I declare under penalty of perjury that the foregoing is true and correct.

I, Behavior Detection Officer (BDO), (b)(6) declare and state as follows:

On February 8, 2014 I did not hear any announcement over the radio regarding a LEO referral or the request for a TSM/FSD to be notified. Additionally I never heard an announcement that the passenger was cleared or authorized in to the sterile area.

Executed on— 03-16-2014

At Denver International Airport, Denver, CO

By

(b)(6)

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SENSITIVE SECURITY INFORMATION

U.S. Department of Homeland Security
TSA / DHS
8700 Pena Blvd
Denver Colorado, 80145



Transportation
Security
Administration

Statement/Declaration

In accordance with 28 U.S.C. 1746, I declare under penalty of perjury that the foregoing is true and correct.

I, (b)(6)

On Saturday, February 8th 2014, at approximately 9:45 a.m. I was at the TDC MI position getting ready to relieve MBDO (b)(6). A passenger was waiting in line for the ticket checker at the MI screening location. Suddenly MBDO (b)(6) observed the following behaviors (b)(3):

(b)(3):49 U.S.C. § 114(r) (b)(3):49 U.S.C. § 114(r) At this time

MBDO (b)(6) intervened (b)(3):49 U.S.C. § 114(r)

(b)(3):49 U.S.C. § 114(r) (b)(3):49 U.S.C. § 114(r) MBDO (b)(6) requested MBDO

(b)(6) to direct the passenger (b)(3):49 U.S.C. § 114(r) I replied and said I will send her

(b)(3):49 U.S.C. § 114(r) this passenger was pre-check.

While MBDO (b)(6) and MBDO (b)(6) were arguing in the radio over the behavior, MBDO (b)(6) and myself (MBDO (b)(6)) noticed that the passenger (b)(3):49 U.S.C. § 114(r)

(b)(3):49 U.S.C. § 114(r) this behavior was communicated to MBDO (b)(6) and MBDO (b)(6) When MBDO (b)(6) noticed (b)(3):49 U.S.C. § 114(r) (b)(3):49 U.S.C. § 114(r)

(b)(3):49 U.S.C. § 114(r) MBDO (b)(6) replied "the passenger is a pre-check passenger (b)(3):49 U.S.C. § 114(r)

(b)(3):49 U.S.C. § 114(r) At this time MBDO (b)(6) paused for a few seconds and then told me that this passenger might be a referral" MBDO (b)(6) MBDO (b)(6) and myself were confused, because we were not sure if MBDO (b)(6) (b)(2)

Then MBDO (b)(6) began to walk away from me toward the area of the Infidel on Mt and I had to clarify with him and asked him via the radio " Bruce do you want to do a referral on this passenger yes or no" MBDO (b)(6) replied with anticipation " YES". I turned around and the passenger was already in the other side of the walk through metal detector. I immediately told MBDO (b)(6) and MBDO (b)(6) that we were doing a referral. Then I asked MBDO (b)(6)

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SENSITIVE SECURITY INFORMATION

to stop the passenger and asked MBDO (b)(6) to help MBDO (b)(6) since they were closer to the walk through metal detector. I also asked MBDO (b)(6) to immediately close MI. Then I proceeded to notify the TSO (b)(6) that we were closing MI because we had to do a referral. After MI was closed, I asked MBDO (b)(6) to go to the back and take over the casual conversation, because he had seen most of the behaviors. MBDO (b)(6) refused to relive either of the BDO's and said "they can do the referral they don't need me to do the referral" at this time I insisted and asked him again to do the casual conversation, MBDO (b)(6) said no and that he was calling the Point of Contact to notified the POC of the referral on North. At approximately 9:55 a.m. MBDO (b)(6) was returning from training and I directed her to take over the RFD position and MBDO (b)(6) to take over the Infield MI position. I stood over TDC at the MI and proceeded to notify the TSO on the iPad position to reopen MI. END OF STATEMENT

Executed on--

At Denver International Airport, Denver, CO

By (b)(6) 02-13-2014

(b)(6)

4-24-2014

Original performed on 2-13-2014

Statement/Declaration

I, (b)(6) declare and state the following:

On February, 8th 2014 at approximately 9:50 a.m. I was on North MI and I don't recall anyone notifying me about a LEO referral.

In accordance with 28 U.S.C. 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed on 02-21-2014

In Denver, Colorado

By

(b)(6)

02-21-14

SENSITIVE SECURITY INFORMATION

U.S. Department of Homeland Security
TSA / DEN
8700 Pena Blvd
Denver Colorado, 80249



Transportation
Security
Administration

Statement/Declaration

In accordance with 28 U.S.C. 1746, I declare under penalty of perjury that the foregoing is true and correct.

I, (b)(6)

On April 17, 2014 I was ask by (b)(6) to clarify the following points in regards of the incident occurred on February 8th, 2014

The following questions asked by STSM (b)(6) were as follow:

- 1 Did you hear an announcement on the radio regarding of a LEO referral or a request for TSM/FSD notification?
2. Anyone say over the radio that the passengen was cleared or was authorized to enter the sterile are?

My answer to these questions was that I do not recall any announcement on the radio or a LEO referral, notifications to the TSM /FSD or that the passenger was cleared to enter the sterile area. It has been approximately two month since this incident; I don't remember any of the facts that occurred on February 8th, 2004. For farther information please refer to the original statement.

Executed on—April 17, 2014

At Denver International Airport, Denver, CO

By

(b)(6)

WARNING: This record contains Sensitive Security Information. Disclosure of this information to the public is prohibited by 49 U.S.C. 114 and 115. No part of this record may be disclosed to persons without a "need to know," as defined in 49 U.S.C. 114 and 115, except with the written permission of the Administrator of the Transportation Security Administration or the Secretary of Transportation. Unauthorized release may result in civil penalty or other action. For U.S. Government agency public disclosure is governed by 5 U.S.C. 552 and 49 U.S.C. 114 and 115.

U.S. Department of Homeland Security
TSA / DEN
8700 Pena Blvd. RM 3111
Denver Colorado, 80249



Transportation
Security
Administration

Statement/Declaration

I, (b)(6) state as follows:

As per your request, the following is an additional information that was not included in my original statement signed and dated on 2/12/14. This information is about passenger's behavior.

While I was checking her bag (b)(3):49 U.S.C. § 114(r)
(b)(3):49 U.S.C. § 114(r) I stopped her and
advised her not to touch anything until I'm done with the bag check. (b)(3):49 U.S.C. § 114(r)
(b)(3):49 U.S.C. § 114(r)
(b)(3):49 U.S.C. § 114(r) g. BDO (b)(6) began to question her and she said the reason she was
(b)(3):49 U.S.C. § 114(r)
(b)(3):49 U.S.C. § 114(r) When I was done with the bag
check, I patted her down and during the pat down she was quiet (b)(3):49 U.S.C. § 114(r)

END OF STATEMENT

In accordance with 28 U.S.C. 1746, I declare under penalty of perjury that
The foregoing is true and correct.

Executed on February 13, 2014
Date

In Denver, Colorado
City and State

(b)(6)
By

U.S. Department of Homeland Security
TSA / DBN
8700 Pena Blvd. RM 3111
Denver Colorado, 80249



Transportation
Security
Administration

Statement/Declaration

I, (b)(6) state as follows:

On February 8, 2014 at approximately 9:45am, I was working on lane 2/3 at the North checkpoint. BDOs (b)(6) and (b)(6) have approached me and asked me to conduct a pat-down on a female passenger. At the same time I was called for a bag check (b)(3):49 U.S.C. § 114(n) that belonged to the same passenger. While I was doing a bag check, (b)(3):49 U.S.C. § 114(n) (b)(3):49 U.S.C. § 114(n) cleared her bag, I conducted the pat down. While I was patting her down, (b)(3):49 U.S.C. § 114(n) (b)(3):49 U.S.C. § 114(n) There was no alarm on the pat down and I notified (b)(6) that the passenger and her property were clear.

END OF STATEMENT

In accordance with 28 U.S.C. 1740, I declare under penalty of perjury that
The foregoing is true and correct.

Executed on February 12, 2014
Date

In Denver, Colorado
City and State

By

(b)(6)

(b)(6)