

ATTACHMENT

16

~~SENSITIVE SECURITY INFORMATION~~



MEMORANDUM OF INTERVIEW
OR ACTIVITY

Type of Activity: <input checked="" type="checkbox"/> Personal Interview <input type="checkbox"/> Telephone Interview <input type="checkbox"/> Records Review <input checked="" type="checkbox"/> Other	Date and Time: January 20, 2012
Activity or Interview of: (b)(6) Master Behavioral Detection Officer (MBDO) Honolulu International Airport (HNL) Phone 808-358-(b)(6)	Conducted by: Special Agents Philip Spampinato and Joseph M. Viviano Location of Interview/Activity: Transportation Security Administration Office Honolulu International Airport (HNL) 300 Rodgers Blvd. Suite 45 Honolulu, HI 96819

Subject Matter/Remarks

OOI interviewed Behavior Detection Officer (BDO) (b)(6) regarding allegations of racial profiling and other improprieties directed at her and other BDO officers at HNL.

(b)(6) started as a Transportation Security Officer (TSO) in December, 2002 and entered the BDO program in 2008.

(b)(6) never heard any discussion or rumors of racial profiling of certain ethnic groups by HNL BDOs until she viewed a TV report which aired on a local Hawaiian news channel (KITV4) in late November or early December, 2011. (b)(6) was very shocked when she was named by the news reporter (Keoki Kerr) and alleged to be profiling Mexican and Hispanic travelers for additional security screening as they departed HNL.

The news story was based upon information provided by two HNL BDOs who came forward as whistle blowers. (b)(6) said that the two male whistleblowers appeared in the news report but their features were shadowed over and voices distorted to conceal their identities. (b)(6) declared she immediately recognized the whistleblowers as co-workers, BDOs (b)(6) and (b)(6)

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Revised February 28, 2006

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MEMORANDUM OF INTERVIEW OR ACTIVITY (continuation sheet)

(b)(6) was positive of their identities since she had hired on with both (b)(6) and (b)(6) in 2002 and had attended the same BDO training class with (b)(6) (b)(6) claims she is very familiar with their individual mannerisms as well as their choice of words and syntax.

In the KITV4 report the whistleblowers claimed that (b)(6) and another BDO (b)(6) were known as the "mexecutioners". They were given this nickname because they had targeted Mexican nationals or Hispanics for additional security screening which resulted in arrests for various offenses. (b)(6) has never heard this nickname, "mexecutioners", ever used at HNL or heard it in reference to her or BDO (b)(6). (b)(6) noted that the KITV4 report was aired just before the Asian – Pacific Economic Conference was set to begin in Hawaii.

(b)(6) is familiar with a Filipino professional fighter named Manny Pacquiao nicknamed the "mexecutioner". (b)(6) added that Pacquiao is very popular and he is enthusiastically supported by many Hawaiians.

(It is also noted that another popular Hawaiian professional athlete, Joey Beltran, a UFC fighter, attended college in Hawaii and is regularly called or described as the "mexecutioner").

(b)(6) was troubled by the allegations and feels that (b)(6) and (b)(6) are attempting to smear TSA management and the HNL BDO program in retaliation for their past disciplinary actions. (b)(6) added that she felt that (b)(6) and (b)(6) were poor employees and did not do a good job as BDOs. (b)(6) believes that (b)(6) and (b)(6) have divulged SSI and have put the BDO program and the BDOs in jeopardy. (b)(6) has heard that KITV4 news reporter Keoki Kerr had sent e-mails describing the allegations naming certain TSA employees to various foreign consulates and US congressman and she is very troubled by these irresponsible actions.

(b)(6) related that she has received positive comments and feedback from fellow TSOs at HNL regarding herself (b)(6) and the other AM shift BDOs. Conversely, (b)(6) has received complaints from TSOs about the PM shift BDOs claiming that they don't work hard and are never to be found when needed. Both (b)(6) and (b)(6) have always been assigned to the PM BDO shift rotation.

(b)(6) has received 10 – 12 achievement awards in recognition of her performance at HNL and at least 2 - 3 were monetary awards. (b)(6) stated that she takes her job seriously and always follows the SOP as established by the BDO and SPOT programs. She has never targeted one ethnic group versus another ethnic group or participated in racial profiling during her BDO duties. (b)(6) believes

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MEMORANDUM OF INTERVIEW OR ACTIVITY (continuation sheet)

in the BDO program and she thinks that her contributions do make a difference. She hopes to become a BDO manager someday.

(b)(6) added that BDO managers constantly remind the BDOs about racial profiling issues and BDOs were always careful to strictly adhere to program requirements.

(b)(6) told OOI that BDO (b)(6) produces snowboarding or skiing videos and they can be seen on various "youtube" style websites and on local "OC 16" (Oceanic Cable 16). She has seen these videos and confirmed that in the credits section at the tail end of the video (b)(6) has listed names of BDO managers and other BDOs with derogatory nicknames inserted between the first and last names.

(b)(6) maintained that (b)(6) are attempting to smear TSA and retaliate against the BDO program and its managers because of their past disciplinary issues at HNL. (b)(6) pointed out that the BDOs who have had recurring disciplinary issues (b)(6) and (b)(6) have been assigned to the PM shift at HNL.

(b)(6) also addressed the additional allegations mentioned in the KITV4 report as follows –

- Regarding suspected drug money seizures by BDO (b)(6), (b)(6) advised that BDO (b)(6) never did anything improper and he always was by the book in all his BDO duties. To the best of her knowledge he had no insider information from DEA.
- Regarding BDOs sleeping on duty in a cot - (b)(6) related that believed that a BDO brought in a collapsible style cot for another co-worker he need the cot for an upcoming camping trip. According to (b)(6) no BDOs were sleeping in the cot or sleeping on the job at HNL.
- Regarding a positive drug test for cocaine by one of the BDO managers - (b)(6) has no knowledge of this allegation or incident.
- Regarding allegations of sexual harassment and hostile work environment - (b)(6) advised that she has never witnessed these behaviors and feels that there is a good work environment at HNL.
- Regarding management concerns and related issues - (b)(6) feels that the BDO program has good managers and recommended that they could use a few more managers because of the busy work load at HNL.

At the conclusion of the interview, (b)(6) completed a signed, sworn statement.

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MEMORANDUM OF INTERVIEW OR ACTIVITY (continuation sheet)

Attached:

Signed, sworn statement by [redacted] dated January 20, 2012.

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SWORN STATEMENT



Transportation
Security
Administration

I, (b)(6), having been duly sworn, hereby make the following statement to SA's SPAMPINATO + VIVIANO, who has been identified to me as a federal law enforcement officer and special agent with the Transportation Security Administration, Office of Inspection. I am making this statement of my own free will, without any duress or coercion.

I, (b)(6), AM ALLOWING SA VIVIANO TO WRITE THIS STATEMENT FOR ME

(b)(6) SIGNED (b)(6) 1/30/2012 DATE

I HIRED ON WITH TSA IN DECEMBER, 2002 AND BECAME A BDO IN 2008. I FIRST BECAME AWARE OF THE RACIAL PROFILING ALLEGATION BY HNL BDO'S DIRECTED AT HISPANIC/MEXICAN TRAVELERS ON A TV NEWS REPORT IN NOVEMBER OR DECEMBER, 2011. WHEN I SAW THE NEWS STORY I KNEW THAT THE SOURCES WERE (b)(6) AND (b)(6) THROUGH THEIR MANNERISMS AND VOICE RECOGNITION.

(b)(6) AND (b)(6) WERE IN THE SAME BDO TRAINING CLASS.) I HAVE NEVER WORKED WITH (b)(6) AND (b)(6) ON THE SAME SHIFT. I HAVE ALWAYS WORKED ON THE AM SHIFT (4A-2:30P) AND (b)(6) HAVE WORKED ON THE PM. SHIFT (12N-10:30P). I DON'T KNOW WHY THEY WOULD SAY THAT I AM IMPROPERLY TARGETING TRAVELERS WHEN THEY HAVE NOT WORKED WITH ME ON A REGULAR SCHEDULE.



SWORN STATEMENT

(Continuation of statement of [redacted])

I HAVE NEVER HEARD THE TERM "MEXECLUTIONER" IN RELATION TO THE HNL BDO PROGRAM AND NO ONE HAS EVEN REFERRED TO ME OR ANOTHER BDO AS A "MEXECLUTIONER". I DO KNOW THAT THERE IS A BOXER NAMED MANNY PACQUIAO WHO THEY CALL THE "MEXECLUTIONER". I BELIEVE THAT

[redacted] AND [redacted] HAVE REVEALED SSI INFORMATION TO THE NEWS REPORTER WHO PUT OUT THE STORY AND MAY HAVE PUT CERTAIN BDO'S AND THE BDO PROGRAM IN JEOPARDY. THIS NEWS STORY BROKE JUST BEFORE THE ASIAN-PACIFIC ECONOMIC CONFERENCE WAS SET TO BEGIN. I WISH TO POINT OUT THAT I HAVE NO REASON TO TARGET ONE ETHNIC GROUP OVER ANOTHER. I ONLY FOLLOW THE PROTOCOL AND THE TRAINING THAT I HAVE BEEN GIVEN IN MY DAILY BDO DUTIES.

I BELIEVE THAT [redacted] AND [redacted] ARE ATTEMPTING TO SNEAK TSA AND RETALIATE AGAINST TSA @ HNL BECAUSE OF THEIR PAST DISCIPLINARY ISSUES @ HNL.

I HAVE HAD OTHER TSO'S AT VARIOUS HNL CHECKPOINTS DIRECT COMMENTS TO ME ABOUT HOW THE PM SHIFT BDO'S ARE NEVER AROUND AND NOT DOING THEIR JOB LIKE THE AM SHIFT.

Initials: _____

SWORN STATEMENT



Transportation
Security
Administration

(Continuation of statement of [redacted])

I AM VERY HURT AND CONCERNED BY THESE ALLEGATIONS. I TAKE MY BDO DUTIES SERIOUSLY AND I RESENT THE IDEA THAT I WOULD TARGET ONE ETHNIC GROUP OVER ANOTHER. SINCE I HAVE BEEN IN THE BDO PROGRAM I HAVE RECEIVED TEN TO TWELVE (10-12) ACHIEVEMENT AWARDS AND AT LEAST TWO TO THREE (2-3) WERE MONETARY AWARDS. I DID MY JOB TO THE BEST OF MY ABILITY AND I FOLLOW THE S.O.P. I HAVE NO CONTROL OVER THE BEHAVIORS OF THE INDIVIDUALS THAT I ENCOUNTER AND THEIR BEHAVIORS DICTATE THE OUTCOME OF ENCOUNTER.

I ALSO WISH TO POINT OUT THAT I HAVE SEEN A VIDEO ABOUT SNOW-BOARDING AND SKIING THAT WAS PRODUCED BY [redacted]. IN THE VIDEO HE USES NAMES OF BDO'S + BDO MANAGERS IN THE CREDIT SECTION AT THE END OF THE VIDEO. HE HAS ATTACHED DEROGATORY NICK-NAMES TO THE NAMES OF THE BDO'S IN THESE VIDEO PRODUCTIONS. REGARDING THE ADDITIONAL ALLEGATIONS MENTIONED IN THE KITV4 NEWS ARTICLE BY KEOKI KERR I WISH TO MAKE THE FOLLOWING COMMENTS

Initials: _____

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SWORN STATEMENT

(Continuation of statement of _____)

- REGARDING DRUG MONEY SEIZURES BY BDO _____ - HE NEVER DID ANYTHING IMPROPER AND HE HAD NO DEA INSIDER INFORMATION TO MY KNOWLEDGE.
- REGARDING BDO'S SLEEPING ON DUTY AT HNL - I UNDERSTAND THAT A BDO BROUGHT IN A COLLAPSIBLE COT FOR ANOTHER CO-WORKER WHO NEEDED IT FOR A CAMPING TRIP. NO BDO'S WERE SLEEPING ON THE JOB TO MY KNOWLEDGE.
- REGARDING A POSITIVE DRUG TEST FOR COCAINE BY ONE OF THE BDO MANAGERS - I HAVE NO KNOWLEDGE OF THIS INCIDENT.
- REGARDING ALLEGATIONS OF SEXUAL HARASSMENT AND HOSTILE WORK ENVIRONMENT - I HAVE NEVER WITNESSED THESE BEHAVIORS AND I FEEL WE HAVE A GOOD WORKING ENVIRONMENT @ HNL.
- REGARDING ANY MANAGEMENT CONCERNS OR ISSUES - I FEEL WE HAVE GOOD MANAGERS AT HNL AND WE COULD POSSIBLY USE A FEW MORE MANAGERS BECAUSE WE ARE VERY BUSY.

Initials: _____



SWORN STATEMENT

(b)(6)

(b)(6)

I WISH TO SAY THAT I AM VERY PRUD OF MY POSITION AS A BDO HERE IN HNL AND I TAKE MY JOB SERIOUSLY EVERY DAY THAT I COME TO WORK. I HOPE THAT THESE FALSE ALLEGATIONS ARE RESOLVED SO I CAN GET BACK TO MY BDO ASSIGNMENT.

~~_____~~
~~_____~~
~~_____~~
~~_____~~
~~_____~~

(b)(6)

Initials: _____

I have read this entire statement consisting of _____ pages. I have been given the opportunity to make any corrections necessary to make the statement accurate. All of the information contained in this statement is true and accurate to the best of my knowledge and belief. I understand that I may be prosecuted for perjury or making false statements if I have intentionally misrepresented anything contained in this statement. I have not intended to provide any information that relates to the matters under investigation or review.

(b)(6)

Signed and sworn to before me this 20 day of January, 2012

[Signature]
Witness *[Signature]*

[Signature]
Special Agent
Transportation Security Administration
Department of Homeland Security
Authority to administer oaths: 5 U.S.C. § 303
4:01 PM

ATTACHMENT

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~~SENSITIVE SECURITY INFORMATION~~



**MEMORANDUM OF INTERVIEW
OR ACTIVITY**

Type of Activity: <input checked="" type="checkbox"/> Personal Interview <input type="checkbox"/> Telephone Interview <input checked="" type="checkbox"/> Records Review <input type="checkbox"/> Other	Date and Time: January 22, 2012
Activity or Interview of: (b)(6) Behavioral Detection Officer (BDO) Transportation Security Manager (TSM) Honolulu International Airport (HNL) Phone 808-216-(b)(6)	Conducted by: Special Agents Philip Spampinato and Joseph M. Viviano Location of Interview/Activity: Transportation Security Administration Office Honolulu International Airport (HNL) 300 Rodgers Blvd. Suite 45 Honolulu, HI 96819

Subject Matter/Remarks

TSM (b)(6) was interviewed regarding allegations of racial profiling of passengers and other improprieties directed at him and other HNL BDO officers.

(b)(6) started as a Transportation Security Officer (TSO) in October, 2002 and entered the BDO program in April, 2007. In November, 2009, Biniek was promoted to TSM and is currently assigned to the BDO evening shift.

(b)(6) advised that sometime in November, 2011, he had saw a KITV4 news report which alleged racial profiling and other improprieties by members of the BDO program at HNL. He remembers getting a phone call from someone to tell him that this KITV4 news report had been aired.

(b)(6) advised that he has heard conversations among co-workers that the individuals portrayed as whistleblowers could have been (b)(6) and (b)(6). After he reviewed the KITV4 report again, (b)(6) is reasonably sure that (b)(6) and (b)(6) are the sources of the information in the KITV4 report. (b)(6) recognized the mannerisms, speech patterns and syntax of (b)(6) and (b)(6).

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(b)(6) pointed out that he is very familiar with (b)(6), (b)(6), (b)(6) and (b)(6). When asked by OOI how well he knew these individuals, (b)(6) commented "I know them very well, unfortunately" indicating he does not hold them in high esteem, etc.

(b)(6) was very upset about the KITV4 report and felt that it could jeopardize the BDO program and the officers assigned to the program.

In the KITV4 report the whistleblowers claimed that certain members of the BDO program were known as the "Mexecutioners". They were given this nickname because they had targeted Mexican nationals or Hispanics for additional security screening which resulted in arrests for various offenses. (b)(6) claims that he had heard BDO (b)(6) use this term in casual conversation at work but he does not remember the context in which it was used. (b)(6) believes he only heard it used once and does not remember if it was actually directed at a certain employee.

(b)(6) proclaimed that he and his father-in-law are avid fans of professional boxing. They are very familiar with a Filipino professional fighter, Manny Pacquiao, who is nick-named the "Mexecutioner" because of his successful fights against many Hispanic fighters.

(It is also noted that another popular Hawaiian professional athlete, Joey Beltran, a UFC fighter, attended college in Hawaii and is regularly called or described as the "Mexecutioner").

The KITV4 report claimed that Hispanics were being racially profiled or unfairly targeted by BDOs for additional security screening. When asked about this issue, (b)(6) advised that BDO (b)(6) had voiced concern that BDO (b)(6) had numerous contacts with Hispanic travelers. Biniek believed that BDO management conducted an inquiry regarding racial profiling/targeting and found that the issues raised were unfounded. (b)(6) stated that he has never seen any activity or evidence of racial profiling by any member the BDO program at HNL.

(b)(6) was asked about the allegation of HNL BDOs sleeping on a cot while on duty. (b)(6) related that he, in fact, had been identified as sleeping on a cot at HNL while assigned to the "overnight" shift. (b)(6) asserted that he was never assigned to the "overnight" shift at HNL and he has never slept while on duty.

(b)(6) provided information which refutes the KITV4 report. He stated that BDO (b)(6) brought a collapsible cot to work for the use of fellow BDO (b)(6). BDO (b)(6) had an upcoming camping trip planned with his elderly father and the elderly gentleman could not sleep on the ground

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In a typical campground setting. The cot was left in a closet until (b)(6) brought it home for the camping trip. (b)(6) supplied OOI with e-mails which were sent in March, 2008 which explained the reason why the cot was brought to HNL BDO office (see attached e-mails). (b)(6) also pointed out that he went to the campsite for a day trip to spend time with his co-workers and observed the cot in use by (b)(6) elderly father.

(b)(6) was asked about allegations that a HNL BDO had a DEA connection which resulted in seizures of suspected drug currency at HNL. (b)(6) had never heard of this information prior to the KITV4 news report. He heard after the fact that BDO (b)(6) was reported to have had a working relationship with a DEA agent. (b)(6) had no other information regarding this issue.

(b)(6) was asked about a HNL BDO who had tested positive for cocaine use in 2011. (b)(6) was aware that BDO TSM (b)(6) had tested positive for drug use. (b)(6) claimed that he had received some tea that his sister had purchased overseas and his ingestion of the tea resulted in a positive drug test for cocaine. This information was directly related to Biniek by (b)(6) but (b)(6) had nothing further to add.

(b)(6) told OOI that BDO (b)(6) produces snowboarding or skiing videos and they can be seen on various "Youtube" style websites and on local "OC 16" (Oceanic Cable 16). She has seen these videos and confirmed that in the credits section at the tail end of the video (b)(6) has listed names of BDO managers and other BDOs with derogatory nicknames inserted between the first and last names.

(b)(6) was asked about allegations of sexual harassment and hostile work environment at HNL. (b)(6) was aware of complaints raised by (b)(6) (primarily) and possibly others. (b)(6) believed that these complaints have been addressed by HNL management. He is also aware of a sexual harassment issue raised between (b)(6) and (b)(6) but these issues took place before he (b)(6) had joined the BDO program. He does not have any specific details of the complaints.

To the best of his knowledge, (b)(6) claimed that there was an issue raised regarding the management of the BDO program in 2010. He advised that TSA inspectors addressed the issues And they were subsequently resolved.

(b)(6) added that sometime in 2008 he found that BDO (b)(6) was involved in the production of some snowboarding videos. It is common knowledge among the HNL BDO force that (b)(6) is the producer of these videos. (b)(6) claimed he has actually seen the names of fellow BDO Managers and BDOs in the credits wherein he (b)(6) listed their names and inserted derogatory nicknames in the credits. (b)(6) supplied OOI with a screenshot of the credit section of

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one of (b)(6) videos confirming the derogatory nicknames listed for him (b)(6) and (b)(6) (see attachment).

At the conclusion of the interview, (b)(6) completed a signed, sworn statement.

Attached:

Signed, sworn statement by (b)(6) dated January 20, 2012.

Copy of e-mails regarding questions about collapsible cot, dated March 20, 2008.

Copy of 1 page screenshot of video credits from (b)(6) snowboarding video.

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Transportation Security Administration

SWORN STATEMENT

I, (b)(5), having been duly sworn, hereby make the following statement to SA VIMARIO / SA SPANANAO, who has been identified to me as a federal law enforcement officer and special agent with the Transportation Security Administration, Office of Inspection. I am making this statement of my own free will, without any duress or coercion.

*** SEE ATTACHED STATEMENT ***

I have read this entire statement consisting of 4 pages. I have been given the opportunity to make any corrections necessary to make the statement accurate. All of the information contained in this statement is true and accurate to the best of my knowledge and belief. I understand that I may be prosecuted for perjury or making false statements if I have intentionally misrepresented anything contained in this statement. I have not intentionally omitted any information or knowledge I have that relates to the matters under investigation or review.

(b)(5)

Signed and sworn to before me, this 22 day of Jan, 2012.

[Signature]
Witness

[Signature]
Special Agent
Transportation Security Administration
Department of Homeland Security
Authority to administer oaths: 5 U.S.C. § 303
1:05 pm
1-22-12

Statement of (b)(6)
January 22, 2012 at HNL FSD Office

I, (b)(6), am allowing SA Joseph M. Viviano to write this statement for me.

(b)(6) _____
Signature Date 1/22/2012

I have been employed with TSA since October, 2002 as a TSO at Honolulu. In April, 2007 I entered into the BDO Program at HNL. In November 2009 I was promoted to BDO TSM and I have remained in this position.

I am currently assigned to the BDO PM shift – 1:00 pm to 11:30 pm with RDOs as Tuesday, Friday and Saturday.

Sometime in November, 2011, I saw a KITV4 news report which alleged racial profiling and other improprieties by the HNL BDO program. I do remember getting a phone call from someone telling me that this KITV4 report had been aired about these allegations at HNL.

I had heard in casual conversation among co-workers that the individuals portrayed as whistleblowers on the KITV4 report could have been (b)(6) and (b)(6). After I viewed the KITV4 report I now am reasonably sure that (b)(6) and (b)(6) are the individuals portrayed as the whistleblowers. I recognized their mannerisms, speech patterns and syntax.

I wish to point out that I am very familiar with (b)(6), (b)(6), (b)(6) and (b)(6) having worked with all 4 of them on the BDO PM shift.

Regarding the allegations made by the TSA whistleblowers in the KITV4 news report which aired in November, 2011-

- Regarding the nickname "mexecutioner", I had heard BDO (b)(6) use the term in casual conversation at work. I don't remember the specific context that it was used in. I think he only mentioned it one time and I don't recall if it was directed at a particular person. I wish to point out that my father-in-law and I are fight fans and we are both familiar with the professional fighter, Manny Pacquiao, who is known as the "mexecutioner" because of his many wins against Hispanic fighters.

(b)(6)

(b)(6)

2/4

(b)(6)

- I recall that one of our employees, BDO [redacted] had raised some concern that BDO [redacted] may have been targeting Hispanic travelers but BDO management conducted an inquiry and found that the complaints were unfounded.

(b)(6)

- I have never witnessed and have no knowledge of racial profiling at HNL by the BDO program or any members of the program. I have never witnessed any such behaviors that would target one ethnic group vs. another ethnic group.
- I have no knowledge of any HNL BDOs sleeping in a cot and I did not witness any TSA employees sleeping in a cot or sleeping during their assigned shift at HNL. It was reported that I had been sleeping in the cot during the "overnite" shift but I was never assigned to this shift as a BDO. I know that BDO [redacted] brought a collapsible cot to work for BDO [redacted] for an upcoming camping trip. I took part in the camping trip and the cot was used by [redacted] elderly father during this trip in 2008. (See attachment).

(b)(6)

TYPO -

- ~~• I have no knowledge of any TSA employee testing positive for cocaine. I first heard of this allegation on the KITV4 news report. After the fact I heard that the individual who had the positive drug test was [redacted]~~

- I have no knowledge of a HNL BDO having some sort of DEA connection which resulted in the seizures of unreported currency. I first heard of this information on the KITV4 news report. After the fact I heard that the individual named in the report was BDO [redacted] but I have no other information than that.

- I am aware of BDO TSM [redacted] having tested positive for cocaine use in 2011. [redacted] had explained to me that he had received some tea from his sister that was purchased overseas and his ingestion of the tea resulted in a positive drug test for cocaine. This is the information that was related to me by [redacted]. No further information to add.

- I have been made aware of complaints which have been raised by [redacted] (primarily) and possibly others regarding hostile work environment while I have been a BDO and these complaints have been addressed with management. I am also aware of sexual harassment issues raised between [redacted] and [redacted]. These issues took place when I was a TSO and I don't know all the specific details of the allegations or incidents.

(b)(6)

(b)(6)

3/4

(b)(6)

(b)(6)

- To the best of my knowledge there was a management issue that was raised regarding the BDO program in 2010. As far as I know the TSA inspectors conducted an inquiry and the issues if any were resolved. Overall I have had a very positive experience with the BDO program and BDO management here at HNL.

- I am aware of the fact that sometime in 2008, BDO [redacted] was involved in the production of some snowboarding videos. It is common knowledge among the HNL BDO force that [redacted] is the producer of these videos. I have actually seen the names of fellow BDO managers and BDOs in the credits section wherein he listed their names and inserted derogatory nicknames in the credits. (See attachment)

(b)(6)

01 / 22 / 2012
Nothing further to follow.

4/4

The White Room (Episodes) Hawaiian based film crew explores the Town of Fernie and the Legendary Fernie Alpine Ski Resort

by The White Room (Episodes)
2 months ago



Uense Egoor
Bushes
Uode El Dix Monz
Dane Waishaure
Thomas Binek
Wyatt SlayDog
Thomas Dick Binek
Murray Puacha
Culer Richards
Johnny Oita
Tyler Rock
Mik Edwards

More

Show me The White Room (E



17. The White Room (Episodes) Join our Hawaiian based...



25. The White Room (Episodes) Hawaiian based film crew...



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NON-DISCLOSURE AGREEMENT

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PRINT NAME

SIGNATURE

DATE

(b)(6)

(b)(6)

1/22/2012

WITNESSED BY:

Joseph M. Vintar

OI Official

1-22-2012

Philip Spangola

OI Official

1-22-2012

ATTACHMENT

18

~~**SENSITIVE SECURITY INFORMATION**~~



**MEMORANDUM OF INTERVIEW
OR ACTIVITY**

Type of Activity: <input checked="" type="checkbox"/> Personal Interview <input type="checkbox"/> Telephone Interview <input type="checkbox"/> Records Review <input type="checkbox"/> Other	Date and Time: January 21, 2012 2:10 p.m.
Activity or Interview of: (b)(6) Expert Behavior Detection Officer (EBDO) Honolulu International Airport Phone number (808) 216-(b)(6)	Conducted by: Special Agents Michael Striglers and Akemi Wayne Location of Interview/Activity: Transportation Security Administration (TSA) Honolulu International Airport (HNL) 300 Rodgers Blvd., #45 Honolulu, HI 96819

Subject Matter/Remarks

EBDO (b)(6) HNL was interviewed about the allegations raised by KITV4 investigative reporter (b)(6) that behavior detection officers (BDOs) at HNL used racial profiling for screening passengers, slept on the overnight shift, used a source at the Drug Enforcement Administration (DEA) to target passengers, and a BDO supervisor failed a drug test. (b)(6) provided the following information:

(b)(6) became a BDO in April 2007 and an EBDO in 2008.

Racial Profiling

- o (b)(6) first heard the allegations of racial profiling at HNL during the KITV news report.
- o (b)(6) did not believe anyone at HNL used race as a factor for referrals except when provided from TSA upper management or law enforcement officers as part of credible and specific information in the form of a BOLO, Amber Alert, or other.
- o (b)(6) worked regularly with Screening Passengers by Observation Techniques (SPOT) Transportation Security Manager (b)(6) and BDO (b)(6) since 2007.
- o (b)(6) never witnessed either (b)(6) or (b)(6) use race as a factor for referrals.

Case Number: M-12-0755	Case Title: BDO practices at HNL
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(Revised 12-15-08)

~~SENSITIVE SECURITY INFORMATION~~

MEMORANDUM OF INTERVIEW OR ACTIVITY (continuation sheet)

- o (b) (6) stated he had mentoring discussions with (b) (6) about observing individual behavior and appearance factors but, never involving singling out individuals based on ethnicity.
- o (b) (6) first heard the term "Mexecutioner" during the KITV 4 news report.

Use of DEA source

- o (b) (6) first heard about the DEA allegation during the news reports.
- o BDO (b) (6) was a by-the-book worker and would never refer an individual who did not meet SPOT thresholds.

Sleeping on the job

- o (b) (6) worked the overnight shift.
- o (b) (6) never slept on duty or on the clock but, did sleep on breaks early on until told not to have any sleeping aids at work.
- o (b) (6) borrowed the cot mentioned in the news story from an EBDO (b) (6) for use on a camping trip. The cot was stored in the BDO closet. He never slept on the cot at work.

Drug use by BDO

- o (b) (6) had not heard any allegations of drug use by a TSO HNL employee until the news reports.

Suspected anonymous complainants

- o (b) (6) suspected that BDO (b) (6) and Lead Transportation Security Officer (and former BDO) (b) (6) released the anonymous allegations to the media because they were disgruntled.

Miscellaneous

- o (b) (6) felt it was his duty and was comfortable going to management with issues or concerns.
- o (b) (6) felt the information released during the KITV news reports was inappropriate and might be a release of Sensitive Security Information. (b) (6) remembered the information released included information about the BDO program procedures and policies such as walking the line, casual conversation, and how they documented information.
- o (b) (6) was willing to take a polygraph exam concerning this matter.

(b) (6) provided a signed sworn written statement (attached).

Case Number: M-12-0755	Case Title: BDO practices at HNL
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(Revised 12-15-08)



Transportation Security Administration

SWORN STATEMENT

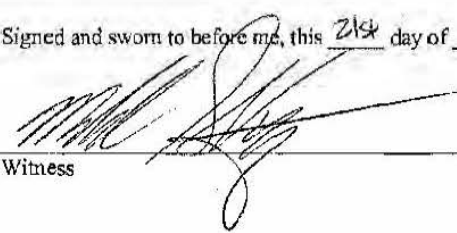
I, (b)(6), having been duly sworn, hereby make the following statement to Michael Striglers and Akemi Wayne, who has been identified to me as a federal law enforcement officer and special agent with the Transportation Security Administration, Office of Inspection. I am making this statement of my own free will, without any duress or coercion.


*** SEE ATTACHED STATEMENT ***

I have read this entire statement consisting of 5 pages. I have been given the opportunity to make any corrections necessary to make the statement accurate. All of the information contained in this statement is true and accurate to the best of my knowledge and belief. I understand that I may be prosecuted for perjury or making false statements if I have intentionally misrepresented anything contained in this statement. I have not intentionally omitted any information or knowledge I have that relates to the matters under investigation or review.

(b)(6)
Signature

Signed and sworn to before me, this 21st day of January, 2012.


Witness


Special Agent
Transportation Security Administration
Department of Homeland Security
Authority to administer oaths: 5 U.S.C. § 303

(b)(6)
My name is (b)(6). I have been an Expert Behavior Detection Officer (EBDO) at the Honolulu International Airport (HNL) since 2008 and with the BDO Program since April 2007. My career started with TSA in September of 2002.

The first time I heard about racial profiling at HNL was during a recent KITV news report. We don't use race as a basis for a referral. We use Behaviors and Appearance Factors in accordance with the Screening Passengers by Observations Technique (SPOT) Standard Operating Procedure (SOP). The only time we use a demographic as a reason to refer is when it is a result of credible and specific information provided from TSA Upper Management or Law Enforcement Officers in the form of BOLOs, Amber Alerts, etc. This is in compliance with the SPOT SOP. There is no Quota for BDOs.

I worked on a regular basis with (b)(6) since 2007 and (b)(6) since late 2007. I have not witnessed them ever racially profiling. I have had mentoring discussions with Nicole about observing individuals behaviors and appearance factors. This mentoring never involved her singling out individuals based on a particular ethnicity.

The first time I heard about sleeping on the cot was on a recent KITV news report. I have never slept on duty or on the clock. I have slept during breaks early on and we were notified not to have any sleeping aids at work. The cot was borrowed by me from coworker (b)(6) for use by my elderly father during a camping trip. It was stored in the BDO Office closet because Thomas and I worked different shifts and lived far from each other. I have emails from 2008 stating what the cot was for sent to management and the BDO team (see attached).

The first time I heard of any allegations of the Drug Enforcement Agency (DEA) providing tips so that (b)(6) could refer passengers was during a recent KITV news report. (b)(6) is a by-the-book kind of worker and would never refer an individual who didn't meet the SPOT-designated thresholds. We don't use DEA or other sources to profile passengers unless specified by SPOT SOP.

The first time I heard about any allegations regarding drug use is during a recent KITV news report. I had no idea who might be involved until a recent Management briefing.

In addition to it being my personal duty to notify management of any issues, I feel well and comfortable about communicating with my Managers about any and all subjects.

I felt that the information released during the recent KITV news report was inappropriate and might be a breach of Sensitive Security Information. The information provided that talked about Walk-the-Line, Casual Conversation, and what and how we document was improper.

The first time I heard BDOs at HNL being called "Mexicutioners" was during a recent KITV new report. It was never used by BDOs at HNL.

I don't know for a fact who was on the recent KITV news report. If I were to hazard a guess, I would say (b)(6) and (b)(6) because they have possible reasons to be disgruntled about the program and with TSA in general.

I am willing to take a polygraph. (b)(6)

2 of 5

1/21/2012



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NON-DISCLOSURE AGREEMENT

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PRINT NAME

SIGNATURE

DATE

[Redacted Name and Signature]

1/21/2012

WITNESSED BY:

Michael Striglers
OI Official

[Signature]

1/21/2012

Akemi Wayne
OI Official

[Signature]

1/21/2012

ATTACHMENT

19

~~SENSITIVE SECURITY INFORMATION~~



**MEMORANDUM OF INTERVIEW
OR ACTIVITY**

Type of Activity: <input checked="" type="checkbox"/> Personal Interview <input type="checkbox"/> Telephone Interview <input type="checkbox"/> Records Review <input type="checkbox"/> Other	Date and Time: January 21, 2012
Activity or Interview of: (b)(6) Expert Behavioral Detection Officer (EBDO) Honolulu International Airport (HNL) Phone 808-216-(b)(6)	Conducted by: Special Agents Joseph M. Viviano and Philip Spampinato Location of Interview/Activity: Transportation Security Administration Office Honolulu International Airport (HNL) 300 Rodgers Blvd. Suite 45 Honolulu, HI 96819

Subject Matter/Remarks

MBDO (b)(6) was interviewed regarding allegations of racial profiling and other improprieties directed at him and other HNL BDOs.

(b)(6) advised that he started as a Transportation Security Officer (TSO) in July 2004, and entered the BDO program in April, 2007. (b)(6) is currently assigned to the morning shift (0400-1430 hours) with Thursday, Friday, and Saturday as his regular days off.

(b)(6) advised that sometime in November, 2011, he saw a KITV4 news report which alleged racial profiling and other improprieties by members of the BDO program at HNL. He remembers contacting his supervisor, (b)(6) to inform her of the aforementioned KITV4 report being aired.

(b)(6) advised that he heard conversations among co-workers that the individuals portrayed as whistleblowers could have been BDO (b)(6) and BDO (b)(6). After he reviewed the KITV4 report again, (b)(6) further advised that he is reasonably sure that BDO (b)(6) and BDO (b)(6) are the sources of the information in the KITV4 report.

Case Number: M-12-0755	Case Title: BDO Practices at HNL
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Revised February 28, 2006

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~~SENSITIVE SECURITY INFORMATION~~

MEMORANDUM OF INTERVIEW OR ACTIVITY (continuation sheet)

(b)(6) stated that he recognized the mannerisms, choice of words used, body language and syntax of BDO (b)(6) and BDO (b)(6). (b)(6) pointed out that he worked with BDO (b)(6) and BDO (b)(6) on the PM shift and later would see them every Wednesday at the team meetings.

(b)(6) was very upset about the KITV4 report and felt that it could jeopardize the BDO program and the officers assigned to the program. (b)(6) stated that the action of the "whistleblowers" violated SSI policy and procedure and were incredible irresponsible by placing BDO's and the BDO program in jeopardy.

(b)(6) continued to state that he could not understand why the "whistleblowers" would run to the media and divulge information regarding referrals and leading the public to believe that a single BDO is responsible for the arrests along with seizures which totaled one million dollars. Furthermore, the "whistleblowers" provided false statements to the media along with the public, stating that Screening of Passengers by Observation Techniques (SPOT) referrals was unwarranted and that HNL BDOs were using information supplied by a DEA agent to conduct unlawful searches.

(b)(6) advised that the total amount of money seized by the BDO program since inception was just over \$600,000. (b)(6) further advised that his lifelong friend (Officer (b)(6), (b)(7)(C)) works for Honolulu Police Department (HPD) not DEA. It should be noted that (b)(6), (b)(7)(C) is on the DEA Task Force assigned to HNL and made the requests for assistance through (b)(6).

(b)(6) explained that the initial request from Officer (b)(6), (b)(7)(C) was in 2007, wherein he requested information as to who to contact or how create a "Be On the Look Out" (BOLO). (b)(6) stated that the DEA Task Force had information on an individual (b)(6) who may be traveling through HNL. (b)(6) referred him to his supervisor (Cherise Bush) to facilitate the request in order to create and post the aforementioned BOLO at the TSA checkpoints. (b)(6) further explained that the second request by (b)(6), (b)(7)(C) came when he was on his days off so he (b)(6) referred him to the control center. It should be noted that these were the only two referrals wherein (b)(6), (b)(7)(C) contacted (b)(6).

(b)(6) advised that he happened to be working the same day and at the same check point wherein the individual (b)(6) mentioned in the BOLO attempted to travel through HNL. (b)(6) explained that the individual (b)(6) displayed SPOT related behaviors warranting a spot referral. (b)(6) advised that the individual appeared (b)(3) 49 U.S.C. § 114(r). (b)(6) later referred him to the LEO referral before recognizing that he was the individual mentioned in the BOLO. It should be noted that they seized \$10,000 in cash from the individual (b)(6) mentioned in the BOLO and (b)(3) 49 U.S.C. § 114(r). (b)(6) also advised that they seized \$230,000 from the checked baggage of the aforementioned individual involved in the BOLO arrest.

Case Number: M-12-0755	Case Title: BDO Practices at HNL
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Revised February 28, 2006

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~~SENSITIVE SECURITY INFORMATION~~

MEMORANDUM OF INTERVIEW OR ACTIVITY (continuation sheet)

In the KITV4 report, the whistleblowers claimed that certain members of the BDO program were known as the "mexecutioners". They were given this nickname because they had targeted Mexican nationals or Hispanics for additional security screening which resulted in arrests for various offenses.

(b)(6) claims that he has never heard the term "mexecutioners" used by any BDO at HNL prior to the KITV4 report. After the KITV4 report, the talk amongst coworkers was that BDO (b)(6) and (b)(6) were the BDO portrayed as the "mexecutioners" due to the large amount of referrals and arrests.

(b)(6) was familiar with a Filipino professional fighter, Manny Pacquiao, who is nick-named the "mexecutioner" because of his successful fights against many Hispanic fighters.

(It is also noted that another popular Hawaiian professional athlete, Joey Beltran, a UFC fighter, attended college in Hawaii and is regularly called or described as the "mexecutioner").

The KITV4 report claimed that Hispanics were being racially profiled or unfairly targeted by BDOs for additional security screening. When asked about this issue, (b)(6) believed that BDO management conducted an inquiry regarding racial profiling/targeting and found that the issues raised were unfounded. (b)(6) stated that he has never viewed any activity or evidence of racial profiling by any member the BDO program at HNL.

(b)(6) was asked about the allegation of HNL BDOs sleeping on a cot while on duty. (b)(6) provided information which refutes the KITV4 report. (b)(6) advised that he did not witness anyone sleeping on the job. He stated that in 2008, BDO (b)(6) brought a collapsible cot to work for the use of fellow BDO (b)(6). BDO (b)(6) had an upcoming camping trip planned with his elderly father who could not sleep on the ground do to his physical limitations. The cot was left in a closet until (b)(6) brought it home for the camping trip.

(b)(6) was asked about a HNL BDO manager who had tested positive for cocaine use in 2011. (b)(6) had no knowledge of this allegation until the KITV4 news article aired. (b)(6) advised that everyone believed that the manager who tested positive on the drug test was TSM (b)(6) because he was reassigned at the time of the allegation.

(b)(6) advised that BDO (b)(6) produces snowboarding or skiing videos and they can be seen on various "youtube" style websites (whiteroom.com) and on local "OC 16" (Oceanic Cable 16). (b)(6) has seen these videos and confirmed that in the credits section at the tail end of the video (b)(6) has listed names of BDO managers and other BDOs with derogatory nicknames inserted between the first and last names. (b)(6) claimed he has actually viewed the names of fellow BDO

Case Number: M-12-0755	Case Title: BDO Practices at HNL
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Revised February 28, 2006

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SWORN STATEMENT



Transportation Security Administration

I, (b)(6), having been duly sworn, hereby make the following statement to SA Viviano + Spampinato, who has been identified to me as a federal law enforcement officer and special agent with the Transportation Security Administration, Office of Inspection. I am making this statement of my own free will, without any duress or coercion.

I (b)(6) am authorizing SA Spampinato to (b)(6) write this statement concerning the allegations of racial profiling and other issues at HNL.

I was hired on with TSA July 2004 and became a BDO in 2007 as one of the original officers in this program. I currently work the AM Shift at HNL which is 0400-1430 hours with THUR/FRI/SAT as RDO's.

I first became aware of the racial profiling allegation by HNL BDO's directed at Hispanic/Mexican travelers when the K1TV Channel 4 news aired their story sometime in November/December 2011.

I then contacted my manager (b)(6) to inform her of this story being on TV concerning the HNL BDO's.

When I watched the story air, I ~~concluded~~ (b)(6) based on mannerisms, choice of words and body language that the two individuals "whistle blowers" were (b)(6) and (b)(6).

When (b)(6) and (b)(6) began the BDO program, I did work with them on the PM Shift (12N-10:30p) approximately.

SWORN STATEMENT



Transportation
Security
Administration

(Continuation of statement of [redacted])

[redacted] and would be present at mandatory meetings every Wednesday.

I do not understand why these two individuals would run to the media and divulge information regarding cases I was involved with and leading the public to believe that a single HNL BDO is responsible for the arrests and seizures which totaled 1 million dollars. Furthermore, they provided false statements to the public that SPOT referrals were unwarranted and that HNL BDO was using information given by a DEA agent to conduct unlawful searches. It should be noted that the total amount of money seized by BDO program since inception was just over \$600,000. Also, that my life long friend who works for HPD NOT DEA (however was on the task force at the HNL airport) provided a total of (2) contracts with TSA which resulted in only (1) seizure of \$250,000 (of which \$20,000 was at checkpoint and the other \$230,000 was in baggage). This specific incident the passenger displayed SPOT related behavior warranting a SPOT referral.

I would like to advise that I feel that my families lives and mine may be in danger as I have no insurance or the security of where these letters/documents have been

Initials [redacted]

Page 2 of 5 [redacted]



SWORN STATEMENT

(Continuation of statement of [redacted])

sent to or who has viewed them with the false accusations associated with my name. I am sure you are aware that those individuals who had their currency seized were not happy and the people they work for were probably capable of extreme violence. The actions of the "whistle blower" [redacted] violated SSA policy and procedure and were incredible irresponsible by placing BDO and the BDO program in jeopardy. [redacted]

I have never heard the term "Mexiexecutions" prior to this KITV news report.

I have no knowledge of any BDO targeting one ethnic group more specifically Mexicans. We (I) only follow the BDO protocol and the training that we (I) have been given in my BDO duties.

I believe that [redacted] and [redacted] are attempting to smear TSA and retaliate against TSA @ ANL.

Regarding the additional allegations mentioned in the KITV news article by Keoki Kerk, I wish to make the following comments. [redacted]

o regarding sleeping on duty at ANL - I understand there was a cot put into the office closet for [redacted]

Initials [redacted]



Transportation Security Administration

SWORN STATEMENT

(b)(6)

(b)(6)

I hope TSA management will take action and/or prosecute the responsible individuals for exposing TSA policies procedures and directives.

~~_____

_____~~

(b)(6)

(b)(6)

Initials:

I have read this entire statement consisting of 5 pages. I have been given the opportunity to make any corrections necessary to make the statement accurate. All of the information contained in this statement is true and accurate to the best of my knowledge and belief. I understand that I may be prosecuted for perjury or making false statements if I have intentionally misrepresented anything contained in this statement. I have not intentionally omitted any information or knowledge I have that relates to the matters under investigation or review.

(b)(6)

Signed and sworn to before me, this 26 day of January, 2012.

[Signature]
Witness TSA 001
1:00 PM
1-21-12

[Signature]
Special Agent
Transportation Security Administration
Department of Homeland Security
Authority to administer oaths: 5 U.S.C. § 303
SA/ves
1/21/12

TSA Management,

Although this not correct it was approx \$

I have been under undue stress due to the Ktv4 abc news broadcast (and other national broadcasts), their website, print in the Star Advertiser, etc., where they broadcasted information regarding cases I was involved with leading the public to believe that a single HNL TSA BDO is responsible for the arrests and seizures which totaled one million dollars. Furthermore, they ^{led} the public to believe that the SPOT referrals were unwarranted and that a HNL TSA BDO was using information given by a DEA agent to conduct unlawful searches.

I have consulted with a STSM on each of these SPOT Referrals resulting in LEO intervention to determine next course of action and which agency to contact. I have done nothing wrong. I have been a model BDO credited with many SPOT Referrals which lead to different types of LEO intervention/LEO arrests/LEO seizures/Prohibited items surrendered/etc.

I feel that my families lives and I may be in danger as I have no insurance of the security of where these letters/documents have been/sent to or who has viewed them with the accusations associated with my name. I am sure you are aware that these individuals who had their currency seized were not happy and the people they are working for are capable of extreme measures. *Violence*

I am requesting TSA to investigate and take action/prosecute the person(s) responsible for evading TSA procedures and directives and irresponsibly releasing potential life threatening information outside of TSA.

I am requesting that TSA give a rebuttal to the medias accusations directed toward me in my defense; excluding my name of course.

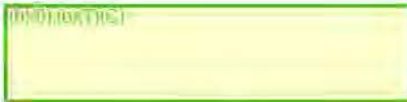
I am also requesting a copy of the letter(s)/email(s) with my name on it accusing me of the above accusations sent from the media or other, along with the responses given to the media.

Please insure the security of this request.

Sincerely,

(b)(6)

For the next 4 days → Call
if any info.



Hawaii Airport Task Force

(808) 837-2600

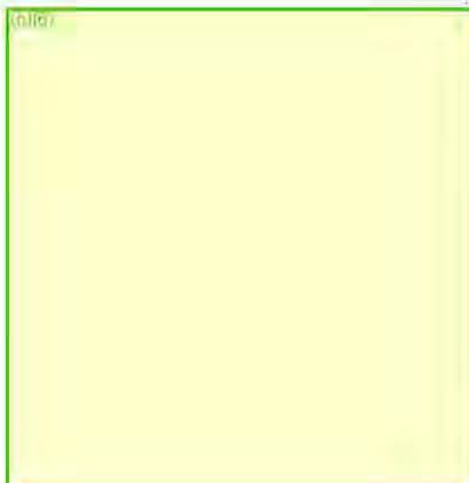
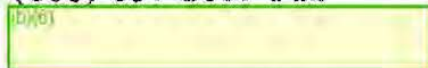
Fax: (808) 837-2639



FAX TRANSMITTAL

TO: CODE 22
Airport Duty Manager
(808) 836-(b)(6) Office (24 hours)
(808) 836-6565 Fax

FROM: (b)(6)
Group Supervisor
(b)(6) Cell
(808) 837-(b)(6) Ofc
(808) 837-2639 Fax



PASSENGER INFORMATION:

Last Name:



First Name:

Middle Name:

Physical Description: Sex M Age 31 Race Hawaiian

HT (b)(6) WT (b)(6) Hair (b)(6) Eyes (b)(6)

Origin: HNL

Destination: Las Vegas, NV

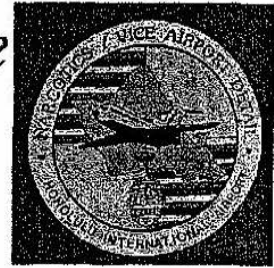
Remarks: Subject may be traveling between the period of
November 30 through December 7, 2007 on a flight either
direct to Las Vegas or via connecting flights. Please
notify Task Force Agent (b)(6), (b)(7)(C)
at (b)(6), (b)(7)(C) upon confirmation

3 pages including this one



Hawaii Airport Task Force

(808) 837-2600
Fax: (808) 837-2639



FAX TRANSMITTAL

TO: CODE 22
Airport Duty Manager
(808) 836-(b)(6) Office (24 hours)
(808) 836-6565 Fax

FROM: James Yuen
Group Supervisor
(b)(6) Cell
(808) 837-(b)(6) Ofc
(808) 837-2639 Fax

(b)(6)

(b)(6)

PASSENGER INFORMATION:

Last Name: (b)(6)
First Name: (b)(6)
Middle Name: (b)(6)

Physical Description: Sex M Age 33 Race Hawaiian
HT (b)(6) WT (b)(6) Hair (b)(6) Eyes (b)(6)

Origin: HNL

Destination: Las Vegas, NV

Remarks: Subject may be traveling between the period of November 30 through December 7, 2007 on a flight either direct to Las Vegas or via connecting flights. Please notify Task Force Agent (b)(6), (b)(7)(C) at (b)(6), (b)(7)(C) upon confirmation

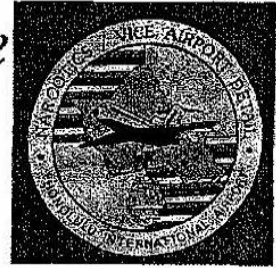
3 pages including this one



Hawaii Airport Task Force

(808) 837-2600

Fax: (808) 837-2639



FAX TRANSMITTAL

TO: CODE 22
Airport Duty Manager
(808) 836- (b)(6) Office (24 hours)
(808) 836-6565 Fax

FROM: (b)(6)
Group Supervisor
(b)(6) Cell
(808) 837- (b)(6) Ofc
(808) 837-2639 Fax

(b)(6)

(b)(6)

PASSENGER INFORMATION:

Last Name: (b)(6)

First Name: (b)(6)

Middle Name: (b)(6)

Physical Description: Sex F Age 33 Race Hawaiian

HT (b)(6) WT (b)(6) Hair (b)(6) Eyes (b)(6)

Origin: HNL

Destination: Las Vegas, NV

Remarks: Subject may be traveling between the period of November 30 through December 7, 2007 on a flight either direct to Las Vegas or via connecting flights. Please notify Task Force Agent (b)(6)(b)(7)(C) at (b)(6)(b)(7)(C) upon confirmation

3 pages including this one

ATTACHMENT

20

~~SENSITIVE SECURITY INFORMATION~~



**MEMORANDUM OF INTERVIEW
OR ACTIVITY**

Type of Activity: <input checked="" type="checkbox"/> Personal Interview <input type="checkbox"/> Telephone Interview <input type="checkbox"/> Records Review <input type="checkbox"/> Other	Date and Time: January 24, 2012 1245 Hours
Activity or Interview of: Polygraph Examination of: (b)(6)	Conducted by: Special Agent (SA) Michael P. Moser Office of Inspection (OOI) Credibility Assessment Unit (CAU) Houston Resident Office, TX
Transportation Security Manager (TSM) International Airport (HNL)	Location of Interview/Activity: Transportation Security Administration O 9TSA) Office 300 Rogers Blvd., Suite 45 Honolulu, HI

Subject Matter/Remarks

On January 24, 2012, after advisement of rights and signing a statement of consent to polygraph, (b)(6) was administered a polygraph examination. SA Keith Edwards witnessed (b)(6) acknowledge his rights and consent to the polygraph examination.

During the pre-test interview, (b)(6) related the same information as in his previous interview with individuals from IID. TSM (b)(6) denied that he knowingly used the controlled substance cocaine.

The following are the relevant questions asked of (b)(6) during the Series I examination, along with his verbal answers:

(b)(2)

After an analysis of the physiological data collected during Series I, the examiner determined that (b)(6) physiological responses indicated *deception*.

Case Number: M-12-0755	Case Title: BDO Practices at HNL
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Revised February 28, 2006

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MEMORANDUM OF INTERVIEW OR ACTIVITY (continuation sheet)

During the post-test interview, (b)(6) remained consistent with his assertion that he did not knowingly use the controlled substance cocaine. He admitted that on one occasion when he was 21 years old that he smoked marijuana, but did not like the smoke and never did it again. (b)(6) stated that he never used cocaine in his entire life.

On January 25, 2012, (b)(6) provided the attached signed sworn statement that consisted of six pages. In his statement he explained that on May 18, 2011, he was subjected to a drug test. According to (b)(6) he left for vacation on May 20, 2011, and was not aware that he failed the drug test until June 6, 2011, when he returned. He was informed by Screening Passengers by Observation Technique (SPOT) Coordinator (b)(6) that he tested positive for cocaine. (b)(6) was advised by Deputy Assistant Federal Security Director (DAFSD) Cy Okinaka that he should bring all of his prescription medications and supplements to the office along with any letters from his attending physicians. (b)(6) did as he was instructed. When a subsequent analysis of the medications and supplements proved negative for the presence of cocaine, (b)(6) was told by Okinaka that he (b)(6) would be served with a Proposal Letter for Removal.

(b)(6) told his wife about the situation. He thought he could have been contaminated by something he touched, ate or drank. According to (b)(6), his wife asked if he drank any tea that his sister sent him from a recent trip. He explained that his sister traveled in Peru in November 2010 and she bought souvenirs for the family. One of these souvenirs was a box of herbal tea that was made from the coca leaf. (b)(6) recalled that he drank some of the tea before he went on vacation. When he read the ingredients list on the outside of the box, he realized that the tea was made of coca leaf. (b)(6) stated that he conducted research on Wikipedia (attached) and discovered that the tea had cocaine properties. According to (b)(6), his attorney sent two tea bags to a local lab for analysis. The subsequent analysis provided positive results for the chemical benzoylmethylecgonine which is the same chemical isolated in the human body after cocaine consumption. (b)(6) related that his test results revealed 430 nanograms, a trace amount, of this substance found in his urine. (b)(6) believed that the ingestion of the tea before his urinalysis caused a positive result. (b)(6) also thought that the positive result could possibly be related to a recent dental visit where he received lidocaine.

(b)(6) stated that in December 2011, he received notification from his attorney that TSA was offering him a Last Chance Agreement. Although (b)(6) did not agree with the verbiage in the agreement, he accepted the opportunity to prove himself. According to (b)(6), he did not agree with the verbiage because it still inferred that he had knowingly taken cocaine.

At the end of the interview, (b)(6) was quite distraught. He remained adamant that he never knowingly used the controlled substance cocaine.

Case Number:
M-12-0755

Case Title:
BDO Practices at HNL

Revised February 28, 2006

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MEMORANDUM OF INTERVIEW OR ACTIVITY (continuation sheet)

Attached to this Memorandum of Interview is a copy of the Rights Advisement and Statement of Consent to Polygraph. The polygraph charts and associated material are on file at OOI, TSA headquarters and are available upon authorized request.

NOTE: The contents of this report may be transferred to other reporting media, but the wording may not be altered in any way.

Case Number: M-12-0755	Case Title: BDO Practices at HNL
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Revised February 28, 2006

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