

SWORN STATEMENT



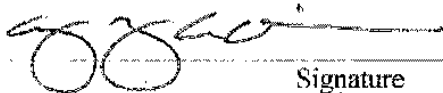
Transportation Security Administration

I, CY OKINAKA, having been duly sworn, hereby make the following statement to S/A KEITH EDWARDS, 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 ***


With 7 attachments

I have read this entire statement consisting of 7 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.

X 
Signature
Cy Okinaka

Signed and sworn to before me, this 23RD day of JAN., 20 12

Witness


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

January 23, 2012

I, Cy Okinaka, hereby make the following statement to Special Agent Akemi Wayne & Mike Striglers, who has been identified to me as a federal law enforcement officer and Special Agents with the Transportation Security Administration, Office of Inspections (OI). I am making this statement of my own free will, without any duress or coercion.

I, Cy Z. A. Okinaka, am the Assistant Federal Security Director - Screening (AFSD-S) at the Honolulu International Airport (HNL). I have been the AFSD since September 25, 2011. I was officially detailed into the AFSD-S position in HNL since July 3, 2011, and remained in that capacity until I was officially promoted on September 25, 2011. I have worked for the Transportation Security Administration (TSA) since November 2002. As the AFSD-S, I have primary oversight of all Screening operations and its management in TSA HNL and Pago Pago, American Samoa (PPG). This includes direct oversight of the Deputy Assistant Federal Security Director - Screening (DAFSD-S), Bill Daley; The SPOT TSM (I Band), (D)(B) The Special Operations & Logistics TSM, John Brandon; and the TSM in PPG, Fatu AhSoon. In my capacity as the AFSD-Screening, I also serve in the capacity of SPOT Coordinator.

From April 2007 - July 2011, I served in the capacity of DAFSD-Screening and oversaw the Checkpoint (CP) and Checked Baggage (CB) screening operations, and its TSMs, for the evening (PM) shift in HNL. My counterpart (D)(B) (who has since been removed from Federal Service) oversaw the morning (AM) CP & CB operations and the entire BDO Program. At that time, he served in the capacity of SPOT Coordinator.

Racial Profiling:

I was first made aware of any allegations of Racial profiling against any BDOs in HNL on or about August 18, 2011, through an e-mail sent to me by Acting FSD, Stanford Miyamoto (Attachment 1). On this date, I was on Annual Leave in Alaska and returned to the office on August 22, 2011. This e-mail included a request from "Investigative Reporter" Keoki Kerr to answer a litany of questions specifically about Racial Profiling allegations in HNL as well as some other allegations which I'll address later in this statement. One of the allegations made was that co-workers referred to SPOT TSM (D)(B) and BDO (D)(B) as "Mexicutioners". Prior to reading this e-mail, I have never heard of the term "Mexicutioner(s)", nor did I ever hear of this term ever being used in HNL. I also had no knowledge of Racial Profiling and no allegations of Racial Profiling have ever been brought to my attention, both within the BDO program and/or outside of the BDO program within TSA HNL. The information/allegations included in the aforementioned e-mail was the first time that I gained any knowledge of Racial Profiling within TSA HNL.

On or about August 22, 2011, upon my return to work from annual leave, I met with FSD Miyamoto, who gave me a brief of the news reporter request, as well as discussions he was having with TSA HQ on the plan forward on how we will address. A request was made at that time by TSA HNL as well as TSA HQ for the following items:

- Immediate refresher training for all HNL BDOs
- Covert visits by a SPOT HQ team to determine if there are any findings of Racial Profiling
- Standardization Team Visit

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- Discussion on conducting an inquiry

It was determined that TSA HQ was going to work on sending teams out to conduct the refresher training, covert visit, and the standardization visit. It was also communicated at that time that the DHS OIG that was scheduled to come in early September 2011 would handle completing an inquiry into the allegations that were made (attachment 2).

On or about August 24, 2011, I was informed by SPOT TSM (b)(6) that BDO (b)(6) reported to her (on or about August 22, 2011) that he had some concerns about BDO (b)(6), and the perception he had that she "profiles" (Attachment 3). I immediately notified FSD Miyamoto regarding this and we determined that we would have SPOT TSM (b)(6) conduct an inquiry into this allegation. (b)(6) with the assistance of her fellow SPOT TSMs, conducted an inquiry into the allegations and summarized in a closing report. She forwarded me a copy of this report for review on or about September 6, 2011. After reviewing this report, I found that there were no direct evidence/facts linking BDO (b)(6) to the alleged "Racial Profiling". This report has been provided to the OI Inquiry Team for further review.

On or about August 25, 2011, FSD Miyamoto and I met with 2 separate groups of BDOs, the AM shift and the PM shift, to conduct a 360 type town hall session, where we briefed them on significant events as well as opened the floor to any concerns they may have had. We did not include any BDO management in this town hall sessions with the intent that it will provide an atmosphere where officers could freely speak about any concern even if it had to do with management. The attached e-mail (attachment 4) outlines some of the issues discussed and some of the resolutions. There was no issues brought up at this time in regards to Racial Profiling nor was there any issues expressed regarding BDO Management.

On or about September 12, 2011, TSA HNL was visited by the DHS OIG team who were conducting an audit of HNL Management and Oversight of Screening Operations. In our initial in-brief, as well as our out-brief, they made it clear that they were not here to conduct an "Investigation" but more an "Audit". However, they had specific bulleted items they were asking for in advanced, some of which were specifically related to the allegations made against the BDO team (Attachment 3). This gave me an impression that they would be providing a final report of findings to TSA HQ for further action. Because of this, TSA HNL Management determined that no further inquiry was needed.

On or about September 14 – 21, 2011, BDOs from the National SOPT Training Team conducted SPOT refresher training for all BDOs in Honolulu. This training was conducted by a team of SPOT trainers that came from other airports within the US. This training is currently being conducted nationwide, however, due to the attention bestowed upon TSA HNL, we were able to expedite the scheduling of this training here in HNL.

On or about September 19 -26, 2011, a covert team visited HNL and conducted a covert audit, specifically on the BDOs performing their SPOT duties. We received a final report on this visit which stated "At no time did the team see any possible misconduct related to particular ethnic groups".

On or about October 31, 2011, KITV News 4 aired a report in regards to the allegations made of Racial Profiling. This was the follow-on story to the information requested by TSA in August 2011. This news report caused a lot of hurt feelings among the BDO team, therefore, FSD Miyamoto and I called the current duty BDOs into the FSD conference room where we briefed them on the article and opened the

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floor to any questions that the officers may have. Mainly, we expressed to the BDO officers the importance of remaining vigilant in conducting their day to day work and re-assured them that these allegations were being looked into by the DHS OIG team.

On or about December 2, 2011, KITV News 4 aired a second report stating that one of the BDO's that was initially identified as conducting racial profiling, was promoted and would be receiving a pay increase. This was in regards to SPOT TSM (b)(6) who was accepted to the SPOT National Training Team. SPOT TSM (b)(6) applied for this sometime in June 2011 and was interviewed and selected by SPOT HQ to participate on this team. It was not a promotion and did not include a pay increase. It was a collateral assignment that was offered to him.

This article caused great concern among the workforce and caused TSA HNL Management to discuss further with TSA HQ. In discussion with FSD Miyamoto, DFSD Frank "Mike" Abreu, and myself, we determined that due to the vagueness of the scope of the OIG "Audit" and the feeling that we needed to move quickly on addressing these anonymous complaints being made to the media, FSD Miyamoto assigned DFSD Abreu to conduct an internal inquiry into the allegations. DFSD Abreu started this immediately.

In the meantime, we reported this to TSA HQ which immediately sparked their attention. We informed them of our intentions with the local inquiry and awaited further direction from them on how to move forward. They informed us that they will need to look into further, but recommended that we pull BDO (b)(6) and SPOT TSM (b)(6) from performing any further BDO functions or oversight. We pulled them immediately and assigned them to performing non-screening/BDO functions (assigned to the AFSD of Mission Support, Patrick Smith).

DHS OIG returned for a follow-up visit on or about December 5, 2011 and reported to us that they were complete with the BDO portion of the Audit and that all results were sent to DHS HQ to review. They also mentioned that the results were going to be forwarded on to TSA OI for review and decision on if an inquiry/investigation needed to be conducted.

Sometime in December 2011, TSA HQ informed us, via a conference call that a representative from DHS OIG will come down to conduct an inquiry and ordered us to stop any local inquiry that we were conducting. DFSD Abreu immediately ceased the inquiry that he started. In January 2012, we were informed that DHS OIG would not be coming to conduct an inquiry, however, that TSA OI would be coming to conduct an inquiry.

TSA OI arrived on January 20, 2012 to start their inquiry.

I was once asked why I felt that HNL had a high amount of illegal alien arrest as an outcome of a BDO referral, which was opposite from what a GAO report once shown based on nationwide standards. My feeling is that Hawaii has a lot of agricultural related jobs, which some of these companies were under scrutiny recently of hiring illegal aliens. If the population of illegal aliens is high in Hawaii, there is a high likelihood of these individuals being caught at stress points such as TDC locations by trained BDOs. Normally, individuals who have criminal histories or who are currently breaking laws tend to stay away from airports, even if they need to transit to other states or distant locations, as this keeps them away from officials who conduct searches of all travelers. Hawaii is unique in a sense as there is no means of transit to other islands or out of state besides air travel. We do not have the ability to drive off island, nor do we have a water ferry system that takes us between islands. Therefore, all individuals wishing to

travel out of the island, will need to come through the airport. This may be a big reason why HNL has a lot more SPOT referrals as compared to other airports nationwide.

Sleeping While On Duty

I was first made aware of any allegations of, SPOT TSM [REDACTED] and BDO [REDACTED] being caught sleeping while on the overnight shift, on or about August 18, 2011, through the same e-mail sent to me by Acting FSD, Stanford Miyamoto (Attachment 1). As stated earlier, we did not immediately conduct an inquiry into these allegations, as the direction from HQ was that the DHS OIG would be conducting the investigation into all the allegations. FSD Miyamoto did, however, appoint DFSD Abreu for a short period in December 2011, to conduct an inquiry into the numerous allegations. In the short time that DFSD Frank Abreu conducted his inquiry, he did find, and reported that it was a misinterpretation. No officers that he interviewed observed SPOT TSM [REDACTED] or BDO [REDACTED] sleeping at anytime while on shift. What he did find was that one of the BDOs was going on a camping trip and asked another officer to use their camping cot. This officer brought this cot into the office where it stayed for about a week until the officer who was going to use it, took it home. This may have given the impression that officers were using it to sleep, however, the findings showed otherwise. DFSD Abreu will be providing a summary of his preliminary findings separately.

Relationship with DEA Agent

I was first made aware of any allegations of, BDO [REDACTED] boasting of a DEA friend tipping him off to potential drug runners, on or about August 18, 2011, through the same e-mail sent to me by Acting FSD, Stanford Miyamoto (Attachment 1). As stated earlier, we did not immediately conduct an inquiry into these allegations, as the direction from HQ was that the DHS OIG would be conducting the investigation into all the allegations. FSD Miyamoto did, however, appoint DFSD Abreu for a short period in December 2011, to conduct an inquiry into the numerous allegations. In the short time that DFSD Frank Abreu conducted his inquiry, he did find, and reported that it was a misinterpretation. DFSD Abreu will be providing a summary of his preliminary findings separately.

TSM [REDACTED] Drug Test

I was first made aware of SPOT TSM [REDACTED] positive drug test on June 9, 2011 via an e-mail from DAFSD Adam Myers. Per MD 1100.75-3, Addressing Unacceptable Performance and Conduct (revision #3), the delegation of authority for all removals was at the DFSD level or higher. Being that this offense warranted removal, Acting DFSD Richard "Dick" Wiles was assigned as the deciding official in this case. Attached you will find a timeline gathered by Legal Counsel Eugene Whitaker outlining the events related to this case (Attachment 5). At a point in time, during July 2011, a decision was made (under recommendation of Legal counsel Whitaker) to move to a 2 step process due to the fact that SPOT TSM [REDACTED] kept presenting possible drug defenses to his positive result. By doing a 2 step process, we provide a definite timeframe of 7 days for SPOT TSM [REDACTED] to provide any more defenses. This would provide a definite end to his numerous defenses presented. I served him the Proposed Removal Action on July 27, 2011. After serving the proposal action, I am not aware of the events leading to his Last Chance Agreement that was finally served to him on or about December 13, 2011. DFSD Abreu will be providing a summary of his knowledge in relation to this case and the serving of the Last Chance Agreement.

Mexican Consulate Complaint

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I was made aware by FSD Miyamoto, that in December 2011, he received a letter from the Consulate General of Mexico stating that their own staff has experienced targeted scrutiny when traveling through Honolulu. During my time in HNL, I am only aware of one complaint that we received from the Mexican Consulate regarding "Targeted Scrutiny". On or about September 08, 2008, we received an e-mail from (b)(6) with ICE informing us of a complaint he received from (b)(6) who was with the Consulate general of Mexico (Attachment 6). It was alleged that he and the kids (b)(6) were subjected to harassment and mistreatment when going through the TSA HNL security checkpoint on August 7, 2008. After checking further into this claim, we found that no harassment occurred and the reason for the "Extra Scrutiny" (b)(3) 49 U.S.C. § 114(n) (Attachment 6). (b)(3) 49 U.S.C. § 114(n) Other than this, I have never received a complaint from the Mexican Consulate in regards to any harassment or profiling that they experienced in HNL. It seems their recent letter stemmed from the allegations made to the news media and not so much due to a recent incident. I do recall a time when I received a call from the Mexican Consulate's office inquiring about the practice that they have where their Consulate General comes to HNL on a regular basis to issue temporary Mexican Passports (Attachment 7). Their concern was that our officers would not accept this at the TDC location, and they wanted to be proactive by stating that it was an official document. I did explain to the consulate that we have a SOP that provides a listing of acceptable forms of ID that a person can present (which this document was not part of). In my experience in HNL, I can't ever recall an incident where a passenger was denied boarding and only had this document available for reference.

Anonymous Source

At this point, I don't have any concrete evidence that can tell me who the anonymous source is that's providing these allegations to the media. I do have a strong feeling on who it may be, however, it's purely my opinion. Those individuals that I feel are providing this information to the media is 1) BDO (b)(6) and 2) LTSO (b)(6). There are a few reasons why I feel this is true:


- From what I recall, there was a few inquiries done in the past (copies of inquiries provided to OI for review) in regards to the BDO program, more specifically in regards to complaints made by a few BDOs of unprofessional conduct that occurred once this alleged romantic relationship went bad. The two BDOs involved in the romantic relationship were BDO (b)(6) and LTSO (b)(6) (former BDO). The findings of the inquiries will provide you with more information as to what specifically occurred, and actions that was taken, however, I do understand that BDO (b)(6) and LTSO (b)(6) was also involved as they took the side of (b)(6) and also was named in a complaint filed by BDO (b)(6). Being that these actions taken against a few of these individuals were not known to each other, they were not happy, and felt that management at that time did not do their due diligence of correcting the issue. Again, I don't have much knowledge of these incidents as I was not in the management chain of command at that time and was not privy to a lot of what was going on. 6

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aw

I am aware that in January 2011, it was alleged by BDO Management that BDO (b)(6) was using FMLA Sick Leave while on a ski trip with some fellow officers, while filming an episode of "The White Room Episodes". This alleged fraudulent use of FMLA was reported to TSA OI who sent a few Special Agents down to look further into. Interviews were conducted in this case and a report of investigation was submitted, however, action was pending as Legal Counsel, Whitaker recommended OI come back to complete some questions he felt needed to be asked. MBDO (b)(6) has since been off of work which is making it difficult for the questioning to continue. I feel that he is aware of testimony received from fellow officers who were with him on this trip, and he has a feeling that he will be removed from federal employment. Because of this, I feel he is making these complaints as a distraction to his current case. I also feel he is trying to build his case where he claims that TSA HNL was mismanaged, especially as it relates to recent actions that management took in relation to these recent allegations brought against him. MBDO (b)(6) has also been AWOL from work since December 27, 2011, but he is claiming that he has work related stress, and he has a physician note supporting his need to be away from work due to this. I have since not approved his LWOP request, and subsequently received a letter from his attorney claiming that I am harassing him based on his medical condition and also retaliating against him due to a pending EEO case he has filed against a few of his fellow co-workers and managers. We are working on moving forward with a proposal action for removal due to his recent AWOL status and also due to the outcome of the OI inquiry conducted in the recent past. MBDO (b)(6) has also recently filed for disability retirement which he may be trying to stall any adverse actions against him so this can be approved.

It is because of these reasons that I feel these officers are making these claims to the media.



 Cy Okinaka

Attachment:

1. E-mail from FSD Miyamoto dated August 18, 2011 (KI/TV Request)
2. E-mail from FSD Miyamoto dated August 30, 2011 (OIG Request for Documents)
3. E-mail from STSM (b)(5) dated August 25, 2011 (Racial Profiling Complaint)
4. E-mail from STSM (b)(6) dated August 25, 2011 (360/Town Hall Issues)
5. Timeline of Events re (b)(6) (created by E. Whitaker)
6. Complaint from (b)(6) includes BP copies
7. Sample Mexico Temporary Passport *aw*

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Attachment 1

Okinaka, Cy

From: Miyamoto, Stanford
Sent: Thursday, August 18, 2011 8:32 AM
To: Okinaka, Cy; Daley, Bill
Subject: FW: Questions about TSA Honolulu - SPOT
Attachments: KITV Response 8.17.2011.doc

Fyi....only.

Stanford N. Miyamoto
Assistant Area Director
Pacific Islands (Hawaii, Guam, Saipan, American Samoa) 300 Ala Moana Blvd., #8-153 Honolulu,
HI 96850

[REDACTED] cell
808 541 3329 fax

[REDACTED]

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

From: Miyamoto, Stanford
Sent: Wednesday, August 17, 2011 5:38 PM
To: Soule, Greg
Cc: Johnson, Scott T; Whitaker, Eugene; Adams, Eugene; McLaughlin, Chris L; Lenihan, John; Davis, Ann; Carraway, Melvin; Payne, Sterling; Burche, Daniel; Melendez, Nico; Lee, Kristin; Maccario, Carl; Wiles, Richard
Subject: RE: Questions about TSA Honolulu - SPOT

Greg,

Please see attached proposed response to the KITV investigator inquiry.

It appears that over the past several years the HNL BDO program (although being identified as an exceptional program by prior SPOT Standardization visits) has had internal management and personnel issues that still appear to be occurring. Since 2009 there have been seven (7) EEO complaints by BDOs and there were three (3) internal initiated inquiries into the HNL program. The HNL BDO TSM mentioned that she has three (3) challenging employees on one specific shift that continue to create workplace problems and feel they are using the media as a vehicle to vent personal issues. As a result, she has asked for another SPOT Standardization visit. We will look into and address the problems that continue to surface in this program.

Please let me know if you need anything else.

Stanford N. Miyamoto

Assistant Area Director
Pacific Islands (Hawaii, Guam, Saipan, American Samoa) 300 Ala Moana Blvd., #8-153 Honolulu,
HI 96850

(b)(6) cell

808 541 3329 fax

(b)(6)

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

From: Carraway, Melvin [mailto:Melvin.Carraway@dhs.gov]

Sent: Tuesday, August 16, 2011 8:25 AM

To: Soule, Greg; Burche, Daniel; Carraway, Melvin; Melendez, Nico; Lee, Kristin; Payne, Sterling; Maccario, Carl

Cc: Miyamoto, Stanford; Johnson, Scott T; Whitaker, Eugene; Adams, Eugene; McLaughlin, Chris L; Lenihan, John; Davis, Ann

Subject: RE: Questions about TSA Honolulu - SPOT

HNL will be putting together data points as much as is available as well. Also HNL will provide any historical background on the BDO program there to including the current status. HNL will provide this information by Thursday. mel

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

From: Soule, Greg [mailto:(b)(6)]

Sent: Tuesday, August 16, 2011 11:19 AM

To: Burche, Daniel; Carraway, Melvin; Melendez, Nico; Lee, Kristin; Payne, Sterling; Maccario, Carl

Cc: Miyamoto, Stanford; Johnson, Scott T; Whitaker, Eugene; Adams, Eugene; McLaughlin, Chris L; Lenihan, John; Davis, Ann

Subject: Re: Questions about TSA Honolulu - SPOT

Thanks Dan. Appreciate it.

Greg Soule
TSA Public Affairs
Greg.soule@dhs.gov
Cell: (b)(6)

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

From: Burche, Daniel (b)(6)

To: Soule, Greg (b)(6); Carraway, Melvin (b)(6); Melendez, Nico (b)(6); Lee, Kristin (b)(6); Payne, Sterling (b)(6); Burche, Daniel (b)(6); Maccario, Carl (b)(6)

(b)(6); (b)(6); Johnson, Scott T (b)(6); Whitaker, Eugene (b)(6); Adams, Eugene (b)(6); McLaughlin, Chris L (b)(6); Lenihan, John (b)(6)

Cc: Miyamoto, Stanford (b)(6); Johnson, Scott T (b)(6); Whitaker, Eugene (b)(6); Adams, Eugene (b)(6); McLaughlin, Chris L (b)(6); Lenihan, John (b)(6)

Sent: Tue Aug 16 13:18:32 2011

Subject: Re: Questions about TSA Honolulu - SPOT

Spoke to Mel and left a VM for Greg. We will pull what is avail in PMIS by COB tomorrow. We do not track by nationality. HNL arrests tend to fall into 2 areas, illegal and drugs. However if the behaviors are there then they are there

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

From: Soule, Greg (b)(6)
To: Carraway, Melvin (b)(6); Melendez, Nico (b)(6); Lee, Kristin (b)(6); Payne, Sterling (b)(6); Burche, Daniel (b)(6); Maccario, Carl (b)(6)
Cc: Miyamoto, Stanford (b)(6); Johnson, Scott T (b)(6); Whitaker, Eugene <TSA OCC> (b)(6); Adams, Eugene; McLaughlin, Chris (b)(6); Lenihan, John (b)(6)
Sent: Tue Aug 16 12:14:21 2011
Subject: RE: Questions about TSA Honolulu - SPOT

Thanks Mel. From our perspective, it would be helpful to have all the facts internally, to assist in formulating our response. I've CC'ed the SPOT program folks to assist.

Many of the questions below would be referred to law enforcement or answered through FOIA; however, given how newsworthy the allegations are, we want to be prepared as best as possible before recommending a response.

Has there been an internal investigation?

Thank you,

Greg Soule
Transportation Security Administration
U.S. Department of Homeland Security
Public Affairs
Desk: 571-227-(b)(6)

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

From: Carraway, Melvin [mailto:(b)(6)]
Sent: Tuesday, August 16, 2011 11:45 AM
To: Melendez, Nico; Lee, Kristin; Payne, Sterling; Soule, Greg
Cc: Miyamoto, Stanford; Johnson, Scott T; Whitaker, Eugene <TSA OCC>; Adams, Eugene
Subject: RE: Questions about TSA Honolulu

All,

(b)(5)

It appears he is not fully convinced whether this is a story about HNL or the BDO program.
Mel

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

From: Melendez, Nico
Sent: Tuesday, August 16, 2011 7:24 AM
To: (b)(6); Payne, Sterling; (b)(6)
Cc: Miyamoto, Stanford; Carraway, Melvin
Subject: FW: Questions about TSA Honolulu

Pretty significant accusations from HNL TSA staff and represented to me from an investigative reporter. He's not on deadline and has agreed to give me as much time as necessary to get some kind of answer. (b)(5)

(b)(6) Will keep you advised of information as I receive it and submit answer/answers for approval.

Nico

Nico Melendez, MPA
TSA Public Affairs Manager
California-Arizona-Hawaii

O: 909-472-

C: (b)(6)

E: (b)(6)

3401 Centrelake Drive
Suite 625
Ontario, California 91761

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

From: prvs=201ee3fe7=kgkerr@kitv.com on behalf of Kerr, Keoki R
Sent: Mon 8/15/2011 4:08 PM
To: Melendez, Nico
Subject: Questions about TSA Honolulu

Dear Mr. Melendez:

Please find a list of questions about various operations, allegations, statistics and other information regarding the Transportation Security Administration office at Honolulu International Airport.

When did the behavior detection officer program begin at HNL TSA?

Since the BDO program started at HNL TSA, how many foreign nationals have been arrested after being stopped by BDOs at HNL?

What's the country-by-country breakdown of all of those illegal aliens arrested through cases initiated by BDOs at HNL since the BDO program began in Honolulu? (Example: Mexico. 70 arrests, China . 5 arrests, etc.)

Can you explain why so many Mexicans have been arrested in Honolulu, compared to people from other countries?

Why are two BDOs, (b)(6) and (b)(6), responsible for nearly all of the arrests of Mexicans in Honolulu? (Co-workers refer to them as the "Mexicutioners.") Is this true?

Some TSA employees complain those two BDOs are guilty of racial profiling, and it's well known they target Mexicans, inventing suspicious behaviors to justify pulling them in for extra scrutiny. How do you respond to these allegations?

TSA employees also complain managers know about the frequency of the arrest of Mexicans, since managers review arrest paperwork, but employees say managers "look the other way" because "all they care about is numbers" of arrests, not why people are arrested or whether they actually pose a threat to aircraft or passengers and crew. What's your response to these allegations?

TSA employees also say when two BDOs, (b)(6) and (b)(6), were caught sleeping on the overnight shift at HNL several years ago, they were never disciplined. Instead fixing the problem, TSA employees say the TSA simply eliminated the overnight shift of BDOs about two years ago. Is this true? Why was the overnight shift eliminated?

BDO (b)(6) a former Honolulu police officer, boasted of a friend who worked at the Drug Enforcement Administration who would tip him off to potential drug runners. During his work as a BDO officer, he found nearly \$1 million in cash that was seized from passengers, far more than any other BDO, and he won awards from the DEA and the TSA for his work. But his cash finding skills seemed to stop when his friend with the DEA moved away. Is this proper use of the BDO program, that's supposed to detect terrorists?

HNL TSA managers claim that the BDO program is not driven by arrests or referrals to other federal agencies, but employees want to know why such referrals and arrests are needed to receive a positive work evaluation?

Do TSA behavior detection officers have specific training to address cultural sensitivity and civil rights, specific to their work duties, so they are discouraged from automatically targeting one ethnicity or people whose skin is a certain color?

What is the breakdown of the ethnic background of the BDOs working at HNL? (For example . 20% Caucasian, 40% Asian, 20% Pacific Islander, 10% Hispanic, etc.)

How many EEO complaints have been filed by HNL TSA employees against fellow HNL TSA employees in each of the following years: 2009, 2010, 2011 (this year so far)?

How many EEO complaints have been filed by HNL TSA employees against HNL TSA managers (including lead screeners, supervisors, screening managers, and upper-echelon management like AFSDs, DFSDs, FSD, et al) in each of the following years: 2009, 2010, 2011 (this year so far)?

How many sexual harassment complaints (a subset of EEO complaints) have been filed by HNL TSA employees against fellow HNL TSA employees in each of the following years: 2009, 2010, 2011 (this year so far)?

How many sexual harassment complaints (a subset of EEO complaints) have been filed by HNL TSA employees against HNL TSA managers (including lead screeners, supervisors, screening managers, and upper-echelon management like AFSDs, DFSDs, FSD, et al) in each of the following years: 2009, 2010, 2011 (this year so far)?

Does the TSA feel there's a morale problem among TSA employees at HNL?

What's being done to improve morale at TSA HNL?

Thank you for your time,

Keoki Kerr

KITV 4 News

(808) 223-7962

Attachment 2

Okinaka, Cy

From: Miyamoto, Stanford
Sent: Tuesday, August 30, 2011 12:34 PM
To: SMITH, PATRICK M.; Bean, Jeanette; Okinaka, Cy; Byrnes, Kevin R; Chong Tim, Dana
Cc: Wiles, Richard; Whitaker, Eugene <TSA OCC>; Carraway, Melvin ; Coutts, Dave
Subject: DHS OIG Audit

Per DHS OIG Audit Manager, Christy Haynes:

- Team will be here from Monday, September 12th thru Thursday, September 22nd. There will be an in brief and out brief session.....team may be back in Oct/Nov as required.
- Details of the audit requirements will be provided by separate email.....they will also look at the BDO program and EEO complaints.

Stanford N. Miyamoto

Assistant Area Director
Pacific Islands (Hawaii, Guam, Saipan, American Samoa)
300 Ala Moana Blvd., #8-153
Honolulu, HI 96850
(b)(7) cell
808 541 3329 fax
(b)(7)

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Okinaka, Cy

From: Miyamoto, Stanford
Sent: Thursday, September 01, 2011 10:18 AM
To: SMITH, PATRICK M; Bean, Jeanette; Chong Tim, Dana; Okinaka, Cy; Byrnes, Kevin R
Cc: Wiles, Richard; Carraway, Melvin; Coutts, Dave
Subject: FW: DHS-OIG Audit Team

FYI.....we will discuss preparation for the visit at this afternoon's meeting.....thanks.

Stanford N. Miyamoto

Assistant Area Director
Pacific Islands (Hawaii, Guam, Saipan, American Samoa)
300 Ala Moana Blvd., #8-153
Honolulu, HI 96850
[redacted] cell
808 541 3329 fax
[redacted]

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From: Priestman, Gwendolyn [mailto:[redacted]]
Sent: Thursday, September 01, 2011 9:26 AM
To: Miyamoto, Stanford; SMITH, PATRICK M
Cc: Leal, Enrique; King, Kevin; Haynes, Christine; O'Malley, Patrick
Subject: DHS-OIG Audit Team

Good Morning FSD Miyamoto,

Thank you for taking the time to speak with me this morning. As we discussed, I have attached a list of the current HNL TSA employees we would like to interview on Tuesday, September 13th and Wednesday, September 14th. The document is password protected to protect the identities of the individuals listed. A separate email with password will follow. Below, please find a brief overview of our audit along with topics we would like to discuss during our visit and a list of items we would like to have available at our initial meeting on Monday, September 12th.

As discussed at the Initiation Meeting with TSA on August 2, 2011, the DHS Office of Inspector General is performing an audit of the Honolulu International Airport Management and Oversight of Screening Operations. We will conduct fieldwork at Honolulu International Airport from September 12 - 22, 2011. We plan to begin with an opening meeting at approximately 8 AM on Monday, September 12. At this meeting, we can discuss our specific site visit objectives and work plan.

The objective of our audit is to evaluate the management and oversight of screening operations at Honolulu International Airport. This audit will involve the review of training and performance records as well as interviews with TSOs, LTSO's, STSO's, TSM's, the airport's senior management, and other personnel as identified during our review. In addition to responding to the Congressional inquiry of the security failures at the airport, the team plans to perform preliminary data gathering based on allegations regarding the behavior detection officer (BDO) program and equal employment opportunity concerns at HNL. This added scope was at the request of the Assistant Administrator for Inspection.

Topics we would like to discuss during our visit include:

1. Current and historical management and oversight of screening operations at HNL;
2. Local training policies and procedures;
3. TSO Staffing models and screening workload;
4. Performance management, including annual performance evaluations and disciplinary actions;
5. Local training process (concentrating on technical training) and record keeping;
6. Behavior Detection Program at HNL and,
7. Equal Employment Opportunity Program and reporting process at HNL.

Please have the following items available for review on Monday, September 12:

1. Local checked baggage screening and management oversight policies and procedures specific to Honolulu;
2. Access to personnel files for all TSA employees to include: performance indicators, performance evaluations, filed complaints (if any), disciplinary actions (if any) and any HNL specific training certificates;
3. Training report for TSA Employees that shows technical training during the time period of January 2010 – August 2011;
4. Access to training files for TSA Employees;
5. Management reports on passenger and baggage through put for HNL during the time period of January 2010 – August 2011;
6. Checked baggage screening equipment inventory listing and diagrams (by lobby or terminal area) from January 2010 through present;
7. Management Reports or Mitigation Requests submitted (approved or disapproved) during the time period of January 2010 – August 2011;
8. List of current HNL Behavior Detection Officers and their schedules for the weeks of September 12th and September 19th, 2011;
9. Management Reports on BDO Program (including number of passengers detained, questions, released, biographic information on passengers detained, incident reports filed based on BDO activity) and,
10. Number and details of EEO complaints filed by HNL TSA employees against HNL TSA employees or management from January 2009 through August 2011.

Please contact Audit Manager Christine Haynes, (b) (6), Auditor-In-Charge Kevin King, (b) (6) or me if you have any questions or concerns. We appreciate your cooperation.


Gwen

Gwendolyn D. Priestman

Program Analyst
Department of Homeland Security
Office of Inspector General

Office: (b)(6)

Blackberry: (b)(6)

 Please consider the environment before printing this message.

01/15/2015 10:00:00 AM

Attachment 3

Attachment 4

Roque, (b)(6)

Subject: RE: BDO PowerPoint for 360 Meeting

BDO team,

We appreciate you sharing the PowerPoint with your STSM management team (although not required); it looks like the team did a good job collaboratively re-introducing issues that deserve resolution. Please don't think that the PP list is final and inclusive. Any BDO may continue to work with the FSD staff, EMG, ICMS, EAC, etc on any issue applicable and relevant to the particular function, duties, and responsibilities of that group or unit. Please continue to apprise management of all issues, concerns, suggestions, and feedback related to SPOT. You STSM team will work diligently to either resolve the issue, request intervention, or refer the inquiry to the appropriate responding official; if the item is a conflict of interest with your direct supervisor; then please take advantage of the supervisory notification procedures with the next responding management official.

I will work with your management team and continue to follow up on all outstanding items on the PP slide and work with your supportive FSD staff in the resolution process.

The following responses have been provided to assist the team with the current status of each concern, suggestion, or topic.

- 1) The PCO Dress code standard has been developed by SPOT HQ and I do not have the authority to make the changes requested.
- 2) We already put in an order a couple of weeks ago for a camera; the color scanner was disapproved last year.
- 3) Our SPOT management team and SPOT HQ does not support the use of 511 pants; this distinctive and identifiable pants differentiates your uniform between you and the TSO; therefore creating a perception by the traveling public that your duties, responsibilities, title, etc; may be different. In essence BDOs may stand out.
- 4) Bathroom repairs: IN progress
- 5) Water Situation: STSMs will periodically check on the progress with FSD staff
- 6) Promotion Date discrepancy: AFSD Okinaka has been notified and is consulting with FSD Miyamoto on a final resolution.
- 7) BDOs do have growth potential and "chance for advancement." When promotion opportunities are available; BDOs and others who qualify may compete or qualify for in band promotion processes.

Thanks again

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(b)(6)

Transportation Security Manager
Behavior Detection Officer
Transportation Security Administration
Department of Homeland Security
300 Rodgers Blvd. #45
Honolulu, Hawaii 96819
Ph. (b)(6)
Office: 808-831-(b)(6)
Facsimile: 808-831-4619
E-mail: (b)(6)

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From: (b)(6)
Sent: Thursday, August 25, 2011 2:25 PM
To: (b)(6); (b)(6); (b)(6); (b)(6); (b)(6); (b)(6); Okinaka, Cy; Miyamoto, Stanford
Cc: (b)(6)
(b)(6)
Subject: BDO PowerPoint for 360 Meeting

<< File: BDO Schedule Proposal 2011 rev.ppsx >>

Hi All,

Attached is the PowerPoint that we used for the 360 Meeting that was held at 1230, on Thursday, August 25, 2011. It has schedule proposals that the T,F,S RDO AM and PM shifts put together.

Thank you and Have a good day.

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(b)(6)
Master Behavior Detection Officer
Transportation Security Administration
Department of Homeland Security
300 Rodgers Blvd. #45
Honolulu, Hawaii 96819
Ph: (b)(6)
Office: 808-831-(b)(6)
Facsimile: 808-831-4619
E-mail: (b)(6)

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Attachment 5



Transportation
Security
Administration

EUGENE B. (BERNIE) WHITAKER
TSA Supervisory Attorney – Pacific Rim
U.S. Department of Homeland Security
300 Ala Moana Blvd. Suite 8-153
Honolulu, Hawaii 96850
Ph: (808) 227-(b)(6)
Fax: (808) 541-3329
E-mail: (b)(6)

November 28, 2011

TO: Deputy FSD Abrieu

FROM: Eugene B. (Bernie) Whitaker
Supervisory Attorney Advisor
Transportation Security Administration

RE: (b)(6)

You asked, how we arrive at our present location. Good question. Short question, but I am afraid the answer is long:

- May 18., 2011 – BDO (b)(6) provides urine
- June 6, 2011 – Test positive for cocaine metabolite
- June 12, 2011 – MRO attempt to contact (b)(6) to ask if he has any defense or wants a split specimen, they cannot reach (b)(6) (is on leave)
- June 13, 2011 – MRO reports out positive cocaine urinalysis without talking to (b)(6)
- June 15, 2011 – MRO discovers how they miss (b)(6) contacted and (b)(6) wants split specimen test
- June 20, 2011 – MRO reports positive in split specimen
- June 22, 2011 – HNL drafts the one-step removal action to serve on BDO (b)(6) and ready to serve
- June 22- July 5, 2011 – (b)(6) calls in sick many times



**Transportation
Security
Administration**

- July 5, 2011 – [REDACTED] (stil sick) drops of a list of his medication he believes could have caused positive result (remember we have not served [REDACTED] (of course [REDACTED] should have thought of this when the MRO called on June 15, 2011).
- July 5, 2011 – HNL sends list to MRO to make sure these meds do not cause a positive for cocaine
- July 14, 2011 – MRO confirms the listed meds will not yield positive specimen for cocaine
- July 19, 2011 – Before we can get a written opinon from MRO, [REDACTED] submits two more drugs he forgot to send the first time. These too are sent to MRO
- July 21, 2011 - MRO confrms the two drugs will not cause positive result
- [REDACTED]
- July 21, 2011 – [REDACTED]
- July 28, 2011 – [REDACTED] served Notice of Proposed Removal complete with MRO statement;
- August 1, 2011 – [REDACTED] hires attorney, request delay;
- August 11, 2011 – [REDACTED] submits inca tea defense – complete with lab analysis of Inca tea his sister brings back from Peru. Diagnostic Lab Services reports cocaine detected in the tea. Sister and brother-in-law have statement they brought tea back in and did not know had cocaine. [REDACTED] declares he drank the tea prior to giving urine specimen and did not then know it had cocaine;
- August 11, 2011 – I contact MRO and provide information – [REDACTED]



- August 31, 2011 - [REDACTED]
- October 17, 2011 – After reviewing all the evidence and talking to [REDACTED] our MRO says: “Drinking Inca Health Tea can produce a benzoylecgonine concentration of 430ng/ml of urine”. That is what the science shows – it is possible.
- October 18 – Nov 7, 2011 – Discuss case with OCC (also I am on leave)
- November 8, 2011 - [REDACTED]
- November 11, 2011 – Propose LCA to [REDACTED] attorney
- November 12, 2011 – November 27, 2011 – [REDACTED]
- November 28, 2011 - [REDACTED]

//SI//
Eugene B. Whitaker
Supervisory TSA Field Counsel - Pacific Rim

Attachment 6

From: Samaniego, Michael A [mailto:(b)(6)]
Sent: Monday, September 08, 2008 11:44 AM
To: Chong-Tim, Dana A
Subject: Mexican Consulate transiting
Importance: High

Dana,

Here is an email I received from (b)(6) pertaining to his alleged encounter with TSA at the Honolulu Airport last month. He claims to have been harassed and mistreated at a check point prior to boarding his flight with two juveniles. The email does not go into specifics but he was really upset when he called me that same day. I'd be surprised if he didn't already file a complaint. The Consul General, (b)(6) will be present tomorrow and any help you can provide to facilitate his transit would be very much appreciated. The departure from Honolulu will be on UA 74 to San Francisco at 1315. I'll give you a call when we are at the ticket counter. It should be around 11:30-11:45. Lunch is on me.

Thanks,

Mike

From: (b)(6)
Sent: Wednesday, August 13, 2008 12:01 PM
To: 'Samaniego, Michael A'
Cc: (b)(6)
(b)(6)
Subject: (b)(6)
Importance: High

Dear Mr. Samaniego:

I would like to inform you that both (b)(6) and (b)(6) departed to Mexico between the 7 and 8 of August.

However, we did not board the American Airlines flight 28 Honolulu to San Francisco as planned, because it was cancelled.

Later on August 7, at 7:25 pm we took the American Airlines flight 102 to Dallas the next day August 8, once we arrived to Dallas we departed to Mexico on the American Airlines flight 433 to Mexico City. Attached, please find copy of boarding passes.

(b)(6) was placed with his mother at our office in the International Airport in Mexico City around 1:00 PM.

(b)(6) continued his trip on the Mexicana Airlines flight 7927 at 15:35 to Tuxtla Gutierrez, Chiapas. Our office in Chiapas has confirmed that the minor has arrived and was received by his parents.

On the other hand, I would like to inform you that at this point in time, I am discussing the situation that happened to me and the kids when we passed the revision at the check point number 4 at the Honolulu Airport, with our consultant Attorneys. For now, I am informing you that me and the kids were harassed and mistreated by TSA personnel.

Thank you very much for all your support and professional courtesies.

Please let me know if you need a formal letter from our Consulate General in San Francisco to close this cases.

Cordially,

(b)(6)

Department of Legal Affairs

Consulate General of Mexico

532 Folsom Street

San Francisco, CA 94105

tel (b)(6)

fax (415) 495-3971

E-mail: (b)(6)

web: www.consulmexsf.com <<http://www.consulmexsf.com/>>

Attachment 7

CONSULADO HONORARIO DE MEXICO
HONOLULU, HAWAII
6282-A IBIS AVE.
EWA BEACH, HI 96706
TEL# (808) 499-2982

CONSULADO GENERAL DE MEXICO
SAN FRANCISCO, CALIFORNIA
532 FOLSOM ST.
SAN FRANCISCO, CA 94105
TEL# (415) 354-1700



SECRETARÍA DE
RELACIONES EXTERIORES



PRESUNCION DE NACIONALIDAD

Derechos: Exento

No.de Orden:0034

La suscrita, Encargada del Departamento de Protección del Consulado Honorario de México en Honolulu, Hawaii, Estados Unidos de América, Dependiente del Consulado General de México en San Francisco,

CERTIFICA:

Que el día 23 de noviembre del 2009, se entrevistó en esta Oficina Consular a [redacted] quien manifestó ser de nacionalidad mexicana de 31 años de edad, con domicilio en [redacted]

Por lo anterior se expide al interesado (a) el presente certificado con fotografía y media filiación, con el fin de que las autoridades migratorias en territorio nacional, de conformidad con la legislación aplicable, autoricen su internación a México. Este documento es válido por 14 días.



CONSULADO HONORARIO DE MEXICO
HONOLULU, HAWAII

Filiación:

Ojos: [redacted]

Cabello: [redacted]

Cejas: [redacted]

Complexión: [redacted]

Color de piel: [redacted]

Señas Particulares: [redacted]

[redacted]

[redacted]

Firma y huella del titular

[redacted]

Cónsul de México

532 Folsom Street, San Francisco, California 94105
Teléfono (415) 354-1700 www.sre.gob.mx/sanfrancisco

ATTACHMENT

14

~~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 20, 2012
Activity or Interview of: (b)(6) SPOT Transportation Security Manager (STSM) Honolulu International Airport (HNL) Ph: (b)(6)	Conducted by: Special Agent Edward Archuleta Special Agent Mark Fedorko Location of Interview/Activity: Transportation Security Administration (TSA) Office 300 Rodgers Blvd. #45 Honolulu, HI 96819

Subject Matter/Remarks

On January 20, 2012, the TSA, Office of Inspection (OOI) interviewed STSM (b)(6) at the Honolulu International Airport (HNL). STSM Bush provided OOI with 11 attachments and stated in substance the following information:

- She has been the STSM for the Screening Passengers by Observational Techniques (SPOT) program in HNL since April of 2007.
- On August 24, 2011, she was notified by Behavior Detection Officer (BDO) (b)(6) that he had concerns of alleged racial profiling being conducted by BDO (b)(6).
- She instructed BDO (b)(6) to send her an email with all the details of the SPOT referrals to include behavior observations and analysis (see attachment #1).
- She assigned STSM (b)(6) to conduct a fact finding inquiry into the allegation by BDO (b)(6) and immediately notified HNL Assistant Federal Security Director of Screening (AFSD-S) Cy Okinaka of the allegation.
- She provided AFSD-S Okinaka with recommendations (see attachment #2).

Case Number M-12-0755	Case Title: BDO Practices at HNL
--------------------------	-------------------------------------

Revised February 28, 2006

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(Revised 12-15-08)

MEMORANDUM OF INTERVIEW OR ACTIVITY (continuation sheet)

- STSM (b)(6) completed and submitted a report of the findings to AFSD-S Okinaka. Contained within the report BDO (b)(6) amended his responses and rescinded his profiling allegation (see attachment #3).
- As a response to media inquiry, Federal Security Director (FSD) Stanford Miyamoto assigned Deputy Federal Security Director (DFSD) Frank "Mike" Abreu to conduct an official inquiry.
- She was instructed to conduct observational audits, both covert and overt, and assessed the job knowledge of the BDOs through test scores (see attachment #4).
- She reviewed statistical data of SPOT BDO referrals and incident reports in an attempt to identify anomalies and discrepancies without success (see attachment #5).
- She reviewed the Online Learning Center (OLC) status reports for her assigned BDOs (see attachment #6).
- She reviewed a report from the SPOT Headquarters Division Director, Daniel Burche, detailing observations observed during a covert visit to HNL from September 19-26, 2011. The report indicated that at no time did the team see any possible misconduct related to particular ethnic groups (see attachment #7).
- The TSA management at HNL determined there was no evidence to support allegations of racial profiling by the HNL BDO team to include (b)(6) and (b)(6).
- She believed the allegation of racial profiling had stemmed from a group of disgruntled employees, to include (b)(6) and (b)(6) that had received previous corrective and/or disciplinary actions.
- She believed the above employees are the same officers that have sent anonymous emails to TSA accusing her and other HNL STSMs of harassment and hostile work environment.
- She was notified by DAFSD-S Cy Okinaka that her name was being displayed in film episodes executively produced by (b)(6). Her name was referenced as (b)(6) (b)(6) (see attachment #8).
- Sometime last year, she contacted the KITV news and stated she had (b)(6) on the line waiting to speak to news reporter Keoki Kerr. She was transferred to an individual, she could not positively identify as that being Kerr, whom stated to her, "Hey, (b)(6) how are you doing."
- The HNL news broadcasted that HNL BDOs do not have a midnight shift and that BDOs are supposed to mingle with passengers in line TSA checkpoint and see if they exhibit nervous behaviors (see attachment #9).
- She indicative the above information and interpretation of the walk the line process are in the SPOT Standard Operating Procedure section 3.6 and are SSI (see attachment #10).
- She has no information of (b)(6) using outside information from a friend at Drug Enforcement Administration (DEA).
- She has reviewed (b)(6) referrals resulting in money seizures (see attachment #11).
- She has no knowledge of BDOs sleeping on the job.

Case Number:
M-12-0755

Case Title:
BDO Practices at HNL

Revised February 28, 2006

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(Revised 12-15-08)

MEMORANDUM OF INTERVIEW OR ACTIVITY (continuation sheet)

- SPOT BDO team members are encouraged and instructed routinely via briefings/email notifications to notify a manager of any concerns and/or issues related to policy and procedural violations.
- She has not been notified of suspected drug use by any members of the TSA workforce, aside from being notified by DAFSD-S Okinaka that STSM (b)(6) (b)(6) had tested positive for cocaine. She has observed that (b)(6) periodically exemplifies cognitive challenges with receiving direction and/or difficulties in comprehending supervisory instructions.
- (b)(6) provided a sworn statement which is attached to this Memorandum of Interview.

Case Number:
M-12-0755

Case Title:
BDO Practices at HNL

Revised February 28, 2006

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(Revised 12-15-08)



SWORN STATEMENT

(b)(6)

(b)(6)

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

M. FEDORKO AND E. ARCHULETA 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 ***

(WITH 11 EXHIBITS ATTACHED)

(b)(6)

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)(6)

Signature

Signed and sworn to before me, this 20th day of JANUARY, 2012.

[Signature]
Witness

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

(b)(6)

(b)
(E)

I am (b)(6)
(b)(6)

The allegation of racial profiling was first brought to my attention by (b)(6) on August 24th, 2011. It was told to me by another BDO that (b)(6) had a work concern. I immediately asked (b)(6) to meet with me in my office. I solicited information with regard to the "unknown" concern at the time, later identified as profiling; which he appeared reluctant to share with me. I reinforced my responsibility as an STSM to look into work concerns and instructed (b)(6) to share his concerns with me. At that time he verbally communicated to me his concern of (b)(6); he believed her to be profiling. (b)(6) allegedly named (b)(6) in an email complaint that I instructed him to provide me with directly after our meeting. He was instructed to send me an email with all the details of the SPOT referral to include behavior observation and analysis (see attachment 1). I then assigned STSM (b)(6) to conduct a fact finding of (b)(6) concern, in addition to others involved with the SPOT referral (b)(6) (b)(6). I then immediately notified my supervisor of the concern and provided my supervisor (AFSD-Screening) Cy Okinaka with recommendations (see attachment 2). A report fact finding report completed by (b)(6) immediate supervisor (STSM (b)(6) (b)(6) was completed and hand delivered to AFSD-Okinaka (see attachment 3). The report included (b)(6) updated responses whereas he amended his response and rescinded his profiling concern (see attachment 3).

As a response to the media inquiry, FSD Miyamoto assigned DFSD Mike Abreu to conduct an official inquiry (please refer to his report/statement as needed for preliminary results). In addition, I also continued to perform observational audits (covert & overt), I re-assessed every officer's job knowledge test scores (see attachment 4) in an attempt to identify any anomalies and analyzed statistical data (SPOT BDO referrals/LEO incident reports for any discrepancies (Please see attachment 5-review LEO reports as needed). Also included later in the inquiry is LC completion status reports for each BIDO (See attachment 6). In addition to my documented request of- 1) office of inspections visit, 2) an official inquiry and 3) SPOT standardization visit to my immediate supervisor Cy Okinaka (see attachment 2), we also received a report (see attachment 7) from Daniel Burche, Division Director SPO HQ; after the recent media inquiry notifying us of a recent covert visit completed at IINL. The overall observations included in the COVERT VISIT HONOLULU INTERNATIONAL REPORT (September 19th -26th) referenced the following information : "At no time did the team see any possible misconduct related to particular ethnic groups."

Our HNL management team, to include myself does not have any evidence that supports allegations of racial profiling after a thorough, comprehensive and measurable fact finding process. There is also no evidence to support the allegations that any member of the HNL BDO team to include (b)(6) and (b)(6) is targeting Hispanics/Mexicans individuals. I believe we have disgruntled employees that are retaliating from a previous corrective and/or disciplinary action proceeding that involves each employee (b)(6) requesting

page 2 of 4

(b)(6)

(b)(6)

(b)(6)

to have one employee removed (b)(6) due to an inappropriate relationship in the workplace. (Inquiry on file completed by (b)(6) in consultation with legal counsel). I believe these are the same officers that have sent anonymous emails to TSA accusing me and other SPOT managers of to include but not limited to harassment and hostile work environment allegations. I believe these officers have a personal issue with me; I was put on notice by my supervisor Cv Okinaka that my name is credited in a film episode executively produced by (b)(6) (see attachment 8). This name references me as (b)(6) (b)(6).” I interpret this information as harassment and workplace violence in addition to an irresponsible and a defamatory statement.

The officers who I believe contacted the media with inaccurate, untruthful, irresponsible and defamatory statements without permission from TSA are: (b)(6) and (b)(6). In an effort to confirm my suspicions, I contacted KITV news last year some time and requested to speak to Keoki Kerr, I stated “I have (b)(6) on the line waiting.” My call was transferred and someone responded (I was not able to positively identify this persons voice as Keoki Kerr) “hey (b)(6) how are you doing.” I immediately terminated the phone call.

They are all in violation of TSA policy and are responsible and accountable for providing the media (Keoki Kerr, KITV news) with standard operating procedural information and/or SSI to the public. It was broadcasted on the news that “BDOs do not have a midnight shift (see attachment 9); this is a security vulnerability because the SPOT schedules and work assignments are sensitive security information. The public is now (per KITV news/Newspaper articles & literature/ABC news) aware that behavior detection officers are not working midnight shifts which create a security vulnerability for terrorist and other potential criminals to effectively execute pro-operational planning and surveillance. In addition to the above specified information that was shared with the news media, it is published in recent news articles that “BDOs are supposed to mingle with passengers in line at TSA checkpoint and see if the exhibit nervous behavior (see attachment 9).” This statement includes indicative information and interpretation of our walk the line process -SPOT SOP 3.6 (see attachment 10). I believe these individuals shared our SSI SPOT policy with the media.

I do not have any evidence to support the allegation of (b)(6) “using outside information from a friend at DEA to repeatedly stop people suspected of carrying large of amounts of cash.” It has been verified through his LEO incident reports (please review as needed) that (b)(6) uses SPOT observation and analysis and/or BOLO broadcasts from the Honolulu Coordination Center for all SPOT referrals and/or Leo notifications. I have included a statistical distribution chart of all (b)(6) LEO referrals for your review that involve money (see attachment 11).

I do not have any evidence to support the allegation that SPOT BDOs are “sleeping” on the job; At no time were any BDOs observed, “caught” or issued corrective and/or disciplined for “sleeping on the job.” This is another false allegation that I believe has been fabricated by

(b)(6)

(b)(6)

page 3 of 4

(b)(6)

(b)(6)

Our SPOT BDO team is encouraged and instructed routinely via briefings/email notification to notify a manager of any concerns and/or issues related to policy and procedural violations. Every officer, to include the STSM management team has been briefed and educated on immediate supervisory notification requirements. I have not been notified or suspected drug use of any type or form of illegal substances use by any member of the TSA workforce to include the SPOT BDO team. I was notified by Cy Okinaka and (b)(6) that (b)(6) tested positive for Cocaine during a random drug screening test performed at TSA HNL. Please request for the time line, investigational report and outcome (SMART AGREEMENT) from DFSD M Abreu. I was not involved with this investigation and did not participate in any of the decision-making processes and/or meetings. Prior to the notification, I did not have any reasonable suspicion that (b)(6) was on any type or form of illegal narcotic and/or drug. (b)(6) periodically exemplifies cognitive challenges with receiving direction and/or difficulties in comprehending supervisory instructions. He received mentorship and guidance as needed to correct this issue. I am uncertain who may be able to provide more information with this case. (b)(6) shared with me that (b)(6) is a good friend of (b)(6) and that he bought (b)(6) daughter a gold pendant when he attended (b)(6) daughters exclusive graduation party some time last year. (b)(6)

(b)(6)

Page 4 of 4 (b)(6)

(b)(6) (b)(6)

From: (b)(6)
Sent: Sunday, August 28, 2011 7:50 AM
To: (b)(6)
Cc: (b)(6) (b)(6)
Subject: RE: (b)(6) - 8/11/2011 Statement and Questions Answered

(b)(6)

As per our discussion please respond to all questions listed below and provide any information you feel is needed. I have added some question to reflect the information you provided to me verbally during are meeting today. Thank you.

1. Have you every observed any BDO not following the SPOT SOP?

No; however, I feel that some behaviors are miss interpreted, over assessed and/or over aggressive.

2. Please list all behaviors you observed on 8/11/2011 that lead to a SPOT referral?

20-40, excessive fidgeting, late

3. Please list all behavior that only you observed on 8/11/2011?

None

4. Have you ever observed or have knowledge of anyone using Race, Religion, or Ethnicity as a reason to refer individuals at any time? If Yes please explain the event and your evidence/proof.

On August 11, 2011, I was working at the Interisland Terminal, Checkpoint 1, with BDOs (b)(6) and (b)(6). (b)(6) After conducting two SPOT referrals @0550 @ Checkpoint 1 Lane 4, we walked over to the Hawaiian Airlines Lobby area to conduct our SPOT After-Action. While walking through the Hawaiian Airlines Lobby I noticed a male passenger of Mexican descent, speaking in Spanish on his cell phone. As BDO (b)(6), (b)(6) and I sat down, I observed the passenger approach the Hawaiian Airlines ticketing counter. As we started our SPOT After-Action of our recent SPOT referral, BDO (b)(6) stated words to the effect of, "Let's hold off on the After-Action for now, I'll be right back." BDO (b)(6) then headed to the Checkpoint. At this point, I told BDO (b)(6) to observe and to continue observing the passenger currently at the Hawaiian Airlines ticketing counter. I asked BDO (b)(6) if he observed any behaviors on the passenger. BDO (b)(6) replied, "No, I don't see anything." I replied, "I don't see anything either." I instructed BDO (b)(6) to continue observing the passenger, and we'll inform each other once we noticed any behaviors. I told BDO (b)(6) words to the effect of, "I'm going to call this play by play. This is what's going to happen. Once this passenger heads to the checkpoint, I'm going to receive a phone call from (b)(6) stating that she has a referral." I then told BDO (b)(6) " (b)(6) is going to refer this guy, just watch." BDO (b)(6) and I continued to observe the passenger as he approached the checkpoint. Once the passenger got to the checkpoint, I received a phone call from BDO (b)(6) stating that she had a referral. I told BDO (b)(6), "I told you. (b)(6) didn't tell us who the referral was yet, but watch, it'll be him." As BDO (b)(6) and I entered the checkpoint, BDO (b)(6) identified the same passenger that BDO (b)(6) and I were observing as the referral.

5. Do you have any knowledge of anyone including Race, Religion, or Ethnicity to establish their environmental Baseline?

No

6. Do you feel that you can bring concerns about any issues to management?

Yes

7. Do you have knowledge of any behavior being made up or points being calculated that have not been observed?

No

8. Do you have an knowledge of unethical behavior or illegal activity being conducted at HNL?

No

9. Do you have any knowledge of Profiling being conducted or utilized at HNL?

No, I don't know for sure. It's just a feeling.

Please explain your answer. Explain if [redacted] refers all of a certain nationality and what nationality and explain.

No, She does not refer all Mexicans just some.

If not all of the particular nationality is referred please explain why?

I notice she tends to refer the Mexicans that look illegal.

What is the common appearance of the individuals you described possibly?

[redacted]

These question below are in reference to the time period when you, BDO [redacted] and BDO [redacted] where in Hawaiian Lobby and in the SPOT referral process for the SPOT referral at 615 AM.

10. For the SPOT referral at 615 AM did you observe any of the behaviors assessed?

No

11. When the behavior where observed by BDO [redacted] in the Lobby did you have constant and continuous observation of the passenger at the same time as BDO [redacted]

No

12. According to the 414 IR the behaviors where observed at certain times and locations did you have constant and continuous observation of the passenger at that times? Please explain?

No

13. Were you at the Checkpoint when the behaviors in the queuing line or TDC observed?

No

14. Please explain your conversation with BDO [redacted] in the Hawaiian Lobby and what was your interpretation of what was said and that transpired?

I told BDO (b)(6) to observe and to continue observing the passenger currently at the Hawaiian Airlines' ticketing counter. I asked BDO (b)(6) if he observed any behaviors on the passenger. BDO (b)(6) replied, "No, I don't see anything." I replied, "I don't see anything either." I instructed BDO (b)(6) to continue observing the passenger, and we'll inform each other once we noticed any behaviors. I told BDO (b)(6) words to the effect of, "I'm going to call this play by play. This is what's going to happen. Once this passenger heads to the checkpoint, I'm going to receive a phone call from (b)(6) stating that she has a referral." I then told BDO (b)(6) (b)(6) is going to refer this guy, just watch." BDO (b)(6) and I continued to observe the passenger as he approached the checkpoint. Once the passenger got to the checkpoint, I received a phone call from BDO (b)(6) stating that she had a referral. I told BDO (b)(6) "I told you. (b)(6) didn't tell us who the referral was yet, but watch, it'll be him." As BDO (b)(6) and I entered the checkpoint, BDO (b)(6) identified the same passenger that BDO (b)(6) and I were observing as the referral.

15. Where any statements provided to you irresponsible or created a hostile work environment?

No

16. At anytime did BDO (b)(6) or BDO (b)(6) mention the use of Race, Religion, or Ethnicity to refer the passengers that were referred on 8/11/2011 at 0615?

No

17. Please provide any concerns you have about all events that occurred on the day of 8/11/2011 or any time since you have been a BDO?

Just concerns mentioned above.

18. Do you have any evidence of Profiling or use of Race, Religion, or Ethnicity? Please explain?

No, I just have a feeling that it's possibly happening. I'm not 100% sure or have any evidence.

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(b)(6)
Master Behavior Detection Officer
Transportation Security Administration
Department of Homeland Security
300 Rodgers Blvd, #45
Honolulu, Hawaii 96819
Cell: (b)(6)
Office: (b)(6)
Facsimile: 808-831-4619
E-mail: (b)(6)

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From: (b)(6)
Sent: Sunday, August 28, 2011 6:33 AM
To: (b)(6)
Cc: (b)(6); (b)(6); (b)(6)
Subject: (b)(3) - 8/11/2011 Statement and Questions Answered

(b)(6)
As per our discussion please respond to all questions listed below and provide any information you feel is needed. I have added some question to reflect the information you provided to me verbally during are meeting today. Thank you.

1. Have you every observed any BDO not following the SPOT SOP?
2. Please list all behaviors you observed on 8/11/2011 that lead to a SPOT referral?
3. Please list all behavior that only you observed on 8/11/2011?
4. Have you ever observed or have knowledge of anyone using Race, Religion, or Ethnicity as a reason to refer individuals at any time? If Yes please explain the event and your evidence/proof.
5. Do you have any knowledge of anyone including Race, Religion, or Ethnicity to establish their environmental Baseline?
6. Do you feel that you can bring concerns about any issues to management?
7. Do you have knowledge of any behavior being made up or points being calculated that have not been observed?
8. Do you have an knowledge of unethical behavior or illegal activity being conducted at HNL?
9. Do you have any knowledge of Profiling being conducted or utilized at HNL? Please explain your answer. Explain if (b)(6) refers all of a certain nationality and what nationality and explain. If not all of the particular nationality is referred please explain why? What is the common appearance of the individuals you described possibly?

These question below are In reference to the time period when you, BDO (b)(6) and BDO (b)(6) where in Hawaiian Lobby and in the SPOT referral process forthe SPOT referral at 615 AM.

10. For the SPOT referral at 615 AM did you observe any of the behaviors assessed?
11. When the behavior where observed by BDO (b)(6) in the Lobby did you have constant and continuous observation of the passenger at the same time as BDO (b)(6)?
12. According to the 414 IR the behaviors where observed at certain times and locations did you have constant and continuous observation of the passenger at that times? Please explain?
13. Where you at the Checkpoint when the behaviors in the queuing line or TDC observed?
14. Please explain your conversation with BDO (b)(6) in the Hawaiian Lobby and what was your interpretation of what was said and that transpired?
15. Where any statements provided to you irresponsible or created a hostile work environment?
16. At anytime did BDO (b)(6) or BDO (b)(6) mention the use of Race, Religion, or Ethnicity to refer the passengers that were referred on 8/11/2011 at 0615?
17. Please provide any concerns you have about all events that occurred on the day of 8/11/2011 or any time since you have been a BDO?
18. Do you have any evidence of Profiling or use of Race, Religion, or Ethnicity? Please explain?

Thank you and please have this statement completed before the end of your shift. Also this is a reminder as per our conversation this topic is not to be discussed with anyone but your STSMs.

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(b)(5)

SPOT Transportation Security Manager

Transportation Security Administration

Department of Homeland Security

300 Rodgers Blvd. #45

Honolulu, Hawaii 96819

Ph. (b)(5)

Office: 808-831- (b)(5)

Facsimile: 808-831-4619

E-mail: (b)(5)

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(b)(6)

From: Okinaka, Cy
Sent: Thursday, September 01, 2011 9:39 PM
To: (b)(6)
Subject: RE: Follow up -8/22/11

(b)(6)

When you have a chance, can you provide me the final report on your findings in regards to this case. Mahalo.

CY OKINAKA

Acting Assistant Federal Security Director - Screening Operations
Transportation Security Administration
HNL/PPG
300 Rodgers Blvd., #45
Honolulu, HI 96819
(808) 838-(b)(6) - Business
(b)(6) - Cellular

From: (b)(6)
Sent: Thursday, August 25, 2011 3:57 PM
To: Okinaka, Cy
Subject: FW: Follow up -8/22/11

Cy,

As discussed; here is (b)(6) email....waiting on your direction.

My recommendations as discussed:

- 1) Official Inquiry
- 2) Office of Inspections FORMAL
- 3) Standardization team visit

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(b)(6)

Transportation Security Manager
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From: (b)(6)
Sent: Wednesday, August 24, 2011 9:27 AM
To: (b)(6)
Subject: RE: Follow up -8/22/11

(b)(6)

Thanks for taking some time to listen to my concerns about BDO (b)(6). Could you please look into my following concerns.

My first concern regarding BDO (b)(6) is her observations and assessments of SPOT behaviors. I feel that BDO (b)(6) is assessing behaviors that contain the terms: excessive, repetitive, exaggerated and increased incorrectly. I also feel that BDO (b)(6) is assessing behaviors when they don't meet the criteria. Examples are behaviors that are pertaining to: as the individual approaches the screening process, while undergoing screening, when individual requested to submit to screening procedures, undergoing screening, when requested to submit to screening procedures and as the individual approaches the screening process. There's been times, when BDO (b)(6) (b)(3)(49) U.S.C. § 114(f) and when the passenger comes to the checkpoint, no behaviors that was passed on was observed (b)(3)(49) U.S.C. § 114(f). There's also been times, while working with BDO (b)(6) in the checkpoint where we're both watching the same individual in line, and she would inform me that she got the following behaviors on a particular individual, even though I was observing the same individual the entire time and didn't observe the behaviors. I honestly don't know the exact specifics, such as the dates of when these observations and/or referrals have taken place; however, I feel these incidents occur very often. I know that it all comes down to the individual's perception of the behaviors, but I feel that the behaviors that are being assessed are not the way we're trained to assess.

My second concern that I have regarding BDO (b)(6) is profiling. The following incident is an example. On August 11, 2011, I was working at the Interisland Terminal, Checkpoint 1, with BDOs (b)(6) and (b)(6). After conducting two SPOT referrals @ 0550 @ Checkpoint 1 Lane 4, we walked over to the Hawaiian Airlines Lobby area to conduct our SPOT After-Action. While walking through the Hawaiian Airlines Lobby I noticed a male passenger of Mexican descent, speaking in Spanish on his cell phone. As BDO (b)(6) and I sat down, I observed the passenger approach the Hawaiian Airlines ticketing counter. As we started our SPOT After-Action of our recent SPOT referral, BDO (b)(6) stated words to the effect of, "Let's hold off on the After-Action for now, I'll be right back." BDO (b)(6) then headed to the Checkpoint. At this point, I told BDO (b)(6) to observe and to continue observing the passenger currently at the Hawaiian Airlines ticketing counter. I asked BDO (b)(6) if he observed any behaviors on the passenger. BDO (b)(6) replied, "No, I don't see anything." I replied, "I don't see anything either." I instructed BDO (b)(6) to continue observing the passenger, and we'll inform each other once we noticed any behaviors. I told BDO (b)(6) words to the effect of, "I'm going to call this play by play. This is what's going to happen. Once this passenger heads to the checkpoint, I'm going to receive a phone call from (b)(6) stating that she has a referral." I then told BDO (b)(6) (b)(6) is going to refer this guy, just watch." BDO (b)(6) and I continued to observe the passenger as he approached the

checkpoint. Once the passenger got to the checkpoint, I received a phone call from BDO (b)(6) stating that she had a referral. I told BDO (b)(6), "I told you. (b)(6) didn't tell us who the referral was yet, but watch, it'll be him." As BDO (b)(6) and I entered the checkpoint, BDO (b)(6) identified the same passenger that BDO (b)(6) and I were observing as the referral.

Another concern that I have regarding BDO (b)(6) is when she passes on her referrals onto someone else. Recently, on August 18, 2011, BDO (b)(6) passed on 3 referrals to BDO (b)(6) and I. Although BDO (b)(6) assessed all the behaviors on the passenger, she didn't come in on the referral and instead went on her lunch break. This is a concern because the entire BDO team was just recently briefed by management, that the BDO that observed the behaviors must be on the referral.

The reason why I didn't notify management right away was because it was my first time being in that type of situation, where I had to bring concerns up to management and I was afraid of the outcome. I didn't want anyone getting into any trouble, but it was my duty and obligation to do something about it.

Thanks!!!

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(b)(6)
Master Behavior Detection Officer
Transportation Security Administration
Department of Homeland Security
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From: (b)(6)
Sent: Tuesday, August 23, 2011 5:04 PM
To: (b)(6)
Subject: Follow up -8/22/11

(b)(6)

Per our discussion; I had a meeting with you on 8/22/11 where you notified me of specific concerns that you have with (b)(6) (to include your perception of profiling).

Please respond to this email prior to SPOT deployment on 8/24/11; please state specifically all of the concerns that were addressed. I need specific dates, SPOT referrals, and the facts. Your response must include everything that we discussed to include any additional information that you may not have discussed with me and later recalled.

Please also include the reason why you didn't notify management in a timely manner...I believe one of your responses were "you did not want to get her in trouble." Please explain.

Thank you again for giving me the opportunity to look into this matter; I will assure you that your management team will work diligently to resolve this situation.

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(b)(6)

Transportation Security Manager
Behavior Detection Officer
Transportation Security Administration
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Ph: (b)(6)
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Transportation Security Administration

U.S. Department of Homeland Security
Honolulu International Airport
300 Rodgers Boulevard, #45
Honolulu, HI 96819

DATE: 9/6/2011
TO: (b)(6), STSM
FROM: (b)(6) STSM
SUBJECT: Concerns/Findings/Conclusion/Recommendations – BDO (b)(6)

I have conducted a fact finding to ensure all SPOT SOP is being followed by BDO (b)(6) BDO (b)(6) was accused of possibly profiling a person of Mexican decent on 8/11/2011 by BDO (b)(6) After careful research, fact finding, and reviewing the statements of BDO (b)(6) BDO (b)(6) and BDO (b)(6) it is apparent that there is no evidence to support the claims by BDO (b)(6) of profiling.

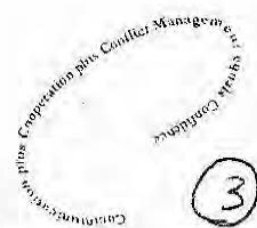
Attached are copies of the management tools that the HNL STSM team utilizes to ensure the SPOT SOP is followed: WTL memorandum, 2011 BDO Proficiency Evaluation Checklists, STSM BDO Proficiency Evaluation Report 2010, SPOT Expert BDO-Master BDO Partnership Program Documentation, and Profiling fact finding & statements of BDOs present during possible incident.

- **Profiling fact finding & statements of BDOs present during possible incident:** BDO (b)(6) and (b)(6) explained in their statement that they have no evidence of profiling or use of race, religion, or ethnicity by BDO (b)(6) Attached below are all three (3) BDO statements.

RE (b)(6) RE (b)(6) - 8/11/2011 FW (b)(6) Question Statement and QuestStaterrnt and Questand Statement for 08

- **WTL Memorandum of Record 5/12/2011:** This memo was delivered by STSM (b)(6) to provide BDO (b)(6) with follow up instructions that she must conduct WTL in an, unbiased, indiscriminate, unpredictable manner and engage passengers with behaviors. This was completed after several observation by STSM (b)(6) where conducted and no appearance of profiling was observed when passengers of possible Mexican Race approached. BDO (b)(6) did not refer any passengers of possible Mexican Race or Nationality during the observation and during the observations several possible passengers of Mexican Race or Nationality entered the Checkpoint. Please read the attached document.

Memo of Record
WTL 5-1-2011.





**Transportation
Security
Administration**

U.S. Department of Homeland Security
Honolulu International Airport
Honolulu, HI 96819

September 6, 2011
Page 2 of 6

- **2011 BDO Proficiency Evaluation Checklists (PEC):** These checklists were completed with BDO (b)(6) by STSM (b)(6) to ensure she is following the SPOT SOP and guidelines for environmental baseline which state Race, Religion, ethnicity, and disability cannot be used to establish your baseline. BDO (b)(6) performed excellent during this time period and followed all SPOT SOP.

BDO PEC is conducted every six (6) months the two (2) most recent hard copies are attached. (Electronic Copies not available)

- **STSM BDO Proficiency Evaluation Report 2010:** In 2010 because of the deviation in high and low SPOT referral amounts in the HNL SPOT AM team I created an SPOT management tool to ensure SPOT SOP was followed. I reviewed all SPOT SOP items, ensured understanding of behaviors, and performed constant observations to ensure compliance. During this time period I was relieved of my management administrative duties to be able to work on the floor with the BDOs for 80 hours instead of 24 hours required by the SOP at a minimum per a pay period. BDO (b)(6) performed excellent during this time period and followed all SPOT SOP. Please read the attached document.



AM Shift SPOT BDO
PROFICIENCY EVALU

- **SPOT Expert BDO-Master BDO Partnership Program Documentation 2011:** This was a Tool developed by the HNL STSMs to ensure all BDOs follow the SPOT SOP and receive the SPOT tools, resources, and proper mentorship. BDO (b)(6) performed excellent during this time period and followed all SPOT SOP. Please read the attached document.



SPOT Expert
BDO-Master BDO Par





**Transportation
Security
Administration**

U.S. Department of Homeland Security
Honolulu International Airport
Honolulu, HI 96819

September 6, 2011
Page 3 of 6

- **Question asked to management: How do we explain [REDACTED] statistical deviation in comparison to her and her team members which is substantially above the norm in comparison to other BDOs?**

This below is a sampling the nations BDOs statistical deviations that was shown in the SPOT conference for 2011. At this time there is no way to address amount of referrals and it was explained that we should concentrate on ensuring the SOP is followed not the numbers. The entire power point is attached and explains that BDOs should be always hunting or in other words aggressively observing for behaviors to stop potential threats to aviation. As a SPOT manager it is my job to ensure that all BDOs follow the SPOT SOP and I have developed tools and worked with all BDOs under my supervision to ensure this to the best of my ability. It is strictly forbidden by SPOT HQ to require a quotas system or amount of SPOT referrals required per BDO for any length of time. I would like to request a STAN visit from SPOT HQ to verify that we are following the SPOT SOP and to look into this type of situation again as they did previously.

Time in Position	n =	Avg. # of Referrals	Range of Referrals
4 Years	[REDACTED]	[REDACTED]	[REDACTED]
3 Years	[REDACTED]	[REDACTED]	[REDACTED]
2 Years	[REDACTED]	[REDACTED]	[REDACTED]



Burche-Program
Overview and P...

Contractor/Partner Plus Cooperation plus Conflict Management
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September 6, 2011
Page 4 of 6

• **Additional Questions with STSM responses (8/26/2011):**

- 1) Expert BDO (b)(6) & (b)(6) (b)(6) told STSM (b)(6) while I was in meeting with (b)(6); I wasn't able to return back to the office until 1530hrs) said they did not see the behaviors that (b)(6) observed for today's SPOT referrals (Please look in to this and provide written feedback)

Please read the below email sent from Officer (b)(6) it explains that he wasn't there for the observations initially, however once he arrived to assist with the property searches he observed behaviors on the passengers selected. It appeared to be a miscommunication between Officer (b)(6) and STSM (b)(6)



Per your request to clarify

- 2) I spoke with Expert BDO (b)(6) today; he also expressed concerns to me with regard to (b)(6) behavior observation & analysis.

Per our conversation BDO (b)(6) expressed that she is aggressively observing and analyzing behaviors that he might not have seen or his opinion is that they are not exaggerated or repetitive enough.

I assigned Officer (b)(6) to conduct one on one mentorship with (b)(6) to evaluate her strengths, concerns, challenges, provide mentorship, and to ensure all SPOT procedures are being followed. Officer (b)(6) explained to me on the Expert Partnership Program Documentation we created as a management tool to evaluate items like this that he had no concerns and/or challenges that he would like to elevate to management for intervention. The time period for the observation was March of 2011. Also on this document he recommended that BDO (b)(6) be looked at as a potential G-band. Also BDO (b)(6) explained on the document BDO (b)(6) strength: "(b)(6) does the work that is required of her well. She is focused and pays attention. She is really good in her Casual Conversation. At times, she appears aggressive and so, her strength is also a weakness." BDO (b)(6) provided BDO (b)(6) mentorship under my direction on her behavior observations skills in respect to exaggerated and repetitive to ensure proper interpretation.

- 3) (b)(6) referrals significantly dropped while she was under the leadership of (b)(6) (b)(6) during the Expert BDO mentorship program and then significantly increased when she was complete with the program? How do you explain this? What is your perspective?

I have reviewed BDO (b)(6) referral totals during the days of operations she was under the Expert BDO Mentorship Program to that we developed to ensure all BDOs are following the SPOT SOP and provided the needed mentorship on all items; BDO (b)(6) totals appear to be on pace or higher than her average amount historically thru her career as a BDO.

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- 4) [redacted] shared with me (today) that [redacted] had concerns with [redacted] behavior observation & analysis; please follow up with [redacted] and provide me with feedback.

Attached is BDO [redacted] concerns about the events of that day in question. It seems that it was not the behaviors or analysis that was in question but the reason for the LEO referral. I educated BDO [redacted] on the Hawaii Laws (HRS) which makes it a crime to have UPCI. BDO [redacted] informed me that BDO [redacted] is excellent at observation and provided him with a wealth of experience during the LEO referral. BDO [redacted] stated in an email: "At no time during our SPOT referral did I question BDO [redacted] behavior assessment. BDO [redacted] was actually 100% professional throughout the entire referral and I learned a lot from what happened."

Please review attached email.



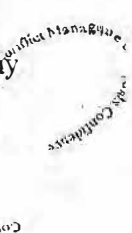
Regarding LEO
Incident on 08-0...

- 5) Have you met with [redacted] yet to discuss her Expert BDO mentorship period to identify the increase-decrease and then increase again when she completed mentorship? If not; please meet with her and record the discussion on a memorandum of Record.

I assigned Officer [redacted] to conduct one on one mentorship with [redacted] to evaluate her strengths, concerns, challenges, provide mentorship, and to ensure all SPOT procedures are being followed. Officer [redacted] explained to me on the Expert Partnership Program Documentation we created as a management tool to evaluate items like this that he had no concerns and/or challenges that he would like to elevate to management for intervention. The time period for the observation was March of 2011. Also on this document he recommended that BDO [redacted] be looked at as a potential G-ba d. Also BDO [redacted] explained on the document BDO [redacted] strength: "[redacted] does the work that is required of her well. She is focused and pays attention. She is really good in her Casual Conversation. At times, she appears aggressive and so, her strength is also a weakness." BDO [redacted] provided BDO [redacted] mentorship under my direction on her behavior observations skills in respect to exaggerated and repetitive to ensure proper interpretation. I would like to discuss the memorandum of record and how to approach if anything is founded. I know that we were holding off on this because of directions from DAFSD Cy Okinaka and the instructions to no issue anything until he states it is ok.

- 6) Do you have any evidence of or suspect that she is targeting a specific race or profiling?

I have never seen any evidence or suspected that she is targeting a specific race or profiling during the numerous occasions that I have worked alongside BDO [redacted]. At no time has any BDO or Officer shared any evidence of targeting a specific race or profiling. At no time has any BDO or Officer shared that they suspected any targeting of a specific race or profiling. I have provide my Leads with opportunities to provide feedback to me on all officers and have asked for them to fill out documents to explain that they feel that all SPOT SOP is being followed. Which includes that race, religion, ethnicity, and disability not be included or utilized during SPOT.





September 6, 2011
Page 6 of 6

7) Have your leads shared with you any evidence of or suspect that she is targeting a specific race or profiling?

At no time has any BDO or Officer shared any evidence of targeting a specific race or profiling. At no time has any BDO or Officer shared that they suspected any targeting of a specific race or profiling. I have provide my Leads with opportunities to provide feedback to me on all officers and have asked for them to fill out documents to explain that they feel that all SPOT SOP is being followed. Which includes that race, religion, ethnicity, and disability not be included or utilized during SPOT.

Please review the attached email in reference to the additional questions.

RE (b)(6)
Follow up.msg

• **STSM follow up:**

1. STSM team will be following up with the Standardization team from SPOT HQ to assist in observing BDO (b)(6) for any possible SOP deviation.
2. A SPOT refresher course will be given to BDO (b)(6) in the month of September by a NRTT SPOT member to ensure SOP compliance and accurate behavior observation, and analysis.
3. STSM have already reviewed all SPOT behaviors and descriptions with BDO (b)(6) during the month of August 2011 because of new SPOT Behavior Indicator Reference Guide issued on 8/1/2011.
4. STSMs will respond to all after action reviews of SPOT referrals, LEO IR, and make continuous follow up assessments to ensure the SPOT SOP is followed.



(b)(6) (b)

From: (b)(6)
Sent: Sunday, August 28, 2011 7:50 AM
To: (b)(6) (b) (b)(6)
Cc:
Subject: RE: (b) - 8/11/2011 Statement and Questions Answered

(b)(6)

As per our discussion please respond to all questions listed below and provide any information you feel is needed. I have added some question to reflect the information you provided to me verbally during are meeting today. Thank you.

1. Have you every observed any BDO not following the SPOT SOP?

No; however, i feel that some behaviors are miss interpreted, over assessed and/or over aggressive.

2. Please list all behaviors you observed on 8/11/2011 that lead to a SPOT referral?

(b)(3)49 U.S.C. § 114(n)

3. Please list all behavior that only you observed on 8/11/2011?

None

4. Have you ever observed or have knowledge of anyone using Race, Religion, or Ethnicity as a reason to refer individuals at any time? If Yes please explain the event and your evidence/proof.

On August 11, 2011, I was working at the Interisland Terminal, Checkpoint 1, with BDOs (b)(6) and (b)(6). After conducting two SPOT referrals @ 0550 @ Checkpoint 1 Lane 4, we walked over to the Hawaiian Airlines Lobby area to conduct our SPOT After-Action. While walking through the Hawaiian Airlines Lobby I noticed a male passenger of Mexican descent, speaking in Spanish on his cell phone. As BDO (b)(6) (b)(6) and I sat down, I observed the passenger approach the Hawaiian Airlines ticketing counter. As we started our SPOT After-Action of our recent SPOT referral, BDO (b)(6) stated words to the effect of, "Let's hold off on the After-Action for now, I'll be right back." BDO (b)(6) then headed to the Checkpoint. At this point, I told BDO (b)(6) to observe and to continue observing the passenger currently at the Hawaiian Airlines ticketing counter. I asked BDO (b)(6) if he observed any behaviors on the passenger. BDO (b)(6) replied, "No, I don't see anything." I replied, "I don't see anything either." I instructed BDO (b)(6) to continue observing the passenger, and we'll inform each other once we noticed any behaviors. I told BDO (b)(6) words to the effect of, "I'm going to call this play by play. This is what's going to happen. Once this passenger heads to the checkpoint, I'm going to receive a phone call from (b)(6), stating that she has a referral." I then told BDO (b)(6) "(b)(6) is going to refer this guy, just watch." BDO (b)(6) and I continued to observe the passenger as he approached the checkpoint. Once the passenger got to the checkpoint, I received a phone call from BDO (b)(6) stating that she had a referral. I told BDO (b)(6) "I told you. (b)(6) didn't tell us who the referral was yet, but watch, it'll be him." As BDO (b)(6) and I entered the checkpoint, BDO (b)(6) identified the same passenger that BDO (b)(6) and I were observing as the referral.

5. Do you have any knowledge of anyone including Race, Religion, or Ethnicity to establish their environmental Baseline?

No

6. Do you feel that you can bring concerns about any issues to management?

Yes

7. Do you have knowledge of any behavior being made up or points being calculated that have not been observed?

No

8. Do you have an knowledge of unethical behavior or illegal activity being conducted at HNL?

No

9. Do you have any knowledge of Profiling being conducted or utilized at HNL?

No, I don't know for sure. It's just a feeling.

Please explain your answer. Explain if (b)(6) refers all of a certain nationality and what nationality and explain.

No, She does not refer all Mexicans just some.

If not all of the particular nationality is referred please explain why?

I notice she tends to refer the Mexicans that look illegal.

What is the common appearance of the individuals you described possibly?

(b)(3)49 USC § 114(n)

These question below are in reference to the time period when you, BDO (b)(6) and BDO (b)(6) where in Hawaiian Lobby and in the SPOT referral process for the SPOT referral at 615 AM.

10. For the SPOT referral at 615 AM did you observe any of the behaviors assessed?

No

11. When the behavior where observed by BDO (b)(6) in the Lobby did you have constant and continuous observation of the passenger at the same time as BDO (b)(6)?

No

12. According to the 414 IR the behaviors where observed at certain times and locations did you have constant and continuous observation of the passenger at that times? Please explain?

No

13. Were you at the Checkpoint when the behaviors in the queuing line or TDC observed?

No

14. Please explain your conversation with BDO (b)(6) in the Hawaiian Lobby and what was your interpretation of what was said and that transpired?

I told BDO (b)(6) to observe and to continue observing the passenger currently at the Hawaiian Airlines ticketing counter. I asked BDO (b)(6) if he observed any behaviors on the passenger. BDO (b)(6) replied, "No, I don't see anything." I replied, "I don't see anything either." I instructed BDO (b)(6) to continue observing the passenger, and we'll inform each other once we noticed any behaviors. I told BDO (b)(6) words to the effect of, "I'm going to call this play by play. This is what's going to happen. Once this passenger heads to the checkpoint, I'm going to receive a phone call from (b)(6) stating that she has a referral." I then told BDO (b)(6) (b)(6) is going to refer this guy, just watch." BDO (b)(6) and I continued to observe the passenger as he approached the checkpoint. Once the passenger got to the checkpoint, I received a phone call from BDO (b)(6) stating that she had a referral. I told BDO (b)(6) "I told you. (b)(6) didn't tell us who the referral was yet, but watch, it'll be him." As BDO (b)(6) and I entered the checkpoint, BDO (b)(6) identified the same passenger that BDO (b)(6) and I were observing as the referral.

15. Where any statements provided to you irresponsible or created a hostile work environment?

No

16. At anytime did BDO (b)(6) or BDO (b)(6) mention the use of Race, Religion, or Ethnicity to refer the passengers that were referred on 8/11/2011 at 0615?

No

17. Please provide any concerns you have about all events that occurred on the day of 8/11/2011 or any time since you have been a BDO?

Just concerns mentioned above.

18. Do you have any evidence of Profiling or use of Race, Religion, or Ethnicity? Please explain?

No, I just have a feeling that it's possibly happening. I'm not 100% sure or have any evidence.

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(b)(6)
Master Behavior Detection Officer
Transportation Security Administration
Department of Homeland Security
300 Rodgers Blvd. #45
Honolulu, Hawaii 96819
Cell: (b)(6)
Office: 808-831- (b)(6)
Facsimile: 808-831-4519
E-mail: (b)(6)

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From: (b)(6) □
Sent: Sunday, August 28, 2011 6:33 AM
To: (b)(6)
Cc: (b)(6) | (b) □
Subject: (b)(6) - 8/11/2011 Statement and Questions Answered

(b)(6)

As per our discussion please respond to all questions listed below and provide any information you feel is needed. I have added some question to reflect the information you provided to me verbally during are meeting today. Thank you.

1. Have you every observed any BDO not following the SPOT SOP?
2. Please list all behaviors you observed on 8/11/2011 that lead to a SPOT referral?
3. Please list all behavior that only you observed on 8/11/2011?
4. Have you ever observed or have knowledge of anyone using Race, Religion, or Ethnicity as a reason to refer individuals at any time? If Yes please explain the event and your evidence/proof.
5. Do you have any knowledge of anyone including Race, Religion, or Ethnicity to establish their environmental Baseline?
6. Do you feel that you can bring concerns about any issues to management?
7. Do you have knowledge of any behavior being made up or points being calculated that have not been observed?
8. Do you have an knowledge of unethical behavior or illegal activity being conducted at HNL?
9. Do you have any knowledge of Profiling being conducted or utilized at HNL? Please explain your answer.

Explain if (b) refers all of a certain nationality and what nationality and explain. If not all of the particular nationality is referred please explain why? What is the common appearance of the individuals you described possibly?

These question below are in reference to the time period when you, BDO (b)(6) and BDO (b)(6) where in Hawaiian Lobby and in the SPOT referral process for the SPOT referral at 615 AM.

10. For the SPOT referral at 615 AM did you observe any of the behaviors assessed?
11. When the behavior where observed by BDO (b)(6) in the Lobby did you have constant and continuous observation of the passenger at the same time as BDO (b)(6)?
12. According to the 414 IR the behaviors where observed at certain times and locations did you have constant and continuous observation of the passenger at that times? Please explain?
13. Where you at the Checkpoint when the behaviors in the queuing line or TDC observed?
14. Please explain your conversation with BDO (b)(6) in the Hawaiian Lobby and what was your interpretation of what was said and that transpired?
15. Where any statements provided to you irresponsible or created a hostile work environment?
16. At anytime did BDO (b)(6) or BDO (b)(6) mention the use of Race, Religion, or Ethnicity to refer the passengers that were referred on 8/11/2011 at 0615?
17. Please provide any concerns you have about all events that occurred on the day of 8/11/2011. or any time since you have been a BDO?
18. Do you have any evidence of Profiling or use of Race, Religion, or Ethnicity? Please explain?

Thank you and please have this statement completed before the end of your shift. Also this is a reminder as per our conversation this topic is not to be discussed with anyone but your STSMs.

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(b)(6)

SPOT Transportation Security Manager

Transportation Security Administration

Department of Homeland Security

300 Rodgers Blvd. #45

Honolulu, Hawaii 96819

Ph. (b)(6)

Office: 808-831-(b)(6)

Facsimile: 808-831-4619

E-mail (b)(6)

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(b)(6) (b)(7)

From: (b)(6)
Sent: Friday, August 26, 2011 7:46 PM
To: (b)(6) (b)(7) (C)
Subject: Question and Statement for 08/11/2011

1. Have you every observed any BDO not following the SPOT SOP?
To the best of my knowledge I have never observed any BDO not following the SPOT SOP.

2. Please list all behaviors you observed on 8/11/2011 that lead to a SPOT referral?
The behaviors I observed on 8/11/2011:

1. (b)(6) (b)(7) (C)

3. Please list all behavior that only you observed on 8/11/2011?
The only behaviors I observed on 8/11/2011:

1. (b)(6) (b)(7) (C)

4. Have you ever observed or have knowledge of anyone using Race, Religion, or Ethnicity as a reason to refer individuals at any time?
To the best of my knowledge I have never observed or have knowledge of anyone using Race, Religion, or Ethnicity as a reason to refer individuals at any time.

5. Do you have any knowledge of anyone including Race, Religion, or Ethnicity to establish their environmental Baseline?
To the best of my knowledge I have no knowledge of anyone using Race, Religion or Ethnicity to establish the environmental baseline.

6. Do you feel that you can bring concerns about any issues to management?
I feel that I am able to bring any concerns I may have to management.

7. Do you have knowledge of any behavior being made up or points being calculated that have not been observed?
I do not have any knowledge of any behavior being made up or points being calculated that have not been observed. Majority of the time when behaviors are assessed by BDO (b)(6) she informs me of the behaviors she observed. I usually don't confirm that I observed the same behaviors.

8. Do you have an knowledge of unethical behavior or illegal activity being conducted at HNL?
I have no knowledge of unethical behavior or illegal activity being conducted at HNL.

9. Do you have any knowledge of Profiling being conducted or utilized at HNL?
I have no knowledge of profiling being conducted or utilized at HNL.

These question below are in reference to the time period when you, BDO (b)(6) and BDO (b)(6) where in Hawaiian Lobby and in the SPOT referral process for the SPOT referral at 615 AM.

10. For the SPOT referral at 615 AM did you observe any of the behaviors assessed?
I did not observe any of the behaviors for the SPOT referral at 6:15 AM.

11. When the behavior where observed by BDO (b)(6) in the Lobby did you have constant and continuous observation of the passenger at the same time as BDO (b)(6)?
I had constant and continuous observation of the passenger in the lobby area after BDO (b)(6) went to the checkpoint.

12. According to the 414 IR the behaviors where observed at certain times and locations did you have constant and continuous observation of the passenger at that times? Please explain?
While the passenger was in the Hawaiian Airlines lobby, I had constant and continuous observation of the passenger. When the passenger entered the queuing line for the checkpoint I did not have constant and continuous observation of the passenger.

13. Where you at the Checkpoint when the behaviors in the queuing line or TDC observed?
I was in the Hawaiian Airlines Lobby, about to conduct an "After Action" report with BDO (b)(6) for a previous SPOT Referral.

14. Please explain your conversation with BDO (b) in the Hawaiian Lobby and what was your interpretation of what was said and that transpired?
BDO (b)(6) told me to observe the passenger that BDO (b)(6) observing. BDO (b)(6) told me that she will probably refer the passenger for a SPOT referral. My interpretation of that was BDO (b) gets many SPOT referrals.

15. Where any statements provided to you irresponsible or created a hostile work environment?
No statements provided to me was irresponsible or created a hostile work environment.

16. At anytime did BDO (b)(6) or BDO (b)(6) mention the use of Race, Religion, or Ethnicity to refer the passengers that were referred on 8/11/2011 at 0615?
At no time did BDO (b)(6) or BDO (b)(6) mention the use of Race, Religion, or Ethnicity to refer the passenger that were referred on 8/11/2011 at 0615.

17. Please provide any concerns you have about all events that occurred on the day of 8/11/2011 or any time since you have been a BDO?
I currently don't have any concerns about events that occurred on the day of 8/11/2011 or any time since I have been a BDO.

(b)(6)

Master Behavior Detection Officer
Transportation Security Administration
Department of Homeland Security
300 Rodgers Blvd. #45
Honolulu, Hawaii 96819
Office: 808-831-(b)(6)
Facsimile: 808-831-4619
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From: (b)(6) [redacted]
Sent: Friday, August 26, 2011 6:04 PM
To: (b)(6) [redacted]
Cc: (b)(6) [redacted]
Subject: Question and Statement for 08/11/2011

(b)(6) [redacted]
As per our discussion please respond to all questions listed below and provide any information you feel is needed. Thank you.

1. Have you every observed any BDO not following the SPOT SOP?
2. Please list all behaviors you observed on 8/11/2011 that lead to a SPOT referral?
3. Please list all behavior that only you observed on 8/11/2011?
4. Have you ever observed or have knowledge of anyone using Race, Religion, or Ethnicity as a reason to refer individuals at any time?
5. Do you have any knowledge of anyone including Race, Religion, or Ethnicity to establish their environmental Baseline?
6. Do you feel that you can bring concerns about any issues to management?
7. Do you have knowledge of any behavior being made up or points being calculated that have not been observed?
8. Do you have an knowledge of unethical behavior or illegal activity being conducted at HNL?
9. Do you have any knowledge of Profiling being conducted or utilized at HNL?

These question below are in reference to the time period when you, BDO (b)(6) [redacted] and BDO (b)(6) [redacted] where in Hawaiian Lobby and in the SPOT referral process for the SPOT referral at 615 AM.

10. For the SPOT referral at 615 AM did you observe any of the behaviors assessed?
11. When the behavior where observed by BDO (b)(6) [redacted] in the Lobby did you have constant and continuous observation of the passenger at the same time as BDO (b)(6) [redacted]?
12. According to the 414 IR the behaviors where observed at certain times and locations did you have constant and continuous observation of the passenger at that times? Please explain?
13. Where you at the Checkpoint when the behaviors in the queuing line or TDC observed?
14. Please explain your conversation with BDO (b)(6) [redacted] in the Hawaiian Lobby and what was your interpretation of what was said and that transpired?
15. Where any statements provided to you irresponsible or created a hostile work environment?
16. At anytime did BDO (b)(6) [redacted] or BDO (b)(6) [redacted] mention the use of Race, Religion, or Ethnicity to refer the passengers that were referred on 8/11/2011 at 0615?
17. Please provide any concerns you have about all events that occurred on the day of 8/11/2011 or any time since you have been a BDO?

Thank you and please have this statement completed before the end of your shift. Also this is a reminder as per our conversation this topic is not to be discussed with anyone but your STSMs.

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(b)(6) [redacted]

SPOT Transportation Security Manager
Transportation Security Administration

Department of Homeland Security

300 Rodgers Blvd. #45

Honolulu, Hawaii 96819

Ph. (b)(6)

Office: 808-831-(b)(6)

Facsimile: 808-831-4619

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(b)(6) (b)(7)

From: (b)(6)
Sent: Sunday, August 28, 2011 10:39 AM
To: (b)(6)
Cc:
Subject: RE: (b)(6) - Statement and Questions about 8/11/2011

Aloha (b)(6)

I have included below the questions and answers. (b)(6) 😊

1. Have you every observe any BDO not following the SPOT SOP? No, I have not.

2. Please list all behaviors you observed on 8/11/2011 that lead to a SPOT referral? I observed (b)(3)49 U.S.C. § 114(n)
(b)(3)49 U.S.C. § 114(n)

3. Please list all behavior that only you observed on 8/11/2011? I observed (b)(3)49 U.S.C. § 114(n)
(b)(3)49 U.S.C. § 114(n)

4. Have you ever observed or have knowledge of anyone using Race, Religion, or Ethnicity as a reason to refer individuals at any time? If Yes please explain the event and your evidence/proof. No I have never observed nor have knowledge of any BDO that I have worked with using RRE.

5. Do you have any knowledge of anyone including Race, Religion, or Ethnicity to establish their environmental Baseline? No

6. Do you feel that you can bring concerns about any issues to management? Yes, I work with a great management team and I feel that I can bring up any concerns that I may have openly with them.

7. Do you have knowledge of any behavior being made up or points being calculated that have not been observed? No

8. Do you have any knowledge of unethical behavior or illegal activity being conducted at HNL? No

9. Do you have any knowledge of Profiling being conducted or utilize at HNL? Please explain your answer. No, I don't have any knowledge of any profiling being conducted or utilized at HNL. When it comes to Behavior detection we have an SOP that we follow and behaviors are assigned a number and when we reach that threshold we as BDOs must refer the individual(s) as required by our SOP.

These question below are in reference to the time period when you, BDO (b)(6) and BDO (b)(6) where in Hawaiian Lobby and in the SPOT referral process for the SPOT referral at 615 AM.

10. For the SPOT referral at 615 AM did you observe any of the behaviors assessed? If yes please explain what behavior and how the events happened in chronological order. Yes I did.

- While in the Hawaiian Lobby Myself along with BDOs (b)(6) and (b)(6) were on an Spot After Action from a referral that resulted at 0550 am.
- While talking with (b)(6) about the referral I observed a passenger exhibiting (b)(3)49 U.S.C. § 114(n) I continued to observe the passenger (b)(3)49 U.S.C. § 114(n)
(b)(3)49 U.S.C. § 114(n)

- I told (b)(6) what I have observed on the passenger (b)(3)49 U.S.C. § 114(r) (b)(3)49 U.S.C. § 114(r) walked towards the checkpoint.
- We were due for a break so I advised (b)(6) and (b)(6) to continue on a break and I headed towards the checkpoint.
- While walking the line at Checkpoint 1 Lanes 3/4, I observed two additional behaviors (b)(3)49 U.S.C. § 114(r) (b)(3)49 U.S.C. § 114(r)
- I contacted (b)(6) and informed them on the two additional behaviors observed and if they could leave their break and head over to the checkpoint to help in conducting a SPOT referral on the passenger (b)(3)49 U.S.C. § 114(r)

11. Why did you leave the After Action meeting to go to Checkpoint 1? I left because when SPOT behaviors are observed it is my duty as a BDO to follow the SOP at all times.

12. According to the 414 IR the behaviors were observed at certain times and locations did you have constant and continuous observation of the passenger at that times? Please explain? Yes, I did. I had constant/continuous observation of the passenger (b)(3)49 U.S.C. § 114(r) Please reference the above question #10 for the answer.

13. Where you at the Checkpoint when the behaviors in the queuing line or TDC was observed? Yes I was please refer to question #10.

14. Please explain your conversation with BDO (b)(6) and BDO (b)(6) in the Hawaiian Lobby and what was your interpretation of what was said and that transpired? I just explained that the passenger was exhibiting (b)(3)49 U.S.C. § 114(r) (b)(3)49 U.S.C. § 114(r) Please refer to question #10.

15. Where any statements provided to you irresponsible or created a hostile work environment? No.

16. At anytime did BDO (b)(6) or BDO (b)(6) mention the use of Race, Religion, or Ethnicity to refer the passengers that were referred on 8/11/2011 at 0615? No, they did not use RRE.

17. Please provide any concerns you have about all events that occurred on the day of 8/11/2011 or any time since you have been a BDO? My only concern is that on this day during this SPOT referral that escalated to a SPOT LEO due to the passenger (b)(3)49 U.S.C. § 114(r) was that during the LEO when the Deputy Sheriff arrived they stated that the passenger didn't violate any Hawaii Revised Statutes (HRS) policies and they were free to go even after what the company stated in regards to the card.

18. Do you have any evidence of Profiling or use of Race, Religion, or Ethnicity? Please explain? No, I have never encountered a BDO using RRE as a basis for a SPOT referral.

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(b)(6)

Master Behavior Detection Officer
Transportation Security Administration
Department of Homeland Security
300 Rodgers Blvd. #45
Honolulu, Hawaii 96819
Cell: (b)(6)
Office: 808-831-(b)(6)
Facsimile: 808-831-4619

E-mail: (b)(5)

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From: (b)(5)
Sent: Sunday, August 28, 2011 9:17 AM
To: (b)(5)
Cc: (b)(5); (b)(5); (b)(5)
Subject: (b)(5) Statement and Questions about 8/11/2011

(b)(5)

As per our discussion please respond to all questions listed below and provide any information you feel is needed. I have added some question to reflect the information you provided to me verbally during are meeting today. Thank you.

1. Have you every observed any BDO not following the SPOT SOP?
2. Please list all behaviors you observed on 8/11/2011 that lead to a SPOT referral?
3. Please list all behavior that only you observed on 8/11/2011?
4. Have you ever observed or have knowledge of anyone using Race, Religion, or Ethnicity as a reason to refer individuals at any time? If Yes please explain the event and your evidence/proof.
5. Do you have any knowledge of anyone including Race, Religion, or Ethnicity to establish their environmental Baseline?
6. Do you feel that you can bring concerns about any issues to management?
7. Do you have knowledge of any behavior being made up or points being calculated that have not been observed?
8. Do you have an knowledge of unethical behavior or illegal activity being conducted at HNL?
9. Do you have any knowledge of Profiling being conducted or utilized at HNL? Please explain your answer.

These question below are in reference to the time period when you, BDO (b)(5) and BDO (b)(5) where in Hawaiian Lobby and in the SPOT referral process for the SPOT referral at 615 AM.

10. For the SPOT referral at 615 AM did you observe any of the behaviors assessed? If yes please explain what behavior and how the events happened in chronological order.
11. Why did you leave the After Action meeting to go to Checkpoint 1?
12. According to the 414 IR the behaviors where observed at certain times and locations did you have constant and continuous observation of the passenger at that times? Please explain?
13. Where you at the Checkpoint when the behaviors in the queuing line or TDC observed?
14. Please explain your conversation with BDO (b)(5) and BDO (b)(5) in the Hawaiian Lobby and what was your interpretation of what was said and that transpired?
15. Where any statements provided to you irresponsible or created a hostile work environment?
16. At anytime did BDO (b)(5) or BDO (b)(5) mention the use of Race, Religion, or Ethnicity to refer the passengers that were referred on 8/11/2011 at 0615?

17. Please provide any concerns you have about all events that occurred on the day of 8/11/2011 or any time since you have been a BDO?
18. Do you have any evidence of Profiling or use of Race, Religion, or Ethnicity? Please explain?

Thank you and please have this statement completed before the end of your shift. Also this is a reminder as per our conversation this topic is not to be discussed with anyone but your STSMs.

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(b)(6)

SPOT Transportation Security Manager

Transportation Security Administration

Department of Homeland Security

300 Rodgers Blvd. #45

Honolulu, Hawaii 96819

Ph. (b)(6)

Office: 808-831-(b)(6)

Facsimile: 808-831-4619

E-mail: (b)(6)

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Transportation Security Administration

U.S. Department of Homeland Security
Honolulu International Airport
300 Rodgers Boulevard, #45
Honolulu, HI 96819

DATE: Thursday, May 12th, 2011
TO: (b)(6) MBDO
FROM: (b)(6) STSM
SUBJECT: Memorandum of Record

(b)(6)

The SPOT management team completed an assessment of your WTL process and it was determined after multiple observation periods that your pattern of engagement with selective passengers reflected increased observation and interaction. Specifically, your encounters did not reflect a consistent interaction/observation with every passengers. This memo is being delivered to provide you with follow up instructions that you must conduct WTL in an unbiased, indiscriminate, unpredictable manner and (b)(6) and adhere to all SPOT SOP/MD/Management Instructions, etc.

I recognize that you may have certain ideas to improve your performance. Therefore, I encourage you to create your own personal improvement plan input, suggestions, you may write them in on the lines below:

For your reference, I have attached a copy of the Management Directive 1100.73-5 (Employee Responsibilities and Conduct). You may also refer to the TSA Management Directive 1100.73-5 Handbook and SPOT SOP which is available on the TSA network website. Please read these policies and procedures thoroughly and do not hesitate to ask me any questions you have regarding these policies and procedures.

TSA Management Directive No. 1100.73-5 Employee Responsibilities and Conduct #5 Responsibilities

- (2) Responding promptly to and fully complying with directions and instructions received from their supervisor or other management officials.
(7) Observing and abiding by all laws, rules, regulations and other authoritative policies and guidance, written and unwritten.

Please sign the acknowledgement of receipt below. Your signature does not denote agreement with this action; it only represents receipt of this notice on the date signed.

(b)(6)
(b)(6)

05/12/2011
Thursday, May 12, 2011
5/12/2011
Thursday, May 12, 2011



BDO PROFICIENCY EVALUATION

Team Members Evaluated

Master BDO: (b)(6)

Completed By: STSM (b)(6)

Date: 4/26/10

Referred to: SPOT SOP and Local HNL BDO Guidance/Polices

Tools/Resources used for assessment (as applicable): BDO

1) SPOT Proficiency Checklist

Strengths: You have a great understanding of the Checklist and its requirements.

Challenges: 1. you have been briefed on Walk the Line procedures and understand them but still need to be motivated to complete it correctly.

Recommendations: All Officers need to be reinforced about Walk the Line and its requirements.

Management Intervention- Follow Up/ Plan of Action: I have already educated and mentored all BDOs to correct this challenge. Next I will be issuing a Letter of Guidance to all BDO's in reference to SPOT SOP Walk the Line procedures and the Proficiency Checklist.

2) SPOT Referral Report

Strengths: You reviewed all SPOT behaviors and provided demonstrations on all behaviors to show understanding. You recognized and accurately assessed the environmental baseline as established in the SPOT SOP. You explained the 8 basic factors used in determining the baseline and understood the excluded factors Race, Religion, and Ethnicity. You identified individuals exhibiting SPOT behaviors that deviate from the baseline (BDO conferred with STSM (b)(6) on details of observations). You accurately assets all SPOT behaviors during observation period. You asked to list all unusual items they accurately identified any unusual items that could be found during SPOT Referral Screening. You assigned the appropriate point value to individuals exhibiting SPOT behaviors. You conferred with STSM (b)(6) to explain behaviors and point values assigned.

Challenges: Same as all BDOs because of recent changes to SPOT policy complete memorization of Behaviors still a challenge for all BDOs.

Recommendations: This challenge is a national issue and we have learning tools in place at HNL already.

Management Intervention -Follow Up /Plan of Action: I discuss behaviors with BDOs and provide additional time for review/memorization.

BDO PROFICIENCY EVALUATION

3) SPOT SOP

Strengths: You have a great knowledge of the SPOT SOP and how to apply it properly.

Challenges: Same as all BDOs because of recent changes to SPOT policy complete memorization of Behaviors still a challenge for all BDOs.

Recommendations: This challenge is a national issue and we have learning tools in place at HNL already.

Management Intervention-Follow Up /Plan of Action: I will continue to discuss behaviors with BDOs and provide additional time for review/memorization.

4) Other Challenges identified/Positives identified

1. LEO Report Writing/SPOT Reports/Attention to Details:

Your attention to the details for all reports and completion in a timely manner. Your ability to mentor your fellow BDOs even in the Master level your self is excellent.

Recommendations:

You have mentored other shifts and your fellow BDOs as an Expert in the field of Report writing. It is great that you have been identified by your peers as an SME without management intervention.

You have made and continue to work on recommendations to improve the SPOT program at HNL. (S-Drive)

Management Intervention-Follow Up /Plan of Action:

Continue your hard work

2. Expert BDO Decisiveness:

STSM observations have identified great improvements in areas of Decisiveness (Decision-Making)

Recommendations/Positive Reinforcement:

You continue to make well-informed, effective and timely decisions, even when data are limited or solutions produce unpleasant consequences; perceives the impact and impact of decisions. Your LEO calls have been a time where you present this skill and make very sound decisions.

Management Intervention-Follow Up /Plan of Action:

Continue the hard work.

BDO PROFICIENCY EVALUATION

3. BDO Interpersonal Skills - Management Communication and listening effectively to BDOs:

STSM identified that all BDO's must treat others with courtesy, respect, and respond appropriately to the needs and feelings of different people in different situations.

Recommendations/Positive Reinforcement:

You must continue to listen and understand fellow BDOs' perspectives with regard to the impact of management decisions in order to communicate those perspectives to management or Lead G band in a professional and unbiased manner. I would like to see improvement in your relations with co-workers to develop this skill.

Management Intervention-Follow Up /Plan of Action:

Call STSM intervention needed and make notifications. If you need additional mentorship in this area just email and we can work on some tools.

4. Teamwork Competency in aspect of the BDO function:

BDOs should work cooperatively with others to achieve shared goals; openly shares information, knowledge, and expertise with the team; puts team goals ahead of individual/personal goals

Recommendations/Positive Reinforcement:

You have and continue to prioritize team goals and fostering commitment and team spirit to achieve TSA and SPOT objectives.

Management Intervention-Follow Up /Plan of Action:

Continue the hard work.

5. Oral Communication Competency in aspect of the BDO function:

BDOs should listen and understand fellow BDO's perspectives with regards to the impact of management decisions in order to communicate those perspectives to management in a professional and unbiased manner.

Recommendations/Positive Reinforcement:

You have and continue to consider all factors to communicate effectively in difficult situations to clarify the problem and identify appropriate actions/procedures.

Management Intervention-Follow Up /Plan of Action:

Continue the hard work.

BDO PROFICIENCY EVALUATION

Synopsis of First Half for PASS 2010

Your performance has been excellent in all aspects of your job function. Please continue this through the next half for PASS 2010. I have provided some of my observations to show as an example of your job performance this cycle but it is in no means all that you have done. Also email or call me at anytime to discuss your goals or way to improve your PASS ratings. Thank you for the hard work and dedication to the HNL SPOT Program.

I am available to help you if you need guidance on this matter. Additionally, if you feel you might have a personal problem, your ability to perform, you may contact the Employee Assistance Program (EAP) at 1-888-222-0364. EAP is a confidential resource designed to help employees deal with a wide range of personal issues affecting work performance.

Please sign the acknowledgement of receipt below. Your signature below does not denote agreement with this; it only represents receipt of this notice on the date signed.

(b)(6)

STSM Sign and Print

4/24/2010

Date

Acknowledgement of Receipt:

(b)(6)

Officer Sign and Print

04/20/2010

Date

Delivery Information:

Hand Delivered by:

Date

SPOT Expert BDO-Master BDO Partnership Program Documentation

Master BDO:

(b)(6)

Lead Expert BDO:

(b)(6)

Dates of Mentorship: March 2011 – May 2011

To be completed by Expert BDO:

- 1) Did you provide your officer with Expert BDO SOP mentorship (as needed) , to include SPOT procedures/ guidance, supervisory instructions reinforcement, SPOT observation/assessment; in an effort to ensure SOP compliance, PASS preparation, effective communication and team work; If so, please describe in detail: **Yes, please see attachments.**
- 2) Did you identify any strengths within the officers' SPOT performance and application that the BDO conducted successfully /at an exceptional level (what is the officer good at?) (b)(6) **does the work that is required of her well. She is focused and pays attention. She is really good in her Casual Conversation. At times, she can appear aggressive and so, her strength is also a weakness. Please see attachments for detailed information.**
- 3) Please describe in detail any concerns/challenges that you would like to elevate for management intervention: **None.**
- 4) Please list in detail (as applicable) what type of coaching, feedback, and/or was direction given to this officer to address the concern: **I mentored (b)(6) in not talking/distracting other Officers or her partner although it is part of her Ohana culture; and discussed strategies. I mentored her in fine-tuning some of her observations. There wer quite a few times when I didn't observe what she did. Also, talked about positioning and moving more often.**
- 5) Please list any recommendations and/or feedback that you have discussed with you Master BDO that will or has supported their performance goals, PASS assessments, and overall SPOT training and observations; please be specific: **I recommend that Officer (b)(6) be looked at as a potential G-band. She has the capability plus the characteristics. I also recommend that she take a few TSA OLC courses in Communication, Dealing with Difficult People and Leadership Strategies.**
- 6) Do you feel confident that your officer is in compliance with all SPOT procedures and that this officer was given the tools and resources to perform their job successfully? **Yes, I do.**

7) Comments Section:

(b)(6)

STSM Follow up Action:

STSM Acknowledgment & Review:

Date filed: June 2011



BDO SUPPORT STAFF DAILY SITREP



Name: (b)(6)
Date: Monday, March 14, 2011
Terminal / Assignment: (b)(6) AT USC § 1140
Hours of Operations: 0500-1345

Statistics

	Total	Total	Arrests:
PAX Referred for Selectee Screening:	(b)(6) AT USC § 1140	(b)(6) AT USC § 1140	(b)(6) AT USC § 1140
Requests for LEO Intervention:			

<u>Operations</u>	<u># of</u>	<u>Hours</u>
Checkpoint:	(b)(6) AT USC § 1140	
Playbook:		
REFS:		
VIPR Operations:		



BDO SUPPORT STAFF DAILY SITREP

Name:	(b)(6)
Date:	Monday, March 16, 2011
Terminal / Assignment:	(b)(3)(49) USC § 114(n)
Hours of Operations:	0900-1700

Statistics

PAX Referred for Selectee Screening:	Total	Requests for LEO Intervention:	Total	Arrests:
	(b)(3)(49) USC § 114		(b)(3)(49) USC § 114(n)	

<u>Operations</u>	<u># of</u>	<u>Hours</u>
Checkpoint:	(b)(3)(49) USC § 114(n)	
Playbook:		
REFS:		
VIPR Operations:		

HNL BDO: (b)(6)

General Observations/Experiences:

(b)(3)(49) USC § 114(n)

Positive Feedback:

There was no invidious use of race or ethnicity in this case. For the record, the three individuals selected for SPOT Referral screening were Filipino and the male with the distraught toddler was Caucasian. I only spent two hours with (b)(6) and that was mostly during the SPOT Referral screening. It worked out pretty well because there were three passengers and three BDOs. There was also great communication between all BDOs.

Constructive Feedback:

(b)(3)(49) USC § 114(n), (b)(6)



BDO SUPPORT STAFF DAILY SITREP

Name:	(b)(6)
Date:	Monday, March 21, 2011
Terminal / Assignment:	(b)(6)
Hours of Operations:	07:00-1330

Statistics	
PAX Referred for Selectee Screening:	Total (b)(6)
Requests for I FO Intervention:	Total Arrests: (b)(6) (b)(6)
Operations	
	# of Hours
Checkpoint:	
Playbook:	
REFS:	
VIPR Operations:	

HNL BDO: (b)(6)

General Observations/Experiences

Overall great work. There were (b)(6) with BDO (b)(6) Walk-the-Line procedures followed. Could use more work with not talking with Checkpoint personnel. However, (b)(6) has a hard time keeping her mouth shut. I think with the After Action reviews and analyzing behavior observation AS A GROUP will bring everyone to the same page. It seems difficult to debate when "in the moment" as we must always support our partner. Discussed with other BDOs that if they don't see or question another BDOs observation, it must be reported to Management. New SOP Guidelines may help; not sure yet. Refresher Course is a guarantee to bring everyone "back to basics".

Positive Feedback:

Overall great work.

Constructive Feedback:

Discussed that use of Race or Ethnicity should not be used when describing passengers.

Sent an email out with the following questions for STSM Clarification and feedback was positive for the ENTIRE team:



BDO SUPPORT STAFF DAILY SITREP

Name: (b)(6)
Date: Monday, March 24, 2014
Terminal / Assignment: (b)(3) 4015-C § 114
Hours of Operations: 0500-0930 and 1015-1245

Statistics

	Total		Total	Arrests:
PAX Referred for Selectee Screening:	(b)(3) 4015-C § 114	Requests for LEO Intervention:	(b)(3) 4015-C § 114	(b)(3) 4015-C § 114

Operations	# of	Hours
Checkpoint:	(b)(3) 4015-C § 114	
Playbook:		
REFS:		
VIPR Operations:		

HNL BDO: (b)(6)

General Observations/Experiences

Overall great work. There were (b)(3) 4015-C § 114 with BDO (b)(6) observed with Mentor. There were (b)(3) 4015-C § 114 with BDO (b)(6) that was NOT observed with Mentor because she was allowed to change her scheduled lunch. Walk-the-Line procedures followed. Could use more work with not talking with Checkpoint personnel. I do feel I still don't see all that she does. I feel that she over assesses.

(b)(3) 4015-C § 114 (b)(6)

Through discussion with STSM (b)(6) incident was documented as a courtesy call on the Daily Shift Summary. No significant input or output was generated.

Positive Feedback

Overall great work.

Constructive Feedback

Again, I feel she needs work on not being to "sensitive" when judging behaviors. However, I don't know if she is getting it. Feedback from other officers, in the opinion of this Mentor, is consistent with not observing what she is observing; in that some observation may be questionable.



BDO SUPPORT STAFF DAILY SITREP

Name:	(b)(6)
Date:	Sunday, March 27, 2011
Terminal / Assignment:	(b)(3) 49 U.S.C. § 114(n)
Hours of Operations:	0500-1330

Statistics	Total	Total	Arrests:
PAX Referred for Selectee Screening:	(b)(3) 49 U.S.C. § 114(n)	(b)(3) 49 U.S.C. § 114(n)	(b)(3) 49 U.S.C. § 114(n)
Requests for LEO Intervention:			

Operations	# of	Hours
Ch ckpoint:	(b)(3) 49 U.S.C. § 114(n)	
Playbook:		
REFS:		
VIPR Operations:		

HNL BDO: (b)(6)

General Observations/Experiences

Overall great work. There was (b)(3) 49 U.S.C. § 114(n) with BDO (b)(6) observed with Mentor. Behaviors were confirmed with Mentor and partner BDO (b)(6)

(b)(3) 49 U.S.C. § 114(n) (b)(6)

(b)(3) 49 U.S.C. § 114(n) TSS-E also responded with no further incident.

NOTE: STSO (b)(6) did not questions the passenger prior to our arrival. Come April 11, 2011, BDOs will be in an observatory mode only. STSOs should be reminded that they are to conduct the questioning.

(b)(3) 49 U.S.C. § 114(n) (b)(6)

Positive Feedback:

Overall great work.

Constructive Feedback:

(b)(3) 49 U.S.C. § 114(n) (b)(6)



BDO SUPPORT STAFF DAILY SITREP

Name:	(b)(7)(C)
Date:	Monday, March 16, 2011
Terminal / Assignment:	(b)(7)(C) § 114(f)
Hours of Operations:	0900-1100

Statistics	
PAX Referred for Selectee Screening:	Total (b)(7)(C) § 114(f)
Requests for LEO Intervention:	Total Arrests: (b)(7)(C) § 114(f)
Operations	
Checkpoint:	# of Hours (b)(7)(C) § 114(f)
Playbook:	
REFS:	
VIPR Operations:	

HNL BDO:	(b)(7)(C)
General Observations/Experiences	
(b)(7)(C) § 114(f), (b)(7)(D)	

Positive Feedback:	<p>There was no invidious use of race or ethnicity in this case. For the record, the three individuals selected for SPOT Referral screening were Filipino and the male with the distraught toddler was Caucasian. I only spent two hours with (b)(7)(C) and that was mostly during the SPOT Referral screening. It worked out pretty well because there were three passengers and three BDOs. There was also great communication between all BDOs.</p>
---------------------------	--

Constructive Feedback:	(b)(7)(C) § 114(f), (b)(7)(D)
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BDO SUPPORT STAFF DAILY SITREP



HNL BDO: (b)(6) if

General Observations/Experiences

(b)(6) was not being mentored at this time.

Positive Feedback

(b)(6) was not being mentored at this time.

Constructive Feedback

(b)(6) was not being mentored at this time.



BDO SUPPORT STAFF DAILY SITREP

Name: (b)(6)
Date: Monday, March 21, 2011
Terminal / Assignment: (b)(3) 49 U.S.C. § 114(r)
Hours of Operations: 0700-1330

Statistics

PAX Referred for Selectee Screening:	Total	Requests for LEO Intervention:	Total	Arrests:
	(b)(3) 49 U.S.C. §		(b)(3) 49 U.S.C. § 114(r)	(b)(3) 49 U.S.C. § 114(r)

<u>Operations</u>	<u># of</u>	<u>Hours</u>
Checkpoint:	(b)(3) 49 U.S.C. § 114(r)	
Playbook:		
REFS:		
VIPR Operations:		

HNL BDO (b)(6)

General Observations/Experiences

Overall great work. There were (b)(3) 49 with BDO (b)(6) Walk-the-Line procedures followed. Could use more work with not talking with Checkpoint personnel. However, (h) has a hard time keeping her mouth shut. I think with the After Action reviews and analyzing behavior observation AS A GROUP will bring everyone to the same page. It seems difficult to debate when "in the moment" as we must always support our partner. Discussed with other BDOs that if they don't see or question another BDOs observation, it must be reported to Management. New SOP Guidelines may help; not sure yet. Refresher Course is a guarantee to bring everyone "back to basics".

Positive Feedback

Overall great work.

Constructive Feedback

Discussed that use of Race or Ethnicity should not be used when describing passengers.

Sent an email out with the following questions for STSM Clarification and feedback was positive for the ENTIRE team:

(b)(3) 49 U.S.C. § 114(r)



BDO SUPPORT STAFF DAILY SITREP

HNL BDO
General Observations/Experiences

Positive Feedback

Constructive Feedback



BDO SUPPORT STAFF DAILY SITREP

Name: (b)(6)
Date: Monday, March 24, 2011
Terminal / Assignment: (b)(3)49 USC § 1141n
Hours of Operations: 0500-0930 and 1015-1245

Statistics

	Total	Requests for LE Intervention	Total	Arrests:
PAX Referred for Selectee Screening:	(b)(3)49		(b)(3)49 USC § 1141n	

Operations

	# of	Hours
Checkpoint:	(b)(3)49 USC § 1141n	
Playbook:		
REFS:		
VIPR Operations:		

HNL BDO:

General Observations/Experiences

Overall great work. There were (b)(3)49 USC § 1141n with BDO (b)(6) observed with Mentor. There were (b)(3)49 USC § 1141n with BDO Flores that was NOT observed with Mentor because she was allowed to change her scheduled lunch. Walk-the-Line procedures followed. Could use more work with not talking with Checkpoint personnel. I do feel I still don't see all that she does. I feel that she over assesses.

(b)(3)49 USC § 1141n

Through discussion with STSM (b)(6) incident was documented as a courtesy call on the Daily Shift Summary. No significant input or output was generated.

Positive Feedback

Overall great work.

Constructive Feedback

Again, I feel she needs work on not being to "sensitive" when judging behaviors. However, I don't know if she is getting it. Feedback from other officers, in the opinion of this Mentor, is consistent with not observing what she is observing; in that some observation may be questionable.



BDO SUPPORT STAFF DAILY SITREP

Name:	(b)(6)
Date:	03/23/2011
Terminal / Assignment:	(b)(6) USC § 114n
Hours of Operations:	0450 to 0950 hours

Statistics

	Total		Total	Arrests:
PAX Referred for Selectee Screening:	(b)(6) USC § 114n	Requests for LEO Intervention:	(b)(6) USC § 114n	(b)(6) USC § 114n

<u>Operations</u>	<u># of</u>	<u>Hours</u>
Checkpoint:	(b)(6) USC § 114n	
Playbook:		
REFS:		
VIPR Operations:		



BDO SUPPORT STAFF DAILY SITREP

HNL BDO: (b)(6)

General Observations/Experiences

(b)(6) is hungry for action and is aggressive in her assessment of SPOT behaviors and could tone it down to some extent (i.e. (b)(6) needs to consider "exaggerated" more when assessing SPOT behaviors that apply).

Positive Feedback

(b)(6) was friendly and courteous to the passengers when she walked the line.

(b)(6) discreetly notified her partner some of the time after informing me of her observations (SPOT Behaviors) – I recommended more communication between partners.

Constructive Feedback

01/22/15 11:56:53 AM 11/02/2015



BDO SUPPORT STAFF DAILY SITREP

HNL BDO:

(b)(6)

COMMENTS:

Upon arriving at the checkpoint, (b)(6) checked in with the STSO and TDC, however she did not check in with the LEO nor did she check the flight board for possible delays. I reminded her to check in with the LEO and check the flight board.

(b)(7)(C) (b)(1)

From: (b)(7)(C)
Sent: Thursday, March 24, 2011 8:28 PM
To: (b)(7)(C); (b)(7)(F); (b)(7)(C); (b)(7)(D); (b)(7)(E)
Subject: RE: SITREP - Mentorship for (b)(7)(C) on 03/23/2011

ALCON:

Just to clarify a few things:

1. On my past SITREPS, I indicated LEO Referrals mistaken for TOTAL Referrals.

2. (b)(3) 49 U.S.C. § 114(f)

(b)(3) 49 U.S.C. § 114(f)

(b)(3) 49 U.S.C. § 114(f)

All STSO that I have come into contact with, do not mind this action as it helps them. I do agree with (b)(7)(C), that it is THEIR job. Unfortunately, most of the STSO cannot be found and do not try to relieve the flow of passengers. Personally, I support this action provided in can be one with minimal distraction

(b)(3) 49 U.S.C. § 114(f)

5. I don't think we can stand around and just do behavior observations. I think we need to be observant and proactive in all areas. I promote thinking outside the box and learning to blend in.

Just my thought, because I know I do and promote some of these things. I think they can be used effectively and purposefully,

Thanks for letting me express my opinion.

(b)(7)(C) EBDU

Department of Homeland Security (DHS)
Transportation Security Administration (TSA)
Honolulu International Airport (HNL)
Behavior Detection Unit
300 Rodgers Blvd #45
Honolulu, Hawaii 96819

TSA Phone: (b)(7)(C)
Office: (808) 831-(b)(7)(C)
Fax: (808) 831-4619
Email: (b)(7)(C)

From: (b)(7)(C)
Sent: Thu 3/24/2011 2:35 PM
To: (b)(7)(C); (b)(7)(C); (b)(7)(C); (b)(7)(C)
Subject: SITREP - Mentorship for (b)(7)(C) on 03/23/2011

<<EMM SITREP 03-23-2011 NF.doc>>

ALCON:

Please find attached my daily SITREP for [REDACTED] on 03/23/2011. Use BDO TSA password.

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[REDACTED]

Expert TSO Behavior Detection Officer

Transportation Security Administration

Department of Homeland Security

300 Rodgers Blvd. #45

Honolulu, Hawaii 96819

TSA Cell [REDACTED]

Office: 808-831-[REDACTED]

Facsimile: 808-831-4619

E-mail: [REDACTED]

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BDO SUPPORT STAFF DAILY SITREP

Name: (b)(6)
Date: Sunday, March 27, 2011
Terminal / Assignment: (b)(3)(49 U.S.C. § 114(n))
Hours of Operations: 0500-1330

Statistics

PAX Referred for Selectee Screening:	Total	Requests for LEO Intervention:	Total	Arrests:
	(b)(3)(49 U.S.C. § 114(n))		(b)(3)(49 U.S.C. § 114(n))	

<u>Operations</u>	<u># of</u>	<u>Hours</u>
Checkpoint:	(b)(3)(49 U.S.C. § 114(n))	
Playbook:		
REFS:		
VIPR Operations:		

HNL BDO: (b)(6)

General Observations/Experiences

Overall great work. There was (1) referral(s) with BDO (b)(6) observed with Mentor. Behaviors were confirmed with Mentor and partner BDO (b)(6)

(b)(3)(49 U.S.C. § 114(n), (b)(6))

(b)(3)(49 U.S.C. § 114(n)) TSS-E also responded with no further incident.

NOTE: STSO (b)(6) did not question the passenger prior to our arrival. Come April 11, 2011, BDOs will be in an observatory mode only. STSOs should be reminded that they are to conduct the questioning.

(b)(3)(49 U.S.C. § 114(n), (b)(6))

Positive Feedback:

Overall great work.

Constructive Feedback:

(b)(3)(49 U.S.C. § 114(n), (b)(6))