



Transportation
Security
Administration

Interoffice Memorandum

TO: John Daly
Federal Security Director
Miami International Airport

FROM: Maury T. Walker *4-14-2014*
Special Agent in Charge
Internal Affairs Division

DATE:

SUBJECT: Report of Investigation I14-0009, BDO (b)(6), MIA

The above-referenced Report of Investigation is provided for your official use.

cc: Chief Counsel
 Assistant Administrator, Office of Professional Responsibility
 Assistant Administrator/Director, Federal Air Marshal Service
 Assistant Administrator, Office of Security Operations
 Other - _____

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(Revised 5/12/13)



U.S. DEPARTMENT OF HOMELAND SECURITY
TRANSPORTATION SECURITY ADMINISTRATION
REPORT OF INVESTIGATION

CASE NUMBER: 114-0009

OPR CASE: No

TITLE: BDO

(b)(6)

CROSS REFERENCED CASES: None

SUBJECT:

Name:

(b)(6)

Duty title: Behavior Detection Officer Manager

Pay band:

(b)

Duty location: Miami International Airport (MIA)

EOD:

(b)(6)

Administrative Status: Full duty

ALLEGATIONS: B1 – Using offensive remarks
E1 – Mislead
H5 – Neglect of duty: no danger to life

PERIOD OF INVESTIGATION: January 6, 2014 to April 11, 2014

CASE STATUS: Closed

INVESTIGATED BY: Special Agents Charles A. Diaz and Will Manuel

REPORT BY: Charles A. Diaz

Maureen T. Wall

Special Agent In Charge
Atlanta Field Office
Office of Inspection

APRIL 14, 2014

Date

Origin of Case: On December 20, 2013, MIA Assistant Federal Security Director for Law Enforcement (AFSD/LE) Mike Rich, notified the Office of Inspection (OOI), that Behavior Detection Manager (BDOM) (b)(6) made allegations against BDOM (b)(6) for using inappropriate language, neglect of duty and misleading subordinates.

Allegation #1: On unspecified dates, BDOM (b)(6) made disparaging and/or offensive remarks about other TSA employees, in violation of TSA Management Directive No. 1100.73-5, Employee Responsibilities and Conduct (Attachments 1-3, 5, 8 & 14).

Finding #1: During his interview and/or in his signed sworn statement of February 19, 2014, BDOM (b)(6) denied calling BDOM (b)(6) a "bitch" or making any comment referencing another's sexual orientation. BDOM (b)(6) initially denied blurting out, "Why in the hell did you ask her for?" but, after agents pointed out three others had confirmed the statement, he declined to comment and the interview moved on (Attachment 17).

During their respective interviews and/or in their signed sworn statements, BDOM (b)(6) BDOs (b)(6) stated they have heard or experienced BDOM (b)(6) make derogatory comments about a co-worker. Examples given were BDOM (b)(6) calling or referring to BDOM (b)(6) as a "bitch" and during a meeting between BDOM (b)(6) BDOM (b)(6) EBDO (b)(6) and EBDO (b)(6) BDOM (b)(6) was asked a question by EBDO (b)(6) which he did not know the answer. She then asked BDOM (b)(6) the same question, at which time BDOM (b)(6) blurted out, "Why in the hell did you ask her for?" MBDO (b)(6) stated BDOM (b)(6) once commented about another female co-worker, known to be lesbian, when she had a rash or pimples on her chin, that it was from "eating that nasty pussy" (Attachments 2, 3, 5, 8, & 14).

Allegation #2: BDOM (b)(6) provided false or misleading information to other BDOs to pull certain passengers for referral, possibly targeting passengers, in violation of the Screening of Passengers by Observational Techniques (SPOT) program's Standard Operating Procedure (SOP) (Attachments 2-4, 7, 8, & 11-16).

Finding #2: During his interview and/or in his signed sworn statement of February 19, 2014, BDOM (b)(6) denied providing false or misleading behaviors to BDO teams to create referrals. BDOM (b)(6) did admit to being more aggressive at the checkpoint queues after he received the Improvement Period Notice (IPN). BDOM (b)(6) did not have a response to why his name showed up on 14 referrals from August 29, 2013, to October 16, 2013, and his name was not on any referral at any other time in 2013. He added that some BDOs become complacent and start to miss behaviors, so he needs to get them back on track. He denied "targeting" any individuals (Attachment 17).

During their respective interviews and/or in their signed sworn statements, former employee (b)(6) and BDOs (b)(6) (b)(6) stated

that BDOM (b)(6) provided them with the behaviors for referrals on many occasions. On several of these referrals, the BDOs had been observing the same individuals and had not seen the behaviors described by BDOM (b)(6). Each BDO was asked if they believed BDOM (b)(6) targeted these individuals because of race, sex or ethnicity. No one believed that BDOM (b)(6) was targeting anyone. This went on for several weeks in the fall of 2013. Some of the BDOs started refusing accepting BDOM (b)(6) observations. The great majority of these referrals took place at Checkpoint D2, which is where BDOM (b)(6) preferred to direct his attention (Attachments 2-4, 7, 8, & 11-16).

During his interview of February 6, 2014, BDOM (b)(6) stated he had heard of the possibility that BDOM (b)(6) was creating referrals and took it upon himself to review CCTV video footage (was not saved) of some of the referrals that were brought to his attention. BDOM (b)(6) stated he could not detect the behaviors (in the cases initiated by BDOM (b)(6) noted in the SPOT Referral Reports (Attachment 9).

Allegation #3: BDOM (b)(6) conducted himself in an unprofessional manner by refusing to communicate with his peer, threatening to give a poor evaluation for someone's association with a certain individual and attempting to undermine the authority of another BDOM. This is in violation of TSA Management Directive No. 1100.73-5, Employee Responsibilities and Conduct (Attachments 3, 5, 7, 8, 10 & 13).

Finding #3: During his interview and/or in his signed sworn statement of February 19, 2014, BDOM (b)(6) denied conducting himself in an unprofessional manner. He attributed the lack of communication with BDOM (b)(6) as being her fault and not his. He stated BDOM (b)(6) has been against him since he was promoted over her. He denied ever telling anyone their evaluation was affected by who they were friends with. He did say he tries to mentor his subordinates and offers them advice from time to time and holds them to a certain standard, which may differ from others (Attachment 17).

During their respective interviews and/or in their signed sworn statements, BDOs (b)(6) stated BDOM (b)(6) refuses to speak with BDOM (b)(6) attempts to undermine her authority by having BDOs perform tasks other than those assigned to them by BDOM (b)(6). MBDO (b)(6) stated BDOM (b)(6) threatened him with a poor evaluation if he continued to associate with certain individuals. MBDO (b)(6) received a poor evaluation that year, after many years of excellent ratings (Attachments 3, 5, 7, 8, 10 & 13).

During their respective interviews, BDOMs (b)(6) stated they had each reviewed all of BDOM (b)(6) past evaluations of his subordinates and neither recalls anyone receiving a poor rating from BDOM (b)(6). BDOM (b)(6) did explain the rating system changed from PASS to TOPS and the numbering is different. The PASS database is not available to her, or anyone else at MIA, in order to review past evaluations (Attachments 6 & 9).

Executive Summary

In conducting the interviews during this investigation, there was a perception of BDOM (b)(6) being uninformed as to his job responsibilities, not performing his duties properly, being vindictive and retaliatory. Some also believed BDOM (b)(6) was protected by someone in upper management because no action had been taken against him on numerous complaints over the years he has been a manager. The "I" Band managers acknowledged the various complaints, but added, that until recently, no one was willing to put it in writing as an official complaint or allegation, which severely limited any corrective action. There was also a lack of communication with his peer and subordinates. There was a great amount of animosity, towards BDOM (b)(6) encountered during this investigation.

BDOM (b)(6) stated he is knowledgeable about his job and performs it well. He stated that some BDOs become complacent and begin to miss behaviors, so, he has to become more aggressive and take a more active role in pointing out the behaviors. He denied being vindictive or retaliatory, but stated he holds his people to a certain standard, which may differ from others, and some may not be able to accept that.

The initial email referred to several allegations, one being that BDOM (b)(6) neglected his duties by spending an excessive amount of time socializing with others. Some of those interviewed addressed this issue. However, this issue was addressed by the "I" Band BDOMs by placing BDOM (b)(6) on a 90-day IPN on August 29, 2013. Since this issue had already been addressed by MIA management and there was marked improvement by BDOM (b)(6) the investigation into this allegation was suspended.

OTHER INVESTIGATIVE ASPECTS

Persons Associated with Case:

<u>Name</u>	<u>Role</u>	<u>Title</u>	<u>Attachment #</u>
(b)(6)	Witness	EBDO	2
	Witness	EBDO	3
	Witness	MBDO	4
	Complainant	BDOM	5
	Witness/Sup	BDOM	6
	Witness	EBDO	7
	Witness	MBDO	8
	Witness/Sup	BDOM	9
	Witness	MBDO	10
	Witness		11
	Witness	EBDO	12
	Witness	MBDO	13
	Witness	MBDO	14

(b)(6)

Witness
Witness
Subject

MBDO
MBDO
BDOM

15
16
17

Records Checks:

None

ATTACHMENTS	
Attachment Number	Description
1	Memorandum of Interview/Activity of case referral, dated 1/23/2014, with attachment
2	Memorandum of Interview/Activity of (b)(6) dated 2/4/2014, with attachment
3	Memorandum of Interview/Activity of (b)(6) dated 2/4/2014, with attachment
4	Memorandum of Interview/Activity of (b)(6) dated 2/4/2014, with attachment
5	Memorandum of Interview/Activity of (b)(6) dated 2/5 & 6/2014, with attachment
6	Memorandum of Interview/Activity of (b)(6) dated 2/5, 15 & 16/2014
7	Memorandum of Interview/Activity of (b)(6) dated 2/5/2014, with attachment
8	Memorandum of Interview/Activity of (b)(6) dated 2/5/2014, with attachment
9	Memorandum of Interview/Activity of (b)(6) dated 2/6/2014, with attachments
10	Memorandum of Interview/Activity of (b)(6) dated 2/6/2014
11	Memorandum of Interview/Activity of (b)(6) dated 2/11/2014
12	Memorandum of Interview/Activity of (b)(6) dated 2/18/2014, with attachment
13	Memorandum of Interview/Activity of (b)(6) dated 2/18/2014, with attachment
14	Memorandum of Interview/Activity of (b)(6) dated 2/18/2014, with attachment
15	Memorandum of Interview/Activity of (b)(6) dated 2/18/2014, with attachment

16	Memorandum of Interview/Activity of (b)(6) dated 2/19/2014, with attachment
17	Memorandum of Interview/Activity of (b)(6) dated 2/5 & 19/2014, with attachment
18	Memorandum of Interview/Activity of SPOT Results, dated 2/18 & 19/2014, with attachment

ATTACHMENT #1



MEMORANDUM OF INTERVIEW OR ACTIVITY

Type of Activity: <input type="checkbox"/> Personal Interview <input type="checkbox"/> Telephone Interview <input type="checkbox"/> Records Review <input checked="" type="checkbox"/> Other	Date and Time: January 23, 2014 1:00pm
Activity or Interview of: Referral form AFSD/LE Mike Rich MIA	Conducted by: Special Agent Charles A. Diaz
	Location of Interview/Activity: OOI Office TPA

Subject Matter/Remarks

On December 20, 2013, AFSD/LE Mike Rich notified OOI of possible misconduct on the part of a BDO Manager at MIA and forwarded a copy of the complaint.

On January 23, 2014, SA Charles Diaz reviewed the complaint from BDOM (b)(6) alleging misconduct on the part of BDOM (b)(6)

Attachment: Copy of complaint from (b)(6)

Case Number:
114-0009

Case Title:
BDO (b)(6)

(Revised 12-15-08)

Diaz, Charles <TSA-13>

-----Original Message-----

From: (b)(6)
Sent: Thursday, October 17, 2013 4:55 AM
To: (b)(6)
Subject: (b)(6)

(b)(6)

I understand (b)(6) sent you several emails referencing among a few issues (b)(6) furlough paperwork and the new officers sign in sheets.

- Timesheets for the new BDOs were been submitted to Payroll. Copies are and have been in my top desk drawer. Copies were not filed because when I walked in the mgrs. office to file them (b)(6) was sitting at his desk with music playing on his computer and with what appeared to be his personal mail spread out on his desk. Considering he does not talk to me and has nothing good to say to anyone about my person, I was not about to ask him for the binders over his desk to file anything.
- I told (b)(6) I was only going to give him paperwork for 10-4-13 because I wasn't sure what (b)(6) had compiled in regards to his LWOP-FMLA, additionally Adrian was on an RDO and I didn't know where he was keeping his files.

That said, I find it incredibly ironic that someone who has been anything but effective as an officer and a manager, would now all of a sudden be concerned with copies. His behavior and MO (modes operandi) in this case, towards me, should not be a surprise to you, as this is something we have discussed in the recent past and you expected to see. It is typical of his behavior to be petty and immature. It is also evident that (b)(6) spiteful and vindictive work ethics will always be a point of contention. His lack of candor and unethical behavior leaves a lot to be desired.

Ever since the changing of the schedule, my telling you on April 29th that (b)(6) and the confrontation with him in your office on 5-30-13, he has commented to officers that "I tried to throw him under the bus" and in few words was out to make my life miserable. This is a clear indication of retaliation.

I have sat with both you and (b)(6) on several occasions and brought to your attention (b)(6) behavior towards my person. I've have patiently ignored the disparaging, belittling comments and innuendos he has made about me during briefings and directly to officers. He has created a very hostile work environment. I feel harassed, retaliated against and am humiliated at the comments he makes about me. In fact it is becoming so bad that now officers come and tell me they feel bad for me. As you may know (b)(6) spoke to (b)(6) referencing (b)(6) statement to (b)(6) about me.

As I have mentioned, the officers themselves come to me and have complained about his actions yet they don't confront him in fear that he will retaliate against them. As well they've been threatened with the mere fact that once they bring their concerns to you or (b)(6) ...you will ultimately give (b)(6) their name thus giving him an opportunity to know who complained, opening the door for retaliation.

(b)(6) has told you, (b)(6) and the officers that he will not talk to me and will only communicate essential information. Keeping in mind that communication and teamwork are two key components of an effective leader, (b)(6) has barely uttered two significant words two me in the last five months. His lack of communication makes it very difficult to run an

operation effectively. However he does make comments to officers that are not only deliberate, they are undermining and damaging.

- (b)(6) has made derogatory comments about me to several officers including (b)(6) and (b)(6)
- As you know, I overheard (b)(6) call me a "Bitch" and has referred to me as a "Bitch" to (b)(6) and (b)(6) on several occasions.
- He has told (b)(6) that he does not report to me and has no need to communicate anything.
- He has rudely questioned (b)(6) and (b)(6) to find out if I had communicated with them because I pulled (b)(6) from the floor to give them their TOPS evaluation. However, (b)(6) advised me that (b)(6) had also pulled the officers under his tree from the floor and had them sitting in the break room waiting to meet with him.
- (b)(6) has called (b)(6) and told her to stop walking with me and go see how a real POC works in addition to some other negative comments.
- (b)(6) has been doing schedules and (b)(6) has sat next to her, proceeded to show her his son's baby pictures and told her to leave the schedules so she can go out and walk with him.
- (b)(6) has briefed the officers that his TOPS evals are done, that he is proud of everyone because they did very well and then turn around and say well those on my tree I don't know about the others.
- (b)(6) and several others have complained that (b)(6) is creating referrals with bogus behaviors. Additionally, (b)(6) and a few others have mentioned that it appears as though he may be signaling out specific males to observe and refer.

In the last few weeks he has aggressively been trying to accomplish what he hasn't in the last year that I've been a manager. I have tried to stay out of his way, yet he manages to try my patience.

In closing, I will no longer tolerate his rude and nefarious behavior. I would like to schedule a meeting with you and (b)(6) together with (b)(6) and (b)(6) to further discuss how this issue will be resolved.

Respectfully,

(b)(6)

ATTACHMENT #2



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: February 4, 2014 1:00pm
Activity or Interview of: (b)(6) EBDO MIA	Conducted by: Special Agents Charles A. Diaz and Will Manuel Location of Interview/Activity: AFSD Ops Office MIA

Subject Matter/Remarks

On February 4, 2014, Special Agents Charles Diaz and Will Manuel interviewed EBDO (b)(6) (b)(6) regarding allegations of misconduct against BDOM (b)(6)

EBDO (b)(6) stated she had been instructed by BDOM (b)(6) to pull a passenger for possible referral because of certain behaviors that BDOM (b)(6) described. BDOM (b)(6) was only in the area for a couple of minutes and could not have seen the behaviors for the length of time it normally takes to make such an assessment. Also, MBDO (b)(6) and her partner had noticed the same passenger and did not see any of the indicators that BDOM (b)(6) had described. She did as instructed, but, doing so made it very difficult to resolve the situation. In assessing the passenger after the referral, the BDOs have to resolve the issues (indicators) which alerted them to the passenger in the first place. Not having seen the indicators or believing there were no indicators to begin with, there is no way for them to resolve the matter in the proper fashion. EBDO (b)(6) was asked if she believed BDOM (b)(6) targeted the individual because of race, sex or ethnicity. She did not believe that was the case.

EBDO (b)(6) stated she has overheard BDOM (b)(6) make derogatory remarks about BDOM (b)(6) (b)(6) personal lifestyle and her knowledge of the job. He has made these comments in and out of BDOM (b)(6) presence and in front of the other BDOs. She went on to describe the working relationship, or lack thereof, between BDOM (b)(6) and BDOM (b)(6) EBDO (b)(6) stated that BDOM (b)(6) refuses to interact with BDOM (b)(6) and goes so far as to instruct the BDOs not to have any contact with BDOM (b)(6) when he is the Point of Contact (POC) for the day.

EBDO (b)(6) explained the BDOM POC for the day is the one who determines the work assignments for the BDOs. The POC rotates through the BDOMs as does the POC for the BDOs.

Case Number: 114-0009	Case Title: BDOM (b)(6)
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(Revised 12-15-08)

MEMORANDUM OF INTERVIEW OR ACTIVITY (continuation sheet)

EBDO (b)(6) has witnessed and experienced BDOM (b)(6) attempt to undermine BDOM (b)(6) authority by having BDOs do other duties after BDOM (b)(6) has given them their assignments.

EBDO (b)(6) stated that BDOMS (b)(6) have been at odds for a long time. She considers herself to be friends with both, but, she did place the blame for this conflict squarely on BDOM (b)(6). BDOM (b)(6) continues to act in a professional manner and include BDOM (b)(6) whenever she conducts a briefing. BDOM (b)(6) refuses to interact and most times even acknowledge BDOM (b)(6) presence. He acts this way in the presence of the other BDOs and this makes everyone very uncomfortable because they feel that they are caught in the middle of this dispute. It is EBDO (b)(6) opinion that this started when BDOM (b)(6) was a BDO (b)(6) making her familiar with all the duties of the BDO program. As a BDO (b)(6) confronted BDOM (b)(6) and told him he was not doing his job properly because he spent too much time socializing with friends, police officers and FAMs.

EBDO (b)(6) provided a signed sworn statement.

Attachment: Signed sworn statement

Case Number: 114-0009	Case Title: BDO (b)(6)
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SWORN STATEMENT

(b)(6)

, having been duly sworn, hereby make the following statement to

Charles Diaz & Will Manuel, who has been identified to me as a federal law enforcement officer, Special Agent, or investigating officer with the Transportation Security Administration, Office of Inspection. I am making this statement of my own free will, without any duress or coercion.

(b)(6)

On certain occasion I work with my manager (b)(6) at the checkpoints observing the passengers, he gave me the points for the behavior which my partner and I did not agree with, because I did not see the passenger display those behavior, but he wanted me and my partner to take the passenger in and screen the passenger, which I believe was not the right thing to do because he was not at the check point long enough to observed the passenger. But we did it anyway, because with the BIA program, even though we did not see the behaviors our partner saw, we still have to go along with it and screen the passenger. He

(b)(6)

There was a time that I was the point of contact for the team and I was sitting in the break room next to (b)(6) taking my break and he was showing me pictures of his baby on his phone, so I told him that I need to go because (b)(6) ask me to do the schedule for the following week and he told me that he wanted me to walk the terminal with him, and I told him

(b)(6)



SWORN STATEMENT

(b)(6)

I can not, because she had told me before she wanted me to do that assignment, and he got upset and said that was stupid to make the schedule way in advance and he was going to have something done about that. He was very rude towards her, knowing that she was listening to him in the office next to us. When I approach her she told me she heard everything that he was saying about her.

(b)(6)

(b)(6)

I also recall hearing [redacted] making jokes about her in the briefing and also her life style.

(b)(6)

(b)(6)

(b)(6)

Initials: _____

I have read this entire statement consisting of 2 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)

(b)(6)

Signed and sworn to before me, this 4 day of February, 2017.

Wendy [Signature]
Witness

[Signature]
Special Agent or Investigating Officer
Transportation Security Administration
Department of Homeland Security
Authority to administer oaths: 5 U.S.C. § 303

ATTACHMENT #3



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: February 4, 2014 2:30pm
Activity or Interview of: (b)(6) EBDO MIA	Conducted by: Special Agents Charles A. Diaz and Will Manuel Location of Interview/Activity: AFSD Ops Office MIA

Subject Matter/Remarks

On February 4, 2014, Special Agents Charles Diaz and Will Manuel interviewed EBDO (b)(6) regarding allegations of misconduct against BDOM (b)(6).

EBDO (b)(6) stated he and his partner were instructed by BDOM (b)(6) to pull a passenger for possible referral and told them which indicators to put in their report. BDOM (b)(6) was only in the area for a couple of minutes. EBDO (b)(6) and his partner had noticed the same individual and did not observe the behaviors that BDOM (b)(6) described. EBDO (b)(6) explained the process they go through before a passenger is segregated for a referral and the length of time it usually takes. He stated there is absolutely no way that BDOM (b)(6) was in the checkpoint area long enough for him to have observed the indicators, as prescribed by the BDO SOP. Since the indicators were not present, it makes it very difficult to properly report the resolution of the issues. EBDO (b)(6) was asked if he believed BDOM (b)(6) targeted the individual because of race, sex or ethnicity. He did not believe that was the case.

EBDO (b)(6) stated that BDOM (b)(6) spends most of his time in the checkpoint D2 area, when he is supposed to cover all the checkpoints. He added that because BDOM (b)(6) hangs out at D2, that D2 has an inordinate number of referrals, compared to the other checkpoints, on the days when BDOM (b)(6) is working.

EBDO (b)(6) stated that BDOM (b)(6) has instructed the BDOs to do things his (b)(6) way, regardless of what anyone else tells them. Some of the actions BDOM (b)(6) has them do are contrary to the BDO SOP. He believes that BDOM (b)(6) is neglecting his duties because of the excessive amount of time BDOM (b)(6) spends walking around and talking with friends, police

Case Number:
114-0009

Case Title:
BDO (b)(6)

(Revised 12-15-08)

MEMORANDUM OF INTERVIEW OR ACTIVITY (continuation sheet)

officers and FAMS. He specifically mentioned the time BDOM (b)(6) spends talking with the female employees of the shops in the terminal.

EBDO (b)(6) has also witnessed BDOM (b)(6) attitude towards BDOM (b)(6). At one meeting, EBDO (b)(6) asked BDOM (b)(6) a question, of which he did not know the answer. EBDO (b)(6) then asked BDOM (b)(6) the same question, at which time BDOM (b)(6) shouted, "Why in the hell are you asking her for?" BDOM (b)(6) did know the answer. This incident was brought to BDOM (b)(6) attention and to the best of EBDO (b)(6) knowledge, nothing was done about it. EBDO (b)(6) went on to say that he believes BDOM (b)(6) is being protected by BDOM (b)(6) because several other complaints have been brought to his attention and no action is ever taken and BDOM (b)(6) continues to behave in the same manner.

EBDO (b)(6) provided a signed sworn statement.

Attachment: Signed sworn statement

Case Number:
114-0009

Case Title:
BDO (b)(6)



SWORN STATEMENT

I, (b)(6), having been duly sworn, hereby make the following statement to Charles Diaz & Will Manuel, who has been identified to me as a federal law enforcement officer, Special Agent, or investigating officer with the Transportation Security Administration, Office of Inspection. I am making this statement of my own free will, without any duress or coercion.

TODAY 2.4.14 WAS DIRECTED TO SEE MR. RALF MERCADO AT APPROXIMATELY 14:21. MET WITH TWO TSA OFFICERS OF INSPECTION AFTER THEY BOTH PRESENTED THEIR CREDENTIALS THEY PROCEEDED TO ADVISE ME WHY THEY WERE HERE. ~~AND~~ ONCE THEY FINISHED ADVISING ME I WAS ASKED A SERIES OF QUESTIONS REGARDING ~~DATE~~ ^{DATE} OF THE MANAGER IN QUESTION. I STARTED BY TELLING THEM ^{ABOUT} A CONSTANT PROBLEM WE HAVE BEEN HAVING WITH MR. (b)(6) REGARDING REFERRALS AT A SPECIFIC CHECKPOINT (D2) WHERE HE WAS PRESENT AND WOULD PASS TO US BEHAVIORS THAT EVEN THOUGH WE WERE PRESENT ALSO OBSERVING MOST OF THE TIMES THE SAME ~~PASSENGER~~ ^{PASSENGERS} WERE NOT CORRECT WE DID NOT OBSERVED MAKING RESOLUTION VERY HARD TO GET. THIS SAME SCENARIO HAPPEN SEVERAL TIMES DURING THAT DAY AND OTHER DAYS. ALSO IN MANY OCCASIONS I WAS INSTRUCTED TO DO THINGS THAT CONTRADICTED SOP, FOR EXAMPLE WHERE A BDD MUST STAND, AS WELL AS WHEN SOP STATES THE NEED TO BECOME SEAMLESS ON THE DIBESTING AREA WAS TOLD NOT TO DO IT BY MR. (b)(6)



SWORN STATEMENT

(Continuation of statement of (b)(6))

(b)(6)

Mr. (b)(6) HAS A HABIT OF SPENDING MOST OF HIS DAYS EITHER WALKING ^{AND TALKING} WITH FAM^s, POLICE OFFICERS AND IN THE SECURED AREAS WITH FEMALES AT THE STORES FOR VERY LONG PERIODS (MOST OF THE DAY).

APPROXIMATELY ^{4 MOS. AGO} DURING IN-BRIEFING, MRS. (b)(6) ASKED MR. (b)(6) A QUESTION WORK RELATED THAT HE WAS NOT ABLE ANSWER, SO MRS. (b)(6) PROCEEDED TO ASK THE SAME QUESTION TO MR. (b)(6) AND

MR. (b)(6) GOT VERY UPSET AND SAID "WHY IN THE HELL ARE ^{YOU} ~~YOU~~ ASKING ^{HERE} FOR" THIS REACTION MADE ME FEEL VERY UNCOMFORTABLE TO STAY THE LIST; THIS

COMMENT WAS ALSO OVERHEARD BY MS. (b)(6) HE HAS ALSO IN MANY OCCASIONS ^{MADE} COMMENTS TO UNDER MIND MS. (b)(6) MANDATES. BY CHANGING TO WHAT HE WANTS, ALSO PULLING AND OR CHANGING CERTAIN BDOs FROM POSITIONS THEY WERE ALREADY ASSIGNED FOR NO SPECIFIC REASON OR NEED.

EVEN THOUGH THIS ^{ISSUES} HAVE BEEN BROUGHT UP TO HIS SUPERIORS NOTHING HAS BEEN DONE. (b)(6)

(b)(6)

SWORN STATEMENT



Transportation
Security
Administration

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~~_____~~

(b)(6)

Initials: _____

I have read this entire statement consisting of 3 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)

(b)(6)

Signed and sworn to before me, this 4 day of February, 2014.

Wesley A. ...
Witness

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

ATTACHMENT #4



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: February 4, 2014 4:20pm
Activity or Interview of: (b)(6) MBDO MIA	Conducted by: Special Agents Charles A. Diaz and Will Manuel Location of Interview/Activity: AFSD Ops Office MIA

Subject Matter/Remarks

On February 4, 2014, Special Agents Charles Diaz and Will Manuel interviewed MBDO (b)(6) (b)(6) regarding allegations of misconduct against BDOM (b)(6)

MBDO (b)(6) stated he had personally witnessed, on many occasions, BDOM (b)(6) walking around the airport talking with FAMs, police officers and friends, to what he believes is an excessive amount of time and to the detriment of his duties. He has also witnessed BDOM (b)(6) spending a lot of time speaking with the female employees of various business establishments within the secure side of the airport terminals. MBDO (b)(6) specifically cited at least one occasion where BDOM (b)(6) spent about one hour talking to a female employee at the jewelry store behind checkpoint D1.

MBDO (b)(6) stated that on more than one instance, BDOM (b)(6) instructed him and his partner to pull a passenger for a possible referral based on indicators that BDOM (b)(6) dictated to MBDO (b)(6). MBDO (b)(6) stated he and his partner had observed the same individuals and did not see any of the indicators described by BDOM (b)(6) and disagreed with his (b)(6) assessment. However, they complied with BDOM (b)(6) instructions. MBDO (b)(6) was asked if he believed BDOM (b)(6) targeted the individual because of race, sex or ethnicity. He did not believe that was the case.

MBDO (b)(6) provided a signed sworn statement

Attachment: Signed sworn statement

Case Number: 114-0009	Case Title: BDO (b)(6)
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(Revised 12-15-08)

SWORN STATEMENT



Transportation Security Administration

I, (b)(6), having been duly sworn, hereby make the following statement to Charles Diaz & Will Manuel, who has been identified to me as a federal law enforcement officer, Special Agent, or investigating officer with the Transportation Security Administration, Office of Inspection. I am making this statement of my own free will, without any duress or coercion.

(b)(6) INSPECTORS ASK ME ABOUT STSM (b)(6)
STSM (b)(6) CAME TO ME AT CHECK POINT # D2 WITH CERTAIN BEHAVIOR THAT MYSELF & PARTNER DID NOT SEE, WHICH ~~ENDED~~ (b)(6) ENDED (b)(6) IN A BDO REFERRAL. (b)(6) ALSO HAS CAME TO ME IN OTHER CASES WHERE HE HAS BROUGHT BEHAVIORS TO MY ATTENTION WERE I DID NOT AGREE WITH THE SAME BEHAVIORS. (b)(6)

(b)(6) STSM (b)(6) ALSO IS LACKING WITH HIS JOB DUTIES. I'VE NOTICED HE SPENDS MOST OF HIS TIME WALKING WITH THE FAMS, POLICE OFFICERS. ALSO SEEN HIM IN MANY OF THE STORE TALKING TO THE WOMEN. (b)(6) I'VE ALSO NOTICED HIM IN THE JEWELRY STORE (b)(6) BEHIND CHECK POINT D7 SEVERAL TIMES, FOR (b)(6) MORE THAN (b)(6) 1 HOUR AT A TIME. (b)(6)

(b)(6) I HAVE NOT HEARD HIM SAYS ANY DEROGATORY STATEMENT TO OTHER EMPLOYEES (b)(6)

(b)(6)

SWORN STATEMENT



Transportation
Security
Administration

(b)(6)

Initials: _____

I have read this entire statement consisting of 2 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 4 day of February, 2014.

Wip H. [Signature]
Witness

Cheryl [Signature]
Special Agent or Investigating Officer
Transportation Security Administration
Department of Homeland Security
Authority to administer oaths: 5 U.S.C. § 303

ATTACHMENT #5



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: February 5, 2014 1:25pm February 6, 2014 2:10pm
Activity or Interview of: (b)(6) BDOM (H band) MIA	Conducted by: Special Agents Charles A. Diaz and Will Manuel Location of Interview/Activity: TSM Office MIA

Subject Matter/Remarks

On February 5, 2014, Special Agents Charles Diaz and Will Manuel interviewed BDOM (b)(6) (b)(6) regarding her allegations of misconduct against BDOM (b)(6)

BDOM (b)(6) stated she has been disrespected by BDOM (b)(6) for quite some time. BDOM (b)(6) has called her a "bitch" and has continually undermined her authority in front of their subordinates. BDOM (b)(6) refuses to speak with her, unless it is absolutely imperative that he needs to. She stated that BDOM (b)(6) is not performing the duties required of a BDO manager, but, then complains to their supervisors when BDOM (b)(6) picks up the slack, by claiming she is trying to take over his position. They are supposed to share certain duties, but, no matter how those responsibilities are divided, BDOM (b)(6) finds some reason to complain about it to their supervisors.

BDOM (b)(6) stated that BDOM (b)(6) spends an inordinate amount of time socializing with Metro-Dade police officers, FAMs and employees of some of the business establishments near checkpoint D2. The time spent socializing hampers his ability to perform his functions as a BDO manager. She added that several of their subordinates have come to her complaining that BDOM (b)(6) rarely responds to any of their questions. He tells them he doesn't have the time and that he will get back to them later, which he never does. He then gets angry with them when they go to BDOM (b)(6) for the answer. BDOM (b)(6) confirmed that during one meeting, EBDO (b)(6) asked BDOM (b)(6) a question, of which he did not know the answer. EBDO (b)(6) then asked BDOM (b)(6), at which time BDOM (b)(6) shouted, "Why in the hell did you ask her?"

BDOM (b)(6) has heard from subordinates that BDOM (b)(6) is a bully tries to intimidate those under him and retaliates against those that do not completely go along with his ways.

Case Number: 114-0009	Case Title: BDO (b)(6)
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(Revised 12-15-08)

MEMORANDUM OF INTERVIEW OR ACTIVITY (continuation sheet)

BDOM (b)(6) has been approached by subordinates complaining that BDOM (b)(6) had directed them to do a referral based on behaviors provided by BDOM (b)(6). The BDOs did not see the behaviors and several times they were already observing the same individual and did not agree with BDOM (b)(6) assessment. BDOM (b)(6) stated she advised these BDOs that BDOM (b)(6) is a certified BDO and they are required to accept his assessments.

On February 6, 2014, SA Diaz met with BDOM (b)(6) for the purpose of obtaining her written statement. She had requested more time to write her statement so she could have greater detail and accuracy than if she tried to compile it during the initial interview.

BDOM (b)(6) provided a signed sworn statement.

Attachment: Signed sworn statement

Case Number:
114-0009

Case Title:
BDO (b)(6)

[Revised 12-15-08]



SWORN STATEMENT

I (b)(6), having been duly sworn, hereby make the following statement to Charles Diaz, who has been identified to me as a federal law enforcement officer, special agent, or investigating officer 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 6 day of February, 2014.

Witness _____

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

Mr. Diaz,

(b)
(6)

Below I will try to recap our conversation to the best of my capabilities and to include additional statements or incidents that I have documented.

Referrals: 08-2013 thru 11/2013

For what appeared to be several months, BDOs either approached me or came into my office to complain about referrals that (b)(6) was generating and giving them. They claim that the behaviors were not genuine and for the most part were not there. Many officers complained but the ones I distinctly remember are (b)(6)

(b)(6) I asked the officers if they had told (b)(6) that they did not see the behaviors and some told me they did challenge him, and others did not want to say anything to him because he's the manager. In short they stated they are afraid to talk to (b)(6) because he is very vindictive.

As I recall (b)(6) mentioned at one point that it appeared (b)(6) was giving specific individuals (males) behaviors that they felt were not there. I reminded the officers that (b)(6) is not only a manager but is also certified. If they had any concerns they should talk to him.

On 10/06/2013 (b)(6) was calling officers to schedule VIPRs. I was walking with (b)(6) and both complained to me that (b)(6) had called them and had spoken to them in a very rude condescending and arrogant manner while asking them to shift adjust to work VIPRs.

On 10/7/13 (b)(6) complained to me about (b)(6) making fun of and commenting on his hair in front of the officers. He told me he is tired of the sarcasm.

10/7/2013 I told (b)(6) (POC for the day) that I would be speaking to officer's reference their PASS on this day. At about 1730 hrs. I called (b)(6) left him a message and asked (b)(6) to meet me in the food court at D1 so I can review their PASS. (b)(6) had mentioned earlier in the day that (b)(6) had pulled his tree and they were all waiting in the lunch room to be called by him). While (b)(6) was walking the floor, he saw (b)(6) partner alone at D3 checkpoint. He approached her and asked her where (b)(6) was. She told him he was with me and he questioned her about how long (b)(6) had been with me, and if I had contacted the POC? (b)(6) called me and told me she felt very uncomfortable with his questioning her about me and how he spoke to (b)(6) on the phone.

On 10/21/2013 Both (b)(6) complained that (b)(6) purposefully caused the environmental baseline in the checkpoint to escalate by instigating a passenger's behavior and calling the LEOs on that passenger. This never turned into a referral since he escalated the situation. (b)(6)

(b)(6)

2/6/14

PAGE 2 of 5

Schedules and Miscellaneous:

(b)(6) Sometime in Nov. / Dec 2012., I started taking on the task of creating the Daily Shift Summary, which is a schedule of where the officers will be working for the day because (b)(6) was taking care of her elderly father and (b)(6) had been sick on and off for several weeks. Because the officers were complaining about the constant undesirable assignments, I took the opportunity to create a template to track where everyone was scheduled and rotate those assignments daily. In addition I changed the locations where each team was going to rotate to giving them a break from the very busy areas and alleviate the stress from the heavy trafficked checkpoints. The template also allowed (b)(6) to capture information which he could use for his MCOP reports. During this time I started to teach (coach & mentor) several officers on how to create the schedules. I eventually started doing the schedules daily.

On or about February 12, 2013 (b)(6) complained to (b)(6) because I was assigning officers to create the schedules. (b)(6) indicated in an email to me (see attached) that (b)(6) felt the schedule was a management responsibility and it was being taken away. Basically (b)(6) had the task of doing the schedules but everyone was always complaining. I told (b)(6) to give him back the responsibility but they told me it wasn't going to happen because they were happy with the results of the changes. Depending on the need of the operation, I try to make sure we have schedules ready at least a week ahead of time.

Unfortunately sometimes mistakes are made on the schedules and we fix them and go on.

12/15/2013 (b)(6) on the other hand has encountered the mistakes and said to the officers "I feel like I'm given a black eye," or "again the scheduling department is slacking" inferring that I have purposely made the mistake on the day he's scheduled as the POC-Mgr. The statements were not said in jest. They were said with a rude and condescending undertone.

4-23-13 at approximately 1315 hours. (b)(6)

(b)(6)

(b)(6) As I later

found out he told (b)(6) a similar story but told (b)(6) and I the same thing.

4-29-13 spoke to (b)(6) reference (b)(6)

5-1-13 (b)(6)

(b)(6)
(b)(6) He was told by Juan Garcia AFSD never to talk about it again. After (b)(6) was spoken to by Juan Garcia he became very curt and started to make offhanded remarks to the officers reference my person. (b)(6) attitude and MO has changed towards me.

05-25-13 (b)(6) called me from his cell at approx. 11:35 am, while on his way to work, to complain about the POCs moving officers to different locations as favors. Since he is not aware of the manner in which the schedule template works he feels that the POCs are just moving people around because they don't like the officer or location they are scheduled in. (b)(6)

(b)(6) 2/6/14

(b)(6)

05-25-13 at approx. 1800 hours I attempted to speak to (b)(6) and show him how the template and the scheduling of officers are working on the floor. (b)(6) didn't want to hear it. His statement to me was that his responsibility is to "Run the Operation, get hours for playbook and get everyone in at 2045 for briefing. I explained to him that the schedules are not cut and dry. We move officers according to the need of the operation not because of favoritism.

- During briefing he spoke about his ailments and limitations on the floor. He stated he was unable to walk very far. After listening to (b)(6) briefing...I was asked by (b)(6) if he was "Fit for Duty?" Told them I didn't know.

5-27-13 Spoke to (b)(6) reference (b)(6) comments (Fit for Duty) at briefing on 5/25/13.

05-30-13 Staff meeting with (b)(6) at approx. 12:00 meeting started late. (b)(6) arrived late. (b)(6) sent out an email which identified ten issues he wanted to discuss. Most if not all items had to do with schedules and details pertaining to items I had worked on.

- (b)(6) started to address schedules and stated he had never been asked or included in the changes made to the schedule. He started to get aggressive and stated "you don't ask me or include me in anything. I responded and told him he was well aware of all the changes. (b)(6) responded with, who are you to tell me what to do?
- I told him he was always out on sick leave or not at work. I responded ...I'm not going to wait till you decide to come to work to ask you about anything. I report to (b)(6) and (b)(6) and will get my approvals from them. (b)(6) became loud and aggressive and was asked to leave the room.

5-31-13 at approx. 2050 hours (b)(6) yelled out to the officers in a very rude manner..."listen up... (b)(6) has nothing to brief" and said nothing else.

7/1/2013 - LEO's shut down F checkpoint due to a possible bomb threat. LEOs evacuated SCP-F because a passenger apparently heard the word "bomba" - ("Bomba (bomb) de agua") in Spanish at gate F18 and advised authorities.

While processing the 1400 passengers back through the checkpoint, (b)(6) called me to tell me a passenger in line asked (across from Dunkin Donuts) him if they had "found the bomb" (b)(6) explained to him that he should not be utilizing that word (bomb) in the airport. (b)(6) called me and although I didn't think there was cause for alarm, I advised a LEO & his statement to me was "whenever we dump a concourse people automatically think there's a bomb "he even mentioned half the time they hear it on the news and then they ask about it." I acknowledged and told him I was passing it on in the event he thought it was important enough. LEO told me he didn't think it was but would talk to the passenger. Adrian, who had been leaning against a garbage can during this entire process, followed the LEO to the passenger.

When the LEO returned he told me he went to talk to the kid and he almost pooped in his pants.

(b)(6) told some officers (b)(6) that I should've written a referral report for this situation. I didn't feel a need since there was no threat or intent to the security infrastructure or the traveling public. However, he followed the LEO (I did not) to address the passenger and possibly heard (b)(6)

(b)(6)

2/6/14

PAGE 4 OF 5

(b)(6)

something different. If that was the case and if he felt so strongly about the situation, then he should have addressed it, brought it to my attention or written the referral himself. Nonetheless, he chose to not say anything and continue to lean against a garbage can by the pillar located near the ticket checkers for approximately 2 + hours.

07-04-13 - (b)(6) was working on a schedule for the 7-11-13. (I was doing interviews at 36th July 7th thru 12th). There was a VIPR scheduled for this day. I asked Judy to do a provisional VIPR schedule for this and any or days she was working on. She told me she would ask (b)(6) for the names. At approx. 19:48

(b)(6) walked into the break room and sat next to (b)(6) who was doing Daily schedules

I was in the office and on several occasions, I heard him tell her to hurry up. I was checking and typing up the schedules for the week when I saw a discrepancy. I walked outside the office and checked the template (b)(6) was working on. I was walking back towards the office and I had no sooner walked in (by CCTV), I heard (b)(6) say bitch, bitch, bitch under his breath. I chose to ignore it and continue doing the schedules. It was obvious the statement was for me.

In order to not get (b)(6) involved and ask her for a statement, I will continue to document his dislike for me.

09-2013 during briefing (b)(6) very rudely told the officers to scratch his name of the schedule - put my name on. I was just coming out of the office and heard my name and asked what he said. He repeated and I asked if he was ok and if he was leaving then. He responded no. I believe (b)(6) left early this day.

09/23/2013 during briefing (b)(6) told team that his TOPS/PASS was done and his tree did very well but he could only speak for himself and those on his tree. Implying those on my tree would not do to well.

09/24/2013 (b)(6) went to checkpoint D2 and told (b)(6) "let's show them how we can get a pull"

10/2013 (b)(6) - "I am the POC let me show you how a POC walks"

10/2013 MBDO (b)(6) asked (b)(6) for assistance reference a day off and he told her "you're not under my tree can't do anything for you"

10/21/2013 - (b)(6) advised (b)(6) that the PM shift was scheduled for K9 at 1300. His response (in front of the officers) "it's not on the schedule; I don't understand why the schedules are made so far in advance. (b)(6)

(b)(6)

2/6/14

ATTACHMENT #6



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: February 5, 2014 2:55pm February 15, 2014 email February 16, 2014 email
Activity or Interview of: (b)(6) BDOM (I Band) MIA	Conducted by: Special Agents Charles A. Diaz and Will Manuel Location of Interview/Activity: TSM Office MIA

Subject Matter/Remarks

On February 5, 2014, Special Agents Charles Diaz and Will Manuel interviewed BDOM (b)(6) (b)(6) regarding allegations of misconduct against BDOM (b)(6)

BDOM (b)(6) stated she was aware of the contentious relationship between BDOMs (b)(6) and (b)(6). She was also aware of BDOM (b)(6) poor work ethic. She stated that BDOM (b)(6) was placed on an IPN from September 1, 2013, through November 30, 2013. This IPN addressed some of the issues raised in the complaint by BDOM (b)(6) email dated October 17, 2013. BDOM (b)(6) was, and is, unaware of the IPN issued to BDOM (b)(6)

BDOM (b)(6) did mention to BDOM (b)(6) that BDOM (b)(6) called her a bitch and made other disparaging remarks about her. This was passed during a conversation and, at the time, BDOM (b)(6) did not want to take it any further. BDOM (b)(6) interaction with peers was also part of the IPN. Other complaints about BDOM (b)(6) have come to her attention, but, on each occasion, the individual did not want to make it official or put it in writing. This made it very difficult for BDOM (b)(6) to take any action.

On February 15, 2014, BDOM (b)(6) sent the following statement via email:

On February 5, 2014 I was asked to meet with Charles Diaz, Special Agent, Internal Affairs Division regarding any information I could offer related to an email sent by Behavior Detection Manager (b)(6) on 10/17/2013 referencing actions of Behavior Detection Manager (b)(6)

I stated that I thought the verbal communication between them was nonexistent and I had been in officer shift briefings when (b)(6) would try to engage (b)(6) and he would respond with one word answers like No or

Case Number: 114-0009	Case Title: BDO (b)(6)
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(Revised 12-15-08)

MEMORANDUM OF INTERVIEW OR ACTIVITY (continuation sheet)

Yes. I stated I felt it escalated during a BDO manager briefing when (b)(6) was complaining about the not doing the daily officer schedules anymore and (b)(6) made a statement to him about not being present in the work environment and briefing time. I explained that I had conversations with (b)(6) regarding this communication gap and was working toward the next step with this issue.

I told Special Agent Charles Diaz that (b)(6) and received an Improvement Period Notice (IPN) on August 28, 2013 addressing several performance issues and at the time SPOT TSM (b)(6) issued this IPN.

On February 16, 2014, she followed up with an additional statement via email:

Charles

I would also like to include an additional comment discussed at the same interview stated in the below email.

Manager (b)(6) came to and indicated that she thought she heard Manager (b)(6) call her a "Bitch" to a BDO officer, (b)(6) in the BDO Room located across from the MIA / Coordination center on F Concourse. At that time she brought this to my attention I said if that is the case then I need to get involved in this and to write me an email and I will address this and send it up the chain of command. (b)(6) never sent any additional statement regarding this issue although I did bring it up to my peer (b)(6) (b)(6) in case something did.

Thank You

SA Diaz questioned BDOM (b)(6) concerning BDOM (b)(6) evaluations of his subordinates, and the claim by one BDO that he received a poor rating from BDOM (b)(6) because of his association with another employee. BDOM (b)(6) stated she has reviewed every evaluation BDOM (b)(6) has written and does not recall anyone ever receiving a poor rating. She went on to explain the change from the PASS rating system to the new TOPS rating system, and said the numbering systems are different. The prior PASS ratings are on a different database and she (and anyone else at MIA) is unable to retrieve them to examine the ratings of any employee.

Case Number: 114-0009	Case Title: BDO (b)(6)
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ATTACHMENT #7



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: February 5, 2014 3:45pm
Activity or Interview of: (b)(6) EBDO MIA	Conducted by: Special Agents Charles A. Diaz and Will Manuel Location of Interview/Activity: TSM Office MIA

Subject Matter/Remarks

On February 5, 2014, Special Agents Charles Diaz and Will Manuel interviewed EBDO (b)(6) regarding allegations of misconduct against BDOM (b)(6)

EBDO (b)(6) stated she had heard from other BDOs that BDOM (b)(6) had been directing them to do referrals based on his observations. She also heard that some of the BDOs were refusing to accept his observations. She was also directed to do a referral by BDOM (b)(6) on an individual whom she had observed as well. She did not see and did not agree with BDOM (b)(6) assessment and refused to do the referral. He then directed her to get a BDO that would, at which time she turned to EBDO (b)(6) and he did do the referral with his partner. This had gone on in the fall of 2013, and stopped sometime between Thanksgiving and Christmas. EBDO (b)(6) was asked if she believed BDOM (b)(6) targeted the individual because of race, sex or ethnicity. She did not believe that was the case.

EBDO (b)(6) has witnessed BDOM (b)(6) spend an inordinate amount of time walking around chatting with Metro Dade police officers and FAMs. He also spent a lot of time talking with a couple of female employees at some of the shops on the area of checkpoint D2. BDOM (b)(6) had done this for years, but, she did notice that he stopped doing it a couple of months ago.

BDOM (b)(6) used to be EBDO (b)(6) direct report manager, and during that time, EBDO (b)(6) felt as though she could not go to him with questions. He never would know the answer and/or put her off and would never get back to her. When she would get her answer from someone else, BDOM (b)(6) would get angry.

On one occasion, EBDO (b)(6) was entering the BDO break room and BDOM (b)(6) was coming out and she heard him say in a fairly loud voice, "fucking bitch!" EBDO (b)(6) did make note that BDOM

Case Number: I14-0009	Case Title: BDO (b)(6)
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(Revised 12-15-08)

MEMORANDUM OF INTERVIEW OR ACTIVITY (continuation sheet)

(b)(6) was the only person in the break room at the time. The break room is adjacent to the BDO Manager's office.

EBDO (b)(6) stated that BDOM (b)(6) does not conduct any briefings. They are supposed to have two each day, an in-brief and an out-brief. For the in-brief, BDOM (b)(6) will say they don't have time because they have to be out on the floor and he will brief them later. When it's time for the out-brief, BDOM (b)(6) will say he doesn't have anything or will come in so late that there isn't time to do one. BDOM (b)(6) always has time to do the out-brief and if BDOM (b)(6) is present, he refuses to participate.

EBDO (b)(6) stated that all the BDOs are aware of the conflict between BDOMs (b)(6) and believes it is affecting the BDO's work performance and creating a hostile work environment.

EBDO (b)(6) provided a signed sworn statement.

Attachment: Signed sworn statement

Case Number: 114-0009	Case Title: BDO (b)(6)
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(Revised 12-15-08)

SWORN STATEMENT



Transportation
Security
Administration

I, (b)(6), having been duly sworn, hereby make the following statement to Charles Diaz & Will Manuel, who has been identified to me as a federal law enforcement officer, Special Agent, or investigating officer with the Transportation Security Administration, Office of Inspection. I am making this statement of my own free will, without any duress or coercion.

(b)(6) Today I was asked ABOUT my Manager (b)(6) over all work ethics. IN my opinion I have ~~not~~ been directed to do referrals on passengers that I did not witness any behaviors this direction was per my manager (b)(6). This has happened to me on two to three occasions. On one of the occasions I expressed to Mr. (b)(6) that I felt uncomfortable doing the referral and the fact that I did not notice any of the behaviors. For several weeks (b)(6) would work with the BDO team and give behaviors to passengers that no officers noticed and then all of a sudden he stopped doing it. I have worked at Miami Airport since 10-2011 and I have witnessed (b)(6) (b)(6) standing, talking, even riding with the Miami Dade Police officers and Fam officer's to the point it was considered the norm by everyone. (b)(6) in my opinion does not know his job to the point that he was my manager of record and I would have to ask the other manager - (b)(6) for answers about the program. On one occasion I entered the BDO breakroom and as I walked toward the inner office to speak with (b)(6) I passed (b)(6) on the way out and he mumbled out "fucking bitch" (b)(6)

Page 1 of 2



SWORN STATEMENT

(b) (6) When I walked into the inner office Manager (b) (6) was there at the desk shaking her head and sighing. I'm unaware if she heard him and I didn't ask her. I feel like (b) (6) has gotten away with so much because a lot of my co-workers are afraid of retaliation. At times I am too. (b) (6)

(b) (6)

Initials: _____

I have read this entire statement consisting of 2 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) (b) (6)

Signed and sworn to before me, this 5 day of February, 2014.

Wif W...
Witness

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



ATTACHMENT #8



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: February 5, 2014 4:30pm
Activity or Interview of: (b)(6) MBDO MIA	Conducted by: Special Agents Charles A. Diaz and Will Manuel Location of Interview/Activity: TSM Office MIA

Subject Matter/Remarks

On February 5, 2014, Special Agents Charles Diaz and Will Manuel interviewed MBDO (b)(6) (b)(6) regarding allegations of misconduct against BDOM (b)(6) (b)(6)

MBDO (b)(6) stated that BDOM (b)(6) directed her, two to three times, to conduct referrals on passengers based on his observations alone. She, and her partner, never agreed with BDOM (b)(6) observations even though they had observed the same individual in the queue. They did conduct the referrals. Since they did not see or agree with the initial assessment, that made it difficult for them to complete the report because they needed to address the various behaviors. Also, BDOM (b)(6) made it a point to direct them to put his name in the report as taking part in the secondary screening process, which he did not participate. After a couple of times, MBDO (b)(6) would only include BDOM (b)(6) name as the initiating officer. MBDO (b)(6) was asked if she believed BDOM (b)(6) targeted the individual because of race, sex or ethnicity. She did not believe that was the case.

MBDO (b)(6) did notice that BDOM (b)(6) would always be walking around the airport socializing with the Metro Dade police officers, TSI's and FAMs. He would also spend a lot of time talking with employees of the shops around the checkpoint, especially the "silver store."

BDOM (b)(6) never has anything to say at the briefings and when BDOM (b)(6) is speaking at the briefings, BDOM (b)(6) is making gestures and faces mocking BDOM (b)(6) BDOM (b)(6) is always degrading BDOM (b)(6) and frequently calls her "stupid" in front of the other BDOs. BDOM (b)(6) is MBDO (b)(6) manager and she feels as though she can never go to him for answers or assistance. She once requested leave because she had a court appearance, and BDOM (b)(6) refused it. She had to go to the (b)(6) for approval.

Case Number: 114-0009	Case Title: BDO (b)(6)
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(Revised 12-15-08)

MEMORANDUM OF INTERVIEW OR ACTIVITY (continuation sheet)

She added that the "lazy" BDOs like BDOM (b)(6) because he never tests them. BDOM (b)(6) is always testing her team (on job knowledge) in order to keep them sharp.

MBDO (b)(6) provided a signed sworn statement.

Attachment: Signed sworn statement

Case Number: 114-0009	Case Title: BDO (b)(6)
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(Revised 12-15-08)

SWORN STATEMENT



Transportation Security Administration

I (b)(6), having been duly sworn, hereby make the following statement to Charles Diaz & Will Manuel, who has been identified to me as a federal law enforcement officer, Special Agent, or investigating officer with the Transportation Security Administration, Office of Inspection. I am making this statement of my own free will, without any duress or coercion.

(b)(6) upon arrival in D. C. (b)(6) approached my coworker and I and said, he would be working with us. A few minutes later Mr. (b)(6) said, he had (b)(3); 49 U.S.C. § 114(r) behavior which I nor my partner saw. I express my concerns to my (b)(6) (b)(6) (b)(6) walks around all day w/ James and MDPD and does not ever have any information in brief meaning we never know what's going unless the other managers step in and brief us. Mr. (b)(6) is always talking to store employees especially @ the Silver Jewelry Company and other stores as well. Mr. (b)(6) makes unprofessional responses towards JSM (b)(6) which are very disrespectful (b)(6)

SWORN STATEMENT



Transportation
Security
Administration

(b)(6)

Initials:

I have read this entire statement consisting of 2 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 if I have misrepresented anything contained in this statement. I have no information that relates to the matters under investigation or review.

Signed and sworn to before me, this 5 day of February, 2019

Wid a [Signature]
Witness

Cher [Signature]
Special Agent or Investigating Officer
Transportation Security Administration
Department of Homeland Security
Authority to administer oaths: 5 U.S.C. § 303

ATTACHMENT #9



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: February 6, 2014 9:00am
Activity or interview of: (b)(6) BDOM (b)(6) MIA	Conducted by: Special Agent Charles A. Diaz Location of Interview/Activity: TSM Office MIA

Subject Matter/Remarks

On February 6, 2014, Special Agent Charles Diaz interviewed BDOM (b)(6) regarding allegations of misconduct against BDOM (b)(6)

BDOM (b)(6) stated he was aware of the contentious relationship between BDOMS (b)(6) (b)(6). He was also aware of BDOM (b)(6) poor work ethic. He stated that BDOM (b)(6) was placed on an IPN from September 1, 2013, through November 30, 2013. This IPN addressed some of the issues raised in the complaint by BDOM (b)(6) email dated October 17, 2013. BDOM (b)(6) was, and is, unaware of the IPN issued to BDOM (b)(6). He stated that BDOM (b)(6) has improved in some of the areas addressed in the IPN, but, has also fallen short on a couple of them.

BDOM (b)(6) stated he heard about the referrals initiated by BDOM (b)(6) and he was able to review some of the CCTV video based on the time and date from the PMIS reports. From this review, BDOM (b)(6) did not see the behaviors as described by BDOM (b)(6)

He stated that BDOM (b)(6) relationship with the Metro Dade police officers and the FAMS has been beneficial to the BDO program whenever they have joint operations and the sharing of intelligence. However, he also acknowledged that based on the information they had received from the other BDOs, the time BDOM (b)(6) spent socializing was extreme. This issue was addressed in the IPN and it seems to have been corrected.

BDOM (b)(6) provided a copy of the IPN issued on August 28, 2013 and a copy of his assessment of the results of the IPN, dated December 2, 2013.

Case Number: 114-0009	Case Title: BDO (b)(6)
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(Revised 12-15-08)

MEMORANDUM OF INTERVIEW OR ACTIVITY (continuation sheet)

SA Diaz questioned BDOM (b)(6) concerning BDOM (b)(6) evaluations of his subordinates, and the claim by one BDO that he received a poor rating from BDOM (b)(6) because of his association with another employee. BDOM (b)(6) stated he has reviewed every evaluation BDOM (b)(6) has written and does not recall anyone ever receiving a poor rating.

Attachments: Copy of IPN
Copy of IPN assessment

Case Number:
114-0009

Case Title:
BDO (b)(6)

(Revised 12-15-08)

(THIS DOCUMENT CONTAINS PII AND MUST BE HANDLED ACCORDINGLY.)



Transportation
Security
Administration

Date: August 28, 2013
To: (b)(6) (SPOT TSM)
From: (b)(6) (SPOT TSM)
Subject: Improvement Period Notice (IPN).

This notice is written confirmation to you that you are not presently meeting the standards set forth in the core competencies of the Employee Performance Management Program (EPMP). Under the competencies of multitasking, flexibility, decision making, problem solving, communication, and technical proficiency, there are basic anchor behaviors that must be demonstrated in order to achieve expectations as a SPOT Transportation Security Manager. You are required to improve your performance levels in these areas. You are being provided with an opportunity to develop and improve these skills and abilities.

This Improvement Period Notice (IPN) will serve to assist you in developing your skills and improving your overall performance. It will allow you to hone your skills and to demonstrate the ability to perform in accordance with EPMP's core competencies and your leadership's expectations. This notice includes the required activities, the level of performance you must attain, and the period of time within which this improvement must be made in order to be successful in these critical components.

After reading the plan laid out in this IPN, if you have any questions concerning the contents of this notice, the performance standards involved, or my expectations of you during the opportunity period, please discuss them with DAFSD Evelyn Fanchini by August 30, 2013. Additionally, if you believe that you lack any training that you have not previously received and which may improve your performance, or that there is any problem that I am unaware of that may be impacting your performance, please let me know immediately.

The improvement period you are being granted will begin on September 1, 2013, and will last 90 days (ending on November 30, 2013). You will meet with me periodically, or as needed, to review your performance and to track your achievements. Lack of progress on the specific elements listed in the **opportunity to demonstrate acceptable performance** will result in corrective action during the improvement period. Please note that both STSM (b)(6) and I are here to assist you and to support you in accomplishing your goals; you may meet with us at any time if you require further assistance or guidance.

Page 1 of 5

U. S. Department of Homeland Security • Transportation Security Administration
8400 NW 36th Street • Suite 300 • Miami, Florida 33166 • 305-421-2436 • <http://www.tsa.gov>

TSA 15-00014 - 011834

(THIS DOCUMENT CONTAINS PII AND MUST BE HANDLED ACCORDINGLY.)

The core competencies of the EPMP that you are required to demonstrate proficiency in are listed below.

Need to improve: 1. Multitasking: Accomplishes high volumes of work with daily and long term priorities. Shifts among job tasks with competing priorities. Operates within project deadlines.

Need to improve: 2. Flexibility: Welcomes change and new information, ideas, and strategies. Adapts work methods in response to new information, unexpected obstacles, and changing conditions. Adjusts rapidly to new situations warranting attention and resolution. Develops contingency plans to ensure objectives can be met.

Need to improve: 3. Decision Making: Applies policies, directives, and regulations that relate to TSA operations and programs when making decisions. Ensures that activities, services, or products reflect organizational goals and objectives. Adjusts priorities to respond to pressing and changing needs. Adapts work methods in response to new information and changing conditions.

Need to improve: 4. Problem Solving: Identifies the existence of problems that impede accomplishing tasks. Researches the cause of problems and offers a variety of solutions to resolve problems. Explores new ways to accomplish tasks. Implements solutions to problems to ensure completion of affected tasks in a timely manner.

Need to improve: 5. Communication: Listens actively and attends to non-verbal cues when communicating with others. Provides information on products, services, resources, or opportunities, as applicable. Explains, defends, or justifies decisions, recommendations, and findings. Discusses results, problems, plans, suggestions, terms, or conditions with others. Persuades others to take a particular course of action or to accept findings and recommendations. Acts effectively as a liaison between work unit and customers. Prepares reports, briefs, and studies. Explains technical or other complex information.

Acceptable: 6. Technical Proficiency: Demonstrates and applies relevant knowledge and skills to perform work in accordance with applicable guidelines. Uses appropriate and available technology or tools to perform work activities. Demonstrates an understanding of the organization's mission, functions, and systems including the application of standard security procedures. Acquires, develops, and maintains relevant and appropriate job skills through training or other opportunities for learning and development. Gathers and/or analyses data or information relevant to security issues. Verifies accuracy, completeness, and/or authenticity of information in documents, reports, and records.

Opportunity to Demonstrate Acceptable Performance

The opportunity period begins September 1st, 2013 and will continue for 90 days. If you fail to improve your performance levels, it may result in demotion or removal without any further opportunities. As stated earlier, this IPN is to assist you in improving your performance. The following requirements only apply to your assigned leadership trees. Below is a list of duties you must perform proficiently during the next 90 days:

1. Check with MCC for Officer Call Outs and be present in the BDO Room at 12:30 the onset of your shift to conduct daily in/out briefings and disseminate information to Officers every day.
2. Monitor employee attendance and leave requests using AIMS. You must ensure that, on a daily basis, you are reviewing AIMS OPM71 leave requests and either approving or disapproving these in a timely manner, with no less than 2 pending before RDOs. On a daily basis you need to open and look in locked boxes on the wall in the BDO room between the BDO notebook cabinets for any paper OPMs or exception forms that need to be addressed.
3. Audit Kronos swipe times and look for / correct any problems that may result in exceptions forms or AWOLs. 98% accuracy for pay period.
4. Daily data entry into employee attendance overviews on BDO Administration I-Share, and monitoring attendance records on a regular basis to ensure accountability and compliance. You will be asked to provide attendance overview records for your officers at any given time. As stated in the core competencies of the EPMP, you are expected to, "use appropriate and available technology or tools to perform work activities." Accountability for unacceptable patterns of leave/abuse must be addressed as soon as is practical, if you are unsure of action for a specific case ask Donna or myself.
5. Random video observations using CCTV two times per week, sign log book.
6. Daily data entry to BDO Administration I-Share Performance Logs, 98% accuracy for pay period.
7. Work on the floor in the queue with officers at least 12 hours per week, submit completed log at end of each pay period. Complete and submit newly implemented TSM Daily Operations Summary.

(THIS DOCUMENT CONTAINS PII AND MUST BE HANDLED ACCORDINGLY.)

8. Curtail time spent with FAM Officers and MDPD strictly to break and lunch times, you are not to walk with FAM Officers throughout the airport.
9. Improve communication with peers, specifically professional and courteous communication that will foster an improved leadership atmosphere. This will be measured by Donna and me through in person observation and email traffic.
10. Instructions regarding the performance of your duties and responsibilities must be followed as soon as is practical for implementation, if you are unable to immediately implement any assigned tasks, you must contact your leadership and explain the circumstances and approximate time frame you will be able to complete. 100% compliance with all tasks.
11. As a Transportation Security Manager you must present yourself in a clean and neat manner while at work. While it is permissible to not be dressed in a suit for one day on the weekend and one during the week, you must still present yourself in a professional manner while representing the agency.
12. Off duty personal issues, affecting your on duty performance. You must be able to set aside issues that happen outside of work to prevent them from affecting your performance and responsibilities.

Assistance during IP

During the period of the IPN, I will serve as your mentor. I will observe your performance and make suggestions on your actions. You are to report any problems or address your questions to me. If I am not available to meet with you, STSM Queratto will be available to assist you.

Your Development:

In addition to the list of duties you must accomplish during the next 90 days, you must also take the following OLC training:

- **Enhanced Listening Skills (Course TSA-COMM-ENHANCLISTEN-SKSFT)**
- **Attracting, Developing, and Retaining Generations (COURSE TSA-LEAD-ATTRDEVREI GEN-SKSFT)**
- **Cornerstone: A Day in the Life of a DHS Supervisor, Understanding the DHS Leadership Commitment (COURSE TSA-GTOL-CRNRSTN-DLS)**

(THIS DOCUMENT CONTAINS PII AND MUST BE HANDLED ACCORDINGLY.)

If you believe that a medical condition impairs your performance, I request that you provide a statement from your physician that addresses your impairment and whether or not you continue to be fit for duty as required by the Aviation and Transportation Security Act, Public Law 107-71 and TSA policy. However, you must remember that the mission of TSA requires that every employee meet the critical elements in order to best serve the traveling public and the security requirements of the agency. Further, TSA Managerial Directive (MD) 1100-73-5, *Employee Responsibilities and Conduct*, states that you have an obligation to report for work physically fit as needed by your job requirements.

If you believe that a personal problem may be impeding your ability to perform your duties at an acceptable level, I encourage you to seek assistance through the agency's contract Employee Assistance Program (EAP). Participation in this confidential program is voluntary. You may reach a counselor by calling 1-800-222-0364.

I believe that if you apply the guidance and suggestions given to you during the week by your mentor and use the weekly meetings to develop and improve your skills, you will be able to bring your performance to a satisfactory level.

Please sign the acknowledgement of receipt of this IPN below. Your signature does not indicate your agreement with this action; it only represents receipt of this notice on the date signed. However, your refusal to sign does not relieve you of your obligation to participate in the IPN.

(b)(6)

SPOT Transportation Security Manager

08/29/13
Date:

Receipt Acknowledged:

(b)(6)

SPOT Transportation Security Manager

8/29/13
Date:

Dale Dalton
Witness Print

Dale Dalton
Witness Sign

8/29/13
Date:

ATTACHMENT #10



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: February 6, 2014 9:55pm April 9, 2014 11:45am
Activity or Interview of: (b)(6) MBDO MIA	Conducted by: Special Agent Charles A. Diaz Location of Interview/Activity: TSM Office MIA

Subject Matter/Remarks

On February 6, 2014, and April 9, 2014, Special Agent Charles Diaz interviewed MBDO (b)(6) (b)(6) regarding allegations of misconduct against BDOM (b)(6)

MBDO (b)(6) advised that her issues with BDOM (b)(6) being unprofessional as a manager were from a couple of years ago when she was supervised by BDOM (b)(6). She alleged that BDOM (b)(6) sides with his friends whenever there was a conflict and that BDOM (b)(6) was very vindictive. She claimed to have documented instances of this behavior in her daily log book, which is stored by management. She said she would need to review her old books to say when this misconduct took place. She has not worked for BDOM (b)(6) since she requested a shift change and does not have any information about the referrals. (DAFSD Evelyn Franchini spoke to BDOM (b)(6) about BDOM (b)(6) allegations, however, MBDO (b)(6) would not put anything in writing.)

MBDO (b)(6) advised she has heard BDOM (b)(6) make disparaging remarks towards others, however, she believed most of the remark were in a joking manner.

After reviewing the above mentioned log books, MBDO (b)(6) was re-interviewed on April 9, 2014, however, she was unable to provide any additional information.

Case Number: I14-0009	Case Title: BDO (b)(6)
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(Revised 12-15-08)

ATTACHMENT #11



MEMORANDUM OF INTERVIEW OR ACTIVITY

Type of Activity: <input type="checkbox"/> Personal Interview <input checked="" type="checkbox"/> Telephone Interview <input type="checkbox"/> Records Review <input type="checkbox"/> Other	Date and Time: February 11, 2014 9:55pm
Activity or Interview of: (b)(6) Former Employee at MIA	Conducted by: Special Agent Charles A. Diaz
	Location of Interview/Activity: Telephonic 304-379-5000

Subject Matter/Remarks

On February 5, 2014, Special Agent Charles Diaz telephonically interviewed former TSA employee (b)(6) regarding allegations of misconduct against BDOM (b)(6). Mr. (b)(6) is now employed by the (b)(6).

Mr. Lindsay was in the BDO program at MIA until his departure in January 2014. Mr. (b)(6) stated that BDOM (b)(6) directed him on multiple occasions to refer a passenger for secondary screening based solely on the behaviors dictated by BDOM (b)(6). Mr. (b)(6) nor his partner observed any of the indicated behaviors. Mr. (b)(6) said he did the referrals because BDOM (b)(6) was a manager. This occurred for a couple of months in the fall of 2013. Mr. (b)(6) was asked if he believed BDOM (b)(6) targeted the individual because of race, sex or ethnicity. He did not believe that was the case.

Mr. (b)(6) had heard BDOM (b)(6) make derogatory comments, under his breath, about a co-worker. He could not provide specifics.

Case Number: I14-0009	Case Title: BDO (b)(6)
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(Revised 12-15-08)