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**DEPARTMENT OF THE ARMY**
OFFICE OF THE ASSISTANT SECRETARY OF THE ARMY
FINANCIAL MANAGEMENT AND COMPTROLLER
109 ARMY PENTAGON
WASHINGTON DC 20310-0109

REPLY TO
ATTENTION OF

September 29, 2005

The Honorable Scott J. Bloch
The Special Counsel
U.S. Office of Special Counsel
1730 M Street, N.W., Suite 300
Washington, D.C. 20036-4505

Re: Whistleblower Investigation—Directorate of Emergency Services, Civilian Police Department, Fort Meade, Maryland (OSC File Nos. DI-05-0240 and DI-05-0405)

Dear Mr. Bloch:

In accordance with Title 5, United States Code (USC), Sections 1213(c) and (d), the enclosed report is submitted in response to your referral of information requesting an investigation of allegations and a report of findings in the above referenced case.

As the Agency head, the Secretary of the Army (SA) has delegated to me his authority to review, sign, and submit to you the report required by Title 5, USC, Sections 1213(b), (c) and (d) [TAB 1a].

Note that this report and its exhibits contain the names and titles of employees of the National Security Agency (NSA) and describe certain NSA law enforcement functions. Federal law[1] and implementing Department of Defense directives[2] prohibit the release of "the organization or any function of the NSA, . . . or the names [and] titles of persons employed by the Agency . . ." absent coordination with NSA, other appropriate authority, or when required by law. On September 23, 2005, coordination was effected with the NSA; release of this report, unredacted, to the Office of Special Counsel (OSC) was authorized. The NSA representative cautioned, however, that subsequent release of NSA information, by the Army or by OSC, required further coordination with the Agency [TAB 1b]. Similarly, the Army would appreciate an opportunity to coordinate on any subsequent release of this report outside OSC.

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[1] National Security Agency Act of 1959, Section 6(a), 86 P.L. 36; 73 Stat. 63, May 29, 1959.

[2] DoDD 5100.23, *Administrative Arrangements for the National Security Agency*, May 17, 1967, para. 3.4.

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## INFORMATION INITIATING THE INVESTIGATION

By letter dated March 7, 2005 [TAB 2], the OSC referred to the SA its conclusion of a substantial likelihood that information provided by [redacted] a former Department of the Army Civilian Police (DACP) officer at Fort George G. Meade (FGGM), Maryland, disclosed violations of law, rule, or regulation and a substantial and specific danger to public safety arising out of actions by an employee at the Department of the Army (DA), Directorate of Emergency Services (DES), FGGM.

According to OSC correspondence, [redacted] sclosed the following:

(1) Lieutenan[redacted] upervisory Policy Officer, often carries his personal weapon, a Glock semi-automatic pistol,[3] while on duty, in violation of Army Regulation (AR) 190-56, *The Army Civilian Police and Security Guard Program*;

(2) [redacted] ometimes loads it [his personal weapon] with his own ammunition;

(3) [redacted] sed hollow point ammunition[4] in military rifles/weapons on the FGGM firing range;

(4) [redacted] ided hollow point ammunition [redacted] other police officers to use on the range with their military-issued weapons, in violation of AR 190-56, creating a substantial and specific danger to public safety because the use of hollow point ammunition in military weapons may cause them to malfunction, or even to explode, when fired; and

(5) The hollow point ammunition [provided b[redacted] DACP for use on the range] appeared green and corroded, exacerbating the risk that the weapons [in which the ammunition was placed] might malfunction or explode either at the firing range or at a later time when loaded with proper ammunition.

OSC found these allegations of paramount concern "because the Fort Meade police officers help to protect the grounds of the National Security Agency, among other duties, the quality and condition of their weapons and ammunition have national security implications, in addition to implications for the general safety and security of the other inhabitants of Fort Meade."

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[3] Glock, Inc. is an Austrian company renown for firearms production. Evidence establishes th[redacted] purchased a Glock-17 pistol from the Lawman Supply Company, Inc. on October 27, 2004.

[4] "Hollow point" ammunition has a hole in the bullet nose that causes the bullet to expand rapidly upon impact with an object. Hollow point ammunition differs from "ball" ammunition, which has a solid or fully jacketed bullet and does not expand significantly on impact. A large percentage of law enforcement agencies have adopted hollow point as their designated duty ammunition because of its increased power to stop and incapacitate targets and its tendency to minimize ricochets, both of which contribute to enhanced safety in law enforcement operations.

## CONDUCT OF THE INVESTIGATION

On March 9, 2005, the Army Office of the General Counsel (OGC) forwarded the OSC request for investigation to the United States Army Military District of Washington (MDW) for action [TAB 3]. This referral was appropriate because the Commanding General, MDW, serves as the Senior Mission Commander for FGGM. In turn, MDW forwarded the allegations to the FGGM to initiate an investigation.

On April 8, 2005, Colone[redacted] Installation and Garrison Commander, FGGM, appointed Lieutenant Colonel (LTC[redacted] an investigating officer (IO) under provisions of AR 15-6, *Procedures for Investigating Officers and Board of Officers*, with a mandate to investigate the allegations forwarded by OSC. The appointment of the IO had been significantly delayed by difficulties in identifying an investigating officer of sufficient seniority and experience related to the subject matter of the allegations. At the time of her appointment [redacted]ved as the Commander, Headquarters Command, FGGM, and was senior in rank to the individuals named in the OSC allegations. Further[redacted] Military Police (MP) officer; her experience in this regard was deemed essential to the investigation and analysis of the allegatio[redacted]AB Z-Administrative Documents-c].[5] Thoug[redacted]gently proceeded with her investigation, she encountered difficulty in locating and interviewing several of the relevant witnesses who, by that time, were no longer employed with FGGM.

By statute, an agency is afforded sixty days to complete the report required by Title 5, USC, Section 1213. On May 6, 2005, OGC requested that OSC grant an extension to permit sufficient time for FGGM to complete the AR 15-6 Report of Investigation (ROI), secure a legal review of the report, and process the final report through OGC and the Army leadership for approval [TAB 4]. Ms.[redacted] Chief, Disclosure Unit, OSC, granted the request for extension until July 11, 2005.

In the course of her investigation,[redacted]hered documentary evidence and interviewed key witnesses, to include the complainant,[redacted][6] DACP Lt. [redacted] subject of the allegations forwarded by OSC; two FGGM DES management officials; and ten other witnesses believed to possess information relevant to the allegations.

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[5] This footnote prescribes the citation convention that will be employed throughout this report with a view to facilitating the reader's easy reference to the specific document from which facts or assertions set forth herein are drawn. When applicable, the name of the AR 15-6 IO ([redacted] whose Report of Investigation (ROI) the information is located will first be cited, followed by the letter or number designation of the appropriate TAB within that investigation. When useful, the sub-tab, form number, or page from which the specific information is drawn then will be cited.

[6] [redacted] at TAB Z-9-A that she thrice requested that the complainant,[redacted] with her to sign and swear to his statement. [redacted]d to appear on all three occasions; on the last, May 13, 2005,[redacted]ted all morning at the mutually agreed location to meet with [redacted] he never appeared and, to the best of [redacted]owledge, never made further attempts to meet with her to complete this task.

On May 27, 2005, [redacted] mpleted her report and submitted it to the Appointing Authority, [redacted] und:

(1) The evidence does not support the allegation t[redacted] carried a privately owned Glock pistol while on duty at Fort Meade;

(2) The evidence does not support the allegation th[redacted] ded his weapon with privately owned ammunition; and

(3) The evidence does not support the finding that the ammunition may be unsuitable for use because it may exceed the chamber pressure of the 9mm pistol and some of it was tarnished with green patina.

[redacted] vestigation brought to light certain additional concerns that, although not expressly raised in the OSC referral, generated the following recommendations:

(1) Tha[redacted] counseled for bringing his privately-owned weapon onto the installation without registering it at Fort Meade, in violation of Fort Meade regulations and policies;

(2) That the Provost Marshal provide a mechanism and policy for the physical security of police officers' privately owned weapons at Fort Meade so that police officers may protect themselves when traveling to and from duty at Fort Meade, in compliance with the Law Enforcement Officers Safety Act of 2004;[7]

(3) That the Provost Marshall (sic) work wit[redacted] training officer for the [Department of the Army] Police, to ensure that the DA Police have the training resources they need to be trained and certified.

[redacted] 3 Z-Administrative Documents-1.

On June 1, 2005, the Staff Judge Advocate (SJA),[8] FGGM, completed his legal review o[redacted] investigation and determined that it was "legally sufficient and ready for action on findings and recommendation[redacted] B Z-4]. Subsequently, [redacted] Appointing Authority, approved the findings and recommendations by signing Section VIII of DA Form 1574, *Report of Proceedings by Investigating Officer/Board of Officers.*[9] By memorandum of June 2, 2005, [redacted] nsmitted LTC

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[7] The Law Enforcement Officers Safety Act of 2004 (LEOSA), codified at Title 18, USC, Section 926B [redacted] Z-9-J]. Throughout both th[redacted] a[redacted] ls, many witnesses refer to this law as HR 218, reflecting the numeric U.S. House of Representatives designation assigned to the proposed bill, by which the LEOSA became commonly known throughout the law enforcement community.

[8] In the U.S. Army, the installation Staff Judge Advocate serves as the primary legal advisor to the Commander.

[9] Note tha[redacted] not date the DA Form 1574.

[redacted]ROI to the MDW SJA for coordination and subsequent forwarding to Army OGC [redacted]TAB Z-Administrative Documents-b]. In his forwarding memorandum [redacted] stated:

> [redacted]egations have been exhaustively investigated . . . [redacted] specific allegations were not substantiated, and we have determined that there was never a danger to public safety as alleged. However, we discovered an installation policy gap in facilitating the Law Enforcement Officers Safety Act of 2004 and a regulatory violation, both of which are properly addressed.

On June 8, 2005, the MDW SJA forward[redacted]OI to Army O[redacted] TAB Z-Administrative Documents-a]. The SJA's transmittal memorandum advised that the ROI was legally sufficient but noted that:

> During the course of the investigation, the investigating officer determined that the Fort Meade Department of Emergency Services needed to clarify the procedures for civilian police officers to store their privately owned weapons on Fort Meade while the officers are on duty. Local policies and regulations address storage of weapons for personnel living on Fort Meade, but not personnel who work on Fort Meade. A policy allowing police officers to store privately owned weapons on Fort Meade will facilitate the Law Enforcement Officers Safety Act of 2004 provision allowing police officers to carry concealed weapons. The garrison commander is already taking action to clarify this policy.

Upon receipt and review of [redacted]OI, Army OGC requested clarification and follow-up action by FGGM and MDW. Additionally, on June 17, 2005, OGC referr[redacted]I, by facsimile, to the Office of Chief Counsel (OCC), U.S. Army Installation Management Agency (IMA) for additional legal review and coordination. This additional staffing was required because the IMA supervises the FGGM Garrison under which the DES is aligned. OGC formally supplemented its referral to OCC, IMA by letter of June 22, 2005 [TAB 5].

OCC, IMA reviewed [redacted]OI and the associated exhibits. OCC, IMA disagreed with the prior FGGM and MDW legal reviews of the ROI, noting that the LEOSA, upon whic[redacted]OI relied in finding that FGGM civilian police were authorized to carry concealed privately-owned weapons at any time, did not apply to DACP.[11] In addition, OCC, IMA concluded t[redacted]stigation raised certain

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[10] It appears that the FGGM Inspector General (IG) had previously inquired into the same or similar allegations The results of that inquiry are not available for review, however. Army Regulation 20-1, *Inspector General Activities and Procedures*, March 29, 2002, governs Inspector General inquiries and investigations. The regulation provides that these reports may not be released for use in other investigations without the approval of The Inspector General or his designated representative. *See* AR 20-1, para 3-1. The regulation notes that "Inspector general records are privileged documents and contain sensitive information and advice. Unauthorized use or release of IG records can seriously compromise the IG's effectiveness as a trusted adviser to the commander . . . and may breach IG confidentiality." *See* AR 20-1, para 3-1b.

[11] Underlyin[redacted]estigative findings and recommendations, together with the reviews thereof conducted by FGGM and MDW is the presumption that LEOSA exempted FGGM DACP from any state

collateral issues that required further investigation. Together, OGC and OCC, IMA concluded that an additional investigation was needed to inquire into these matters.

The initiation of the second investigation was hampered by a turnover in key personnel at FGGM. The Garrison Commander at FGGM had changed command on July 1, 2005, an[redacted] been transferred to new duty station pursuant to military orders. Accordingly, the new FGGM Garrison Commander had to be educated on the purpose and process associated with OSC investigations and briefed on the substance and status of the current matter. Additionally, a new IO with the necessary seniority and expertise had to be identified. Given these challenges, Army OGC requested a second extension of time from OSC on June 30, 2005 [TAB 6][redacted]nted the request.

On July 7, 2005, the Director, IMA, formally returned the ROI compiled b[redacted] the Region Director, Northeast Region (NERO), IMA, in whose geographic area jurisdiction FGGM is located, with specific instructions to ensure further investigation [TAB 7].

On July 19, 200[redacted] Director, NERO, appointed a new IO pursuant to AR 15-6. The new IO, [redacted]erved as the Provost Marshal at Fort Eustis, Virginia. [redacted]ct[redacted]to develop more fully the facts related to the initial allegations referred by OSC and to inquire into additional issues that had arisen in the context o[redacted]vestigation, including the propriety of DACP bringing privately owned weapons onto the installation and storing them; firing non-standard ammunition on the firing range and/or using ammunition not from the Army ammunition inventory; and the applicability of the LEOSA to DACP serving on federal installations [TAB 8].

Using [redacted]OI to inform her own investigation, [redacted]oceeded to interview additional witnesses and to collect additional documentary evidence. LTC [redacted]ted her investigation and submitted her ROI throug[redacted] Director, NERO, to the Director, IMA. A review of the second ROI by OCC, IMA,

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law prohibiting the carrying of concealed firearms, and that accordingly, FGGM DACP could carry a concealed weapon in any state jurisdiction, on- or off-d[redacted] Z-1, DA Form 1574]. In fact, DACP are not among the law enforcement officers covered by LEOSA because DACP do not meet all six of the applicability criteria prescribed by the law: Law enforcement officers covered by the law must be an employee of a government agency who—(1) is authorized by law to engage in or supervise the prevention, detection, investigation, or prosecution of, or the incarceration of any person for, any violation of law, and has **statutory powers of arrest** (emphasis added); (2) is authorized by the agency to carry a firearm; (3) is not the subject of any disciplinary action by the agency; (4) meets standards, if any, established by the agency which require the employee to regularly qualify in the use of a firearm; (5) is not under the influence of alcohol or other intoxicating or hallucinatory drug or substance; and (6) is not prohibited by Federal law from receiving a firearm. DACP have been determined not to be covered by the Act because they do not meet LEOSA criteria (1); DACPs do not possess statutory arrest authority. Army Regulation (AR) 190-56, *The Army Civilian Police and Security Guard Program*, provides only that DACP may **apprehend** persons found on the installation for offenses committed on post that are felonies, breaches of the peace, or otherwise a threat to property or welfare (emphasis added). Apprehension authority is limited to issuing citations and turning the subject over to the appropriate civilian or military authorities. *See* AR 190-56, para 5-2.

concluded that it substantially complied with all regulatory guidance and was legally sufficient [redacted] B 15-Administrative Documents-a].

On September 12, 2005, NERO legal counsel forwarded [redacted] recommendations [redacted] who approved them by signing DA Form 1574, *Report of Proceedings by Investigating Officer/Board of Officers,* Section VIII [TAB 12].

On September 15, 2005, Army OGC submitted a third request for an extension of time to complete the OSC report. This extension was necessitated by the Secretary of the Army's recent intra-Agency transfer from the Assistant Secretary of the Army (Manpower & Reserve Affairs) to the Assistant Secretary of the Army (Financial Management & Comptroller) (ASA(FM&C)), of authority to review, sign, and submit to OSC the report required by Title 5, USC, Sections 1213(b), (c) and (d). Because the ASA(FM&C) had not previously exercise responsibility within the Agency for OSC matters and given her significant responsibilities associated with executing for the Army emergency supplemental appropriations associated with the Global War on Terror and Hurricane Katrina Relief and presiding over the Agency's end of fiscal year 2005 close-out activities, it was determined that additional time was required to facilitate her ability to review thoroughly the instant report [TAB 13]. On September 21, 2005, Ms. [redacted] anted the extension through October 3, 2005.

## SUMMARY OF EVIDENCE OBTAINED FROM THE INVESTIGATION AND AGENCY DISCUSSION

### Background

The FGGM DES serves a major military installation, covering a 5,415-acre federal campus. FGGM is the fourth largest Department of Defense (DoD) installation by workforce population, serving approximately 230,000 service members, retirees, family members, civilian employees, and contractors, as well as the largest intelligence center and joint service installation in the continental United Sta [redacted] AB 15-K, statement [redacted] uty Director, DES, FGGM, p.1]. The National Security Agency (NSA) is co-located with, and a tenant organization of, FGGM.[12]

Over the period 2001 through 2003, the DA undertook several realignment and reorganization initiatives, with a view to transforming the Army's headquarters and field elements into more streamlined, yet integrated and responsive structures. On February 1, 2004, as a result of these initiatives, the FGGM Provost Marshal Office (PMO)[13] was reorganized into the FGGM DES.[14] In accordance with the IMA Standard Garrison Organization template, all FGGM "Police (Law Enforcement), Physical Security, Fire

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[12] The National Security Agency is a separately organized Agency within the Department of Defense.

[13] The PMO was comprised of both Military Police, assigned to the 241st Military Police Detachment and DACP.

[14] In the context of bo [redacted] s ROIs, witnesses often refer to the DES by its prior designation, the Provost Marshal's Office or PMO.

and Emergency Services, along with sustained anti-terrorism and force protection operations" were consolidated into one organization, the DES. This expanded mission required a substantial increase in the number of DES employees as well as a more "robust management structure than what [had been] . . . provided by the smaller, legacy . . . PMO staff" [redacted] AB 15-K, statement [redacted] Deputy Director, DES, FGGM, pp. 2-3].

Another DA initiative to convert military to civilian positions also impacted DES operations significantly. The Army began to civilianize numerous positions held by soldiers, facilitating the reassignment of soldiers in "non-military essential duties" to newly forecasted combat brigades charged with a direct warfighting mission. As did the legacy PMO, the law enforcement (police) component of the new DES included both Military Police (MP) soldiers and DACP. MPs serving in Garrison units, such as at FGGM, were among those groups of soldiers identified in large numbers for military to civilian conversion. The DES FGGM transition from a generally balanced MP/civilian police structure to one of predominantly DACP staffing proceeded quickly. This transition significantly challenged FGGM's ability to resource appropriately the large number of new DACP required to perform the expanded missions for which the DES was responsible.

## Evidentiary Summary

Summarized below with regard to each allegation referred by OSC is the evidence developed by the investigations conducted by bo[redacted] ABs Z-1—Z-9] and LTC [redacted] 15-A—15-Z]. A discussion of relevant collateral issues raised in the context o[redacted] stigations is included, as appropriate.

**Section I. OSC Allegation 1: [redacted] Supervisory Policy Officer, often carries his personal weapon, a Glock semi-automatic pistol, while on duty, in violation of Army Regulation (AR) 190-56, *The Army Civilian Police and Security Guard Program*.**

Relevant authorities:

a. AR 190–56, *The Army Civilian Police and Security Guard Program*, June 21, 1995, promulgates policies and procedures for the selection, management, employment, and training of Army civilian police and security guards. The regulation strictly prohibits DACP from using privately-owned firearms or ammunition while on duty. *See* AR 190-56, para 6-3b [TAB 9].

b. FGGM Regulation 190-13, *Military Police, Physical Security*, May 21, 2003, para 3-4, provides that the carrying and use of privately-owned firearms by DACP while performing official duties is prohibited except when authorized to take part in or transporting such weapons for competitive marksmanship activities. Paragraph 3-4 of the regulation also requires the registration and proper safeguarding of privately-owned weapons and ammunition on FGGM. The regulation specifically applies these requirements to individuals residing on FGGM and those traveling to and from hunting areas, sport shooting events or bona fide repair shops, but is ambiguous as to the

procedures to be employed with regard to installation non-residents employed at FGGM [redacted] TAB 15-C].

c. AR 190-11, *Physical Security of Arms, Ammunition, and Explosives*, February 12, 1998, para 4-5a, requires that Commanders ensure that privately-owned weapons and ammunition are appropriately protected on their installations. Further, based upon local requirements and availability of resources, Commanders are authorized by this regulation to establish and maintain a system for the registration of privately-owned weapons on their installations and to require that such arms and ammunition be stored in approved locked containers. In addition, para 4-5b provides that personnel keeping or storing privately-owned weapons on military installations will comply with local regulations and local and state laws, and store both arms and ammunition in the locations authorized by the installation Commande[redacted]AB 15-B].

d. Fort Meade Policy Memorandum #190-11-1, *Control and Registration of Privately-Owned Firearms and Ammunition*, July 1, 2003, is the sort of local regulation contemplated by AR 190-11. This policy prescribes procedures for the registration and control of privately-owned weapons and ammunition, requiring that "[a]ll persons entering, or otherwise on, the FGGM installation may possess privately-owned firearms, but . . . must do so under . . . specific conditions." Similar to FGGM Regulation 190-13, referenced above, the policy is ambiguous in its applicability to installation non-residents employed at FGGM, howe[redacted]B 15-D].

Discussion:

[redacted] first AR 15-6 IO, interviewed the complainan[redacted]o advised her of the following:

> [redacted] carries a privately owned weapon, a Glock semi auto pistol, with privately (sic) ammunition while he is performing his official duties (sic) the Fort Meade Military installation. I was able to identify this weapon by its distinctive shape and the fact that it was holstered on his hip in a plastic holster that was molded to the exact shape of the weapon.
>
> I have personally seen him do this on multiple occasions in October 2004 the most recent being the 29th of October 2004. These are the dates I wrote in my calendar that I sa[redacted]earing a personally owned Glock pistol while on duty: 21 Sep 2004, 5 Oct. 2004, 15 Oct. 2004, 25 Oct. 2004, 27 Oct. 2004, and 29 Oct. 2004. The location of these observations were at the FGGM DES (MP Station) and the DA Police operations building on 6th Armored Cavalry Rd FGGM, [redacted] acting chief of police was present at least 3 times I witnessed it and did not correct it. Other officers who observed this violation Officer [redacted] Office[redacted] and Office[redacted] I also reported these observations to my military supervisors [redacted] SG[redacted]nd SG[redacted] I do not know if any action was taken.
>
> [redacted]

Regarding this allegation [redacted] interviewed a number of witnesses, all of whom, with the exception of Offic[redacted]AB Z-8-f] testified they never had observed [redacted] rying his privately-owned weapon while on duty.[15]

[redacted] who had worked at FGGM DES since January 2004, throughout the entire period of time relevant [redacted] allegations, was particularly emphatic, stating, "I have never observed a policeman using a privately-owned weapon while on duty" [redacted]

[redacted] who generally does not appear to hold a favorable view of [redacted] also stated, "I never witnessed him carrying a privately-owned weapon on duty [redacted]

The only witness whose testimony tended to support [redacted] allegations was Offic[redacted] Office[redacted] laimed to have see[redacted] rying a privately-owned weapon a "handful of times" between the hours of 10:00 a.m. and 11:00 a.m. and that it was kept in a "smaller holster." [redacted] as unable to remember specific dates associated with his observations and "didn't know if he [redacted] as on- or off-duty" at the time, allowing for the possibility tha[redacted] "may have been in transit" [redacted] Z-8-f]. In rebuttal [redacted] oted that Offi[redacted] tinely worked the midnight shift between the hours of 11:00 p.m. to 7:00 a.m., and departed immediately at shift's end to commute home t[redacted] ffic[redacted] uld not have had the opportunity to observe [redacted] who generally worked the daylight shift beginning at 8:00 a.m.

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[15] *See* statements of Offi[redacted] AB Z-8-b] [redacted] Deputy Chief, DES, FGGM [redacted] TAB Z-8-c]; Ms. [redacted] TAB Z-8-e]; Officer [redacted] TAB Z-8-f]; Major [redacted] Director, Emergency Services, DES, FGGM [redacted] AB Z-8-h]; Offi[redacted] TAB Z-8-i]; SSG [redacted], TAB Z-8-j, note that SSG [redacted] so provided a [redacted] ment contrary to M[redacted] sertion that [redacted] had reported his observations in regard to Lt. [redacted] to SSG [redacted] SGT [redacted] Chief of Operations, Range Control, National Security Agency Police [redacted] TAB Z-8-k]; SGT [redacted], TAB Z-8-l, note that SG[redacted] so provided a statement contrary to M[redacted] s assertion that [redacted] advised Ms. [redacted] at he had witnessed Lt. [redacted] arrying his privately-owned weapon while on duty]; S[redacted] TAB Z-8-m; note that SGT [redacted] so provided a statement contrary to Mr. [redacted] ssertion that he had advised [redacted] of his observations]; SGT [redacted] TAB Z-8-n]; and M[redacted] TAB Z-8-o]. Witnesses interviewed by L[redacted] in the second investigation [redacted] responded that they had never seen [redacted] r his privately-owned weapon on duty. *See* statements of Deputy [redacted] TAB 15-E]; SS[redacted] B 15-J]; an[redacted] hief, Law Enforcement, DES, FGGM [redacted] AB 15-K].

[16] [redacted] lleges that she raised to [redacted] ttention an allegation that she had been the victim of sexual harassment, but that he took no action to resolve the matter [redacted] TAB Z-8-e]. This allegation, while not in the scope of the OSC allegations, was investigated by [redacted] LTC [redacted] nd th[redacted] esponse to [redacted] port was appropriate [C[redacted] B 15-Administrative Documents-d, DA Form 1574, Findings Issue #8a].

[17] Offic[redacted] atemen[redacted] B Z-8-f], is unsigned but sworn. He was interviewed and swore to his statement by telephone. The only identifying information pertaining to [redacted] ecorded on the statement is his last name. His first name, middle initial, address, social security number are missing. In addition, [redacted] s last name is spelled variously [redacted] hroughout [redacted] ROI.

In her analysis [redacted] eighed Office[redacted] edibility, as follows, stating:

> One potential witne[redacted], claims to have s[redacted] arrying a privately-owned Glock pist[redacted] ims that anyone working the day shift would have observe[redacted] rying a privately owned Glock. When asked how he knew it was privately-owne[redacted] aid it was in a "smaller holster." [redacted] nnot recall the dates or the number of time (sic) he sa[redacted] rrying (sic) a privately owned weapon, but he said it was between the hours of 10:00 a.m. and 11:00 a.[redacted] tatement does not present a convincing argument because it is not supported by any other witness statement.' It also contains some inconsistencies . . .. [redacted] orked the midnight shift from 11:00 p.m. until 7:00 a.m. and [redacted] orks the day shift starting at 8:00 a.m.. Therefore, it is unlikely tha[redacted] d have observe[redacted] between the hours of 10:00 a.m. and 11:00 a.m.. Finally, [redacted] unsure of the date and the number of observation and was reluctant to offer any estimates.
>
> [redacted] AB Z-Administrative Documents-1, DA Form 1574, Section IV, Point #1.

Most persuasive to an analysis of this allegation is the fact that [redacted] not purchase the Glock until October 27, 2004, as substantiated by a receipt from the Lawmen Supply Company, In[redacted] Z-8-g[redacted] TAB 15-A]. A check of [redacted] Police Records undertaken by LTC [redacted] vealed that the only handgun registered to [redacted] as the Glock and listed the date of its purchase as October 27, 2004 [redacted] AB 15-A]. The dates provided b[redacted] SC are very specific; with the exception of the alleged October 29, 2004, sighting, all precede the date on which [redacted] chased the Glock.

In his statements, [redacted] Bs Z-8-d and g; [redacted] ABs 15-A and F], admitted that after purchasing the Glock on October 27, 2004, he had carried the weapon for personal protection while traveling from his off-post residence to FGGM for duty.[18] [redacted] any other members of the FGGM were cognizant of an extant general threat to personal safety confronting all law enforcement officers, simply by virtue of their chosen profession. More specifically, members of the FGGM DES had been advised of a "Be On the Look Out" (BOLO) notice, warning of an individual who had threatened to kill a FGGM police offic[redacted] B 15-E].[19]

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[18] [redacted] ed for and obtained authorization from the State of Maryland to carry a concealed weapon. Accordingly, that he carried the Glock between his home and the gates of FGGM does not appear to have violated any known Federal or State law [redacted] 15-A].

[19] *See* statements [redacted] eputy Chief, DE[redacted] AB 15-E, including copies of the "BOLO" alerts]; [redacted] hief, Law Enforcement, DES, FGGM [redacted] AB 15-K, pages 3-5]; [redacted] Director, Emergency Services, DES, FGGM [redacted] 15-R]; and Officer [redacted] TAB 15-P]. Office[redacted] ified that some of the officers wanted to bring their privately-owned weapons on to FGGM but were advised recently by Chie[redacted] o do so until appropriate storage was provided for the weapons. Deputy Chie[redacted] tated that there

The security force at FGGM is now comprised predominantly of DACP. These officers, more so than Military Police, live and shop in, and interact with, the civilian community outside the installation gates. In this environment, DACP may find themselves more frequently at risk of harm from persons with whom they may have had a law enforcement encounter – ranging from the issuance of a speeding citation on FGGM to apprehension for the commission of a serious criminal offense on the installation.[20]

It appears that concerns such as these prompte[redacted]arry the Glock for protection between his home and work, particularly because it was his habit to don his DACP uniform at home and report to work "fully dressed," increasing the likelihood that he would be recognized as a police officer while in uniform on his way to FGGM. Lt. [redacted]s convincingly that he never carried a privately-owned weapon while on duty at FGGM[redacted]AB Z-8-d]. [redacted]phasized that when he brought the Glock on to FGGM, he would "separate out the gun from the ammunition putting each in separate and locked containers" in his car, before reporting for duty. If his day's assignment did not require him to draw his government weapon (*e.g.*, he was assigned to work in the DES headquarters or to perform other administrative duties), [redacted] often would leave his empty, privately-owed leather Glock holster, attached to his duty belt. [redacted]mphasized that on no occasion had he carried the either the Glock or his government-issued weapon in his privately-owned leather holster while on duty; the Glock was always secured elsewhere, as described above, and the leather holster was too small to contain his government-issued weapon, an M9 Berretta, which was longer by at least one inch than the Glock for which the leather holster had been specifically fabricated[redacted]TAB 15-A].

[redacted]rts that once he was made aware of allegations that he had carried his Glock while on duty, he stopped carrying the weapon on his commute to FGGM and kept it locked in his residence off-post. Further, because he no longer had his privately-owned weapon on which to rely for personal protection, he discontinued his practice of wearing his DACP uniform while traveling from his home to work, all in an attempt to minimize the likelihood that he would be recognized as a police officer and targeted for harm.

Conclusion:

The allegation th[redacted]lated AR 190-56 by using his privately-owned weapon while performing official duty with the FGGM DES is unsubstantiated. As evidenced by a purchase receipt and a check of Maryland State Police Records, Lt. [redacted]not purchase his personal Glock-brand handgun until October 27, 2004; there is no indication th[redacted]ever has owned a personal firearm other than the Glock [redacted]ABs 15-E and 15-F]. [redacted]ed that he witnessed [redacted] carrying a privately-owned weapon on specific dates between September 21, 2004 and October 29, 2004. All of the dates, with the exception of the alleged October 29, 2004

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currently is no locker space at FGGM in which DACP could properly secure their privately-owned weapons [Bell, TAB Z-8-c].

[20] *See gen*[redacted]15-S, review of "Issue 5."

sighting, preceded [redacted] rchase of the Glock. With the exception of Officer [redacted] other member of the FGGM DES observ[redacted] rrying a privately-owned weapon while on duty. If Off[redacted] s reported observations are viewed as credible, they may be explained b[redacted] s past practice of wearing his empty leather Glock holster on his duty belt on days he was not required to draw his government-issued weapon. It is possible that if Offi[redacted] served [redacted] wearing the holster, he mistakenly presumed that the Glock was contained therein.

Collateral Matters Related to OSC Allegation 1:

The question of whethe[redacted] mplied with all rules and regulations, including Army and FGGM regulations and policies, in bringing his privately-owned weapon on to FGGM was raised collateral to the investigation of OSC Allegation 1 and reviewed b[redacted] It appears to have been commonly, albeit inaccurately, perceived that existing regulations and policies exempted DACP from FGGM privately-owned weapons registration and storage requirements and that the LEOSA authorized DACP to carry privately-owned weapons at any time, in any jurisdict[redacted] B Z-9-J].[21]

[redacted] as consistent in stating both t[redacted] d [redacted] that he had brought his privately-owned weapon onto FGGM and there secured it as **he thought** was appropriate under post policy (emphasis added). Other FGGM DES supervisors and personnel similarly believed that their status as DACP, together with the LEOSA, permitted them to bring privately-owned weapons onto FGGM without registering the weapons with the installation or securing the weapons as set forth in post policies [redacted] AB 15-A].

In fact, no regulation or policy exempts DACP from the requirements to register their privately-owned weapons with the FGGM Visitor Control Center (VCC) and to store those weapons as set forth in applicable regulations and policies. And, as previously discussed, DACP are not presently included within the scope of LEOSA's application. It is important to note, however, that as set forth in the discussion of relevant authorities, above, the FGGM Regulation and Policy Memorandum both were somewhat ambiguous on the specific weapons registration and storage requirements applicable to persons traveling onto, but not residing on, FGGM, as was the case with most DACP. Complicating matters further, however, was the apparent practice of the FGGM VCC to decline to register a privately-owned weapon unless the requestor lived on FGGM. Non-residents who work on, or for other legitimate purposes traverse, the installation, were not consistently permitted to register their privately-owned weapons through the [redacted] TAB Z[redacted] B 15-U].[22] Even had DACP been permitted to register their

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[21] As set forth in note 16, *supra*, there is no basis to believe that th[redacted] olated any Federal or State law by carrying his privately-owned weapon off the FGGM installation.

[22] *See* statements [redacted] puty Director, DES, FG[redacted] AB 15-J, pp. 7-8]; Officer [redacted] Z-8 [redacted] AB 15-I]; MA[redacted] irector, Emergency Services, DES [redacted] B 15-R, p. 3]; and Offi[redacted] B 15-P]. LTC[redacted] interview wi[redacted], FGGM VCC supervisor indicated that the VCC interpreted existing FGGM regulations and policies as precluding the on-post registration of privately-owned weapons owned by installation non-reside[redacted] 5-U]. [redacted] ware of only one case, arising in

privately-owned weapons on FGGM, there existed in the DES no secure locker space which the officers could store their privately-owned weapons while on duty.

Although there is no evidence [redacted] ons were anything but well-intentioned, the evidence supports the conclusions rendered by both investigating officers tha[redacted]ht his privately-owned weapon onto FGGM without having registered it with the VCC or securing it a set forth in post regulations and policies, in technical violation of AR 190-11, FGGM Regulation 190-13, and Fort Meade Policy Memorandum #190-11-1[redacted]B Z-Administrative Documents-1, Finding 1, points 3 and[redacted]AB 15-Administrative Documents-d, discussion of collateral issue 1a]. This violation is mitigated by ambiguities in the applicable promulgations, a lack of consistency in FGGM VCC practices, and a lack of storage space for privately-owned weapons on the installatio[redacted]AB 15-S].

Corrective Action, Collateral Matters Related to OSC Allegation 1:

On[redacted]advised of the requirement to register and store his privately-owned weapon in accordance with Army regulations and FGGM policies and procedures, he stopped bringing his Glock onto FGGM. As a result of the investigations prompted by the OSC referral, FGGM officials are reviewing FGGM Regulation 190-13 and Fort Meade Policy Memorandum #190-11-1 to address the ambiguities related to the registration and storage of personal weapons owned by individuals who work, but do not reside, on the installation. Given the paramount interest in ensuring that Army law enforcement officers have available appropriate means for self-protection and defense against both general and specific threats to which they may be subject by virtue of their profession, the FGGM VCC will establish appropriate policies and procedures for the registration of privately-owned weapons belonging to installation non-residents who may have a valid requirement to bring such weapons on-post.[23]

All proposed changes to existing FGGM policies will be fully staffed with IMA and the Office of the Provost Marshal General (OPMG), Headquarters, Department of the Army (HQDA), which serves as the proponent for law enforcement policy Army-wide. Additionally, the OPMG will provide substantive guidance to law enforcement organizations Army-wide regarding the inapplicability of the LEOSA to DACP.

Note further that should more DACP elect to carry their privately-owned weapons off duty for personal protection and to register those weapons on-post, the demand will increase for a secure storage area in which to place such weapons while the officer is performing his official duties. The FGGM DES has undertaken to assess privately-owned weapons storage requirements and to determine the type and placement of storage lockers most suited to those needs.

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February/March 2005, in which a non-resident had applied to register his/her weapon on-post; that request was denied.

[23] We do not anticipate that these policy reviews and revisions will seek to modify the standing prohibition on the use of privately-owned weapons by DACP in the performance of their official duties.

**Section II. OSC Allegation [redacted]imes loads his privately owned weapon with his own ammunition while on duty.**

Relevant Authorities: *See* Section I, OSC Allegation 1, above.

Discussion:

None of the witnesses interviewed by [redacted] asserted that they had observe[redacted]d his privately-owned weapon with privately-owned ammunition while on duty.[24]

In his statement [redacted]ied ever having loaded his privately-owned Glock with his own ammunition while on duty. He asserts that he never brought his privately-owned weapon onto FGGM while it was loaded, but rather maintained the firearm separate from the ammunition clip and, upon entering FGGM, secured the firearm and the clip in separate locations in his vehic[redacted]AB Z-8[redacted] TABs 15-A, F, and V][redacted]enied using any ammunition not issued to him by FGGM or transferred from the NSA, another DoD agency [redacted]15-J].

Conclusion: Incorporating by reference the evidence and findings generated in the investigation of OSC Allegation 1, above, the allegation t[redacted]metimes loaded his privately-owned weapon with his own ammunition, while on duty, is unsubstantiated. [redacted]enied ever having used privately-owned ammunition in the course of his official duties at the FGGM DES. Neither LT[redacted] Administrative Documents-1, Finding 2, points 1 and 2] nor LTC[redacted] TAB 15-Administrative Documents-d, Issue 1c], found any evidence tending to establish the truth of the allegation.

**Section III. OSC Allegation 3[redacted] hollow point ammunition in military rifles/weapons on the FGGM firing range and provided hollow point ammunition [redacted]other police officers to use on the range with their military-issued weapons, which they did.**

Relevant Authorities: Not applicable.

Discussion:

[redacted]vided the following statement t[redacted] regard to this allegation:

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[24] *See* statements of Office[redacted]TAB Z-8-b, note that Offi[redacted]provided a statement contrary [redacted]assertion tha[redacted]ad made these obs[redacted]], Deputy Chief [redacted]eputy Chief, DB[redacted]AB Z-8-c]; Ms[redacted]AB Z-8-e]; Officer [redacted]B Z-8-f]; SSG[redacted], TAB Z-8-j, note that SS[redacted]so provided a statement contrary to Mr[redacted]ertion that he had reported these sightings to SS[redacted]SGT [redacted]TAB Z-8-l, note tha[redacted]also provided a statement contrary to Mr[redacted] assertion that Ms[redacted]witnessed these events], S[redacted]Z-8-m, note that [redacted]so provided a statement contrary to M[redacted]ssertion that [redacted]told SGT [redacted]t these observations].

[redacted]ing as the range OIC [Officer in Charge] of a range at FGGM this happened during the spring or summer of 2004. On this range 15-20 civilian members of the DA police were firing M9 9mm pistols that where (sic) drawn from the arms room of the 241st MP Company for official qualification to carry the weapons on duty.

The ammuni[redacted]out to fire was not military. The ammunition was of civilian manufacture and had hollow point bullets. The ammunition was issued from assorted card board boxes and was mixed with .45 caliber ammunition . . . . I asked why we were using this ammunition and was told [redacted]was all he could get, (sic) I do not know where the ammunition was acquired.

The normal procedure for military ammunition issue is to draw it from the ASP (ammo supply point) . . . . Other officers who where (sic) present (sic) Offic[redacted] Offic[redacted] Offic[redacted] Officer [redacted]nd Offi[redacted]. I also reported these observations to my military supervisors SS[redacted] SGT[redacted]d SGT[redacted] do not know if any action was tak[redacted].

*See* [redacted]B Z-8-a.

Numerous witnesses reported having used only government-issued ammunition, including hollow point ammunition transferred from the NSA to the FGGM DES, on the training range.[25]

The Army's transformation initiative, associated military to civilian personnel conversions, and the subsequent transition of the FGGM Provost Marshal's Office (PMO) to the DES, significantly challenged FGGM's ability to resource with adequate weapons and ammunition, a burgeoning number of DACP. Although the FGGM DES was formally authorized approximately 22 DACP positions, the import of the DES mission prompted the FGGM Installation Commander to authorize DES to overhire to the extent funding was available. Accordingly, working manpower authorization documents reflected approximately 64 DACP positions.[26] The substantial differential in number of positions formally authorized vice officers actually employed, rendered extremely difficult the forecasting of ammunition requirements using standard Army processes. After reviewing the matter at the request of [redacted]IMA Ammunition Manager, noted that the personnel situation at the FGGM DES likely would have resulted in a training ammunition shortage [redacted]B 15-L].

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[25] See statements of [redacted] TAB Z-8-b; [redacted]k, Deputy Chief, DES [redacted] Z-8-c]; Officer [redacted] Z-8-f; M[redacted] Director, Emergency Services, DES [redacted] TAB Z-8-h]; and Offi[redacted] TAB Z-8i].

[26] See statements of M[redacted]M Director of Resource Management (DRM) and Ms. [redacted]es, a[redacted]GM DRM action offi[redacted]AB 15-K].

This was the situation confronting [redacted] when he was originally hired as the FGGM DES Training Officer in May 2004. With no formal support staff, little guidance from which to work, and insufficient weapons and ammunition to meet training requirements; [redacted] began to explore alternatives for resourcing the twice a year weapons training events in which each DACP was mandated to participate [redacted] [TABs Z-8-d and 8[redacted] 15-A and 15-V].[27] [redacted] 241st MP Detachment Training Non-Commissioned Officer at the time, commented that the DES was experiencing great difficulty in getting the ammunition required for training because the new Unit Identification Code (UIC) associated with transition from the PMO to the DES was not yet referenced in, or recognized by, the Army system for requisitioning weapons and ammunition. As a "quick fix," the DES initially "borrowed" weapons from NSA via a hand receipt. Similarly, as recently as May 2005, additional weapons, also secured by hand receipt, were acquired from the Internal Revenue Service via the General Services Administration [redacted] [TAB 15-E, p. 3]. Office[redacted] lauded Lt. [redacted] efforts to improve DACP training: "The DA police feel like [redacted] initiative to get us qualified. Prior to his arrival and assignment as the training officer, we did very little police duty and spent a lot of time sitting around the VCC . . . [redacted] Z-8-b].

[redacted] Chief of Operations, Range Control, NSA Police, stated that during the week of September [redacted] requested ammunition and firing range support from NSA, having determined that it could take up to a year to receive the required ammunition through the Army's Training Ammunition Supply System (TAMIS). [redacted] believed that such a delay would adversely affect his ability to get his DACP qualified and "put on post to protect the base." In an effort to "help out our fellow police by helping them get qualified in their duties" [redacted] advised [redacted] he had, on-hand, approximately 9,000 rounds of 9mm Luger, Federal Premium hollow point ammunition; following a recent annual firearms training and qualification event, NSA police officers had turned-in their duty ammunition and replaced it with new stock, generating an excess of hollow point.

[redacted] statement further confirmed that NSA firearms instructors inspected all of the ammunition when it was turned in to ensure that all rounds were safe. After an exchange of documents in which FGGM DES formally requested the ammunition and the NSA Police approved transfer of same, SS[redacted] Military Police Detachment, signed for and picked up 8,824 rounds of 9mm, HydraShok ammunition from NSA on September 10, 2[redacted] [TABs 15-J, M, Q].[28]

Conclusion:

The investigations of both [redacted] support the conclusion that only government-issued ammunition was used by [redacted] other DACP in range training activiti[redacted] Z-Administrative Documents-1, Finding #2, Point

[27] Training is to be conducted on the weapon issued for use in official duties. *See* AR 190-14, *Carrying of Firearms and Use of Force for Law Enforcement and Security Duties*, paras 1-4bc, 2-4f, and 2-5b, March 12, 1993, and Field Manual 19-10, *Military Police Law and Order Operations*, Appendix B, September 30, 1987 [TAB 10].

[28] The ammunition appears to have been provided at no cost to FGGM.

[redacted] TAB 15-Administrative Documents-d, Finding to Collateral Issue 1c]. It is uncontroverted that in fulfilling his duties as the FGGM DACP Training Officer, Lt. [redacted] requested and received from the NSA almost 9,000 rounds of hollow point ammunition for use in the weapons training and qualification of FGGM DACP. The NSA agreed to transfer the ammunition because it had on-hand an excess of hollow point and shared an interest in promoting realistic training opportunities for the DACP employed at the FGGM DES. There is no evidence, however, that the use of hollow point ammunition violated any law, rule, or regulation in effect at the time or created a substantial and specific danger to public safety. *See discussion* Sections IV and V, below.

**Section IV. OSC Allegation 4: It is not appropriate and safe for Army civilian police to use hollow point ammunition. Its use violates AR 190-56 and creates a substantial and specific danger to public safety because the use of hollow point ammunition in military weapons may cause the weapon to malfunction, or even explode, when fired.**

Much debate has surrounded the use of hollow point ammunition by both military and civilian law enforcement agents. The Federal Bureau of Investigation and most state and local law enforcement agencies favor the use of hollow point ammunition in the law enforcement context.[29] Because of concerns associated with the application of the Geneva Conventions, hollow point ammunition is not authorized for use by U.S. combat troops deployed outside the continental United States.[30] During the period covered by the OSC allegations, hollow point ammunition was authorized for use by criminal investigative and security force personnel in operations and training inside the United States. More recently, however, the high cost of hollow point has caused Army officials to favor the use of ball ammunition in the context of law enforcement training.

Relevant Authorities:

a. AR 190-56, para 6-3c, provides that Common Table of Allowances (CTA) 50-909 sets forth the basis of issue that may be used to acquire ammunition to support training and mission requirements for Army civilian police and security guards [TAB 9].

b. Common Table of Allowances (CTA) 50-909, *Field and Garrison Furnishings and Equipment*, August 1, 1993, table 62, line item C39136, provides the basis of issue and ammunition allowance and authorizes 9mm ball NATO ammunition for use by civilian guards. CTA 50-909 is supplemented by the Ammunition Suitability List (ASL) issued by the Defense Ammunition Center. Throughout the period covered by the OSC allegations, CTA 50-909, as supplemented by the ASL, authorized Army Criminal Investigation Division (CID) and security forces, such as DACP, to use hollow point ammunition as a substitute for ball in both law enforcement operations and tr[redacted] TAB Z-9-B, enclosures 1-3].

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[29] *See* note 2, *supra.*

[30] Army Field Manual 3-23.35, *Combat Training with Pistols, M9 and M11*, June 2003, provides that "soldiers should never use hollow point ammunition in combat because of Law of War considerations."

c. Headquarters, Department of the Army Memorandum, Deputy Chief of Staff for Operations and Plans, 18 March 2002,[31] authorized the use of 9mm hollow point ammunition within the continental United States (CONUS) and delegated to each Installation Commander the authority to permit its [redacted] 15-O].

Discussion:

Given the regulatory and policy authorities set forth above, [redacted] concluded that use of the 9mm hollow point ammunition by DACP at FGGM was authorized, permissible, and saf[redacted] 15-Administrative Documents-d, Findings, Issue 2d].

Both [redacted]ocumented that the ASL was modified in May 2005 to disallow the use of jacketed hollow point ammunition as a substitute for 9mm ball ammunition in the training of Army criminal investigators and security forces; it remains authorized for use in law enforcement operations [TAB 14].

Although the recently revised ASL [TAB 14] does not explain the rationale for the decision to disallow the use of hollow point ammunition for law enforcement training, OPMG, HQDA, the agency responsible for promulgating Army-wide law enforcement policy, has advised that the decision was a cost-saving measure. According to OPMG representatives, the Army concluded that that it could not afford to buy both hollow point and ball ammunition for training purposes and thus restricted such purchase to ball ammunition, which is less expensive than hollow point. During the time period relevant to the OSC allegations, however, hollow point ammunition was permissible for use in the law enforcement training context.

At the crux of [redacted]ncern that the hollow point ammunition transferred from NSA was not safe for use in military weapons appears to be his belief that the ammunition at issue was coded "+P" or "+P+," ratings assigned to ammunition constituted to achieve greater than standard levels of projectile velocity. In his original statement to I[redacted]ted:

> The ammuniti[redacted]out to fire was not military. The ammunition was of civilian manufacture and had hollow point bullets. The ammunition was issued from assorted card board boxes and was mixed with .45 caliber ammunition. Some but not all of the ammunition was rated +P or +P+ a variety of ammunition that create a higher chamber pressure than normal civilian ammunition and a much greater chamber pressure form (sic) the M9 9mm and M11 9mm army pistol.
>
> [redacted]Z-8-a.

[31] On July 9, 2002, the Army Deputy Chief of Staff (DCS) for Operation and Plans (DCSOPS), was redesignated as the DCS, G-3. On April 1, 2005, the DCS, G-3 was re-designated as the DCS, G-3/5/7. The Office of the DCS, G-3/5/7 is the HQDA staff element responsible for Operations, Strategic Plans and Policy, Force Management, Training, Battle Command, and Capabilities Integration.

The first AR 15-6 investigation specifically addressed the allegation that the use of hollow point ammunition by FGGM DACP on the training range had created a safety hazard. In his statement [redacted] of NSA advised that none of the hollow point ammunition transferred to FGGM was coded "+P" or [redacted] Z-Administrative Documents-1, DA Form 1574, Section IV, Finding #2]. Furthermore, according to [redacted] contention that ammunition bearing a "+P" or "+P+" rating is somehow unsafe for use in a military weapon is simply incorrect.

> I did not issue any [ammunition] with a "+P" or a "+P+" rating on it. The "+P" rated ammunition is safe for use in all 9mm weapons. Civilians train the same as military. All the "P" rating means is that the round has a couple of extra grains of powder in the casing and results in a higher velocity. It is safe for 9mms. I would not issue any ammunition that isn't safe. The hollow point actually has less effect than ball—it won't carry as much.

[redacted]k.

In addition [redacted] spected the ammunition remaining from the lot transferred to the DES from the NSA. The ammunition was readily located and identifiable; it was stored in the MP arms room, separate from other ammunition. According to [redacted] one of the ammunition was rated as "+P" or "+P+" [TAB Z-9d, [redacted]

Conclusion:

The allegation that the use of hollow point ammunition in the context of DACP security force training violated AR 190-56 and created a substantial and specific danger to public safety is unsubstantiated. Throughout the period covered by the OSC allegations, the use by FGGM DACP of hollow point ammunition for law enforcement training purposes was expressly authorized by Army regulations and policies. There is no evidence that the hollow point ammunition was unsafe for use in military weapons or in a law enforcement training environment.

Collateral Matters Related to OSC Allegation 4:

The investigation of this allegation did raise a collateral issue as to whether the FGGM DES properly requested and accepted transfer from the NSA of the hollow point ammunition. For reasons of expedience and immediate availability, the FGGM DES entered into an agreement with NSA, an FGGM tenant, for the transfer of ammunition excess to the NSA for which the FGGM DES had a legitimate training need. Though well intentioned, this transaction did not comport with the requirements of AR 710-2, *Supply Policy Below the National Level,* which establishes policies and procedures for the transfer of property between agencies. Paragraph 2-13a of the regulation [TAB 10] reveals that "[t]ransfers of property between Army and non-Army organizations require the approval of . . . the Deputy Chief of Staff for Logistics, HQDA."[32] OPMG, HQDA, has opined that the transaction at issue was subject to the requirements imposed by AR

[32] Note that this position was renamed the Deputy Chief of Staff, G-4, in 2002.

710-2. All evidence indicates that the transfer of ammunition was handled locally between the FGGM DES and NSA, however; there is no evidence that FGGM obtained the required approval from HQDA. In the course of forwarding the request for approval to HQDA, FGGM DES should have alerted both MDW, its superior operational command headquarters, and IMA, the superior command of the FGGM Garrison, of its ammunition resourcing shortfalls. Coordination would have provided both MDW and IMA the opportunity to determine if and how best to redirect ammunition to FGGM from other sites within their command and control.

Corrective Action:

The OCC, IMA has recommended that the Director, IMA require the Chiefs of IMA Logistics and Operations to transmit guidance to all installations, emphasizing the regulatory requirement to secure advance approval for transfers of property from the Deputy Chief of Staff, G-4, HQDA. The OMPG, HQDA has committed to providing similar guidance to Army law enforcement agencies world-wide.

**Section V. OSC Allegation 5: The hollow point ammunition used on the range by [redacted]s old, green, or corroded, or otherwise unsafe for use, thus exacerbating the risk that the weapons might malfunction or explode. Its use creates a substantial and specific danger to public safety.**

Relevant Authorities: *See* Section IV, OSC Allegation 4, above.

Discussion:

[redacted]ief of Operations, Range Control, NSA Police, who issued to the FGGM DACP almost 9,000 rounds of ammunition on September 10, 2004, testified that the ammunition transferred was safe; it was not corroded, discolored, scratched, or unsafe in any w[redacted]AB Z-8-[redacted]ABs 15- N and Q]. The evidence established that the ammunition was only one year old and was the excess resulting from the annual ammunition turn-in by NSA Police Office[redacted]AB 15-[redacted] specifically asserted:

> I explained t[redacted] we have a Standard Operating Procedure requiring our Police Officers to turn in their duty ammunition after annual firearms training qualifications and replenish it with new stock[redacted]as informed that the firearms instructors inspect all ammunition when it is turned in, to make sure that all rounds are safe. The firearms instructors then bring the ammunition to Range Control and the Range Control Officer inspects the ammunition again and secures it in our ammunition safes.

[redacted] 15-Q.

In this vein[redacted]st AR 15-6 IO, indicted that "[s]everal witnesses who handled the ammunition were questioned about its condition. No one reported any corrosion or dents[redacted]-Administrative Documents-1, Finding #3 (Point #2)].[33]

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In addition, [redacted] spected the ammunition remaining from the lot transferred to the DES from the NSA. The ammunition was readily located and identifiable; it was stored in the MP arms room, separate from other ammunition. LTC [redacted] nd none of the ammunition to be tinged with green patina or corrod[redacted] AB Z-9-D]; [redacted] estigation includes pictures of the ammunition; its appearance is consistent with her report of inspection and [redacted] statem[redacted] B Z-9-D].

Conclusion:

. The allegation that ammunition transferred from the NSA to the FGGM DES for use in DES training was unsafe, corroded, or corrupted is not substantia[redacted] TAB 15-Administrative Documents-d, DA Form 1574 (continuation sheet), Findings Issue 4a].[34]

## Section VI. "Stand Alone" Issues

The following is a summary of other "stand alone" issues, not referred by OSC, but raised in the context of the investigations into the OSC allegations.

**Determine the exact facts surrounding the allegation th[redacted] assaulted [redacted] "Bar Baltimore" by pulling her hair. Determine where "Bar Baltimore" is and whether the alleged incident occurred on duty or off duty. Determine whether she reported the assault, if so to whom, what action, if any, was taken, and who was there that may have witnessed the hair pulling incident and/or interceded on [redacted] ehalf. Determine if other DACP were present when the incident occurred. Interview SG[redacted] ing the e-mails she contend[redacted] nues to send her. Determine what the nature of these emails are and whether she continues to receive them.**

[redacted] nade numerous attempts to contact SG[redacted] avail. [redacted] ueried various members of FGGM DACP force regarding any information of which they might be aware regarding this alleged incident; no one offered any information. [redacted] ermined that "Club Baltimore" is a "hip-hop" club in Baltimore, Maryl[redacted] TAB 15-T], but without further cooperation from SGT [redacted] was unable to obtain evidence related to the allegation.

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[33] *See* statements [redacted] -8-g]; Offic[redacted] Z-8-i]; SGT [redacted] Chief of Operations, Range Control, National Security Agency Police [[redacted], TAB Z-8-k]; and SG[redacted] B Z-8-n].

[34] Army Field Manual 3-23.35, *Combat Training with Pistols, M9 and M11*, dated June 2003, makes no mention of the "P" rating or any restrictions on the use of ammunition so rated [note that the hollow point ammunition in the instant situation was not 'P' rated]. Paragraph 1.3 of the Field Manual provides that "M9 and M11 pistols use several different types of 9mm ammunition. Soldiers should use only authorized ammunition that is manufactured to US and NATO specifications."

**Determine i[redacted], a former Fort Meade employee now employed as a policewoman with the Naval District of Washington, reported to Lt. [redacted] she was being sexually harassed. If so, determine what measures or actions [redacted]k in response to the reported allegations and whether the actions were adequate and appropriate.**

I[redacted]rmined that[redacted]d reported to [redacted]t she had been sexually harassed by one of her Field Training Officers (FTO[redacted]AB 15-V]. Upon being advised[redacted]n's allegatio[redacted]summoned the FTO to his office and confronted him in front o[redacted]The FTO adamantly denied the allegation[redacted]sequently referre[redacted]the FGGM Equal Employment Opportunity (EEO) Office. In the course of the informal EEO complaint process, the Army and [redacted]ed a nominal settlement and the complaint was dismissed.[redacted]s concluded that [redacted]ted appropriately and promptly in dealing with the allegation.

**Investiga[redacted] allegation th[redacted]negligent and not taking care of his people and [redacted] fired in retaliation.**

[redacted]etermined that the primary complaint underlying the allegation that [redacted]ed to take care of his people" related to the amount of time it took to secure from the Defense Finance and Accounting Service the temporary duty and *per diem* reimbursement authorized to DACPs for expenses associated with civilian police training at the DA Police Academy at Aberdeen[redacted]TAB 15-V]. This delay was not deemed to be something within the scope of [redacted]ontrol and investigation of this matter was discontinued. [redacted] found no evidence to suggest that Mr. [redacted]as inappropriately terminated from his position at the FGGM DES.[redacted] in the probationary phase when he was terminated as the result of his unprofessional behavior in the context of a police patrol in the FGGM base family housing area [redacted]AB 15-X].[35] In the course of her investigation, LT[redacted] also learned that previously, while employed[redacted]unty,[redacted]ark Police Officer, [redacted] been charged with theft of items from th[redacted]Battleship. Mr. [redacted] guilty to violatin[redacted]ty ordinance and was barred from ever again holding a law enforcement position in the State o[redacted]AB 15-Y].

**Section VII. Listing of Violations or Apparent Violations of Law, Rule or Regulation.**

(1) AR 190-11, *Physical Security of Arms, Ammunition, and Explosives*, February 12, 1998 [Cornelius, TAB 15-B].

(2) FGGM Regulation 190-13, *Physical Security*, May 21, 2003 [Cornelius, TAB 15-C].

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[35] Please note[redacted]5-H ([redacted]Termination Letter) is the same[redacted] TAB 15-X. It is unclear why the Termination Letter is included twice i[redacted]

(3) FGGM Policy Memorandum #190-11-1, *Control and Registration of Privately-Owned Firearms and Ammunition*, July 1, 2[redacted]B15-D].

(4) AR 710–2, *Supply Policy Below the National Level*, [TAB 10].

## CORRECTIVE ACTIONS UNDERTAKEN

(1) Since this matter was brought to his attenti[redacted] longer brings his privately-owned weapon on to FGGM.

(2) As a result of the visibility generated by these investigations, the supervisory chain of the FGGM DES has been apprised of requirements that DACP register and properly store any privately-owned weapons they may transport onto the installation and has briefed all FGGM DACPs accordingly.

(3) The Garrison Commander, FGGM, has initiated a process to review, and as appropriate, revise, installation policies for registering and storing privately-owned weapons brought on to the installation to ensure compliance with applicable Federal and state laws. Changes to FGGM Regulation 190-13 and Fort Meade Policy Memorandum #190-11-1 will be fully staffed with IMA and OPMG, HQDA. DACP compliance with any requirement to register and properly store their privately-owned weapons will increase the demand for a secure area in which those weapons can be stored while the officer is performing official duties. Accordingly, the FGGM DES has undertaken to assess privately-owned weapons storage requirements and to determine the type and placement of storage lockers most suited to those needs.

(4) FGGM will publicize in the installation newspaper and at newcomer orientations the rules and policies governing the registration and storage of privately-owned weapons.

(5) The Director, DES will establish a training program to ensure that all FGGM DES personnel understand the policies and procedures for registering, transporting, and storing privately-owned weapons, and will reinforce the prohibition against using privately-owned weapons while performing official duties.

(6) OPMG, HQDA will prepare information for distribution to installation law enforcement activities, Army-wide, reinforcing that LEOSA is presently inapplicable to DACP and that further Department of Defense guidance on the LEOSA is forthcoming.

(7) The IMA will review procedures for forecasting, procuring, and supplying training ammunition for all MPs and DACP. The OCC, IMA also has recommended that the Chiefs of IMA Logistics and Operations transmit appropriate guidance to all installations with a view to ensuring coordination with HQDA on future transfers of ammunition and other materiel as required by AR 710-2. OPMG will transmit similar guidance to all law enforcement activities Army-wide.

(8) The Director, DES, will train supervisors on the procedures for forecasting and obtaining training ammunition for FGGM law enforcement personnel, to include a review of the types of ammunition presently deemed appropriate for DACP training.

(9) The Garrison Commander, FGGM will ensure that all personnel receive required Prevention of Sexual Harassment training.

These corrective actions are reasonable and adequate measures to ensure that regulatory violations disclosed in context of these investigations do not occur again.

## CONCLUSION

It is unquestioned that Army law enforcement personnel must be constantly vigilant in the performance of their duties in protecting our installations and their missions and the people who live and work there. Further, they must always conduct themselves in a professional manner, scrupulously adhering to all laws, rules, and regulations.

The DA takes very seriously its responsibilities to address, in a timely, thorough, and deliberative fashion, the concerns drawn to its attention by the OSC. The DA has addressed in depth the myriad of issues comprising the instant allegations referred by OSC. Of the five allegations referred by OSC, only that one asserting that hollow point ammunition had been used by FGGM DACP in weapons training on the FGGM firing range was substantiated. Though true, the allegation did not constitute a violation of law, rule, or regulation in effect at the time, nor did it create a substantial and specific danger to public safety, to DACP personnel, or to their ability to execute their critical law enforcement mission.

Additionally, as a result of the investigation, it was determined t[redacted] his supervisors, and colleagues presumed that they were exempt from Army and FGGM policies on the registration and storage of privately-owned weapons brought on to the FGGM installation. Further, though with only the best of intentions, FGGM LES DACP mistakenly presumed that the newly-enacted LEOSA authorized them to carry privately-owned weapons, at any time, in any jurisdiction; in fact, LEOSA is presently inapplicable to DACP. As a result of the OSC referral and the follow-on investigations, all FGGM DACP have been educated in these matters and OPMG is preparing to issue Army-wide guidance on these issues. Similarly, the investigations associated with these allegations revealed a need to reassess and revise the weapons registration and storage requirements and practices, and to ensure that proper weapons storage facilities are made available to persons employed on the FGGM installation who do not reside there. This reassessment and the coordination of appropriate policy revisions are ongoing.

These investigations also revealed that FGGM's acceptance from the NSA of hollow point training ammunition was not in compliance with AR 710–2, which required HQDA approval prior to the transfer. Though again a well-intentioned effort to provide meaningful and realistic training for employees of the FGGM DES, the deviation from regulatory requirements constituted a regrettable technical error. HQDA, IMA, MDW, and FGGM have agreed to work together to ensure adherence to regulatory requirements in the future.

Finally [redacted]'s investigation addressed additional "stand alone" concerns, separate and apart from the allegations referred to DA by OSC. Inquiry into these "stand alone" matters revealed neither a violation of law, rule, or regulation nor a substantial and specific danger to public safety.

No evidence with national security implications has been disclosed in the context of these investigations. There is no criminal violation inquiry referral to the Attorney General pursuant to Title 5, USC, Section 1213(d)(5)(d).

This letter, with enclosures, is submitted in satisfaction of my responsibilities under Title 5, USC, Sections 1213(c) and (d). Please direct any further questions you may have concerning this matter to [redacted]

Valerie L. Baldwin

Valerie L. Baldwin
Assistant Secretary of the Army
(Financial Management & Comptroller)

Enclosures
as

TAB Z, Admin -a

**DEPARTMENT OF THE ARMY**
U. S. ARMY MILITARY DISTRICT OF WASHINGTON
103 THIRD AVENUE
FORT LESLEY J. McNAIR, DC 20319-5058

REPLY TO
ATTENTION OF

ANJA

8 June 2005

MEMORANDUM FOR Office of the General Counsel (S[redacted]4 Army
Pentagon, Washington, D.C. 20310-0104

SUBJECT: Office of Special Counsel Report of Findings – OSC Files Numbers DI-05-0240 and DI-05-0405

1. I have reviewed for legal sufficiency the enclosed AR 15-6 investigation into whistleblower disclosures made in Office of Special Counsel files DI-05-0240 and DI-05-0405. The complainant alleged that a supervisory civilian police officer at Fort Meade carried an unauthorized weapon and used unauthorized ammunition in the course of his duties.

2. The proceedings comply with legal requirements, sufficient evidence supports the findings and the recommendations are consistent with the findings. The evidence supports the investigating officer's findings that the following allegations are not substantiated.

a. [redacted] carried a privately owned Glock pistol while on duty at Fort Meade.

b. That L[redacted]oaded his privately owned weapon with privately owned ammunition while on duty.

c. Th[redacted]improperly provided unserviceable hollow point ammunition for police officers to use at the Fort Meade range during training.

3. During the course of the investigation, the investigating officer determined that the Fort Meade Department of Emergency Services needed to clarify the procedures for civilian police officers to store their privately owned weapons on Fort Meade while the officers are on duty. Local policies and regulations address storage of weapons for personnel living on Fort Meade, but not personnel who work on Fort Meade. A policy allowing police officers to store privately owned weapons on Fort Meade will facilitate the Law Enforcement Officers Safety Act of 2004 provision allowing police officers to carry concealed weapons. The garrison commander is already taking action to clarify this policy.

4. I briefed the chain of command on the findings and recommendations. No additional actions are warranted.

[redacted]

TAB Z, Admin-b

DEPARTMENT OF THE ARMY
HEADQUARTERS, FORT GEORGE G. MEADE
4551 LLEWELLYN AVENUE
FORT GEORGE G. MEADE, MARYLAND 20755-5000

REPLY TO
ATTENTION OF:

IMNE-MEA-ZA

2 JUN 05

MEMORANDUM THRU United States Army Military District of Washington, Office of the Staff Judge Advoca[redacted]lding 32, Fort Lesley J. McNair, Washington, D.C. 20319

FOR Office of the General Counsel, Operations and Personnel, [redacted] Army Pentagon, Washington, D.C. 20310-0104

SUBJECT: Transmittal of Investigation and Report of Findings – OSC File Nos. DI-05-0240 and DI-05-0405

1. Please find attached the investigation and report of findings regarding the referred allegations.

2[redacted]gations have been exhaustively investigated both through this investigation and by the Inspector Genera[redacted]ific allegations were not substantiated, and we have determined that there was never a danger to public safety as alleged. However, we discovered an installation policy gap in facilitating the Law Enforcement Officers Safety Act of 2004 and a regulatory violation, both of which are being appropriately addressed.

3. A copy of [redacted]e letter is attached. The investigation paints a picture of someone apparently willing to fabricate allegations as a vendetta for his discharge. For example, he claims to have observed [redacted]th a privately owned weapon well before the weapon was ever purchased. It is telling that he repeatedly failed to return to sign his statement under oath.

4. My Staff Judge Advocate, [redacted]he point of contact for this action. He can be reached [redacted]

TAB Z, Admin C

DEPARTMENT OF THE ARMY
HEADQUARTERS, FORT GEORGE G. MEADE
4551 LLEWELLYN AVENUE
FORT GEORGE G. MEADE, MARYLAND 20755-5000

REPLY TO
ATTENTION OF:

INME-MEA-ZA

MEMORANDUM FOR Lieutenant Colonel [redacted] Battalion Commander, Headquarters Command, Fort George G. Meade, MD 20755-5000

SUBJECT: Appointment of Investigating Officer

1. On 8 April 2005, I verbally appointed you as an investigating officer under Army Regulation 15-6 to conduct an informal investigation into the allegations contained in the enclosed correspondence from the U.S. Office of Special Counsel (OSC). Specifically, you are to determine whether there is a preponderance of evidence to support the following allegations: 1) Lieutenant [redacted] a Department of the Army civilian police officer, carries his personal weapon while on duty; [redacted] personal weapon is loaded with his privately owned ammunition while on duty; 3) [redacted] improperly used hollow point ammunition in military weapons on the firing range; and [redacted] vided privately owned and unserviceable hollow point ammunition to other police officers to use on the range.

2. I will be the point of contact for questions concerning this investigation. You will contact me before expanding the scope of this investigation. I will determine whether additional allegations of misconduct warrant investigation.

3. Prior to initiating your investigation, read AR 15-6 and coordinate with your assigned legal advisor, CP [redacted] an Administrative Law Attorney, at (301) 677-9526. She will advise you prior to initiating your investigation and submitting your report. As this investigation involves civilian employees, you should contact [redacted] the Civilian Personnel Advisory Center or [redacted] Labor Counselor in the Office of the Staff Judge Advocate, if necessary. You will also be advised concerning "Weingarten Rights" before questioning any person who is a member of any bargaining unit covered by a negotiated agreement.

4. Record and all relevant witness statements on DA Form 2823. Attach a Privacy Act statement, if necessary. Make specific findings and recommendations. Cite the statements that support your findings. If there is conflicting evidence, explain what you believe and why. Provide an index and tab one copy of your report. Ensure that your report complies with the guidance found in 5 U.S.C. § 1213(c) and (d). Submit four copies of DA Form 1574.

[redacted]

2 Encls
1. OSC Letter, 7 Mar 05
2. OSC Report of Disclosures

TAB Z, Admin'd

DEPARTMENT OF THE ARMY
HEADQUARTERS, FORT GEORGE G. MEADE
DIRECTORATE OF EMERGENCY SERVICES
6619 MAPES ROAD
FORT GEORGE G. MEADE, MARYLAND 20755-5045

REPLY TO
ATTENTION OF:

ANME-ES

29 October 2004

MEMORANDUM FOR [redacted] olice Officer GS-0083-06, US Army Garrison Fort Meade, PMO, Physical Security, 6619 Mapes Road, Fort George G. Meade, Maryland 20755-5045

SUBJECT: Discharge During Probationary Period

1. This letter is to notify you that you will be discharged from your position of Police Officer, GS-0083-06, effective 2 November 2004, for failure to demonstrate successful performance.

2. The reasons in support of this decision are as follows:

a. On 21 September 2004 at or around 3:30 pm you responded to a call in the housing area located at 8479 6th Armored Cav, Fort Meade. After the call, you approached a neighbor, Ms. [redacted] who was painting outside her house. [redacted] small son also happened to be outside in his underwear. The child was outside for 3-5 minutes. You informed her that she would be charged with neglect if she did not take him inside. Before she had a chance to take him inside, you spoke to her in a low yell with a very rude tone, telling her once you started the paperwork she could talk to a federal judge about it. She then took her child inside and her husband came out to speak to you because she was upset with being threatened with neglect and you had spoken to her very condescendingly [redacted] n dressed her child and returned outside to find out why you had spoken to her in such a rude manner when all you had to do was inform her of such a law and ask her to correct it. You informed her that you ordered her to take her son in and she didn't do it. You informed her if you saw her child outside in a diaper you would pull over and charge her with neglect. She asked you for a phone number to your supervisor and you informed her that you did not have one. After 10 minutes of trying to get a name and number you told her to call the MP Desk and that no one was in charge of you. You informed her the reason you approached her in the first place was because you saw a violation and you had to correct it and that you happened to be on a domestic violence call and saw her son. You called her an idiot and said not only would your child not be outside in its underwear; but also your child would not be barefoot. You told her to get in her house before you took her to jail and she told you no that she pays rent and can be outside; you walked away.

3. As a Federal Service employee, you have the responsibility to observe a high standard of ethical conduct. I find your abuse of authority and bad judgment were unethical and show little regard for integrity. I have no faith in your reliability or judgment. As a police officer you have a higher standard of ethics to maintain. The entire situation was unprofessional to include disclosing the nature of your business.

ANME-ES 29 October 2004
SUBJECT: Discharge During Probationary Period

4. The probationary period serves as the final step in the examining process. During this period the employee's conduct, general traits and performance are evaluated to determine whether or not the person is found in actual practice to be lacking in fitness and the capacity to acquire fitness for government service. Your failure to demonstrate safe, successful performance adversely impacts on the mission of this organization and the efficiency of the service. Therefore, it is my decision that you will be discharged from your position and the Federal service during your probationary period.

5. You may appeal this discharge to the Merit Systems Protection Board (MSPB) if you believe the discharge is based on discrimination due to marital status or partisan political affiliation. You must initiate this appeal no later than thirty (30) calendar days after the effective date of this action. Filing of petitions for appeal may be made by personal delivery during normal business hours or by mail, or by facsimile, to the address or facsimile number listed below. Enclosed is copy of the MSPB regulation governing appeals, and the appropriate form to be used should you desire to file an appeal.

Regional Director
Merit Systems Protection Board
Philadelphia Regional Office
2nd & Chestnut Streets, Room 501
Philadelphia, PA 19106-2987

6. You may contact the Civilian Personnel Advisory Center, Fort George G. Meade, Maryland, for assistance in explaining these appeal rights. To make an appointment, telephon[redacted]

[redacted]

AR 15-6 Investigation
OSC Investigation D1-05-0240 and D1-05-0405
Table of Contents


1. DA form 1574
2. Appointment Data
3. Chronology of events & Personnel Status
4. Legal Review
5. Request for action from Office of the General Counsel (9 Mar 05) and referral of whistleblower case from the U.S. Office of Special Counsel (7 Mar 05)
6. Request for delay from SJA, Fort Meade
7. Privacy Act Statements
8. Sworn Statements:
   a. [redacted]
   b. [redacted]
   c. [redacted]
   d. [redacted]
   e. [redacted]
   f. [redacted]
   g. [redacted] ncluding receipt for weapon dtd. 27 Oct 04
   h. [redacted]
   i. [redacted]
   j. [redacted]
   k. [redacted]
   l. [redacted]
   m. [redacted]
   n. [redacted]
   o. [redacted]
9. Other Evidence and Documentation:
   a. Memorandum for Record to document status of personnel related to the AR 15-6 Investigation
   b. Memorandum for Record to clarify regulatory requirements regarding the use of ammuntion for DA Police.
   c. Email pertaining to proponent for Ammunition Suitability List
   d. Memorandum for Record to document the investigating officer's inspection of the hollow point ammuntion.
   e. AR 190-11, Physical Security Of Arms, Ammunition And Explosives
   f. AR190-56, The Army Civilian Police And Security Guard Program
   g. FGGM 190-13, Military Police Physical Security
   h. FGGM Policy Memorandum 190-11-1, Control and Registration of Privately-Owned Firearms and Ammunition
   i. FM 3-23.35, Combat Training with Pistols M9 and M11
   j. HR 218, The Law Enforcement Safety Act

# REPORT OF PROCEEDINGS BY INVESTIGATING OFFICER/BOARD OF OFFICERS

For use of this form, see AR 15-6; the proponent agency is OTJAG.

*IF MORE SPACE IS REQUIRED IN FILLING OUT ANY PORTION OF THIS FORM, ATTACH ADDITIONAL SHEETS*

## SECTION I - APPOINTMENT

Appointed [redacted]stallation Commander, Fort George G. Meade
*(Appointing authority)*

on 8 April 2005 *(Date)* *(Attach inclosure 1: Letter of appointment or summary of oral appointment data.) (See para 3-15, AR 15-6.)*

## SECTION II - SESSIONS

The *(investigation) (board)* commenced at Fort George G. Meade *(Place)* at 1600 *(Time)*

on 8 April 2005 *(Date)* *(If a formal board met for more than one session, check here* ☐ *. Indicate in an inclosure the time each session began and ended, the place, persons present and absent, and explanation of absences, if any.)* The following persons *(members, respondents, counsel)* were present: *(After each name, indicate capacity, e.g., President, Recorder, Member, Legal Advisor.)*

The following persons *(members, respondents, counsel)* were absent: *(Include brief explanation of each absence.) (See paras 5-2 and 5-8a, AR 15-6.)*

The *(investigating officer) (board)* finished gathering/hearing evidence at 1700 *(Time)* on 26 May 2005 *(Date)*

and completed findings and recommendations at 1000 *(Time)* on 27 May 2005 *(Date)*

## SECTION III - CHECKLIST FOR PROCEEDINGS

A. COMPLETE IN ALL CASES

| | | YES | NO 1/ | NA 2/ |
|---|---|---|---|---|
| 1 | Inclosures *(para 3-15, AR 15-6)* | | | |
| | Are the following inclosed and numbered consecutively with Roman numerals: *(Attached in order listed)* | | | |
| | *a.* The letter of appointment or a summary of oral appointment data? | X | | |
| | *b.* Copy of notice to respondent, if any? *(See item 9, below)* | | | X |
| | *c.* Other correspondence with respondent or counsel, if any? | | | X |
| | *d.* All other written communications to or from the appointing authority? | | | X |
| | *e.* Privacy Act Statements *(Certificate, if statement provided orally)?* | X | | |
| | *f.* Explanation by the investigating officer or board of any unusual delays, difficulties, irregularities, or other problems encountered *(e.g., absence of material witnesses)?* | | | X |
| | *g.* Information as to sessions of a formal board not included on page 1 of this report? | | | X |
| | *h.* Any other significant papers *(other than evidence)* relating to administrative aspects of the investigation or board? | | | X |

*FOOTNOTES:* 1/ *Explain all negative answers on an attached sheet.*
2/ *Use of the N/A column constitutes a positive representation that the circumstances described in the question did not occur in this investigation or board.*

| | | YES | NO 1/ | NA 2/ |
|---|---|---|---|---|
| 2 | Exhibits *(para 3-16, AR 15-6)* | | | |
| | *a.* Are all items offered *(whether or not received)* or considered as evidence individually numbered or lettered as exhibits and attached to this report? | X | | |
| | *b.* Is an index of all exhibits offered to or considered by investigating officer or board attached before the first exhibit? | X | | |
| | *c.* Has the testimony/statement of each witness been recorded verbatim or been reduced to written form and attached as an exhibit? | X | | |
| | *d.* Are copies, descriptions, or depictions *(if substituted for real or documentary evidence)* properly authenticated and is the location of the original evidence indicated? | X | | |
| | *e.* Are descriptions or diagrams included of locations visited by the investigating officer or board *(para 3-6b, AR 15-6)?* | | | X |
| | *f.* Is each written stipulation attached as an exhibit and is each oral stipulation either reduced to writing and made an exhibit or recorded in a verbatim record? | X | | |
| | *g.* If official notice of any matter was taken over the objection of a respondent or counsel, is a statement of the matter of which official notice was taken attached as an exhibit *(para 3-16d, AR 15-6)?* | | | X |
| 3 | Was a quorum present when the board voted on findings and recommendations *(paras 4-1 and 5-2b, AR 15-6)?* | | | X |
| | B. COMPLETE ONLY FOR FORMAL BOARD PROCEEDINGS *(Chapter 5, AR 15-6)* | | | |
| 4 | At the initial session, did the recorder read, or determine that all participants had read, the letter of appointment *(para 5-3b, AR 15-6)?* | | | |
| 5 | Was a quorum present at every session of the board *(para 5-2b, AR 15-6)?* | | | |
| 6 | Was each absence of any member properly excused *(para 5-2a, AR 15-6)?* | | | |
| 7 | Were members, witnesses, reporter, and interpreter sworn, if required *(para 3-1, AR 15-6)?* | | | |
| 8 | If any members who voted on findings or recommendations were not present when the board received some evidence, does the inclosure describe how they familiarized themselves with that evidence *(para 5-2d, AR 15-6)?* | | | |
| | C. COMPLETE ONLY IF RESPONDENT WAS DESIGNATED *(Section II, Chapter 5, AR 15-6)* | | | |
| 9 | Notice to respondents *(para 5-5, AR 15-6):* | | | |
| | *a.* Is the method and date of delivery to the respondent indicated on each letter of notification? | | | |
| | *b.* Was the date of delivery at least five working days prior to the first session of the board? | | | |
| | *c.* Does each letter of notification indicate — | | | |
| | (1) the date, hour, and place of the first session of the board concerning that respondent? | | | |
| | (2) the matter to be investigated, including specific allegations against the respondent, if any? | | | |
| | (3) the respondent's rights with regard to counsel? | | | |
| | (4) the name and address of each witness expected to be called by the recorder? | | | |
| | (5) the respondent's rights to be present, present evidence, and call witnesses? | | | |
| | *d.* Was the respondent provided a copy of all unclassified documents in the case file? | | | |
| | *e.* If there were relevant classified materials, were the respondent and his counsel given access and an opportunity to examine them? | | | |
| 10 | If any respondent was designated after the proceedings began *(or otherwise was absent during part of the proceedings):* | | | |
| | *a.* Was he properly notified *(para 5-5, AR 15-6)?* | | | |
| | *b.* Was record of proceedings and evidence received in his absence made available for examination by him and his counsel *(para 5-4c, AR 15-6)?* | | | |
| 11 | Counsel *(para 5-6, AR 15-6):* | | | |
| | *a.* Was each respondent represented by counsel? | | | |
| | Name and business address of counsel: | | | |
| | | | | |
| | *(If counsel is a lawyer, check here* ☐ *)* | | | |
| | *b.* Was respondent's counsel present at all open sessions of the board relating to that respondent? | | | |
| | *c.* If military counsel was requested but not made available, is a copy *(or, if oral, a summary)* of the request and the action taken on it included in the report *(para 5-6b, AR 15-6)?* | | | |
| 12 | If the respondent challenged the legal advisor or any voting member for lack of impartiality *(para 5-7, AR 15-6):* | | | |
| | *a.* Was the challenge properly denied and by the appropriate officer? | | | |
| | *b.* Did each member successfully challenged cease to participate in the proceedings? | | | |
| 13 | Was the respondent given an opportunity to *(para 5-8a, AR 15-6):* | | | |
| | *a.* Be present with his counsel at all open sessions of the board which deal with any matter which concerns that respondent? | | | |
| | *b.* Examine and object to the introduction of real and documentary evidence, including written statements? | | | |
| | *c.* Object to the testimony of witnesses and cross-examine witnesses other than his own? | | | |
| | *d.* Call witnesses and otherwise introduce evidence? | | | |
| | *e.* Testify as a witness? | | | |
| | *f.* Make or have his counsel make a final statement or argument *(para 5-9, AR 15-6)?* | | | |
| 14 | If requested, did the recorder assist the respondent in obtaining evidence in possession of the Government and in arranging for the presence of witnesses *(para 5-8b, AR 15-6)?* | | | |
| | Are all of the respondent's requests and objections which were denied indicated in the report of proceedings or in an inclosure or exhibit to it *(para 5-11, AR 15-6)?* | | | |

*FOOTNOTES:* *1/ Explain all negative answers on an attached sheet.*
*2/ Use of the N/A column constitutes a positive representation that the circumstances described in the question did not occur in this investigation or board.*

| | | YES | NO[1] | NA[2] |
|---|---|---|---|---|
| 2 | Exhibits *(para 3-16, AR 15-6)* | | | |
| | *a.* Are all items offered *(whether or not received)* or considered as evidence individually numbered or lettered as exhibits and attached to this report? | X | | |
| | *b.* Is an index of all exhibits offered to or considered by investigating officer or board attached before the first exhibit? | X | | |
| | *c.* Has the testimony/statement of each witness been recorded verbatim or been reduced to written form and attached as an exhibit? | X | | |
| | *d.* Are copies, descriptions, or depictions *(if substituted for real or documentary evidence)* properly authenticated and is the location of the original evidence indicated? | X | | |
| | *e.* Are descriptions or diagrams included of locations visited by the investigating officer or board *(para 3-6b, AR 15-6)?* | | | X |
| | *f.* Is each written stipulation attached as an exhibit and is each oral stipulation either reduced to writing and made an exhibit or recorded in a verbatim record? | X | | |
| | *g.* If official notice of any matter was taken over the objection of a respondent or counsel, is a statement of the matter of which official notice was taken attached as an exhibit *(para 3-16d, AR 15-6)?* | | | X |
| 3 | Was a quorum present when the board voted on findings and recommendations *(paras 4-1 and 5-2b, AR 15-6)?* | | | X |
| | B. COMPLETE ONLY FOR FORMAL BOARD PROCEEDINGS *(Chapter 5, AR 15-6)* | | | |
| 4 | At the initial session, did the recorder read, or determine that all participants had read, the letter of appointment *(para 5-3b, AR 15-6)?* | | | |
| 5 | Was a quorum present at every session of the board *(para 5-2b, AR 15-6)?* | | | |
| 6 | Was each absence of any member properly excused *(para 5-2a, AR 15-6)?* | | | |
| 7 | Were members, witnesses, reporter, and interpreter sworn, if required *(para 3-1, AR 15-6)?* | | | |
| 8 | If any members who voted on findings or recommendations were not present when the board received some evidence, does the inclosure describe how they familiarized themselves with that evidence *(para 5-2d, AR 15-6)?* | | | |
| | C. COMPLETE ONLY IF RESPONDENT WAS DESIGNATED *(Section II, Chapter 5, AR 15-6)* | | | |
| 9 | Notice to respondents *(para 5-5, AR 15-6):* | | | |
| | *a.* Is the method and date of delivery to the respondent indicated on each letter of notification? | | | |
| | *b.* Was the date of delivery at least five working days prior to the first session of the board? | | | |
| | *c.* Does each letter of notification indicate – | | | |
| | (1) the date, hour, and place of the first session of the board concerning that respondent? | | | |
| | (2) the matter to be investigated, including specific allegations against the respondent, if any? | | | |
| | (3) the respondent's rights with regard to counsel? | | | |
| | (4) the name and address of each witness expected to be called by the recorder? | | | |
| | (5) the respondent's rights to be present, present evidence, and call witnesses? | | | |
| | *d.* Was the respondent provided a copy of all unclassified documents in the case file? | | | |
| | *e.* If there were relevant classified materials, were the respondent and his counsel given access and an opportunity to examine them? | | | |
| 10 | If any respondent was designated after the proceedings began *(or otherwise was absent during part of the proceedings):* | | | |
| | *a.* Was he properly notified *(para 5-5, AR 15-6)?* | | | |
| | *b.* Was record of proceedings and evidence received in his absence made available for examination by him and his counsel *(para 5-4c, AR 15-6)?* | | | |
| 11 | Counsel *(para 5-6, AR 15-6):* | | | |
| | *a.* Was each respondent represented by counsel? | | | |
| | Name and business address of counsel: | | | |
| | | | | |
| | *(If counsel is a lawyer, check here* ☐ *)* | | | |
| | *b.* Was respondent's counsel present at all open sessions of the board relating to that respondent? | | | |
| | *c.* If military counsel was requested but not made available, is a copy *(or, if oral, a summary)* of the request and the action taken on it included in the report *(para 5-6b, AR 15-6)?* | | | |
| 12 | If the respondent challenged the legal advisor or any voting member for lack of impartiality *(para 5-7, AR 15-6):* | | | |
| | *a.* Was the challenge properly denied and by the appropriate officer? | | | |
| | *b.* Did each member successfully challenged cease to participate in the proceedings? | | | |
| 13 | Was the respondent given an opportunity to *(para 5-8a, AR 15-6):* | | | |
| | *a.* Be present with his counsel at all open sessions of the board which deal with any matter which concerns that respondent? | | | |
| | *b.* Examine and object to the introduction of real and documentary evidence, including written statements? | | | |
| | *c.* Object to the testimony of witnesses and cross-examine witnesses other than his own? | | | |
| | *d.* Call witnesses and otherwise introduce evidence? | | | |
| | *e.* Testify as a witness? | | | |
| | *f.* Make or have his counsel make a final statement or argument *(para 5-9, AR 15-6)?* | | | |
| | If requested, did the recorder assist the respondent in obtaining evidence in possession of the Government and in arranging for the presence of witnesses *(para 5-8b, AR 15-6)?* | | | |
| | Are all of the respondent's requests and objections which were denied indicated in the report of proceedings or in an inclosure or exhibit to it *(para 5-11, AR 15-6)?* | | | |

*FOOTNOTES:* 1/ *Explain all negative answers on an attached sheet.*
2/ *Use of the N/A column constitutes a positive representation that the circumstances described in the question did not occur in this investigation or board.*

## SECTION IV - FINDINGS *(para 3-10, AR 15-6)*

The *(investigating officer) (board)*, having carefully considered the evidence, finds:

BACKGROUND [redacted], a former Civilian Police Officer at Fort Meade, disclosed to the Office of Special Counsel and subsequently stated in an AR 15-6 investigation th[redacted]ssell, a supervisory Civilian Police Officer at Fort Meade, often carried his personal weapon while on duty, loaded it with privately owned ammunition, provided this ammunition to other police officers. [redacted] claims that hollow point ammunition is not authorized for use in government weapo[redacted] suggests that the ammunition may exceed the chamber pressure of the 9mm pistol and some of it was tarnished with a green patina. (See Tab 8-a.) These alleged incidents occurred on various dates between 21 Sep. and 29 Oct. 04 and he indicated numerous alleged witnesses.

Finding #1: The evidence does not support the allegation tha[redacted]rried a privately owned Glock pistol while on duty at Fort Meade.

- Point #1: [redacted] lists five witnesses to these allegations: [redacted]. (See Tab 3 for a summary of personnel and their availability status.) Althoug[redacted] have moved and are unavailable, the remaining, as well as several other potential witnesses, deny ever seeing [redacted] carrying his privately owned weapon. (See Tab 8-b, 8-c, 8-e, 8-f, 8-i, 8-j, 8-l, and 8-m.) [redacted] also denies ever carrying his privately owned weapon while on duty. (See Tab 8-d.) One potential witness [redacted] claims to have s[redacted] carrying a privately owned Glock pistol. (TAB 8-f.) [redacted] claims that anyone working the day shift would have observ[redacted]rrying a privately owned Glock. When asked how he knew, it was privately owned, [redacted] said it was in a "smaller holster." [redacted] cannot recall the dates or the number of time he sa[redacted] carrying carrying a privately owned weapon, but he said it was between the hours of 1000-1100. [redacted] statement does not present a convincing argument because it is not supported by any other witness statement (Tab 8-b, 8-c, 8-e, 8-f, 8-i, 8-j, 8-l, 8-m). It also contains some inconsistencies. [redacted] privately owned holster is the same size as his government owned holster (Tab 8-p). [redacted] worked the midnight shift from 2300-0700 and [redacted] works the day shift starting at 0800 (TAB 8-p). Therefore, it is unlikely [redacted] would have observe[redacted] between the hours of 1000 and 1100. Finally, [redacted] unsure of the date and the number of observation and was reluctant to offer any estimates (TAB 8-f).

- Point #2: The evidence does not support the dates that [redacted] claims to have seen [redacted] carrying a privately owned Glock pistol. [redacted] claims to have seen [redacted] carrying a Glock pistol on various dates between 21 Sep. and 29 Oct. (Tab 8a.) The evidence revealed that [redacted] did not possess a privately owned weapon until the purchase of a Glock on 27 Oct. (Tab 8-d and g.)

- Point #3: The evidence reveals th[redacted] brought his privately owned Glock pistol on post while off duty on various dates between late October and early December. (Tab 8-d) He stated that he secured his weapon and ammunition in two separate and locked containers in his POV (Tab 8-g). This storage method is in violation of AR 190-11, which states in paragraph 4-5 a. (1) that privately owned weapons and ammunition will be secured "in the installation army or unit arms rooms in approved locked containers separate from the military AA&E." (Tab 9-c) [redacted] admitted that he failed to register his weapon. (See Tab 8-d.) This is in violation of Fort George G. Meade (FGGM) Policy Memorandum #190-11-1, Control and Registration of Privately-Owned Firearms and Ammunition, dated 1 July 2003, which requires "All persons entering ... the FGGM installation may possess privately-owned firearms, projectile weapons, ammunition, or knives under the following conditions: ... registered at the FGGM Visitor Control Center within 3 working days of arrival or acquisition of the firearm."

- Point #4: The evidence suggests that some confusion exists regarding the provisions for individuals living off-post to register their weapons. The Law Enforcement Officers Safety Act of 2004, HR 218, authorizes police officers to carry concealed weapons off duty. Some of the police officers interviewed indicated a request to exercise this right to carry privately owned weapons while off duty. (Tab 8-b, 8-c, and 8-d) However, FGGM Regulations do not include provisions for storage of weapons belonging to personnel who reside off post. FGGM 190-13 (Tab 9-3) states "personnel residing on FGGM will register their privately -owned firearms ... within 72 hours." FGGM Policy Memorandum 190-11-1 includes storage instructions for military personnel residing on post, but does not include

## SECTION V - RECOMMENDATIONS *(para 3-11, AR 15-6)*

In view of the above findings, the *(investigating officer) (board)* recommends:

Recommendation #1: That [redacted] counseled for bringing his privately owned weapon onto the installation without registering it at Fort Meade.

Recommendation #2: That the Provost Marshal provide a mechanism and policy for the physical security of police officers' privately owned weapons at Fort Meade so that police officers may protect themselves when traveling to and from duty at Fort Meade, in compliance with the Law Enforcement Officers Safety Act of 2004, HR 218.

Recommendation #3: That the Provost Marshall work with [redacted] the training officer for the DA Police, to ensure that the DA Police have the training resources they need to be trained and certified.

**SECTION VI - AUTHENTICATION** *(para 3-17, AR 15-6)*

THIS REPORT OF PROCEEDINGS IS COMPLETE AND ACCURATE. *(If any voting member or the recorder fails to sign here or in Section VII below, indicate the reason in the space where his signature should appear.)*

[redacted], MP, Commanding

*(Recorder)*

*(Investigating Officer) (President)*

*(Member)*

*(Member)*

*(Member)*

*(Member)*

**SECTION VII - MINORITY REPORT** *(para 3-13, AR 15-6)*

To the extent indicated in Inclosure _____, the undersigned do(es) not concur in the findings and recommendations of the board. *(In the inclosure, identify by number each finding and/or recommendation in which the dissenting member(s) do(es) not concur. State the reasons for disagreement. Additional/substitute findings and/or recommendations may be included in the inclosure.)*

*(Member)*

*(Member)*

**SECTION VIII - ACTION BY APPOINTING AUTHORITY** *(para 2-3, AR 15-6)*

The findings and recommendations of the *(investigating officer)* ~~*(board)*~~ are *(approved)* ~~*(disapproved)*~~ ~~*(approved with following exceptions/substitutions)*~~. *(If the appointing authority returns the proceedings to the investigating officer or board for further proceedings or corrective action, attach that correspondence (or a summary, if oral) as a numbered inclosure.)*

[redacted]

storage instructions for personnel who live off-post. (Tab 9-f)

2. Finding #2: The evidence does not support the allegation [redacted] loaded his weapon with privately owned ammunition.

- Point#1: [redacted]ts five witnesses to these allegations: [redacted] and [redacted] (See Tab 3 for a summary of personnel and their availability status.) Although [redacted] and [redacted] have moved and are unavailable, the remaining, as well as several other potential witnesses, deny any knowledge of privately owned ammunition being used at Fort Meade by on duty police officers. (See Tab 8-b, 8-c, 8-e, 8-f, 8-i, 8-j, 8-l, and 8-m. [redacted]o denies ever carrying his privately owned weapon while on duty. (See Tab 8-d.)
- Point #2: The evidence finds that Lt. [redacted]sed government-owned hollow point rounds on ranges and that this ammunition was also provided to other police officers on the range. (Tab 8-d.) The evidence finds that this ammunition was used in training only, not in operations. The evidence reveals that the ammunition was provided by the National Security Agency (NSA), because the NSA police had excess training ammunition and were willing to share it with the DA police at the Department of Emergency Services (DES), Fort Meade. (Tab 8-k)

3. Finding #3: The evidence does not support the allegation that the ammunition may be unsuitable for use because it may exceed the chamber pressure of the 9mm pistol and some of it was tarnished with a green patina. (See Tab 8-a.)

- Point#1: Mr. [redacted] claims that the ammunition was rated +P or +P+ and that it creates a higher chamber pressure that exceeds the allowance for a 9mm. (Tab 8-a) Sgt [redacted]sued the ammunition to DES and said that none of it included ammunition with +P or +P+ ratings. (Tab 8-k) The investigating officer inspected the remaining ammunition and found that none of it had +P or +P+ ratings on it. (Tab 9-b)
- Point #2: Mr [redacted] suggested that the ammunition was unsuitable because some of it was tarnished with a green patina. He referenced Field Manual (FM) 3-23.35, which warns, "Do not fire heavily corroded or dented cartridges." Several witnesses who handled the ammunition were questioned about its condition, and no one reported any corrosion or dents. (Tab 8-g, 8-i, 8-k, and 8-n) Visual inspection of the ammunition did not reveal any corrosion or dents. (Tab 9-b)

DEPARTMENT OF THE ARMY
HEADQUARTERS COMMAND BATTALION
4215 ROBERTS AVENUE WING C
FORT GEORGE G. MEADE, MARYLAND 20755-5500

REPLY TO
ATTENTION OF:

ANME-HQ

8 April 05

MEMORANDUM FOR RECORD

SUBJECT: Appointment to conduct 15-6 Investigation

1. Purpose. To document the appointment of the investigating officer to conduct an AR 15-6 Investigation regarding OSC Investigation D1-05-0240 and D1-05-0405.

2. On 8 April 2005, I was appointed by the Installation Commander, COL [redacted], as an AR 15-6 investigating officer regarding OSC Investigation D1-05-0240 and D1-05-0405.

[redacted]
LTC, MP
Commanding

**Chronology of Events**
**AR 15-6 Investigation of Allegations of Alleged Violations of Regulations Involving Weapons and Ammunition Carried by DA Police**

8 April Received verbal appointment orders from the Installation Commander, conveyed through SJA and briefing from SJA, Admin. Law (Mr. [redacted] and CPT [redacted]

11 Apr Received copy of request for delay

11-15 Apr Administrative Assistant, Ms. [redacted] called several numbers and left messages for Mr. [redacted] to contact me to set up an interview.

18 April Called Mr. [redacted] and set up an interview with him for 19 April 1400.

19 April Interviewed Mr. [redacted] and obtained verbal statement. He informed me that he had been unavailable for the past week, and just got back on 18 April. He said he received the messages from our office but hadn't had an opportunity to return our calls yet.

20 April Obtained written statement from Mr. [redacted] He failed to sign it, so I called him and instructed him to return 21 April and have it sworn and signed.
21 April Mr. [redacted] did not sign his statement or call.
20-25 April Attempted to contact and schedule the witnesses that [redacted] listed in his statement:
[redacted] (no answer)
Officer [redacted] (scheduled 29 Apr)
Officer [redacted] (scheduled for 29 Apr)
Officer [redacted] moved - phone number disconnected)
Officer [redacted] moved – no forwarding information available)

25 April Scheduled appointments with two of the five listed witnesses. (The other two witnesses are not currently available as they no longer work for DES and no forwarding information is available.)

28 April Spoke with CPT [redacted] and provided an update on the progress of the investigation. She gave me a number for one of the former DAP who is no longer available at DES [redacted].

29 April Left a message for [redacted]

29 April [redacted] interviewed. [redacted] did not show up. Chief [redacted] said [redacted] was told several times to attend the interview with LTC [redacted] but [redacted] "blew it off" because it is his last day of employment at Fort Meade.

29 April Made appointment for Chief [redacted] to see me Monday for an interview.

[redacted]

| | |
|---|---|
| 2 May | Interviewed [redacted] |
| 6 May | Interviewed LT [redacted] |
| 6 May | Made appointment with CPT [redacted] o review case on Monday, 9 May. |
| 9 May | Met with CPT [redacted] |
| 9 May | Telephone interview with Ms. [redacted] |
| 9 May | Telephone interview with Mr [redacted] |
| 10 May | Telephone interview with Ms. [redacted] |
| 10 May | Interview with Lt [redacted] |
| 10 May | Interview with MAJ [redacted] (Provost Marshall) |
| 12 May | Telephone interview with Mr. [redacted] |
| 12 May | Telephone interview with SSG [redacted] |
| 12 May | Telephone interview with Sgt [redacted] |
| 12 May | Telephone interview with Ms. [redacted] |
| 12 May | Investigating officer inspects the hollow point rounds used by the DA Police |
| 12 May | Called Mr. [redacted] nd instructed him to sign his statement. He said he'd come to my office in the morning of 13 May |
| | Completed DA form 1574 |
| 13 May | Mr. [redacted] id not come to my office – nor did he call |
| 17 May | Interview with SGT [redacted] |
| 17 May | Interview with SGT [redacted] |
| 20 May | Interviewed SGT [redacted] |
| 20 May | Finished gathering evidence |
| 25 May | Completed findings and recommendations |

[redacted]

DEPARTMENT OF THE ARMY
OFFICE OF THE STAFF JUDGE ADVOCATE
2257 HUBER ROAD
FORT GEORGE G. MEADE, MARYLAND 20755-5000

REPLY TO
ATTENTION OF:

INME-MEA-SJA

1 JUN 05

MEMORANDUM FOR Installation Commander, Fort George G. Meade (FGGM), Maryland 20755-5070

SUBJECT: Legal Review of Army Regulation (AR) 15-6 Informal Investigation – Referred Allegations from OSC Investigation D1-05-0240 and D1-05-0405

1. The AR 15-6 investigation is legally sufficient and ready for action on findings and recommendations. The proceedings comply with legal requirements. Sufficient evidence supports the findings, and the recommendations are consistent with the findings.

2. POC is the undersigned at (301) [redacted]

[redacted]

DEPARTMENT OF THE ARMY
OFFICE OF THE GENERAL COUNSEL
OPERATIONS & PERSONNEL
104 ARMY PENTAGON, ROOM 2E725
WASHINGTON, D.C. 20310-0104

# FACSIMILE TRANSMITTAL SHEET

TO: [redacted]

FROM: [redacted]
Associate Deputy General Counsel
(Human Resources)

AGENCY: [redacted]

DATE OF TRANSMISSION: 3/9/05

FAX NUMBER: [redacted]

NUMBER OF PAGES PLUS COVER:

PHONE NUMBER: [redacted]

SENDER'S PHONE NUMBER:

SUBJECT: OSC Investigation #s - DI-05-0240 + DI-05-0405
Fort Meade Directorate of Emergency Services

URGENT FOR REVIEW PLEASE COMMENT PLEASE REPLY PLEASE RECYCLE

REMARKS:
CC: [redacted] - DAJA-LE- FAX [redacted]
[redacted] - DAIG- FAX [redacted]
[redacted] - DACS-ZDV-HR [redacted]

DEPARTMENT OF THE ARMY
OFFICE OF THE GENERAL COUNSEL
104 ARMY PENTAGON
WASHINGTON, DC 20310-0104

REPLY TO
ATTENTION OF

Suspense: 15 April 2005
9 March 2005

MEMORANDUM FOR United States Army Military District of Washington, Office of the Staff Judge Advocate, [redacted] Building 32, Fort Lesley J. McNair, Washington, D.C. 20319

SUBJECT: Whistleblower Investigation—Directorate of Emergency Services, Civilian Police Department, Fort Meade, Maryland (OSC File Nos. DI-05-0240 and DI-05-0405)

Enclosed for your action is a 7 March 2005 letter from the Office of Special Counsel (OSC), requesting an investigation of the noted allegations and a report pursuant to 5 U.S.C.1213(c)(1) and (g). The Special Counsel has concluded that there is substantial likelihood that information provided by [redacted] a former Civilian Police Officer at Fort Meade, Maryland, discloses violations of law, rule or regulation and a substantial and specific danger to public safety arising out of actions by an employee at the Department of the Army, Directorate of Emergency Services (DES), Civilian Police Department, Fort Meade, Maryland.

According to the OSC's correspondence [redacted] disclosed that Lt. [redacted] Supervisory Policy Officer, often carries his personal weapon while on duty and sometimes loads it with his own ammunition. Additionally, Mr. [redacted] alleged that Lt. [redacted] used hollow point ammunition in military rifles on the firing range, and provided hollow point ammunition to other police officers to use on the range. Mr. [redacted] contends that these actions are in violation of Army Regulation (AR) 190-56 and created a substantial and specific danger to public safety. The specifics for each of the allegations are contained in Enclosure 1. I should note that the Special Counsel is particularly concerned with these allegations given the critical role DES plays in keeping America secure. DES not only protects the inhabitants of Fort Meade but also guards the perimeter of the National Security Agency. It is imperative that the Fort Meade police officers are armed with proper, reliable weapons and ammunition that are maintained in excellent condition. The allegations outlined in the OSC correspondence ultimately affect the reliability of those weapons.

A final response describing any actions taken to address the allegations should be prepared for the signature of the Assistant Secretary of the Army (Manpower and Reserve Affairs) (ASA (M&RA)) who has been delegated the authority by the Secretary of the Army to review, sign and submit written reports of investigations of information and related matters transmitted to the Department of the Army by the Special Counsel, in accordance with Title 5, United States Code, sections 1213(c), (d) and (g). The final response should be submitted to this office AS SOON AS POSSIBLE BUT NOT LATER THAN 15 April 2005.

Printed on Recycled Paper

SUBJECT: Whistleblower Investigation—Directorate of Emergency Services, Civilian Police Department, Fort Meade, Maryland (OSC File Nos. DI-05-0240 and DI-05-0405)

The Army's response will be available to the public. Therefore, our response and any supporting investigative report should be prepared in a manner intended to facilitate public understanding of the allegations and Army's response thereto. The requirements specified in 5 U.S.C. 1213(d) (copy enclosed) may be used as a guideline and should include findings, conclusions and corrective action. In all cases, please furnish for our review all backup materials supporting the proposed response that will be used to prepare the official response for the Secretary of the Army. When you forward your report to me, please do so in hard copy. Additionally, by email to me, please provide the electronic version of the report, including the findings, conclusions and corrective action, but not the backup/supporting documentation.

By statute, the agency has sixty (60) days from receipt of the OSC letter to provide the required report. If necessary, I will seek an extension of the date for our reply to the Special Counsel. As soon as it becomes apparent that more time beyond the suspense noted above will be needed to complete your report, you should forward to me an interim response requesting the extension and indicating the reasons for the request and the date by which I can expect to receive your final response. As you can understand, once your report is forwarded to me, I will need additional time to staff the proposed response to the OSC and finalize the Army's report.

If you have any questions, please do not hesitate to contact me at 703-695-0562. Additionally, my email address is cassandra.johnson@hqda.army.mil.

Cassandra Tsintolas Johnson

CASSANDRA TSINTOLAS JOHNSON
Associate Deputy General Counsel
(Human Resources)

Enclosure

CF: DAJA-LE, Ms. Diane Nugent
DA IG, COL Bob Faille
DACS-ZDV-HR, Ms. Lolita Myers

U.S. OFFICE OF SPECIAL COUNSEL
1730 M Street, N.W., Suite 300
Washington, D.C. 20036-4505

March 7, 2005

The Special Counsel

The Honorable Francis J. Harvey
Secretary of the Army
101 Army Pentagon
Washington, D.C. 20310-0101

Re: OSC File Nos. DI-05-0240 and DI-05-0405

Dear Mr. Secretary:

Under my responsibilities as Special Counsel, I am referring to you a whistleblower disclosure that a supervisory civilian police officer at Fort Meade often carries an unauthorized weapon and uses unauthorized ammunition in the course of performing his job duties. Accordingly, I am referring this information to you for an investigation of these allegations and a report of your findings. The civilian police officers at Fort Meade perform a critical role in keeping our nation secure. Not only do they protect the inhabitants of Fort Meade, they are also charged with guarding the perimeter of the National Security Agency (NSA), which is located within the boundaries of Fort Meade. While the NSA police force is responsible for patrolling the NSA campus itself, the Fort Meade police force is responsible for patrolling the area surrounding NSA, to ensure that no intruders are able to gain access to the campus. Therefore, it is essential for Fort Meade police officers to be armed with proper, reliable weapons and ammunition that are maintained in excellent condition.

The U.S. Office of Special Counsel (OSC) is authorized by law to receive disclosures of information from federal employees alleging violations of law, rule, or regulation, gross mismanagement, gross waste of funds, an abuse of authority, or a substantial and specific danger to public health or safety. 5 U.S.C. § 1213(a) and (b). As Special Counsel, if I find, on the basis of the information disclosed, that there is a substantial likelihood that one of these conditions exists, I am required to advise the appropriate agency head of my findings, and the agency head is required to conduct an investigation of the allegations and prepare a report. 5 U.S.C. § 1213(c) and (g). OSC has received a disclosure alleging violations of law, rule, or regulation and a substantial and specific danger to public safety arising out of actions by an employee at the Department of the Army, Directorate of Emergency Services, Civilian Police Department, Fort Meade, Maryland.

More specifically, [redacted] a former Civilian Police Officer at Fort Meade, disclosed to OSC that Lt. [redacted] Supervisory Police Officer, often carries his personal weapon while on duty and sometimes loads it with his own ammunition. He also alleged that Lt. [redacted] used hollow point ammunition in military rifles on the firing range, and provided hollow point ammunition to other police officers to use on the range. Mr. [redacted]

Enclosure 1

The Special Counsel

The Honorable Francis J. Harvey
Page 2

contended that, in doing so, Lt. [redacted] violated Army regulation 190-56 and created a substantial and specific danger to public safety. Mr. [redacted] allegations are described in greater detail in the attached report.

I have concluded that there is a substantial likelihood that the information Mr. [redacted] provided to OSC discloses violations of law, rule, or regulation and a substantial and specific danger to public safety. As previously stated, I am referring this information to you for an investigation of Mr. [redacted] allegations and a report of your findings within 60 days of your receipt of this letter. By law, the report must be reviewed and signed by you personally. Should you delegate your authority to review and sign the report to the Inspector General, or any other official, the delegation must be specifically stated and must include the authority to take the actions necessary under 5 U.S.C. § 1213(d)(5). Without this information, I would hasten to add that the report may be found deficient. The requirements of the report are set forth at 5 U.S.C. § 1213(c) and (d). A summary of § 1213(d) is enclosed.

In the event it is not possible to report on the matter within the 60-day time limit under the statute, you may request in writing an extension of time not to exceed 60 days. Please be advised that an extension of time is normally not granted automatically, but only upon a showing of good cause. Accordingly, in the written request for an extension of time, please state specifically the reasons the additional time is needed.

After making the determinations required by 5 U.S.C. § 1213(e)(2), copies of the report, along with any comments on the report from the person making the disclosure and any comments or recommendations by this office will be sent to the President and the appropriate oversight committees in the Senate and House of Representatives owing to the requirements set forth in 5 U.S.C. § 1213(e)(3).

Unless classified or prohibited from release by law, a copy of the report and any comments will be placed in a public file in accordance with 5 U.S.C. § 1219(a).

Please refer to our file number in any correspondence on this matter. If you need further information, please contact [redacted] Chief, Disclosure Unit, at [redacted] I am also available for any questions you may have.

[redacted]

Enclosures

Enclosure.

Requirements of 5 U.S.C. § 1213(d)

Any report required under subsection (c) shall be reviewed and signed by the head of the agency[1] and shall include:

(1) a summary of the information with respect to which the investigation was initiated;

(2) a description of the conduct of the investigation;

(3) a summary of any evidence obtained from the investigation;

(4) a listing of any violation or apparent violation of law, rule or regulation; and

(5) a description of any action taken or planned as a result of the investigation, such as:

(A) changes in agency rules, regulations or practices;

(B) the restoration of any aggrieved employee;

(C) disciplinary action against any employee; and

(D) referral to the Attorney General of any evidence of criminal violation.

In addition, we are interested in learning of any dollar savings, or projected savings, and any management initiatives that may result from this review.

[1] Should you decide to delegate authority to another official to review and sign the report, your delegation must be specifically stated.

U.S. OFFICE OF SPECIAL COUNSEL
1730 M Street, N.W., Suite 218
Washington, D.C. 20036-4505
202-254-3600

# REPORT OF DISCLOSURES REFERRED FOR INVESTIGATION
# OSC FILE NOS. DI-05-0240 and DI-05-0405

## I. SUMMARY

[redacted] a former Civilian Police Officer at Fort Meade, disclosed to OSC that Lt. [redacted] pervisory Police Officer, often carries his personal weapon while on duty and sometimes loads it with his own ammunition. He also alleged that Lt. [redacted] used hollow point ammunition in military rifles on the firing range, and provided hollow point ammunition to other police officers to use on the range. Mr. [redacted] contended that, in doing so, Lt. [redacted] violated Army regulation 190-56 and created a substantial and specific danger to public safety.

## II. THE INFORMATION DISCLOSED

Mr. [redacted] who has consented to the release of his name, worked for the Army for 23 years and is a commissioned officer in the Army Reserves.[1] He worked as a civilian police officer at Fort Meade from March 8, 2004, until November 3, 2004, when he was terminated.

According to Mr. [redacted] Lt. [redacted] often carries his personal weapon – a Glock semi-automatic pistol – while on duty, in violation of Army regulation (AR) 190-56 (The Army Civilian Police and Security Guard Program), section 6-3. This regulation provides, in pertinent part,

> Army civilian police and security guards will be provided with the weapons, ammunition, and security equipment needed to perform their assigned duties. . . . The use of privately owned firearms and/or ammunition by Federally employed Army civilian police and security guards is strictly prohibited.

Mr. [redacted] personally observed Lt. [redacted] carrying his personal weapon at work on the following dates: September 21st and October 5th, 15th, 20th, 25th, 27th, and 29th of 2004. In addition, Mr. [redacted] alleges that, on one occasion, Lt. [redacted] informed him that the personal weapon he was carrying at the time was loaded with his own ammunition.

Mr. [redacted] also alleges that, on several occasions in August and September of 2004, Lt. [redacted] fired hollow point ammunition on the Fort Meade firing range, using a military-

---

[redacted] His home telephone number is [redacted]

owned weapon.[2] Mr. [redacted] further relates that, on several occasions while they were practicing at the firing range, Lt. [redacted] gave him and several other police officers some of the hollow point ammunition and instructed them to fire it with their military-issued weapons, which they did. Lt [redacted] informed Mr. [redacted] that he obtained the hollow point ammunition from police officers in the Anne Arundel County Police Department.

Mr. [redacted] alleges that the use of hollow point ammunition by Army civilian police officers not only violates AR 190-56, but also creates a substantial and specific danger to public safety. He explains that military weapons are designed to use a specific type of ammunition, known as "full metal jacket."[3] Therefore, loading a military weapon with nonconforming hollow point ammunition may cause the weapon to malfunction, or even explode, when fired. Mr. [redacted] asserts that the hollow point ammunition Lt [redacted] used in his military-owned weapon and gave to the other officers to use in their weapons was old, thereby exacerbating the risk that the weapons might malfunction or explode. In fact, Mr. [redacted] relates that much of Lt. [redacted] hollow point ammunition appeared green and corroded.

Mr. [redacted] states that, not only is it possible for one of the weapons to malfunction on the firing range, while loaded with the hollow point ammunition, but the hollow point ammunition could also damage a weapon in such a way as to cause it to malfunction at a later time, when it is loaded with proper ammunition. Thus, he contends that using hollow point ammunition in a military weapon renders the weapon less reliable, thereby endangering the safety of the police officer who carries the weapon on the job, as well as jeopardizing the safety of those whom he or she is assigned to protect. Because the Fort Meade police officers help to protect the grounds of the National Security Agency, among other duties, the quality and condition of their weapons and ammunition have national security implications, in addition to implications for the general safety and security of the other inhabitants of Fort Meade.

## II. THE SPECIAL COUNSEL'S FINDINGS

Given Mr. [redacted] apparent expertise regarding the matters he has disclosed, the detail he has provided, and his first-hand knowledge of many of the incidents he has described, I have concluded that there is a substantial likelihood that the information Mr. [redacted] provided to OSC discloses violations of law, rule, or regulation and a substantial and specific danger to public safety.

---

[2] A bullet with a cavity in the tip to facilitate expansion upon impact.

[3] A bullet with a jacket, usually of harder metal, encasing the core. The military uses a 9 mm bullet with a full metal copper jacket and a lead core.

# Staff Judge Advocate
# PAL Branch

2257 Huber Road
Fort George G. Meade, MD 20755-5030
[redacted]
Fax [redacted]

**Date:**
**To:**
**Fax:**
**Re:**
**Sender:** [redacted]

YOU SHOULD RECEIVE 2 PAGE(S), INCLUDING THIS COVER SHEET.
PLEASE CALL IF YOU DO NOT RECEIVE ALL THE PAGES.

**This facsimile transmission and/or the documents accompanying it may contain confidential information belonging to the sender, which is protected by the attorney-client privilege. The information is intended only for the use of the individual or entity named above. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution or the taking of any action in reliance on the contents of this information is strictly prohibited. If you have received this transmission in error, please notify this office immediately by telephone or arrange the return of documents.**

COMMENTS: Ma'am: FYI RE: AR15-6.
NO ACTION REQUIRED.

DEPARTMENT OF THE ARMY
HEADQUARTERS, FORT GEORGE G. MEADE
OFFICE OF THE STAFF JUDGE ADVOCATE
2257 HUBER ROAD
FORT GEORGE G. MEADE, MARYLAND 20755-5030

REPLY TO
ATTENTION OF:

INME-MEA-LAP

8 April 2005

MEMORANDUM THRU United States Army Military District of Washington, Office of the Staff Judge Advocate, COL [redacted], Building 32, Fort Lesley J. McNair, Washington, D.C. 20319

MEMORANDUM FOR Office of the General Counsel, Operations and Personnel, Ms. [redacted], 104 Army Pentagon, Washington, DC 20310-0104

SUBJECT: Request for Extension to Investigate Office of the Special Counsel allegations

1. Fort George G. Meade respectfully requests an extension of time to investigate and respond to the allegations forwarded by the Office of Special Counsel concerning alleged violations of laws, rules, or regulation contained in OSC file Nos. DI-05-0240 and DI-05-0405. We request an extension of the date to reply to your office of 27 May 2005.

2. This request for a delay is submitted due to the extreme difficulty in finding an investigation officer with sufficient seniority and experience related to the targeted subject matter. The individual selected as the investigating officer is an Army Lieutenant Colonel from the Military Police Corps. Her rank and subject matter expertise make her ideally suited to perform this investigation. She is senior to the potential targets of the investigation and a subject matter expert regarding military police operations. A less carefully selected investigating officer may be inherently more likely to make mistakes or not perceive ripe paths of inquiry.

3. Questions may be directed to the undersigned at [redacted]

FOR THE STAFF JUDGE ADVOCATE:

[redacted]

# PRIVACY ACT ADVISEMENT

**AUTHORITY:** TITLE 10 UNITED STATES CODE SECTION 3013

**PRINCIPAL PURPOSE:** The purpose for collecting this information is to gather facts to determine whether violations of Army Regulations and policies governing firearms have occurred and to make recommendations regarding any violations found.

**ROUTINE USES:** Any information provided can be disclosed to members of the Department of Defense who have a need for this information in the performance of their official duties. It may also be disclosed to agencies outside the Department of Defense who have a law enforcement security function, should they have a need for such information.

**EFFECT OF NOT PROVIDING INFORMATION:** Disclosure is mandatory, unless you are reasonably suspected of having committed an offense and you are being questioned about the offense. If you are not suspected of committing an offense, failure to provide the information could subject you to disciplinary or adverse action under appropriate Army or civilian personnel regulations. If you are reasonably suspected of committing an offense, the investigating officer will advise you of your rights, and there will be no adverse consequences for not furnishing the requested information (except that the commander will not otherwise have the benefit of the information you could have provided when making his determination in this matter).

[redacted]
Signature

[redacted] GS UNIT ADMINISTRATOR
Printed Name

19 APR 2005
Date

# PRIVACY ACT ADVISEMENT

**AUTHORITY:** TITLE 10 UNITED STATES CODE SECTION 3013

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[redacted]
Signature

[redacted]
Printed Name

29 April 2005
Date

# PRIVACY ACT ADVISEMENT

**AUTHORITY:** TITLE 10 UNITED STATES CODE SECTION 3013

**PRINCIPAL PURPOSE:** The purpose for collecting this information is to gather facts to determine whether violations of Army Regulations and policies governing firearms have occurred and to make recommendations regarding any violations found.

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[redacted]
Signature

[redacted]
Printed Name

2 May 05
Date

# PRIVACY ACT ADVISEMENT

**AUTHORITY:** TITLE 10 UNITED STATES CODE SECTION 3013

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[redacted]

Signature

[redacted]

Printed Name

6 May 05

Date

# PRIVACY ACT ADVISEMENT

**AUTHORITY:** TITLE 10 UNITED STATES CODE SECTION 3013

**PRINCIPAL PURPOSE:** The purpose for collecting this information is to gather facts to determine whether violations of Army Regulations and policies governing firearms have occurred and to make recommendations regarding any violations found.

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Advised in phone call
Not available for
signature/ telephonic interview

Signature

[redacted]

Printed Name

5/9/2005

Date

# PRIVACY ACT ADVISEMENT

**AUTHORITY:** TITLE 10 UNITED STATES CODE SECTION 3013

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[redacted]

Signature

[redacted]

Printed Name

16 MAY 2005

Date

# PRIVACY ACT ADVISEMENT

**AUTHORITY:** TITLE 10 UNITED STATES CODE SECTION 3013

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Advised in phone call
Not available for signature/
telephonic interview

Signature

[redacted]

Printed Name

5/12/2005

Date

# PRIVACY ACT ADVISEMENT

**AUTHORITY:** TITLE 10 UNITED STATES CODE SECTION 3013

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[redacted]

Signature

[redacted]

Printed Name

17 May 2005

Date

# PRIVACY ACT ADVISEMENT

AUTHORITY: TITLE 10 UNITED STATES CODE SECTION 3013

**PRINCIPAL PURPOSE:** The purpose for collecting this information is to gather facts to determine whether violations of Army Regulations and policies governing firearms have occurred and to make recommendations regarding any violations found.

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Advised in phone call
Not available for
signature / telephonic interview

Signature

[redacted]

Printed Name

5/12/2005

Date

# PRIVACY ACT ADVISEMENT

**AUTHORITY:** TITLE 10 UNITED STATES CODE SECTION 3012

**PRINCIPAL PURPOSE:** The purpose for collecting this information is to provide the commander with information for use in determining:

**ROUTINE USES:** Any information provided can be disclosed to members of the Department of Defense who have a need for this information in the performance of their official duties. It may also be disclosed to agencies outside the Department of Defense who have a law enforcement security function, should they have a need for such information.

**EFFECT OF NOT PROVIDING INFORMATION:** Disclosure is mandatory, unless you are reasonably suspected of having committed an offense and you are being questioned about the offense. If you are not suspected of committing an offense, failure to provide the information could subject you to disciplinary action under the UCMJ or other adverse action under appropriate Army regulations. If you are reasonably suspected of committing an offense, the investigating officer will advise you of your rights, and there will be no adverse consequences for not furnishing the requested information (except that the commander will not otherwise have the benefit of the information you could have provided when making his determination in this matter).

[redacted]

Signature

[redacted]

Printed Name

17 MAY 2005

Date

# PRIVACY ACT ADVISEMENT

**AUTHORITY:** TITLE 10 UNITED STATES CODE SECTION 3013

**PRINCIPAL PURPOSE:** The purpose for collecting this information is to gather facts to determine whether violations of Army Regulations and policies governing firearms have occurred and to make recommendations regarding any violations found.

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[redacted]
Signature

[redacted]
Printed Name

05-17-05
Date

# PRIVACY ACT ADVISEMENT

**AUTHORITY:** TITLE 10 UNITED STATES CODE SECTION 3013

**PRINCIPAL PURPOSE:** The purpose for collecting this information is to gather facts to determine whether violations of Army Regulations and policies governing firearms have occurred and to make recommendations regarding any violations found.

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Advised in phone call
Signature not available
telephonic interview
Signature

[redacted]
Printed Name

5/12/2005
Date

# SWORN STATEMENT

For use of this form, see AR 190-45; the proponent agency is ODCSOPS

**PRIVACY ACT STATEMENT**

| | |
|---|---|
| AUTHORITY: | Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9397 dated November 22, 1943 *(SSN)*. |
| PRINCIPAL PURPOSE: | To provide commanders and law enforcement officials with means by which information may be accurately identified. |
| ROUTINE USES: | Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval. |
| DISCLOSURE: | Disclosure of your social security number is voluntary. |

| 1. LOCATION | 2. DATE *(YYYYMMDD)* | 3. TIME | 4. FILE NUMBER |
|---|---|---|---|
| BLDG 1251, FGGM, MD 20755 | 2005/04/20 | 1100HRS | |

| 5. LAST NAME, FIRST NAME, MIDDLE NAME | 6. SSN | 7. GRADE/STATUS |
|---|---|---|
| [redacted] | [redacted] | GS CIV |

8. ORGANIZATION OR ADDRESS
5115TH TSU, FGGM, MD 20755

9.
I, [redacted], WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

This statement is made for LTC[redacted] a 15-6 investigation of [redacted] a probationary GS-9 supervisory police officer of the fort Meade DA Police department.

[redacted] was acting as the range OIC of a range at FGGM this happened during the spring or summer of 2004. On this range 15-20 civilian members of the DA police where firing M9 9mm pistols that where drawn from the arms room of the 241st MP Company for official qualification to carry the weapons on duty.

The ammunition [redacted] issued out to fire was not military. The ammunition was of civilian manufacture and had hollow point bullets. The ammunition was issued from assorted card board boxes and was mixed with .45 caliber ammunition. Some but not all of the ammunition was rated +P or +P+ a variety of ammunition that creates a higher chamber pressure then normal civilian ammunition and a much greater chamber pressure then military 9mm M882 ball ammunition. This ammunition may exceed the recommend chamber pressure form the M9 9mm and M11 9mm army pistol. Some of the ammunition was corroded with a green patina of tarnished brass showing. I asked why we were using this ammunition and was told by Russell that was all he could get, I do not know where the ammunition was acquired.

The normal procedure for military ammunition issue is to draw it from the ASP (ammo supply point), and transported in a government vehicle that is properly placarded for the transport of HazMat (EXPLOSIVE 1.4) and is keep separate from any weapons. The ammunition th[redacted]sued out was transported in a marked police vehicle with weapons. The following is the text of the FM in relation to ammunition: FM 3-23.35 (FM 23-35) 1-3. AMMUNITION M9 and M11 pistols use several different types of 9-mm ammunition. Soldiers should use only authorized ammunition that is manufactured to US and NATO specifications. a. Type and Characteristics. The specific type ammunition (Figure 1-5) and its characteristics are as follows: (1) Cartridge, 9-mm ball, M882 with/without cannelure). (2) Cartridge, 9-mm dummy, M917. WARNING do not fire heavily corroded or dented cartridges, cartridges with loose bullets, or any other rounds detected as defective through visual inspection.

Other officers who where present Officer [redacted], Office[redacted] Officer[redacted] Officer [redacted] and Officer[redacted] I also reported these observations to my military supervisors SSG[redacted], S[redacted], [redacted] and SGT M[redacted] do not know if any action was taken.

[redacted]a carries a privately owned weapon, a Glock semi auto pistol, with privately ammunition while he is performing his official duties the Fort Meade Military installation. I was able to identify this weapon by its distinctive shape and the fact that it was holstered on his hip in a plastic holster that was molded to the exact shape of the weapon.

I have personally seen him do this on multiple occasions in October 2004 the most recent being the 29th of October 2004. These are the dates I wrote in my calendar that I sa[redacted] wearing a personally owned Glock pistol while on duty: 21 Sep 2004, 5 Oct. 2004, 15 Oct. 2004, 20 Oct. 2004, 25 Oct. 2004, 27 Oct. 2004, and 29 Oct. 2004 The location of these observations where the FGGM DES (MP Station) and the DA Police operations building on 6th Armored Cavalry Rd FGGM, M[redacted] the acting chief of police was present at least 3 times I witnessed it and did not correct it.

STATEMENT CONTINUED ON PAGE 2

| 10. EXHIBIT | 11. INITIALS OF PERSON MAKING STATEMENT | PAGE 1 OF 3 PAGES |
|---|---|---|
| | [redacted] | |

*ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF* _____ *TAKEN AT* _____ *DATED* _____

*BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE BE INDICATED.*

USE THIS PAGE IF NEEDED. IF THIS PAGE IS NOT NEEDED, PLEASE PROCEED TO FINAL PAGE OF THIS FORM.

STATEMENT OF [redacted] TAKEN AT BLGD 1251 DATED 2005/04/20

STATEMENT *(Continued)*

This is a direct violation of AR 190-56 the Army Civilian Police and Security Guard Program section 6-3. The regulation states: Weapons, ammunition, and security equipment a. Army civilian police and security guards will be provided with the weapons, ammunition, and security equipment needed to perform their assigned duties. Privately-owned (individually - owned) equipment, except for uniform items, will not be permitted. b. The use of privately-owned firearms and or ammunition by federally employed Army civilian police and security guards is strictly prohibited.

Other officers who observed this violation Officer [redacted], Officer [redacted], Officer [redacted] and Officer [redacted] also reported these observations to my military supervisors SSG [redacted] SG [redacted] SGT [redacted] and SGT [redacted] I do not know if any action was taken. ///END OF STATEMENT///
///NOTHING FOLLOWS///

INITIALS OF PERSON MAKING STATEMENT [redacted]

STATEMENT OF [redacted] TAKEN AT BLDG 1251 DATED 2005/04/20

9. STATEMENT *(Continued)*

**AFFIDAVIT**

I, SHANE DALY, HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 3. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

*(Signature of Person Making Statement)*

WITNESSES:

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 20 day of April 2005

at [redacted]

[redacted] *(Typed Name of Person Administering Oath)*

Art 136 (b)(4) UCMJ

*(Authority To Administer Oaths)*

INITIALS OF PERSON MAKING STATEMENT [redacted]

# SWORN STATEMENT

For use of this form, see AR 190-45; the proponent agency is ODCSOPS

PRIVACY ACT STATEMENT

AUTHORITY: Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9397 dated November 22, 1943 (SSN).

PRINCIPAL PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately identified.

ROUTINE USES: Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval.

DISCLOSURE: Disclosure of your social security number is voluntary.

| 1. LOCATION | 2. DATE (YYYYMMDD) | 3. TIME | 4. FILE NUMBER |
|---|---|---|---|
| Bldg 4215C Roberts Ave, Ft. Meade, MD | 2005/04/2[redacted] | 1500 | |

| 5. LAST NAME, FIRST NAME, MIDDLE NAME | 6. SSN | 7. GRADE/STATUS |
|---|---|---|
| [redacted] | [redacted] | GS-07 |

8. ORGANIZATION OR ADDRESS
DES, Fort Meade, MD

9. [redacted], WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

[redacted] have been a DA policeman here at Fort Meade DES since 24 January 2004. During my employment here at Fort Meade, I have never observed a policeman using a privately owned weapon (POW) while on duty. While assigned to Fort Meade, I have observed different types of ammunition, including hollowpoint, being used on qualification ranges. I was present at a range last year where different types of ammunition, including hollowpoint, were used. The range OIC was LT [redacted] I was also present at a range recently, on 4 April 2005, when hollowpoint rounds were used. hollowpoint rounds were all that were available. The range OICs were LT [redacted] and Office [redacted] The entire department was present. I believe the ammunition was provided by NSA. The use of various types of ammunition, including hollowpoint, in government weapons on qualification ranges does not seem odd to me. It is common for civilian police agencies to fire various types of rounds. I am not aware of any restrictions regarding the use of hollowpoint ammunition in government weapons.

The DA Police feel like L[redacted]ok initiative to get us qualified. Prior to his arrival and assignment as the training officer, we did very little police duty and spent a lot of time sitting around the VCC (Visitors' Control Center).

At the police academy in Aberdeen, DA police carry POWs.

Approximately three months ago, I volunteered to work gate 8 during scheduled time off. Therefore, I was without a weapon. I was told by Office[redacted]l (Union Rep.) that we should carry weapons while in uniform. At a union meeting two or three months ago, it was discussed that DA police should carry POWs while in uniform, to and from work. It was discussed that DA police are arresting people for drugs and when they are off post in uniform, off duty, they can not properly protect themselves without weapons. It was related to me that union members and union leadership, including MAJ [redacted] agreed that DA police should carry weapons at all times when in unform doing any details or police duties. After this discussion, the LTs, Sergeants, and Chiefs discussed storage. Chief [redacted] said there was no where to store the weapons. In April, Chief [redacted] told the policeman not to carry their POWs until the storage issue was resolved. In the meantime, DA police attempted to register their POWs at the VCC but were denied because they don't live on post.

I attended Aberdeen Academy with Mr. [redacted] along with six others. He was terminated suddenly last fall and I don't really know why he left. [redacted] [redacted] attended with us too, but they have also left. I believe they were unhappy working here.

In my opinion, this has been going on too long. There should be a policy for use of POW while in uniform, reporting to and from work, on and off duty.

/----------NOTHING FOLLOWS----------/
[redacted]

| 10. EXHIBIT | 11. INITIALS OF PERSON MAKING STATEMENT | PAGE 1 OF 2 PAGES |
|---|---|---|
| | [redacted] | |

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF _____ TAKEN AT _____ DATED _____

THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE BE INDICATED.

STATEMENT OF [redacted] TAKEN AT Bldg 4215 C [redacted] DATED 4/29/0[redacted]

9. STATEMENT *(Continued)*

**AFFIDAVIT**

I, [redacted], HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 2. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

*(Signature of Person Making Statement)*

WITNESSES:

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 29 day of Apr, 2005 at Fort Meade, MD

[redacted]

*(Signature of Person Administering Oath)*

[redacted] LTC, MP

*(Typed Name of Person Administering Oath)*

Art 136(b)(4) UCMJ

*(Authority To Administer Oaths)*

INITIALS OF PERSON MAKING STATEMENT [redacted]

# SWORN STATEMENT

For use of this form, see AR 190-45; the proponent agency is ODCSOPS

PRIVACY ACT STATEMENT

| | |
|---|---|
| AUTHORITY: | Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9397 dated November 22, 1943 *(SSN)*. |
| PRINCIPAL PURPOSE: | To provide commanders and law enforcement officials with means by which information may be accurately identified. |
| ROUTINE USES: | Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval. |
| DISCLOSURE: | Disclosure of your social security number is voluntary. |

| 1. LOCATION | 2. DATE *(YYYYMMDD)* | 3. TIME | 4. FILE NUMBER |
|---|---|---|---|
| Building 4215C Roberts Ave., Ft. Meade, MD 20755 | 2005/05/10 | 1530 | |

| 5. LAST NAME, FIRST NAME, MIDDLE NAME | 6. SSN | 7. GRADE/STATUS |
|---|---|---|
| [redacted] | | |

8. ORGANIZATION OR ADDRESS
HQ Cmd Battalion

9.
I, [redacted], WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

Q: It was suggested to me that you may have witnessed a policeman here at Fort Meade carrying a personal weapon in the vicinity of the MP station and the DA police operations building on diverse occasions between 21 September and 29 October. (21 Sep, 5 Oct, 15 Oct, 20 Oct, 25 Oct, 27 Oct, and 29 Oct, 2005. Did you witness a police officer carrying a POW at these locations during this time period?
A: I have never observed any policeman carrying privately owned weapons (POWs) while on duty at Fort Meade. I reported here on 18 Oct 05. Therefore, I could not have observed anything here at Fort Meade on the dates you listed that proceeded 18 Oct.

Q: It was suggested that you may have witnessed a policeman here at Fort Meade using unauthorized ammunition, specifically privately owned hollowpoint rounds, while on duty and specifically at a range here at Fort Meade. Did you ever witness policeman here at Fort Meade using personal ammunition while on duty or at a range here at Fort Meade?
A: I observed DA Police using hollowpoint rounds at the range, but I believe it was government-owned, not personally-owned. I believe it was authorized. The training ammunition for the DA police was provided by NSA, and it included hollowpoint. All of this ammunition was present at Fort Meade before my arrival. There was a range conducted in late October, and I was the only DA Police officer to qualify at that range. I have not observed anyone carrying hollowpoint while on duty.
Q: Why do you think someone would use hollowpoint on a range?
A: Because of scarce resources and unprogrammed training requirements. Since the mil to civ conversion created DA Police officer spaces with little to no preparation time or resources, the DA police had to obtain resources from alternate sources.
Q: Are you aware of any restrictions that prohibit the use of hollowpoint rounds in military weapons?
A: No -- not for DA police. At an Air Force base in LA, for example, we used hollowpoint, and it is considered more effective for police work than ball. Hollowpoint rounds experience greater stopping power and the travel rate is less after penetration. There are some concerns over hollowpoint being used by Soldiers, because it is not NATO certified, and the military wouldn't want hollowpoint rounds to end up in a combat zone. Therefore, military are prohibited from using hollowpoint rounds, but civilian are not. To my knowledge, all agencies, except the military, use hollowpoint. It is in the GSA system.
Q: What is your background? Have you worked as a DA Police man before?
A: I have been a DoD police officer since 1983. I am also a firearms instructor and a range master.

Q: Are weapons and ammunition inspected at guard mount?
A: No, but I would like to incorporate these types of inspections after coordinating with my military counterparts and including appropriate safety measures. One of the constraints that has prohibited me from including these inspections is that there is a time constraint that is created because the armorer is not collocated with the MP Station.

Q: Did anyone ever come to you with concerns over the use of hollowpoint rounds or POWs while on duty here at Fort Meade?
A: No. At no time did anyone ever come to me or Major [redacted] with any concerns over POWs or hollowpoint ammunition. Daly was released from another agency before coming to Fort Meade and shouldn't have been hired here in the first place. He never voiced any concerns over POWs or ammunition before he departed Fort Meade.

Q: Is there anything you would like to add?
A: HR 218 is a law enforcement act that gives police across the country to opportunities to carry POWs across state lines and to carry POWs off duty to protect themselves. A Maryland state law goes even further and specifically addresses DA police. One of the problems at Fort Meade is that we have no locker room space in which to secure POWs. This issue becomes even greater as DA police become more proactive. DA Police have a tendency to interact with the community more than their military counterparts, due to increased off-post opportunities and more longevity.

| 10. EXHIBIT | 11. INITIALS OF PERSON MAKING STATEMENT | PAGE 1 OF 2 PAGES |
|---|---|---|
| | | |

*ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF _____ TAKEN AT _____ DATED _____*

*THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE BE INDICATED.*

STATEMENT OF [redacted] TAKEN AT Fort Meade DATED 2005/05/02

9. STATEMENT *(Continued)*

Q: What is your understanding of the DA police officers' understanding here at Fort Meade regarding the use of hollowpoint rounds and POWs while on duty?

A: All DA police are well aware that POWs are prohibited while on duty. The proper ammunition to carry on duty is the ammunition that is issued to you. I believe we should try to be efficient and take care of training resources. We need a policy f. off-duty police officers to either carrry POW while off duty or not and to govern the proper use of ammunition and weapons that is consistent with other agencies.

/----------nothing follows----------/

**AFFIDAVIT**

I, Deputy Ch[redacted], HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 2. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

[redacted]
*(Signature of Person Making Statement)*

WITNESSES:

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 6 day of May, 05

at [redacted]

[redacted]
*(Signature of Person Administering Oath)*

[redacted]TC, MP, Commanding
*(Typed Name of Person Administering Oath)*

Art 136(b)(4), UCMJ
*(Authority To Administer Oaths)*

INITIALS OF PERSON MAKING STATEMENT [redacted]

PAGE OF PAGES

# SWORN STATEMENT

For use of this form, see AR 190-45; the proponent agency is ODCSOPS

**PRIVACY ACT STATEMENT**

| | |
|---|---|
| AUTHORITY: | Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9397 dated November 22, 1943 *(SSN)*. |
| PRINCIPAL PURPOSE: | To provide commanders and law enforcement officials with means by which information may be accurately identified. |
| ROUTINE USES: | Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval. |
| DISCLOSURE: | Disclosure of your social security number is voluntary. |

| 1. LOCATION | 2. DATE *(YYYYMMDD)* | 3. TIME | 4. FILE NUMBER |
|---|---|---|---|
| 4215C Roberts Ave., Ft. Meade MD 20755 | 2005/05/06 | 0915 | |

| 5. LAST NAME, FIRST NAME, MIDDLE NAME | 6. SSN | 7. GRADE/STATUS |
|---|---|---|
| [redacted] | [redacted] | GS-9/DA Civ |

8. ORGANIZATION OR ADDRESS
HWQ Cmd Bn

9.
I, [redacted]1, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

Q: It was reported to me that you carried a personal weapon while on duty in the vicinity of the MP Station and the DA Police Operations Building on diverse occasions between 21 September and 29 October 2004. Specifically 21 September, 5 October, 15 October, 20 October, 25 October, 27 October, and 29 October 2004. Did you carry a privately owned weapon (POW) while on duty at these locations during this time period?
A: No. I never carried a POW while on duty at Fort Meade, although I did wear my holster for my Beretta, a government owned weapon, in case I needed to draw my weapon. I worked with Deputy Ch[redacted], L[redacted], Office[redacted] and [redacted]n, and they would have seen me carry my POW if that were the case.

Q: Has anyone ever confronted you about carrying a POW?
A: No. I started working at DES in May 2004. In late October 2004, I purchased a Glock that I occasionally brought on post when I was off duty. Prior to the date, I did not own a POW. I stopped carrying my POW after the IG informed me that someone had raised allegations against me alleging that I had carried my POW while on duty. You are welcome to search my POV, my office, or anything else.
Q: When did you carry your POW on post?
A: On various occasions between late October, November, and early December 2004.

Q: It was reported to me that you used unauthorized ammunition , specifically privately owned hollow point rounds, while on duty and specifically at a range here at Fort Meade. Did you ever use personal ammunition while on duty or at a range here at Fort Meade?
A: No. I have never used privately owned ammunition on duty or at a range. I did use government-owned/issued hollow point rounds at the range.
Q: Did you ever issue privately owned hollow point rounds to others for use on the range?
A: No. I did provide government-owned/issued hollow point rounds to DA Police at the range at Fort Meade. The hollow point rounds were transferred from the NSA to the DA police. These rounds were not personally owned - they were government-owned/issued rounds.
Q: Why did you use hollow point rounds on the range?
A: The DA Police were unable to obtain training rounds when we were first established. The NSA had excess training rounds that they were willing to provide us for range qualification.

Q: Tell me about your background.
A: I have 10 and a half years of military experience, including duties as a training NCO. During these 10 and a half years, I was never in trouble. I made E6 in 5 years and held an E8 position when I was an E6. After I left the military, I worked as a network administrator for Johns Hopkins. I came back to Fort Meade in May 2004 out of my love for the Army. As soon as I got here, I got a lot of trouble from the police recruits that were in Aberdeen. These individuals were hired to work here, most without interviews or background checks. I came here to be a training officer but was detailed to be the Deputy Chief until mid-October. This is a GS11 position that I filled without pay.

Q: Is there anything you would like to add?
A: Yes. Mr. [redacted] continues to email several DA policemen [redacted], [redacted]s, [redacted], and Lt [redacted]s) with the sole purpose to create dissention among the rank and file of the police department. I am providing recent emails to prove this. He also told Ms. [redacted] "I'm coming back and I'm bringing three heads with me." I do not know what he meant by this statement, but it was also told to L[redacted] and Deputy Chief [redacted] and I am concerned. He caused a lot of trouble before he left Fort Meade. This was already investigated by the IG at Fort Meade, and he determined that it was a policy

| 10. EXHIBIT | 11. INITIALS OF PERSON MAKING STATEMENT | PAGE 1 OF _____ PAGES |
|---|---|---|

*ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF _____ TAKEN AT _____ DATED _____*

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USE THIS PAGE IF NEEDED. IF THIS PAGE IS NOT NEEDED, PLEASE PROCEED TO FINAL PAGE OF THIS FORM.

STATEMENT OF [redacted] TAKEN AT Fort Meade DATED 2005/05/06

9. STATEMENT *(Continued)*

violation that I carried my POW on to the post without registering, but that I did not carry my weapon on duty. This IG complaint was also initiated by [redacted]

/----------nothing follows----------/

INITIALS OF PERSON MAKING STATEMENT

STATEMENT OF [redacted] TAKEN AT Fort Meade DATED 2005/05/06

9. STATEMENT *(Continued)*

Not Used

**AFFIDAVIT**

[redacted]II, HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 2. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

[redacted]

*(Signature of Person Making Statement)*

WITNESSES:

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 6 day of May, 05 at Ft Meade, Md

[redacted]

*(Signature of Person Administering Oath)*

[redacted]

*(Typed Name of Person Administering Oath)*

Article 136 (b)(4) UCMJ

*(Authority To Administer Oaths)*

INITIALS OF PERSON MAKING STATEMENT [redacted]

PAGE 2 OF 2 PAGES

[redacted]

**From:** [redacted] - MAJ [redacted]s@emh1.ftmeade.army.mil]
**Sent:** Monday, June 14, 2004 7:18 AM
**To:** [redacted]
**Cc:** [redacted] - 1SG [redacted]
**Subject:** RE: There seems to be a problem again.
**Sensitivity:** Confidential

Ofc [redacted]

Are you sure you were not credited with 40 hrs for the past week? I believe Ofc [redacted] realized Friday the 11th was a federal holiday and knew you would receive 8 hours holiday leave for that date.

I'll discuss this situation with MSG [redacted]s and L [redacted]

Pls let me know if you don't receive a timely response.

As for your question of who's in charge, obviously L [redacted]s the senior policeman on board and Ofc [redacted] next. As you may be aware, guidance for the federal holiday on the 11th was not approved by DA and the installation until the 9th. Ofc [redacted] was on leave last week due and Ofc [redacted] ssumed responsibility for the DA Police.

"Assist, Protect, and Defend"
[redacted]
MAJOR, MILITARY POLICE CORPS
OPERATIONS OFFICER
DIRECTORATE OF EMERGENCY SERVICES
FORT GEORGE G. MEADE, MD
[redacted] FAX [redacted]
email: [redacted]@emh1.ftmeade.army.mil

-----Original Message-----
**From:** [redacted]y [mailto [redacted]@us.army.mil]
**Sent:** Sunday, June 13, 2004 7:44 PM
**To:** [redacted]
**Subject:** There seems to be a problem again.
**Importance:** High
**Sensitivity:** Confidential

Major [redacted]

I must ask who is in charge of the DA Police. There seems to be a problem again.

Lt. [redacted] posted a work schedule that listed my days working, and I followed it to the letter.

On Thursday the 10th of June 2004 I reported to work as scheduled, and was sent home by Ofc. [redacted]. I was then told me not to come in on Friday the 11th of June 2004, even though I was scheduled to work. This changed my hours for the week from 40 hours to 32 hours.

Everything Lt. [redacted] mandates is changed by Ofc. [redacted] This seems to only happen when Lt. [redacted] is not at work. The question that begs to be answered is, who is in charge?

[redacted]
GS-06 Police Officer

[redacted]
*US Cavalry*

*A good plan violently executed right now is far better than a perfect plan executed next week.*
*-George S. Patton*

*In the absence of orders, go find something and kill it.*
*-Field Marshal Erwin Rommel*

*A piece of paper makes you an officer, a radio makes you a commander.*
*-General Omar N. Bradley*

*The best tank terrain is that without anti-tank weapons.*
*-Russian military doctrine*

**From:** [redacted]" <[redacted]@us.army.mil>
**To:** [redacted]" <[redacted]@comcast.net>
**Cc:** <[redacted]@hotmail.com>
**Subject:** FW: Travel Voucher
**Date:** Sat, 3 Jul 2004 00:23:05 +0000

Oh yea read the bottom.... and I did it myself....

[redacted]
US Cavalry

A good plan violently executed right now is far better than a perfect plan executed next week.

-George S. Patton

In the absence of orders, go find something and kill it.

-Field Marshal Erwin Rommel

A piece of paper makes you an officer, a radio makes you a commander.

-General Omar N. Bradley

The best tank terrain is that without anti-tank weapons.

-Russian military doctrine

-----Original Message-----
From [redacted], [redacted] [mailto:[redacted]@DFAS.MIL]
Sent: Friday, July 02, 2004 11:55 AM
To: [redacted]@us.army.mil
Subject: Travel Voucher

> Your voucher has been processed (yes already) and you will be seeing a deposit for $3128.00 Wednesday or Thursday next week.
>
> Thanks,
>
> [redacted]e
> DFAS Rome Travel
> [redacted]
> [redacted]fax)
>
>

[redacted]

**From:** [redacted]
**Sent:** Friday, July 23, 2004 12:42 PM
**To:** [redacted]
**Cc:** [redacted]
**Subject:** RE: peace, truce!
**Sensitivity:** Confidential

LT[redacted]

It would appear that Mr.[redacted]nd Mr[redacted]spoke with this gentleman regarding his probationary status --

As Mr.[redacted]stated today, let's just focus on his misconduct and deal with that issue - he implies that his union activity and outspokeness has placed him at risk for retribution -
However, based upon the 306 in his OPF, I would imagine he has a history of this type of behavior.

[redacted]

-----Original Message-----
**From:** [redacted]
**Sent:** Friday, July 23, 2004 12:11 PM
**To:** [redacted] (E-mail); [redacted] (E-mail)
**Subject:** FW: peace, truce!
**Importance:** High
**Sensitivity:** Confidential

Ladies,

Here is what I talked about at the meeting today. I have the other documents and the statements discussed are also being worked on by the officers that are concerned in this matter. I was troubled by this message because the tone of it suggests that he was doing this personally toward me and not for the good of the department although he states this in the message otherwise he would not of entitled the message "Peace, Truce!". Let me know what your opinion is.

Thanks as always,
V/R
LT[redacted]

-----Original Message-----
**From:** [redacted] [mailto[redacted]@us.army.mil]
**Sent:** Wednesday, July 21, 2004 5:59 PM
**To:** [redacted]ll@emh1.ftmeade.army.mil
**Cc:** [redacted]
**Subject:** peace, truce!
**Importance:** High
**Sensitivity:** Confidential

Lt.[redacted]

I am sending this only to you, but I have placed the other members of the chain of command in the salutation. I did this if you wish to share this with anyone else.

Wednesday, July 21, 2004

Major[redacted], Lt[redacted], MSG [redacted]

I have found that having the knowledge and fortitude to take the lead in employee complaints and issues, has placed me in a perilous position. In combat and training as an Army Officer I relish and vigorously pursue this challenge, but not as the scapegoat in my civilian career.

I do not like being placed in this position while others stand to the sides. I do not want to be a target of the management and administration.

I have an obligation to my children and myself first. That obligation is to progress and prosper and advance in my career field to support my family's needs.

At this time I will no longer forward to you or voice the complaints and issues of other employees. I will no longer do research for rules, regulations, and laws for other employees nor will I forward any of this research to you.

I offer to you my 23 plus years of military experience (as enlisted, NCO, and commissioned Officer), 18 years of civilian police experience, and 10 years of police labor relations. I offer this as an asset to help the Directorate, not to hider its development or disparage its members.

I look forward to our Directorate becoming one of the premier DoA Police Departments and I intent on being at the forefront of this movement.

Respectfully yours,

[redacted]
Police Officer

[redacted]

**From:** [redacted]
**Sent:** Tuesday, February 01, 2005 10:08 AM
**To:** [redacted]
**ubject:** [redacted] update

**Attachments:** osc adr letter 27 jan 2005.pdf

FOP Brothers,

Just a quick update. Here is a copy of my letter from the OSC. They are attempting mediation with the Fort, but if the Fort try's to play games they will send it to the prosecution division to force my return. I know they have been talking to the Fort but well no surprise the Fort is just taking its good old time. Even after an independent government agency says they did something illegal they go around with there heads in the sand. Oh boy what a place.

[redacted]

CPT, IN USAR

Executive Officer

HHS 5115th Theater Support Unit

99th Regional Readiness Command

Building 1251, RT 175

Fort Meade, MD 20755-5520

osc adr letter 27 jan 2005.pdf...

[redacted]ers
**Police Officer**
**FT Meade Police**
**Ft. Meade, MD. 20755**
[redacted]office)
[redacted]( fax)

[redacted]

From: [redacted]
Sent: Tuesday, February 01, 2005 10:27 AM
To: [redacted]
Subject: RE: [redacted] Update

Ok.

To: all FOP members,

From: [redacted] FOP6F Shop Steward

Just a quick update on me, and my situation.

I was contacted by the Office of the Special Counsel on December 28th and advised that they will be representing me on prohibited personnel practices taken against me. So you will all be seeing my smiling face very soon.

Every member should go to the web site www.osc.gov <http://www.osc.gov/> it is very informative.

Now you may ask what is the OSC? Well here is a little history:

Introduction to the OSC

Who We Are

The U.S. Office of Special Counsel (OSC) is an independent federal investigative and prosecutorial agency. Our basic authorities come from three federal statutes, the Civil Service Reform Act, the Whistleblower Protection Act, and the Hatch Act.

Our Mission

OSC's primary mission is to safeguard the merit system by protecting federal employees and applicants from prohibited personnel practices, especially reprisal for whistleblowing. For a description of prohibited personnel practices (PPPs), click on the prohibited personnel practices link.

What We Do

PPPs & Whistleblower Protection

OSC receives, investigates, and prosecutes allegations of PPPs, with an emphasis on protecting federal government whistleblowers. OSC seeks corrective action remedies (such as back pay and reinstatement), by negotiation or from the Merit Systems Protection Board (MSPB), for injuries suffered by whistleblowers and other complainants. OSC is also authorized to file complaints at the MSPB to seek disciplinary action against individuals who commit PPPs. For more information on how we process PPP complaints, click on the prohibited personnel practices link.

What are "prohibited personnel practices?" all members should read and understand these 12 practices.

Twelve prohibited personnel practices, including reprisal for whistleblowing, are defined by law at § 2302(b) of title 5 of the United States Code (U.S.C.). A personnel action (such as an appointment, promotion, reassignment, or suspension) may need to be involved for a prohibited personnel practice to occur. Generally stated, § 2302(b) provides that a federal employee authorized to take, direct others to take, recommend or approve any personnel action may not:

FOP Brothers,

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[redacted]

CPT, IN USAR

Executive Officer

HHS 5115th Theater Support Unit

99th Regional Readiness Command

Building 1251, RT 175

Fort Meade, MD 20755-5520

<< File: osc adr letter 27 jan 2005.pdf >>

[redacted]
Police Officer
FT Meade Police
Ft. Meade, MD. 20755
[redacted] (office)
[redacted] ( fax)

INBOX: tlong2

GET EMAIL

COMPOSE EMAIL

VIDEO MAIL

REPLY

REPLY ALL

FORWARD

DELETE

REPORT AS SPAM

PRINT

Storage

Move to Folder

- INBOX
- Draft
- SentMail
- Trash [EMPTY]
- + My Folders [EDIT]
- Address Book
- Mailbox Manager
- Email Options
- ? Help
- X Sign Out

INBOX: Email 1 of 58

**From:** [redacted]y" <[redacted]@us.army.mil> **[Add to Address Book] [View**
**To:** [redacted]n" [redacted]@comcast.net>, <[redacted]@hotmail.com>,
<[redacted]@comcast.net>
**Subject:** Unfair Labor Practices
**Date:** Tue, 20 Jul 2004 22:16:51 +0000

# Unfair Labor Practices

The labor relations statute creates rights and obligations on the part of u
management and employees. If either labor or management fails to perf
obligation to the other party, an unfair labor practice (ULP) charge may
A ULP charge may also be filed if either labor or management interfere
rights each has been given under the Statute. Employees may also prote
rights under the Statute by filing ULP charges against labor or managem

For example, it is illegal for agency management to threaten or retaliate
employees for seeking union representation or to refuse to provide a uni
information that the law requires the agency to provide. Similarly, union
try to influence management to discipline employees who did not join th
or refuse to represent employees because they are not union members. N
agency nor a union may refuse to bargain with the other in good faith. Y
find out information about how the Authority has interpreted the statute
applying to specific situations by searching Authority decisions and can
additional information on specific subjects by searching General Counse
Guidance.

ULP charges are filed with the FLRA's Regional Offices, who can answ
questions about this process. Information you may need about this proce
include the form for filing a charge, the statutory section describing the
the regulations describing the process, General Counsel information on
Labor Practices and General Counsel guidance memoranda on particular
Alternative dispute resolution of ULP charges is also available.

The Regional Offices of the FLRA pursues charges filed with them by i
complaints that are generally heard by Administrative Law Judges (ALJ
procedures for hearings before ALJs are contained in regulations. After
the ALJ issues a decision recommending either that the complaint be dis
that a violation be found and relief ordered. If an appeal is not filed with
Authority, the ALJ's decision becomes final. In addition, the Office of th

has a Settlement Judge Program, which attempts to settle ULP complain

A union, agency, or employee that is not satisfied with a decision issued ALJ may appeal that decision to the Authority within 25 days. Informati concerning the filing of appeals is contained in the Authority's regulatio check lists. Specific questions about appeals can be directed to the Auth Case Control Office. Final Authority decisions concerning ULP complai be appealed to federal courts of appeal.

INBOX: Email 1 of 58

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FOP Brothers,

Just a quick update. Here is a copy of my letter from the OSC. They are attempting mediation with the Fort, but if the Fort try's to play games they will send it to the prosecution division to force my return. I know they have been talking to the Fort but well no surprise the Fort is just taking its good old time. Even after an independent government agency says they did something illegal they go around with there heads in the sand. Oh boy what a place.

[redacted]

CPT, IN USAR

Executive Officer

HHS 5115th Theater Support Unit

99th Regional Readiness Command

Building 1251, RT 175

Fort Meade, MD 20755-5520

<< File: osc adr letter 27 jan 2005.pdf >>

[redacted]
Police Officer
FT Meade Police
Ft. Meade, MD. 20755
[redacted] (office)
[redacted] ( fax)

# SWORN STATEMENT

For use of this form, see AR 190-45; the proponent agency is ODCSOPS

**PRIVACY ACT STATEMENT**

AUTHORITY: Title 10 USC Section 301; Titie 5 USC Section 2951; E.O. 9397 dated November 22, 1943 *(SSN)*.

PRINCIPAL PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately

ROUTINE USES: Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval.

DISCLOSURE: Disclosure of your social security number is voluntary.

| 1. LOCATION | 2. DATE *(YYYYMMDD)* | 3. TIME | 4. FILE NUMBER |
|---|---|---|---|
| D.E.S. FT MEADE, MD 20755 | 2004/07/26 | 1300 | |

| 5. LAST NAME, FIRST NAME, MIDDLE NAME | 6. SSN | 7. GRADE/STATUS |
|---|---|---|
| [redacted] | [redacted] | GS-6 |

8. ORGANIZATION OR ADDRESS
Dept of the Army Police, FT MEADE MD 20755

9.
I, [redacted], WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

At approx. 0630 one day during the week of July 11-17, I overheard Ofc [redacted] and Ofc [redacted] talking about [redacted] I really wasn't paying attention but I observed Ofc [redacted] give Ofc [redacted] a piece of paper and a disk and told him "This is everything I have. Take it to the meeting". I also oveheard them saying "LT [redacted] will go to jail", and "He's fucking up" I didn't hear any threats or anything more.-------END STATEMENT----------

[redacted]
D.A. Police Officer

| 10. EXHIBIT | 11. INITIALS OF PERSON MAKING STATEMENT | PAGE 1 OF 1 PAGES |
|---|---|---|
| | [redacted] | |

*DITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT _____ TAKEN AT _____ DATED _____*

*BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE BE INDICATED.*

# SWORN STATEMENT

For use of this form, see AR 190-45; the proponent agency is ODCSOPS

PRIVACY ACT STATEMENT

AUTHORITY: Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9397 dated November 22, 1943 *(SSN)*.

PRINCIPAL PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately identified.

ROUTINE USES: Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval.

DISCLOSURE: Disclosure of your social security number is voluntary.

| 1. LOCATION | 2. DATE *(YYYYMMDD)* | 3. TIME | 4. FILE NUMBER |
|---|---|---|---|
| Building 4215C Roberts Ave., Ft. Meade, MD 20755 | 2005/05/09 | 1545 | |

| 5. LAST NAME, FIRST NAME, MIDDLE NAME | 6. SSN | 7. GRADE/STATUS |
|---|---|---|
| [redacted] | | |

8. ORGANIZATION OR ADDRESS
HQ Cmd Battalion

9.
I, [redacted], WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

Q: It was suggested to me that you may have witnessed a policeman here at Fort Meade, specifically [redacted] carrying a personal weapon in the vicinity of the MP station and the DA police operations building on diverse occasions between 21 September and 29 October. (21 Sep, 5 Oct, 15 Oct, 20 Oct, 25 Oct, 27 Oct, and 29 Oct, 2005. Did you witness a police officer carrying a POW at these locations during this time period?
A: No. I never witnessed him carrying a POW on duty. I heard things.
Q: What did you hear?
A: That a couple people were carrying POWs, but I don't remember who or when, and I don't know if they were on or off duty
Q: Can you remember any names?
A: [redacted]

Q: It was suggested that you may have witnessed a policeman here at Fort Meade, specifically [redacted], using unauthorized ammunition, specifically privately owned hollow point rounds, while on duty and specifically at a range here at Fort Meade. Did you ever witness policeman here at Fort Meade using personal ammunition while on duty or at a range here at Fort Meade?
A: No -- I never saw privately owned ammunition at a range. I don't recall a range with hollow point rounds.

Q: What is your background? I left Fort Meade on 19 Feb 05 and now work for the Naval District of Washington police department. I filed a sexual harassment complaint against another party, and told Lt [redacted] about it, but he did nothing. I left Fort Meade because of that.

Q: Is there anything you would like to add?
A: No.
/----------nothing follows ----------/

| 10. EXHIBIT | 11. INITIALS OF PERSON MAKING STATEMENT | PAGE 1 OF 2 PAGES |
|---|---|---|
| | | |

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF _____ TAKEN AT _____ DATED _____

THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE BE INDICATED.

STATEMENT OF [redacted] TAKEN AT Fort Meade DATED 2005/05/09

9. STATEMENT *(Continued)*

**AFFIDAVIT**

[redacted], HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 2. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

Unavailable for signature / officer transferred / telephonic interview

*(Signature of Person Making Statement)*

WITNESSES:

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 9 day of May, 2005

at

[redacted]

*(Signature of Person Administering Oath)*

[redacted] LTC, MP, Commanding

*(Typed Name of Person Administering Oath)*

Art 136(b)(4) UCMJ

*(Authority To Administer Oaths)*

INITIALS OF PERSON MAKING STATEMENT

# SWORN STATEMENT

For use of this form, see AR 190-45; the proponent agency is ODCSOPS

PRIVACY ACT STATEMENT

AUTHORITY: Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9397 dated November 22, 1943 *(SSN)*.

PRINCIPAL PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately identified.

OUTINE USES: Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval.

DISCLOSURE: Disclosure of your social security number is voluntary.

| 1. LOCATION | 2. DATE *(YYYYMMDD)* | 3. TIME | 4. FILE NUMBER |
|---|---|---|---|
| Building 4215C Roberts Ave., Ft. Meade, MD 20755 | 2005/05/10 | 1320 | |

| 5. LAST NAME, FIRST NAME, MIDDLE NAME | 6. SSN | 7. GRADE/STATUS |
|---|---|---|
| [redacted] | | |

8. ORGANIZATION OR ADDRESS
HQ Cmd Battalion

9. [redacted], WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

The following questions and answers were discussed in a follow-on telephone interview with Ms. [redacted]
Q: It was reported to me that you overheard a statement that Mr [redacted] made about Lt [redacted] when he said, "I'm coming back and I'm bringing three heads with me." Did you hear a comment such as this?
A: Yes, I heard one of the union guys say that Mr. [redacted] d made that comment.
Q: Do you recall who it was?
A: I think it was Mr. [redacted]
Q: When did Mr. [redacted] make the statement?
A: It was sometime after [redacted] was fired.
Q: It was also reported that you may have overheard a comment from [redacted] about [redacted] such as "He's going to jail. He's fucking up."
A: I heard statements like that, although I didn't hear the "f word."
Q: When were these statements made?
A: Last summer, when we were at Aberdeen for training. There were money problems and a lot of talk that Lt. [redacted] was negligent and not taking care of his people. There were issues between [redacted] and [redacted]. That is why Daly was fired.
----------nothing follows ----------/

| 10. EXHIBIT | 11. INITIALS OF PERSON MAKING STATEMENT | PAGE 1 OF 2 PAGES |
|---|---|---|
| | | |

*DDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF* _____ *TAKEN AT* _____ *DATED* _____

*HE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE BE INDICATED.*

STATEMENT OF [redacted] TAKEN AT Fort Meade DATED 2005/05/10

9. STATEMENT *(Continued)*

AFFIDAVIT

I [redacted], HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 2. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

Unavailable/telephone interview
*(Signature of Person Making Statement)*

WITNESSES:

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 10 day of May, 05

at [redacted]

*(Signature of Person Administering Oath)*

[redacted], LTC, MP, Commanding
*(Typed Name of Person Administering Oath)*

Article 136 (b) (4), UCMJ
*(Authority To Administer Oaths)*

INITIALS OF PERSON MAKING STATEMENT

# SWORN STATEMENT

For use of this form, see AR 190-45; the proponent agency is ODCSOPS

**PRIVACY ACT STATEMENT**

| | |
|---|---|
| AUTHORITY: | Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9397 dated November 22, 1943 *(SSN)*. |
| PRINCIPAL PURPOSE: | To provide commanders and law enforcement officials with means by which information may be accurately identified. |
| ROUTINE USES: | Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval. |
| DISCLOSURE: | Disclosure of your social security number is voluntary. |

| 1. LOCATION | 2. DATE *(YYYYMMDD)* | 3. TIME | 4. FILE NUMBER |
|---|---|---|---|
| Building 4215C Roberts Ave., Ft. Meade, MD 20755 | 2005/05/09 | 1545 | |

| 5. LAST NAME, FIRST NAME, MIDDLE NAME | 6. SSN | 7. GRADE/STATUS |
|---|---|---|
| [redacted] | | |

8. ORGANIZATION OR ADDRESS
HQ Cmd Battalion

9.
I, Officer [redacted], WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

Q: It was suggested to me that you may have witnessed a policeman here at Fort Meade, specifically L[redacted] carrying a personal weapon in the vicinity of the MP station and the DA police operations building on diverse occasions between 21 September and 29 October. (21 Sep, 5 Oct, 15 Oct, 20 Oct, 25 Oct, 27 Oct, and 29 Oct, 2005. Did you witness a police officer carrying a POW at these locations during this time period?
A: I can't remember the dates, but I did see him a handful of times carrying a POW. But I don't know if he was on duty or off duty. He may have been in transit. It was in a smaller holster.
Q: How many times is a handful?
A: I have no idea.
Q: Describe the weapon you saw and where you saw him carrying it.
A: In the DA operations building, building 8479, I saw him carrying a version of a Glock. I did not see him carry a POW in building 6619, the police station.
Q: What time of day did you see lieutenant [redacted] carrying a privately owned weapon?
A: I don't know. I think it was around 1000-1100.

Q: It was suggested that you may have witnessed a policeman here at Fort Meade, specifically Lt. [redacted], using unauthorized ammunition, specifically privately owned hollow point rounds, while on duty and specifically at a range here at Fort Meade. Did you ever witness policeman here at Fort Meade using personal ammunition while on duty or at a range here at Fort Meade?
A: No -- We did have a range, and the rounds were borrowed from NSA.
Q: Are there any other witnesses to him carrying a POW?
A: Yes -- just about anyone who ever worked in the area. Any DA police, MPs, or guards.

Q: What is your background? I worked at Fort Meade from Sep 2002 to March 2005. Mr [redacted] was my coworker for a while, but not my rater.
Q: If an officer were to bring a weapon on post, where would he secure it while he worked?
A: It is rather common practice, but I can only speak for myself. I have a secure box in my vehicle, it is called a "cop box" in a POV.
Q: Were POWS registered at the VCC?
A: It was put out informally, through word of mouth to register on post.
Q: Is there anything you would like to add?
A: No.
/----------nothing follows ----------/

| 10. EXHIBIT | 11. INITIALS OF PERSON MAKING STATEMENT | PAGE 1 OF 2 PAGES |
|---|---|---|
| | | |

*ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF _____ TAKEN AT _____ DATED _____*

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STATEMENT OF Officer [redacted] TAKEN AT Fort Meade DATED 2005/05/09

9. STATEMENT *(Continued)*

**AFFIDAVIT**

I, Officer [redacted], HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 2. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

Telephonic interview / Officer transferred /
*(Signature of Person Making Statement)*

WITNESSES:

ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 9 day of May, 2005
at

[redacted]
*(Signature of Person Administering Oath)*

[redacted] LTC, MP, Commanding
*(Typed Name of Person Administering Oath)*

Art 136(b)(4) UCMJ
*(Authority To Administer Oaths)*

ORGANIZATION OR ADDRESS

INITIALS OF PERSON MAKING STATEMENT

# SWORN STATEMENT

For use of this form, see AR 190-45; the proponent agency is ODCSOPS

PRIVACY ACT STATEMENT

AUTHORITY: Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9397 dated November 22, 1943 *(SSN)*.

PRINCIPAL PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately identified.

ROUTINE USES: Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval.

DISCLOSURE: Disclosure of your social security number is voluntary.

| 1. LOCATION | 2. DATE *(YYYYMMDD)* | 3. TIME | 4. FILE NUMBER |
|---|---|---|---|
| Building 4215C Roberts Ave., Ft. Meade, MD 20755 | 2005/05/10 [redacted] | 1450 [redacted] | |

| 5. LAST NAME, FIRST NAME, MIDDLE NAME | 6. SSN | 7. GRADE/STATUS |
|---|---|---|
| [redacted] | | |

8. ORGANIZATION OR ADDRESS
HQ Cmd Battalion

9.

I, [redacted], WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

Q: You mentioned that you carried a POW on occasion. Where did you carry your POW?
A: To and from home and place of duty. [redacted]
Q: How did you carry your POW?
A: In a holster until I got to the gate into Fort Meade, where I'd separate the gun and ammunition, putting each in separate and locked containers, IAW post policy. [redacted]
Q: Describes what defines "on duty" to you.
A: 0900-approximately 1600 or 1700 -- in a law enforcement capacity in a government vehicle or government office building.
Q: Where there any other witnesses who observed you in the performance of your duties?
A: Yes [redacted] our secretary, and Chief [redacted] LT [redacted] and Ofc [redacted]
Q: Where did you keep your POW while you were on duty?
A: In my POV, IAW post policy, with weapon and ammunition in separate and locked containers. [redacted]
Q: Did you ever discuss storage issues with your chain of command?
A: Yes -- several times with MSG [redacted] Chief [redacted] got a little of it, and MAJ [redacted] Mostly MSG [redacted] he was my rater. [redacted]
Q: You mentioned that you purchased a Glock in the fall. Do you recall the date of purchase, and do you have a receipt?
A: Yes -- 27 Oct 04. (Receipt provided at encl.) [redacted]
Q: Briefly describe the procedures for signing out a GOW:
A: Go to the arms room, provide weapons card, issued ammunition (ball) and weapon (9mm) [redacted]
Q: Describe the procedures for storing training ammunition: [redacted]
A: Pick it up at the MP Company arms room, transport in a government vehicle to the range, after range, return expended brass to NSA, return live ammunition to MP Arms Room into vault #2. [redacted]
Q: You said NSA provided the ammunition for the ranges. Can you provide a POC at NSA?
A: Sgt [redacted]
Q: What was the condition of the ammunition?
A: Some was new some old. Never had a problem. [redacted]
Q: What does "old" ammunition look like:
A: Luster dulling from handling, and scrapes on the casings from being loaded repeatedly into magazines [redacted]
Q: Was any of it rusted or corroded?
A: No. [redacted]
Q: Is there anything else you want to add?
A: Yes, if this was seen and apparently the person thought it was wrong, why didn't the person report it at the time of incident to the chain of command or the IG or you? [redacted]

/----------nothing follows---------- [redacted] /

| 10. EXHIBIT | 11. INITIALS OF PERSON MAKING STATEMENT | PAGE 1 OF 2 PAGES |
|---|---|---|
| | [redacted] | |

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF _____ TAKEN AT _____ DATED _____

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STATEMENT OF [redacted] TAKEN AT Fort Meade DATED 2005/05/10

9. STATEMENT *(Continued)*

not [redacted] 250

AFFIDAVIT

I [redacted], HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 2. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

[redacted]

*(Signature of Person Making Statement)*

WITNESSES:

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 10 day of May, 2005 at Ft Meade, MD.

[redacted]

*(Signature of Person Administering Oath)*

[redacted] LTC, MP, Commanding

*(Typed Name of Person Administering Oath)*

Art 136(b)(4) UCMJ

*(Authority To Administer Oaths)*

INITIALS OF PERSON MAKING STATEMENT [redacted]

# LAWMEN SUPPLY COMPANY, INC.

7477 Old Alexandria Ferry Road
Clinton, MD 20735
Phone: (301) 877-8884 • Fax: (301) 877-0914
VISIT US ON THE WEB AT
www.lawmensupply.com

Invoice Number

2496

Invoice Date

[redacted]

FED ID #55-082157

*HISTORY*

[redacted]

SHIP TO

| OUR ORDER NO. | OUR ORDER NO. | SHIP DATE | SHIP VIA | TERMS |
|---|---|---|---|---|
| | | [redacted] | CUSTOMER PICK UP | C.O.D. CHECK |

| QUANTITY ERED | SHIPPED | B/O | ITEM NUMBER | DESCRIPTION | UNIT PRICE | UNITS | AMO |
|---|---|---|---|---|---|---|---|
| | | 1 | 420102BK-R | BLACKHAWK CQC HOLSTER DETACH SLIDE G17, 19, 26 | 56.95 | EA | 56.! |
| | | 1 | 17000 | HOGUE RUBBER GRIP SLEEV UNIVERSAL | 5.95 | EA | 5.! |
| | | 1 | PI23502 | GLOCK G-23 .40CALIBER FIXED SIGHT 4.0"BBL | 349.00 | EA | 349.0 |
| | Serial | #'s | CLA102US | | | | |
| | | 1 | MF91323 | GLOCK 23 13RD MAGAZINE ONLY | 12.00 | EA | 12.0 |

THANK YOU FOR YOUR BUSINESS!
MASTERCARD $ 445.10

| | |
|---|---|
| Sub Total | 423.90 |
| Tax | 21.20 |
| Freight | .00 |
| **INVOICE TOTAL** | 445.10 |

**REMIT PAYMENT TO:**
LAWMEN SUPPLY COMPANY, INC.
7477 Old Alexandria Ferry Road, Clinton, MD 20735

# SWORN STATEMENT

For use of this form, see AR 190-45; the proponent agency is ODCSOPS

PRIVACY ACT STATEMENT

AUTHORITY: Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9397 dated November 22, 1943 *(SSN)*.

PRINCIPAL PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately identified.

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DISCLOSURE: Disclosure of your social security number is voluntary.

| 1. LOCATION | 2. DATE *(YYYYMMDD)* | 3. TIME | 4. FILE NUMBER |
|---|---|---|---|
| Building 4215C Roberts Ave., Ft. Meade, MD 20755 | 2005/05/10 | 1530 | |

| 5. LAST NAME, FIRST NAME, MIDDLE NAME | 6. SSN | 7. GRADE/STATUS |
|---|---|---|
| [redacted] | | MAJ |

8. ORGANIZATION OR ADDRESS
HQ Cmd Battalion

9. [redacted], WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

Q: It was reported to me that L[redacted]was seen here at Fort Meade carrying a personal weapon while on duty in the vicinity of the MP station and the DA police operations building on diverse occasions between 21 September and 29 October. (21 Sep, 5 Oct, 15 Oct, 20 Oct, 25 Oct, 27 Oct, and 29 Oct. Did you see Lt.[redacted]carrying a POW while on duty at these locations during this time period?
A: No.
Q: Did you see him carry a POW during any other time periods?
A: No.
Q: Did anyone ever report concerns to you regarding LT[redacted]arrying a POW while on duty?
A: It came up in an IG complaint in December, afte[redacted]was terminated.
Q: What is the policy for police to carry POWs on Fort Meade?
A: Same policy as other individuals, in compliance with AR 190-5. The owner must have a permit and must register the weapon at the VCC. Once on post, the weapon must be in a locked container, such as an arms room or a vehicle, locked in a trunk.
Q: It was reported that the DA police here fire hollow point rounds at training ranges. What type of ammunition do the DA police fire at the ranges?
A: I'm not sure.
Q: Where do they get it?
A: NSA.
Q: What is your background?
A: I have been an MP for almost 15 years, in various locations, at the tactical or staff level mostly.
Q: How long have you been with the DES?
A: For the past 13-14 months
Q: How long have you known Mr[redacted]
A: Met him during the interview, approximately April 04.
Q: What is your impression of him?
A: He is a loyal, industrious leader.[redacted]served as the operations officer and my only DA police supervisor from when he was hired, I believe April or May until October 2004, when I brought on Deputy Chi[redacted] As a prior service member, we realize he lacked some of the civilian police experience but he still did well and thrived on initiative and hard work during that time period.
Q: How long have you known Mr[redacted]
A: He was hired in Jan 04 and terminated in Oct 04.
Q: What is your impression of him?
A: Not very favorable, based upon two incidents. In one, he misrepresented himself. I went to an FOP (Fraternal Order of Police) Meeting with management in January 2005, where Mr.[redacted]showed up acting like he was still employed by Fort Meade and the government. In the other, he was involved in an incident in Sep or Oct with a family member and unprofessional behavior that caused us to terminate him.
Q: Do you have anything you want add:
A: No. I think that's probably it.

/----------nothing follows----------/

| 10. EXHIBIT | 11. INITIALS OF PERSON MAKING STATEMENT | PAGE 1 OF 2 PAGES |
|---|---|---|
| | [redacted] | |

*ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF _____ TAKEN AT _____ DATED _____*

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STATEMENT OF [redacted] TAKEN AT Fort Meade DATED 2005/05/10

9. STATEMENT *(Continued)*

**AFFIDAVIT**

I, [redacted], HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 2. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

[redacted]
*(Signature of Person Making Statement)*

WITNESSES:

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 10 day of MAY, 2005 at Fort Meade

[redacted]
*(Signature of Person Administering Oath)*

[redacted] LTC, MP, Commanding
*(Typed Name of Person Administering Oath)*

Art 136 (b)(4) UCMJ
*(Authority To Administer Oaths)*

INITIALS OF PERSON MAKING STATEMENT

# SW STATEMENT

For use of this form, see AR 190-45; the proponent agency is ODCSOPS

PRIVACY ACT STATEMENT

AUTHORITY: Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9397 dated November 22, 1943 (SSN).

PRINCIPAL PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately identified.

OUTINE USES: Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval.

DISCLOSURE: Disclosure of your social security number is voluntary.

| 1. LOCATION | 2. DATE (YYYYMMDD) | 3. TIME | 4. FILE NUMBER |
|---|---|---|---|
| Building 4215C Roberts Ave., Ft. Meade, MD 20755 | 2005/05/12 | 0855 | |

| 5. LAST NAME, FIRST NAME, MIDDLE NAME | 6. SSN | 7. GRADE/STATUS |
|---|---|---|
| [redacted] | | |

8. ORGANIZATION OR ADDRESS
HQ Cmd Battalion

9.
I, Officer [redacted], WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

The following questions and answers were discussed in a telephone interview with Officer [redacted]

Q: It was reported to me that you may have witnessed LT [redacted] here at Fort Meade carrying a personal weapon while on duty on diverse occasions between September and December. Did you witness Lt [redacted] carrying a POW while on duty at Fort Meade?

A: No.

Q: Did you ever see him carry a POW off-duty?

A: No.

Q: It was reported to me that DA Police here at Fort Meade fired privately owned hollow point rounds at a range here at Fort Meade. Did you ever participate in a range at Fort Meade where privately owned hollow point rounds were used?

A: I don't know. We fired hollow point rounds at a range, but I don't know where they came from.

Q: Did you identify anything unusual about the rounds, such as any safety concerns or signs of unservicability, such as rusting or corrosion?

A: No.

Q: Did Mr. [redacted] ever express any concerns or complaints to you regarding Lt [redacted] carrying a POW or using privately owned ammunition on duty at Fort Meade?

A: He [redacted]y) said he saw [redacted]l carrying a POW but I never saw it.

Q: Approximately when did Daly express that concern to you.

A: About a year ago.

Q: Do you have anything you would like to add to your statement:?

A: Yes. I never saw Lt [redacted]ll do anything wrong -- he was always helpful to me. And I'm not just saying that -- I'm not trying to protect him or anything like that. When we were TDY and not getting paid for it, Lt [redacted] took care of it. I was TDY and paying for it out of my own pocket and was behind in my rent, and Lt [redacted] got us paid. If it weren't for him, we wouldn't have gotten paid.

----------nothing follows ----------/

| 10. EXHIBIT | 11. INITIALS OF PERSON MAKING STATEMENT | PAGE 1 OF 2 PAGES |
|---|---|---|
| | | |

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF _____ TAKEN AT _____ DATED _____

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STATEMENT OF Office[redacted] TAKEN AT Fort Meade DATED 2005/05/12

9. STATEMENT *(Continued)*

AFFIDAVIT

I, Officer[redacted], HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 2. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

Unavailable/telephone interview
*(Signature of Person Making Statement)*

WITNESSES:

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 12 day of May, 2005

at [redacted]

*(Signature of Person Administering Oath)*

[redacted]TC, MP, Commanding
*(Typed Name of Person Administering Oath)*

Article 136 (b) (4), UCMJ
*(Authority To Administer Oaths)*

INITIALS OF PERSON MAKING STATEMENT

# SWORN STATEMENT

For use of this form, see AR 190-45; the proponent agency is ODCSOPS

PRIVACY ACT STATEMENT

| | |
|---|---|
| AUTHORITY: | Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9397 dated November 22, 1943 *(SSN)*. |
| PRINCIPAL PURPOSE: | To provide commanders and law enforcement officials with means by which information may be accurately identified. |
| ROUTINE USES: | Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval. |
| DISCLOSURE: | Disclosure of your social security number is voluntary. |

| 1. LOCATION | 2. DATE *(YYYYMMDD)* | 3. TIME | 4. FILE NUMBER |
|---|---|---|---|
| Building 4215C Roberts Ave., Ft. Meade, MD 20755 | 2005/05/17 | 1030 | |

| 5. LAST NAME, FIRST NAME, MIDDLE NAME | 6. SSN | 7. GRADE/STATUS |
|---|---|---|
| [redacted] | [redacted] | SSG |

8. ORGANIZATION OR ADDRESS
HQ Cmd Battalion

9.

I, [redacted], WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

Q: It was reported to me that Mr. [redacted] shared some observations with you that LT [redacted] was carrying a personal weapon, a Glock, while on duty at Fort Meade on diverse occasions between September and December 2004. Did Mr. [redacted] express these observations to you?
A: No [redacted]

Q: It was also reported to me that Mr. [redacted] shared some observations with you that LT [redacted] was firing privately owned ammunition and that he issued it to other DA Police officers on a range at Fort Meade between September and December 2004. Did Mr. [redacted] express these observations to you?
A: No [redacted]

Q: It was reported to me that Mr [redacted] shared some observations with you that LT [redacted] was firing and issuing hollow point rounds a range at Fort Meade between September and December 2004. Did Mr. [redacted] express these observations to you?
A: No, Ma'am [redacted]
Q: Are you aware of any restrictions on the use of hollow point on the range?
A: No, I'm not aware of any restrictions, but it is not normal for us to use them. [redacted]

Q: Have you ever seen Lt [redacted] carrying a privately owned weapon, specifically a Glock, on duty?
A: No, Ma'am. [redacted]

Q: What is your position at Fort Meade?
A: Desk Sergeant [redacted]
Q: How long have you been here at Fort Meade?
A: Almost four years. [redacted]
Q: What is your relationship to Mr. [redacted]
A: Associate. Was an associate [redacted]
Q: Did he work for you?
A: Not directly. When he was on duty as a DA Police Officer [redacted]
Q: Do you have anything you would like to add to your statement:?
A: No, Ma'am [redacted]

----------nothing follows [redacted]----------/

| 10. EXHIBIT | 11. INITIALS OF PERSON MAKING STATEMENT | PAGE 1 OF 2 PAGES |
|---|---|---|
| | [redacted] | |

*ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF _____ TAKEN AT _____ DATED _____*

*THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE BE INDICATED.*

STATEMENT OF SSG[redacted] TAKEN AT Fort Meade DATED 2005/05/17

9. STATEMENT *(Continued)*

AFFIDAVIT

I, SSG[redacted], HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 2. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

[redacted]

*(Signature of Person Making Statement)*

WITNESSES:

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 17 day of May, 2005

at

*(Signature of Person Administering Oath)*

[redacted]LTC, MP, Commanding

*(Typed Name of Person Administering Oath)*

Article 136 (b) (4), UCMJ

*(Authority To Administer Oaths)*

INITIALS OF PERSON MAKING STATEMENT [redacted]

DEPARTMENT OF THE ARMY
DIRECTORATE OF EMERGENCY SERVICES
DEPARTMENT OF THE ARMY POLICE
8479 6TH ARMORED CAVALRY ROAD
FORT GEORGE G. MEADE, MARYLAND 20755

REPLY TO
ATTENTION OF:

ANME-ES

9 Sep 2004

MEMORANDUM FOR: NSA Range Control

Subject: Ammunition request

1. The DA Civilian Police at Ft. Meade is requesting help from NSA Range Control for ammunition and range support purposes. Currently, we do not have access to any ammunition for training purposes and range qualification. There are 33 DA Police on the roster currently and we greatly appreciate any help that you can give us regarding this matter.

2. We request ammunition coverage for the remainder of the year that would serve the purpose of training and qualification to ensure that our Department stands trained and ready to protect and defend against anything that we would encounter.

3 Questions concerning this memorandum should be addressed to Officer [redacted] or the undersigned [redacted]

[redacted]
Training Officer/ GS-9
DA Police Supervisor

# SWORN STATEMENT

For use of this form, see AR 190-45; the proponent agency is ODCSOPS

PRIVACY ACT STATEMENT

| | |
|---|---|
| AUTHORITY: | Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9397 dated November 22, 1943 *(SSN)*. |
| PRINCIPAL PURPOSE: | To provide commanders and law enforcement officials with means by which information may be accurately identified. |
| ROUTINE USES: | Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval. |
| DISCLOSURE: | Disclosure of your social security number is voluntary. |

| 1. LOCATION | 2. DATE *(YYYYMMDD)* | 3. TIME | 4. FILE NUMBER |
|---|---|---|---|
| Building 4215C Roberts Ave., Ft. Meade, MD 20755 | 2005/05/12 | 1435 | |

| 5. LAST NAME, FIRST NAME, MIDDLE NAME | 6. SSN | 7. GRADE/STATUS |
|---|---|---|
| M[redacted] | | Sgt |

8. ORGANIZATION OR ADDRESS
HQ Cmd Battalion

9.

I, [redacted], WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

The following questions and answers were discussed in a telephone interview with Sg[redacted], AKA "Sergeant[redacted]

Q: It was reported to me that you may have issued 9mm hollow point rounds for training to the DA police at Fort Meade. Is that true?

A: Yes.

Q: I received a report that the ammunition may not have been suitable for use in military 9mm weapons, that some of it had a "+P" or "+P+ rating on it, and that the rounds were corroded with a green patina. Please describe the condition of the ammunition.

A: It was in good condition. I did not issue any with a "+P" or "+P+" rating on it. The +P rated ammunition is safe for use in all 9mm weapons. Civilians train the same as military. All the "P rating means is that the round has a couple of extra grains of powder in the casing and results in a higher velocity. It is safe for use in 9mms. I would not issue any ammunition that isn't safe. The hollow point actually has less effect than ball -- it won't carry as much.

Q: What is your position at NSA?

A: I am the Chief of Operations at Range Control with NSA Police.

Q: Do you have any special weapons training?

A: I am a certified fire arms instructor and have experience as a weapons armorer.

Q: When did you issue them ammunition?

A: I issued the DA Police at DES 8,000 rounds on 10 Sep 04. This is the only time I issued them ammunition. We were just trying to help out our fellow police by helping them get qualified in their duties.

Q: Are hollow point rounds authorized for use at the ranges?

A: Yes.

Q: It was reported to me that the ammunition appeared to be unsafe -- that some of it was corroded and had a green patina to it and some was scratched. Was the ammunition corroded, discolored, scratched, or in any way unsafe?

A: No -- The ammunition was safe. I wouldn't issue ammunition if it wasn't safe. Some of it may have been dull or slightly scratched because some of it had been loaded for operational purposes and it gets a little scratched being loaded in and out of the magazine.

----------nothing follows ----------/

| 10. EXHIBIT | 11. INITIALS OF PERSON MAKING STATEMENT | PAGE 1 OF 2 PAGES |
|---|---|---|
| | | |

*ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF _____ TAKEN AT _____ DATED _____*

*THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE BE INDICATED.*

STATEMENT OF Sgt [redacted] TAKEN AT Fort Meade DATED 2005/05/12

9. STATEMENT *(Continued)*

AFFIDAVIT

I, Sg[redacted], HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 2. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

Unavailable/telephone interview
*(Signature of Person Making Statement)*

WITNESSES:

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 12 day of May, 2005

at

*(Signature of Person Administering Oath)*

[redacted] LTC, MP, Commanding
*(Typed Name of Person Administering Oath)*

Article 136 (b) (4), UCMJ
*(Authority To Administer Oaths)*

INITIALS OF PERSON MAKING STATEMENT

HAND RECEIPT

DATE: 09/10/2004

| NOMENCLATURE | QUANTITY | SERIAL NUMBER |
|---|---|---|
| 124 gr. Federal 9MM Luger Hydra-shok JHP | 8,824 | total rounds |
| Officer yearly turn-in ammunition | | |
| | | |
| This ammunition is being distributed to the U.S. Dept. of Army | | |
| Police, per their request for support purposes. This will assist | | |
| the D.A. Police in their training and enable them to stand ready | | |
| to protect and defend the base. | | |
| | | |
| Approval for this support was given by D/Chief, Special | | |
| Activities, [redacted] NSA Police. | | |
| | | |
| total = | 8,824 | |

Employee distributing material: Ofc. [redacted]

ISSUED TO

| NAME | | ROOM: | SECTION: |
|---|---|---|---|
| [redacted] | [redacted] | DPTMS | 241ST MP/DA Police |

I CERTIFY THAT I HAVE RECEIVED THE ABOVE LISTED ITEM AND HOLD MYSELF RESPONSILBLE FOR THE SAME.

SIGNATURE [redacted]

FORM A2489 REIN SEP 84

NSN 7540-FM-001-3514

U.S.G.P.O.: 1994-368-164

# SWORN STATEMENT

For use of this form, see AR 190-45; the proponent agency is ODCSOPS

**PRIVACY ACT STATEMENT**

| | |
|---|---|
| AUTHORITY: | Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9397 dated November 22, 1943 *(SSN)*. |
| PRINCIPAL PURPOSE: | To provide commanders and law enforcement officials with means by which information may be accurately identified. |
| ROUTINE USES: | Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval. |
| DISCLOSURE: | Disclosure of your social security number is voluntary. |

| 1. LOCATION | 2. DATE *(YYYYMMDD)* | 3. TIME | 4. FILE NUMBER |
|---|---|---|---|
| Building 4215C Roberts Ave., Ft. Meade, MD 20755 | 2005/05/17 [redacted] | 0950 [redacted] | |

| 5. LAST NAME, FIRST NAME, MIDDLE NAME | 6. SSN | 7. GRADE/STATUS |
|---|---|---|
| [redacted] | [redacted] | SGT |

8. ORGANIZATION OR ADDRESS
HQ Cmd Battalion

9.
I, [redacted], WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

Q: It was reported to me that Mr. [redacted] shared some observations with you that LT [redacted] was carrying a personal weapon, a Glock, while on duty at Fort Meade on diverse occasions between September and December 2004. Did Mr. [redacted] express these observations to you?
A: No. [redacted]

Q: It was also reported to me that Mr. [redacted] shared some observations with you that LT [redacted] was firing privately owned ammunition and that he issued it to other DA Police officers on a range at Fort Meade between September and December 2004. Did Mr. [redacted] express these observations to you?
A: No. If he had, I would have reported it further. [redacted]

Q: It was reported to me that Mr. [redacted] shared some observations with you that LT [redacted] was firing and issuing hollow point rounds a range at Fort Meade between September and December 2004. Did Mr. [redacted] express these observations to you?
A: No. I've never fired with the DA Police. I have no idea what they do on their range. We were once on a range near their range, I believe it was in October, and we used some of their ammunition.
Q: What kind of ammunition was it?
A: Standard ball [redacted]

Q: Have you ever seen Lt [redacted] carrying a privately owned weapon, specifically a Glock, on duty?
A: No. I've never seen him on duty. I've been working mids for the past five months. [redacted]

Q: Do you have anything to add?
A: Yes. Mr [redacted] may be angry with me. Once when a group of us were out, he pulled me by the hair, and a fellow NCO had to intervene to get him to stop. After that, I didn't talk to him -- he crossed the line that time. He also keeps emailing me. He got my AKO address.
Q: When and where did the incident occur when he pulled your hair?
A: Approximately last fall at Bar Baltimore [redacted]
----------Nothing follows [redacted]----------/

| 10. EXHIBIT | 11. INITIALS OF PERSON MAKING STATEMENT | PAGE 1 OF 2 PAGES |
|---|---|---|
| | [redacted] | |

*ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF _____ TAKEN AT _____ DATED _____*

*THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE BE INDICATED.*

STATEMENT OF SGT [redacted] TAKEN AT Fort Meade DATED 2005/05/17

9. STATEMENT *(Continued)*

NOT USED [redacted]

**AFFIDAVIT**

I, SGT [redacted], HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 2 mmc. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

[redacted]
*(Signature of Person Making Statement)*

WITNESSES:

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 17 day of May, 2005

at

[redacted]
*(Signature of Person Administering Oath)*

[redacted] LTC, MP, Commanding
*(Typed Name of Person Administering Oath)*

Article 136 (b) (4), UCMJ
*(Authority To Administer Oaths)*

INITIALS OF PERSON MAKING STATEMENT [redacted]

# SWORN STATEMENT

For use of this form, see AR 190-45; the proponent agency is ODCSOPS

PRIVACY ACT STATEMENT

| | |
|---|---|
| AUTHORITY: | Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9397 dated November 22, 1943 *(SSN)*. |
| PRINCIPAL PURPOSE: | To provide commanders and law enforcement officials with means by which information may be accurately identified. |
| ROUTINE USES: | Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval. |
| DISCLOSURE: | Disclosure of your social security number is voluntary. |

| 1. LOCATION | 2. DATE *(YYYYMMDD)* | 3. TIME | 4. FILE NUMBER |
|---|---|---|---|
| Building 4215C Roberts Ave., Ft. Meade, MD 20755 | 2005/05/17 [redacted] | 1000 [redacted] | |

| 5. LAST NAME, FIRST NAME, MIDDLE NAME | 6. SSN | 7. GRADE/STATUS |
|---|---|---|
| [redacted] | [redacted] | SGT |

8. ORGANIZATION OR ADDRESS
HQ Cmd Battalion

9.
[redacted], WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

Q: It was reported to me that Mr. [redacted] shared some observations with you that LT [redacted] was carrying a personal weapon, a Glock, while on duty at Fort Meade on diverse occasions between September and December 2004. Did Mr [redacted] express these observations to you?
A: No. He never came to me and said that [redacted]

Q: It was also reported to me that Mr. [redacted] shared some observations with you that LT [redacted] was firing privately owned ammunition and that he issued it to other DA Police officers on a range at Fort Meade between September and December 2004. Did Mr. [redacted] express these observations to you?
A: No, Ma'am [redacted]

Q: It was reported to me that Mr [redacted] shared some observations with you that LT [redacted] was firing and issuing hollow point rounds a range at Fort Meade between September and December 2004. Did Mr. [redacted] express these observations to you?
A: I know NSA gave them rounds to qualify with. I believe they were hydroshock, which are hollow point [redacted]
Q: Are you aware of any restrictions on the use of hollow point on the range?
A: There shouldn't be any on the ranges here at Fort Meade, because you're firing into a dirt embankment. There are restrictions at an indoor range. [redacted]

Q: Have you ever seen Lt [redacted] carrying a privately owned weapon, specifically a Glock, on duty?
A: No, Ma'am [redacted]

Q: What is your position at Fort Meade?
A: Accident investigator. [redacted]
Q: How long have you been here at Fort Meade?
A: 1 1/2 years. [redacted]
Q: What is your relationship to Mr. [redacted]
A: I worked with him a couple of times. Never been best friends or anything like that [redacted]
Q: Do you have anything you would like to add to your statement:?
A: [redacted] caused nothing but trouble here. He had problems working for military. He was always complaining about L [redacted] and everyone else he worked for and with. He had nothing good to say about anyone [redacted]
----------nothing follows----------/

| 10. EXHIBIT | 11. INITIALS OF PERSON MAKING STATEMENT | PAGE 1 OF 2 PAGES |
|---|---|---|
| | [redacted] | |

*ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF* _____ *TAKEN AT* _____ *DATED* _____

*THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE BE INDICATED.*

STATEMENT OF SGT [redacted] TAKEN AT Fort Meade [redacted] DATED 2005/05/17 [redacted]

9. STATEMENT *(Continued)*

AFFIDAVIT

I, SGT [redacted], HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 2. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

[redacted]

*(Signature of Person Making Statement)*

WITNESSES:

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 17 day of May, 2005

at [redacted]

*(Signature of Person Administering Oath)*

[redacted] LTC, MP, Commanding

*(Typed Name of Person Administering Oath)*

Article 136 (b) (4), UCMJ

*(Authority To Administer Oaths)*

INITIALS OF PERSON MAKING STATEMENT [redacted]

# SWORN STATEMENT

For use of this form, see AR 190-45; the proponent agency is PMG.

PRIVACY ACT STATEMENT

AUTHORITY: Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9397 dated November 22, 1943 *(SSN)*.
PRINCIPAL PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately
ROUTINE USES: Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval.
DISCLOSURE: Disclosure of your social security number is voluntary.

| 1. LOCATION | 2. DATE (YYYYM[redacted] | 3. TIME [redacted] | 4. FILE NUMBER |
|---|---|---|---|
| Bldg. 8609 Simonds RD. FT. Meade, MD 20755 | 2004/05/2[redacted] | 1544 | |

| 5. LAST NAME, FIRST NAME, MIDDLE NAME | 6. SSN | 7. GRADE/STATUS |
|---|---|---|
| [redacted] | [redacted] | E-5/RA |

8. ORGANIZATION OR ADDRESS
241st Military Police Detachment.

9.
I, [redacted], WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

[redacted] 12 May 2005 Between the hours of 1400 to 1500hrs LTC [redacted] came to the 241st MP DET armsroom For an 15-6 investigation, she wanted to look at some ammunition that belongs to the Department of The Army Police that is being stored in volt #1 of the 241st MP DET. I opened the volt and escorted LTC [redacted] to where the ammo was placed in the armsroom. Upon looking into the box, there were four boxes of 50 rounds of hollow point ammunition still in there individual box, one plastic ammo holder with 15 hollow point rounds, and 15 regular ball point rounds, and 2 boxes of twenty fifty count boxes of hollow point ammunition sitting on the floor in a brown box. LTC [redacted] pulled out of the box 1 box of the ammunition opened it an we both looked at the ammo an she asked me if these were hollow points, and I said yes. After this she took a few pictures of the ammunition and left the armsroom. [redacted]
Q: LTC [redacted]
A: SGT. [redacted]
Q: It was reported to me that DA Police used hollow point rounds on the range at Fort Meade and that they store the rounds in the 241st MP Company's arms room. Do you have reason to believe that DA Police are using hollow point rounds on the range at Fort Meade? [redacted]
A: No. [redacted]
Q: Are [redacted] rounds stored in the 241st Arms Room? [redacted]
A: Yes they were, but they were pick-up today by OFC [redacted] of the DACP to store in there own armsroom located at the Directorate of Emergency Services. [redacted]
Q: Would you show me these round[redacted]
A: Yes ma'am. [redacted]
Q: Please explain the storage requirements for these rounds? [redacted]
A: If the rounds are being stored in the armsroom that does not belong to the owner of the rounds then it needs to have a memorandum of agreement and a signature card, with the names of the people who would be able to pick the rounds up. [redacted]
Q: When did you issue these hollow point rounds for training? [redacted]
A: Never. [redacted]
Q: Did you ever issue these rounds for operations? [redacted]
A: No. [redacted]
Q: I received a report that the ammunition may not have been suitable for use in military 9mm weapons, that some of it had a "+P" or "+P+" rating on it, and that the rounds were corroded with a green patina. Please describe the condition of the ammunition. [redacted]
A: The ammunition looks fairly new, a little dirty like it"s been handled, loaded into a weapon. [redacted]
Q: Are you aware of the rounds being corroded, covered in a green patina, dented or in any other way appear unsafe? [redacted]
A: No. [redacted]
Q: Are you aware of any restrictions on the use of hollow point rounds on the ranges at Fort Meade by DA Civilians? [redacted]
A: No [redacted]
Q: Are you aware of any restrictions on the use of hollow point rounds on the ranges at Fort Meade by Soldiers? [redacted]
A: No. [redacted]
Q: What is your position at Fort Meade? [redacted]
A: I am the Supply, and Armsroom NCOIC of the 241st Military Police Detachment. [redacted]
Q: Do you have any special weapons training? (If yes, please explain.) [redacted]
A: When i was stationed in Ft LeonardWood A squad of soldier for the 463rd MP CO and the Marine Corp Detachment tested some non-lethal weapons. The weapons consisted of claymore that fired small rubber balls, 40MM 203 grenade rounds that fired small rubber balls, and the LVOSS system the fires a smoke grenade and a 40MM canister that fires small rubber balls. [redacted]
Q: Do you have anything you would like to add [redacted] /// End of Statement ///

| 10. EXHIBIT | 11. INITIALS OF PERSON MAKING STATEMENT | PAGE 1 OF 3 PAGES |
|---|---|---|
| | [redacted] | |

*ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT _____ TAKEN AT _____ DATED _____*

*THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE BE INDICATED.*

USE THIS PAGE IF NEEDED. IF THIS PAGE IS NOT NEEDED, PLEASE PROCEED TO FINAL PAGE OF THIS FORM.

STATEMENT OF [redacted] TAKEN AT 1544 [redacted] DATED 2005 0520 [redacted]

9. STATEMENT *(Continued)*

[redacted]

Not Used

[redacted]MAKING STATEMENT

PAGE 2 OF 3 PAGES

STATEMENT OF [redacted] TAKEN AT 1544 [redacted] DATED 2005 05 [redacted]

9. STATEMENT *(Continued)*

[redacted]

NOT USED

AFFIDAVIT

I, [redacted], HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 3. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

[redacted]
*(Signature of Person Making Statement)*

WITNESSES:

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 20th day of MAY, 2005 at DES

[redacted]
*(Signature of Person Administering Oath)*

[redacted] SSG MP
*(Typed Name of Person Administering Oath)*

ARTICLE 136 (b) (4) UCMJ
*(Authority To Administer Oaths)*

INITIALS OF PERSON MAKING STATEMENT
[redacted]

# SWORN STATEMENT

For use of this form, see AR 190-45; the proponent agency is ODCSOPS

PRIVACY ACT STATEMENT

| | |
|---|---|
| AUTHORITY: | Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9397 dated November 22, 1943 *(SSN)*. |
| PRINCIPAL PURPOSE: | To provide commanders and law enforcement officials with means by which information may be accurately identified. |
| ROUTINE USES: | Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval. |
| DISCLOSURE: | Disclosure of your social security number is voluntary. |

| 1. LOCATION | 2. DATE *(YYYYMMDD)* | 3. TIME | 4. FILE NUMBER |
|---|---|---|---|
| Building 4215C Roberts Ave., Ft. Meade, MD 20755 | 2005/05/12 | 0845 | |

| 5. LAST NAME, FIRST NAME, MIDDLE NAME | 6. SSN | 7. GRADE/STATUS |
|---|---|---|
| [redacted] | | |

8. ORGANIZATION OR ADDRESS
HQ Cmd Battalion

9.
[redacted], WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

The following questions and answers were discussed in a telephone interview with [redacted]
Q: It was reported to me that you may have witnessed LT [redacted] ere at Fort Meade carrying a personal weapon while on duty on diverse occasions between September and December. D[redacted] itness LT [redacted] rrying a POW while on duty at Fort Meade?
A: I do not know the difference. I know he has to carry a weapon while on duty.
Q: Can you tell the difference between a Glock and a 9mm?
A: No.

----------nothing follows ----------/

| 10. EXHIBIT | 11. INITIALS OF PERSON MAKING STATEMENT | PAGE 1 OF 2 PAGES |
|---|---|---|
| | | |

*ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF _____ TAKEN AT _____ DATED _____*

*THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE BE INDICATED.*

STATEMENT OF [redacted] TAKEN AT Fort Meade DATED 2005/05/12

9. STATEMENT *(Continued)*

AFFIDAVIT

[redacted], HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 2. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

Unavailable/telephone interview
*(Signature of Person Making Statement)*

WITNESSES:

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 12 day of May, 2005

at

*(Signature of Person Administering Oath)*

[redacted] LTC, MP, Commanding
*(Typed Name of Person Administering Oath)*

Article 136 (b) (4), UCMJ
*(Authority To Administer Oaths)*

INITIALS OF PERSON MAKING STATEMENT

DEPARTMENT OF THE ARMY
DIRECTORATE OF EMERGENCY SERVICES
FORT MEADE POLICE DEPARTMENT
8479 6th ARMORED CAV ROAD
FORT GEORGE G. MEADE, MARYLAND 20755-5022

REPLY TO
ATTENTION OF:

IMNE-MEA-ES-L

May 26, 2005

MEMORANDUM FOR RECORD

SUBJECT: Telephonic Conversation with LTC[redacted]n 26 May 2005 in reference to the 15-6 investigation.

1. The following questions were asked and discussed by LTC[redacted]nd myself in reference to the 15-6 investigation regarding Personally Owned Weapons and Ammunition.

(1) LTC[redacted]formed me that Officer O[redacted]d stated that he had seen me at the DES Operations branch between the hours of 1000-1100 with my personally owned weapon on my side. I informed her once again that I have never carried my weapon on official duties and that he had to be mistaken, I also informed her that if Officer[redacted]would have seen this he is the type of person that would have went and reported it because he and Mr.[redacted]had made statements back in July (This statement was provided to LTC [redacted]and the Inspector General, dated 26 July 2004, signed by Officer[redacted]in regards to "Putting me in Jail for doing illegal things". I informed her that he also had worked Mids (between the hours of 2230 and 0700) and would not have been around at that time unless he was on Overtime this would be the only time that he would be here. He lives in Pennsylvania so after work he would leave right away due to the long drive home. I also added that Offic[redacted]ad been corrected by myself back in the last week of September to the first week of October during the weeks that he and Office[redacted] attended Howard County SWAT School, for an accusation of carrying his government weapon in his Privately Owned Vehicle, this was an accusation that I knew was false because Officer[redacted]has a Privately Owned Weapon that is a Beretta 92 series and looks exactly like the department weapon and that he was carrying during this period for the SWAT school. I informed him that all privately owned weapons and ammunition coming onto the post would be separated in two separate locked compartments in his vehicle, this is another reason that I feel he would have taken an event like he claims happened more serious and reported me to the Director for me correcting him at an earlier period.

(2) LTC[redacted]also brought in question that I carried a holster that was smaller than the holster for the M9 Beretta, the holster that I have for the Beretta for work is a pancake style holster that will fit all weapons and I offered to show the holster to her, all holsters are virtually the same size as far as pancake holsters concerned, how could he differentiate one between the other? And as stated before if he saw this why would he not correct it or at least report it to the command back when this allegedly occurred?

IMNE-MEA-ES-L May 26, 2005

SUBJECT: Telephonic Conversation with LTC [redacted] 26 May 2005 in reference to the 15-6 investigation.

2. Any questions in reference to this memo are to be directed to Lt [redacted]

[redacted]

Lieutenant, Training Officer
Ft Meade Police Department

DEPARTMENT OF THE ARMY
HEADQUARTERS COMMAND BATTALION
4215 ROBERTS AVENUE WING C
FORT GEORGE G. MEADE, MARYLAND 20755-5500

REPLY TO
ATTENTION OF:

ANME-HQ

17 May 05

MEMORANDUM FOR RECORD

SUBJECT: AR 15-6

1. Purpose. To document status of personnel related to the AR 15-6 Investigation OSC Investigation D1-05-0240 and D1-05-0405.

2. Summary: Mr[redacted] lists several personnel who allegedly either witnessed or were informed of the alleged incidents that occurred between Sep 04 and Dec 04.

a. The names of the personnel who were interviewed, their relation to the case, and their status are listed:

| Tab | Name | | Relation to Case | Status | |
|---|---|---|---|---|---|
| A | [redacted] | Mr. | Whistleblower | Available | Personal Interview |
| B | [redacted] | Mr. | Alleged by [redacted] as Witness | Available | Personal Interview |
| C | [redacted] | Mr. | Alleged by [redacted] s Witness | Available | Personal Interview |
| D | [redacted] | Lt. | Possible Subject | Available | Personal Interview |
| E | [redacted] | Ms. | Alleged by [redacted] as Witness | Not Available | Telephone Interview |
| F | [redacted] | Mr. | Alleged by [redacted] as Witness | Not Available | Telephone Interview |
| G | [redacted] | Lt. | Possible Subject | Available | Personal Interview |
| H | [redacted] | MAJ | Provost Marshal, Supervisor | Available | Personal Interview |
| I | [redacted] | Mr. | Alleged by [redacted] s Witness | Not Available | Telephone Interview |
| J | [redacted] | SSG | Alleged by [redacted] s Receiver of his complaint | Available | Personal Interview |
| K | [redacted] | Sgt | Supplied training ammunition from NSA to DA Police | Available | Telephone Interview |
| L | [redacted] | SGT | Alleged by [redacted] as Receiver of his complaint | Available | Personal Interview |
| M | [redacted] M. | SGT | Alleged by [redacted] as Receiver of his complaint | Available | Personal Interview |
| N | [redacted] | Ms. | Indicated by Lt [redacted] l as potential witness | Available | Telephone Interview |

b. The names of the individuals were not interviewed and the reasons why are listed below:

| Name | | Relation to Case | Status |
|---|---|---|---|
| [redacted] | Ofr | Alleged by [redacted] Witness | Moved - no forwarding information available |
| | Ofr | Alleged by [redacted] Witness | Moved - no forwarding information available |
| | SGT | Alleged by [redacted] as Receiver of his complaint | Unavailable - temporary duty outside state |

3. Mr [redacted] iled to sign his statement. I requested that Mr [redacted] ign his statement and have it sworn on 20 April. When he failed to sign it and have it sworn on 20 April, I called and asked him to return to my office on 21 April to sign it. He did not return nor did he call to explain why he was unable to do so. I called him again on 12 May and he said he would come in on 13 May in the morning. I waited for him all morning, but he did not come in nor did he call.

[redacted]
LTC, MP
Commanding

DEPARTMENT OF THE ARMY
HEADQUARTERS COMMAND BATTALION
4215 ROBERTS AVENUE WING C
FORT GEORGE G. MEADE, MARYLAND 20755-5500

REPLY TO
ATTENTION OF:

ANME-HQ

20 May 05

MEMORANDUM FOR RECORD

SUBJECT: AR 15-6

1. Purpose. To clarify regulatory requirements regarding the use of ammunition for DA Police, related to the AR 15-6 Investigation OSC Investigation D1-05-0240 and D1-05-0405.

2. Summary: M[redacted] alleges that hollow point rounds were used by DA Police and that this is in violation of AR 190-56.

3. Discussion: AR 190-56, chapter 6, paragraph 6-3 d. states "CTA 50-909 provides the basis of issue that may be used to acquire ammunition to support training and mission requirements for Army civilian police and security guards." (See encl 1.) CTA 50-909, table 62 authorizes 9mm ball NATO ammunition for use by civilian guards. (See encl 2.) CTA 50-909 is supplemented by the Ammunition Suitability List (proponent is Defense Ammunition Center, which authorizes hollow point ammunition as a substitute for ball. (See encl 3.)

4. Conclusion: According to the Defense Ammunition Center's Ammunition Suitability List, the DA Police are authorized to use hollow point ammunition to support training.

[redacted]
LTC, MP
Commanding

Encl:
1. AR 190-56, Ch 6, para 6-3 d.
2. CTA 50-909, table 62
3. Ammunition Suitability List

U.S. Government to furnish equipment. Privately-owned (individually-owned) equipment, except for uniform items, will not be permitted.

*b.* The use of privately-owned firearms and or ammunition by Federally employed Army civilian police and security guards is strictly prohibited.

(1) Government-owned firearms will be turned in at the end of duty; Federally employed Army civilian police and security guards are not permitted to retain firearms or ammunition after completing their normal tour of duty (that is, standby at residence).

(2) AR 190–11 outlines arms and ammunition storage and accountability procedures.

*c.* AR 310–34 contains detailed policies and criteria for authorization and use of Army equipment, including weapons. It also prescribes policies and procedures to be followed by commands and agencies responsible for the development, preparation, processing, review, approval, and publication of common tables of allowances (CTAs) in effecting modifications thereto.

*d.* CTA 50–909 provides the basis of issue that may be used to acquire ammunition to support training and mission requirements for Army civilian police and security guards.



Encl 1

Table 61
Tentage/Tarpaulins Allowances—Continued

| 1 | 2 | 3 | 4 | | | |
|---|---|---|---|---|---|---|
| | | | Allowances | | | |
| Line Item No. | Item, Basis of Issue, and Remarks | Unit of Issue | Active Army | ARNG | USAR | ROTC |
| | PER HAWK MISSILE BTRY IN COLD OR COLD WET ENVIRONMENT OR TO FULFILL BLACKOUT REQUIREMENTS | | 1 | 1 | 1 | – |
| V50280 | TENT MISSILE SYSTEM EQMT CONSOLE: HIGH PWRILLUMINATOR RADAR FRONT | EA | | | | |
| | PER HAWK MISSILE BTRY IN COLD OR COLD WET ENVIRONMENT OR TO FULFILL BLACKOUT REQUIREMENTS | | 1 | 1 | 1 | – |
| V52551 | TENT MISSILE SYSTEM EQMT CONSOLE: PULSE ACQUISITION RADAR FRONT | EA | | | | |
| | PER MISSILE SYSTEM EQUIPMENT CONSOLE; PULSE ACQUISITION RADAR FRONT; HAWK MISSILE BATTERY | | 1 | 1 | 1 | – |
| V52688 | TENT MISSILE SYSTEM EQMT CONSOLE: PULSE ACQUISITION RADAR AFT | EA | | | | |
| | PER MISSILE SYSTEM EQUIPMENT CONSOLE; PULSE RADAR AFT; HAWK MISSILE BATTERY | | 1 | 1 | 1 | – |
| V52825 | TENT MISSILE SYSTEM EQMT CONSOLE: RANGE ONLY RADAR CONT WAVE | EA | | | | |
| | PER MISSILE SYSTEM EQUIPMENT CONSOLE RANGE RADAR | | 1 | 1 | 1 | – |
| | PER HAWK MISSILE BTRY | | 4 | – | – | – |
| V53921 | TENT VEHICLE MAINTENANCE: CTN DUCK OD7 MRWR ISS BY COMPONENTS (NOTE 7) | EA | | | | |
| | PER CATEGORY I AND II TOE COMPANY OR OTHER UNIT HAVING SIMILAR REQUIREMENT FOR ORGANIZATIONAL MAINTENANCE OF VEHICLE NOA MAINTENANCE SHELTER; ADD PER CATEGORY I AND II TOE COMPANY OR OTHER UNIT HAVING SIMILAR REQUIREMENT FOR ORGANIZATIONAL MAINTENANCE OF VEHICLE NOA MAINTENANCE SHELTER; MAINTENANCE ELEMENT OF COMPANY TYPE ORGANIZATION PERFORMING HASTY OR EMERGENCY TYPE ORGANIZATIONAL OR DIRECT SUPPORT MAINTENANCE OPERATION IN THE FIELD ON VEHICLE OR SIMILAR ITEMS OF EQUIPMENT | | 1 | 1 | 1 | – |
| W66805 | TOP ASSEMBLY TRUCK BODY DETACHABLE: FOR TRUCK CARGO (GOER) | EA | | | | |
| | PER TRUCK LIN X41653 | | 1 | 1 | – | – |
| Y01450 | VESTIBULE TENT: COTTON DUCK OD7 FMWWR F/TENT GP SMALL COMPLETE | EA | | | | |
| | PER TENT GENERAL PURPOSE SMALL AS REQUIRED FOR ATTACHING TWO TENTS IN TANDEM TO PROVIDE BLACKOUT PROTECTION AND PREVENT ENTRANCE OF COLD AIR | | 1 | 1 | 1 | – |

Notes:

1. THESE ALLOWANCES MAY BE APPLIED TO A SINGLE OR ANY SELECTED COMBINATION OF TARPAULINS.
2. CLASS IV TYPE AUTHORIZATIONS SHOULD NOT NORMALLY EXCEED THE USE OF 75 PERCENT TARPAULINS; THE BALANCE SHOULD BE TENTS AS INDICATED HEREIN.
3. ALLOWANCES OF TENTAGE AS SHOWN IN TABLE 61.1 APPLY TO PERSONNEL IN ZONES VI AND VII FOR HOUSING AND MESSING REQUIREMENTS AND WILL BE CONJUNCTIVELY AUTHORIZED.
4. STORAGE IS LIMITED TO 19 PERCENT OF OUTSIDE STORAGE REQUIRING COVER. SEE TARPAULIN 40 X 20 FEET AND TENT GENERAL PURPOSE MEDIUM.
5. ITEM USED PRINCIPALLY IN COLD CLIMATE AREAS.
6. AUTHORIZED FOR VEHICLES PRIMARILY UTILIZED TO MOVE PERSONNEL IN THE CARGO COMPARTMENT. VEHICLES USED TO TRANSPORT CARGO WHICH MAY BE DAMAGED BY EXPOSURE TO THE ELEMENTS MAY ALSO BE SO EQUIPPED. AUTHORIZED QUANTITIES WILL BE DETERMINED BY BN (OR COMPARABLE LEVEL) COMMANDER.
7. WHEN AN INSTALLATION HAS BEEN TASKED TO PROVIDE EQUIPMENT FOR ACTIVE ARMY OR USAR TRAINING REQUIREMENTS WHICH ARE NOT AVAILABLE ON A LOAN BASIS OR FROM USAR EQUIPMENT CONCENTRATION SITES (ECS), THE ITEMS AND QUANTITIES REQUIRED TO SUPPORT THE MISSION WILL BE DETERMINED BY THE INSTALLATION COMMANDER AND APPROVED FOR INSTALLATION STOCKAGE BY THE MACOM COMMANDER. APPROVED QUANTITIES SHOULD BE CONSISTENT WITH THE BASIS OF ISSUE IN CTA 50-909. THE APPROVED ITEMS WILL BE STOCKED AND ACCOUNTED FOR BY THE INSTALLATION CONSOLIDATED PROPERTY BOOK THAT SUPPORTS TRAINING.
8. ADDITIONAL TENT IS AUTHORIZED TO PROVIDE FOR INDIVIDUAL SEPARATION (MALE/FEMALE).

**Table 61.1**
**Tentage Allowances in Zones VI and VII**

| LIN | Qty | Allowances | | | | Percent of Combination Auth |
|---|---|---|---|---|---|---|
| | | Em/Co | Gr | Off/Fld | Gr Off | |
| V47071 (HOUSING) | 1 | 10 | 6 | | 4 | 60 PERCENT |
| V48030 (HOUSING) | 1 | 6 | 5 | | 3 | 20 PERCENT |
| V48030 (MESSING) | 1 | | PER 100 ALL US TROOPS | | | |
| V49674 (HOUSING) | 1 | 5 | 3 | | 2 | 20 PERCENT |

## 25. Targets, Target Equipment and Dummy, Inert and Miscellaneous Ammunition

Table 62 provides bases of issue which may be used to requisition and issue targets, target equipment and all items of dummy and inert ammunition listed herein for the support of assigned training missions. It also provides bases of issue which may be used to acquire ammunition in support of activities indicated below. Explosive type ammunition to be utilized for combat or training (except civilian guards assigned to military installations) is not reflected in this table. Training ammunition, including competitive marksmanship program, is provided IAW AR 5-13, training ammunition management system. Expendable/durable targets are authorized in CTA 50-970.

## 26. Applicability of Table 62:

*a. Targets, Target Equipment and Dummy and Inert Ammunition.* Table 62 prescribes the initial allowances of targets, target equipment and conventional supply class V procurement appropriations dummy



Encl 2

and inert ammunition for training authorized individuals and units of the United States Army, to include the ROTC and Reserve Components.

*b. Miscellaneous Ammunition.*

(1) Disposal activities—Destruction of duds and elimination of hazards on ranges.

(2) Emergency signals—Authorized for emergency signaling and marking purposes.

(3) Environmental Hazard Control—Relief of hydraulic pressure for flood control; prevention of natural disasters, to include avalanche control.

(4) Guard Duty—Authorized for military or civilian guards, as appropriate, for protection of US Government property and for training civilian guards assigned to military installations, to include prisoner guards.

(5) Installations—Installations in Continental United States and similar oversea installations.

(6) Military Interments—Appropriate military honors at graveside.

(7) Rock Quarry Operations—Allowances for use in support of Rock Quarry Operations as specified herein.

(8) Saluting—Appropriate military honors at ceremonies; reveille and retreat firing.

(9) Site Security—Authorized for use by selected units to support site security mission.

(10) State Security—Quelling civilian disturbances by use of the National Guard (State Guard, where applicable).

(11) US Army Criminal Investigation Command—Operational allowances for special investigators.

(12) US Army Parachute Team—Authorized team for use in DOD programed demonstrations and training.

(13) USMA Clubs—Authorized for use by USMA military affairs and parachute clubs as indicated herein.

(14) Weapons Calibration—Authorized calibration firing.

(15) Weapons Test (repair and overhaul)—Test of weapons after repair, overhaul, or renovation.

(16) Wildlife Protection and Rodent Control—Elimination of predatory wildlife and destructive rodents.

(17) Installation Special Reaction Team (SRT)—For use in containing and/or neutralizing a special threat to the installation.

(18) Military Police—For use as operational ammunition when performing guard, police patrol, or investigative duties.

(19) Explosive Ordnance Disposal—For use as operational load when performing routine EOD disposal operations and high priority contingency missions.

*c.* Unless otherwise indicated, allowances in Table 62 are the maximum that may be on hand at any one time. Allowances herein will not be regarded as authority for automatic issue. Issues within the allowances will be governed by availability, regulated by commanders, and will be strictly confined to amounts necessary for the purposes listed herein.

*d.* Unit allowances are for company size units unless otherwise designated. Units of less than company size are authorized one-half of the allowances authorized for company size units.

*e.* If, at any time, full allowance is not available, installation stocks will be pooled and rotated so that all may receive maximum advantage from its use.

*f.* Units and/or activities equipped with caliber .30 weapons are authorized to requisition and expend ammunition based on the 7.62MM allowances contained in this Table.

*g.* Commanders will continuously review ammunition expenditures governed by the allowances contained herein to ensure that requirements are kept to the minimum consistent with effective accomplishment of the missions indicated.

*h.* Programing data required by the CG, AMC to convert the allowances of each item in this Table into quantitative requirements for a specified period of time will be obtained, as required, from MACOM and DA agencies concerned by direct coordination.

**Table 62**
**Targets, Target Equipment and Dummy, Inert and Miscellaneous Ammunition Allowances**

| 1<br>Line<br>Item No. | 2<br>Item, Basis of Issue, and Remarks | 3<br>Unit of<br>Issue | 4<br>Allowances |
|---|---|---|---|
| A17525 | ADDITIVE JACKET BORE WEAR REDUCING: F/175MM GUN DODAC 1320–D110 | EA | |
| | PER PROJECTILE 175MM HE AUTHORIZED HEREIN | | 10 |
| B34454 | BARREL MACHINE GUN: CAL .50 RECOIL AMPLIFIER PRACTICE M3 (1186) | EA | |
| | PER COMBAT BATTALION/CAVALRY SQUADRON | | 10 |
| | PER COMBAT SUPPORT BATTALION; 100 BASIC STUDENTS AT COMBAT ARMS SERVICE SCHOOL; 200 BASIC STUDENTS AT OTHER SERVICE SCHOOLS | | 5 |
| | PER ARNG STATE OFFICER CANDIDATE SCHOOL | | 2 |
| | PER 50 STUDENTS IN ROTC UNIT | | 1 |
| C98132 | CAP BLASTING: ELECTRIC INERT DODAC 1375–M098 | EA | |
| | PER USA INSTITUTE FOR MILITARY ASSISTANCE | | 10 |
| | PER USAES | | 100 |
| | PER USAIS | | 520 |
| | PER NCOSI, FT BENNING, FOR BNCOC/CA | | 100 |
| | PER ENGR ROTC UNIT | | 100 |
| | PER ORD ROTC UNIT | | 2 |
| | PER 10 TRNE—ROTC ADV CAMP | | 1 |
| | PER AMC AMMO SCHOOL, SAVANNA | | 100 |
| | PER ACTV CDR ENGR AIT, MOS 12B10 | | 200 |
| | PER CBT ARMS BN SUPT BY POST ORD ACTV | | 1 |
| | PER ENGR CO CBT | | 27 |
| | PER INF OR ARTY BN | | 15 |
| | PER ARMD CAV SQDN | | 15 |
| | PER ENGR ADM PLT | | 6 |
| | PER ACTV CDT INF AIT | | 100 |
| | PER USMA | | 900 |
| | PER USA TRANSPORTATION AND AVIATION LOGISTICS SCHOOLS | | 10 |
| | PER USA ORD AND CML CEN AND SCHOOL | | 110 |
| | PER NCOA, FT SILL, FOR BNCOC/CA | | 60 |
| | PER EOD UNIT FOR TESTING AND TRAINING | | 80 |
| | PER EOD DET FOR INDIVIDUAL TRAINING | | 20 |

Table 62
Targets, Target Equipment and Dummy, Inert and Miscellaneous Ammunition Allowances—Continued

| 1 Line Item No. | 2 Item, Basis of Issue, and Remarks | 3 Unit of Issue | 4 Allowances |
|---|---|---|---|
| | PER M60 MACHINE GUN, LIN L92386, AUTHORIZED U.S. ARMY MILITARY POLICE UNIT, SIERRA/SENECA (OPERATIONAL LOAD) | | 2,000 |
| D37698 | CARTRIDGE 7.62MM: NATO SPECIAL BALL M118 DODAC 1305–A136 | EA | |
| | PER RIFLE M14 ASSIGNED TO SRT | | 50 |
| | PER YEAR FOR TRAINING OF SIERRA ARMY DEPOT CIVILIAN GUARD AUTHORIZED M14 RIFLE (GUARD DUTY) | | 600 |
| D38657 | CARTRIDGE 7.62MM BLANK: M82 CARTON F/MACHINE GUN AND RIFLE DODAC 1305–A112 | EA | |
| | PER RIFLE, 7.62MM (MIL INTRMT) | | 30 |
| C39136 | CARTRIDGE 9MM: BALL NATO M882 DODAC 1305–A363 | EA | |
| | PER YEAR FOR TRAINING OF CIVILIAN GUARD ARMED WITH 9MM PISTOL (GUARD DUTY) | | 180 |
| | PER YEAR FOR TRAINING OF CIVILIAN GUARD NOT ARMED WITH 9MM PISTOL (GUARD DUTY) | | 60 |
| | PER GUARD ARMED WITH 9MM PISTOL (GUARD DUTY) (OPERATIONAL LOAD); AUTHORIZED 9MM PISTOL (STATE SECURITY); 9MM PISTOL (WEAPON TEST); MILITARY POLICE (OPERATIONAL LOAD) NOTE 11); AUTHORIZED 9MM PISTOL (USAINTC) (INTERNAL SECURITY); 9MM PISTOL ASSIGNED TO THE SRT | | 30 |
| | PER USACIDC UNIT | | 1,000 |
| D39166 | CARTRIDGE 20MM: TP–T M220 ELECTRIC PRIMED LINKED DODAC 1305–A652 | EA | |
| | PER WPN (WPN TEST) | | 10 |
| D40037 | CARTRIDGE 40MM: HEDP M433 DODAC 1310–B546 | EA | |
| | PER YEAR FOR SPECIAL REACTION TEAM TRAINING OF SIERRA ARMY DEPOT CIVILIAN GUARD AUTHORIZED LAUNCHER GRENADE 40MM | | 2 |
| D40849 | CARTRIDGE 40MM: M381 M406 HE W/FUZE PD F/GRENADE LAUNCHER M79 DODAC 1310–B568 | EA | |
| | PER LAUNCHER GRENADE 40MM, LIN L44595, AUTHORIZED U.S. ARMY MILITARY POLICE UNIT, SIERRA/SENECA (OPERATIONAL LOAD) | | 18 |
| C41104 | CARTRIDGE 40MM: PRACTICE M781 DODAC 1310–B519 | EA | |
| | PER YEAR FOR SPECIAL REACTION TEAM TRAINING OF SIERRA ARMY DEPOT CIVILIAN GUARD AUTHORIZED LAUNCHER GRENADE 40MM | | 36 |
| D41052 | CARTRIDGE 40MM: RIOT CONTROL CS FILL F/LAUNCHER M79 DODAC 1310–B537 | EA | |
| | PER LAUNCHER M79 ASSIGNED TO SRT | | 5 |
| D41085 | CARTRIDGE 40MM: WHITE STAR PARACHUTE M583 F/LAUNCHER M79 DODAC 1310–B535 | EA | |
| | PER LAUNCHER GRENADE 40MM, LIN L44575, AUTHORIZED U.S. ARMY MILITARY POLICE UNIT, SIERRA/SENECA (OPERATIONAL LOAD) | | 5 |
| D45781 | CARTRIDGE 75MM BLANK: M337 SERIES F/TG M3 HOW M1A1 M3 (NOTE 1) DODAC 1315–C025 | EA | |
| | PER INSTALLATION EQUIPPED W/3 IN. FLD GUN, 75MM PK HOW (SALUTING) | | 1,050 |
| | PER ROTC/NDCC INSTITUTION EQUIPPED W/75MM PK HOW (SALUTING) | | 300 |
| | PER USA SERGEANTS MAJOR ACADEMY EQUIPPED W/75MM PACK HOWITZER (SALUTING) | | 570 |
| D48417 | CARTRIDGE 81MM: HE M374 W/FUZE PD F/81MM MORTARS M1 AND M29 DODAC 1315–C256 | EA | |
| | PER WEAPON (WEAPONS TEST) | | 5 |
| D54138 | CARTRIDGE 105MM: M1 HE W/O FUZE F/HOWITZER (NOTE 13) DODAC 1315–C445 | EA | |
| | PER YR HQ FORSCOM FOR AVALANCHE FIRING IN ALASKA (ENVIRONMENTAL HAZARD CONTROL) | | 400 |
| | PER WEAPON (WEAPONS TEST) | | 5 |
| | PER WEAPON PER YR (WEAPONS CALIBRATION) (NOTE 2) | | 10 |
| | PER UNIT (NG) ASSIGNED AVALANCHE FIRING MISSION IN CONUS (ENVIRONMENTAL HAZARD CONTROL) | | 10 |
| D57974 | CARTRIDGE 105MM: M456 SERIES M490 SERIES TP–T F/GUN M68 DODAC 1315–C511 | EA | |
| | PER WPN (WPN TEST) | | 5 |
| D58111 | CARTRIDGE 105MM BLANK: M395 F/HOWITZER (NOTE 1) DODAC 1315–C440 | EA | |
| | PER INSTALLATION EQUIPPED W/105MM HOW (SALUTING) | | 1,050 |
| | PER ROTC/NDCC INSTITUTION EQUIPPED W/105MM HOW (SALUTING) | | 300 |
| D58740 | CARTRIDGE 152MM: TP–TM411 F/GUN M81 M162 DODAC 1320–0363 | EA | |
| | PER WEAPON (WEAPONS TEST) | | 5 |
| D92017 | CHARGE DEMOLITION: BLOCK COMP C–4 1¼ LB M112 DODAC 1375–M023 | EA | |
| | PER INSTALLATION (DSPO ACTV) | | 2,500 |
| | PER YR FOR EIGHTH USA (ROCK QUARRY OPERATIONS) | | 1,410 |
| | PER YR FOR EIGHTH USA TUNNEL NEUTRALIZATION OPERATIONS | | 100 |
| | PER EOD DETACHMENT (OPERATIONAL LOAD) | | 300 |
| D92360 | CHARGE DEMOLITION: BLOCK 40 LB CRATERING AMMONIA NITRATE DODAC 1375–M039 | EA | |
| | PER YR FOR EIGHTH USA (ROCK QUARRY OPERATIONS) | | 20 |
| | PER YR PER LONG RANGE PATROL UNIT IN ALASKA (ENVIRONMENTAL HAZARD CONTROL) | | 40 |
| | PER INSTALLATION (DSPO ACTV) | | 2 |
| D92223 | CHARGE DEMOLITION: BLOCK TNT ¼ LB DODAC 1375–M030 | EA | |
| | PER EOD DETACHMENT (OPERATIONAL LOAD) | | 100 |
| D93730 | CHARGE DEMOLITION: BLOCK TNT 1 LB DODAC 1375–M032 | EA | |
| | PER EOD DETACHMENT (OPERATIONAL LOAD) | | 50 |
| C92531 | CHARGE DEMOLITION: INERT LINEAR M68A2 | EA | |
| | PER YEAR FOR COMPANY SIZE UNIT WHICH USES THE MICLIC (L67342) | | 1 |
| | PER EOD TRAINING DET INDIAN HEAD, MD | | 3 |
| | PER ENGINEER SCHOOL FT BELVOIR FOR TRAINING OF MOS 12B; USAJFKSWC FT BRAGG AND THE UTAH MILITARY ACADEMY AT CAMP W. G. WILLIAMS FOR TRAINING OF MOS 18C | | 10 |

| DODIC | P/S/D/O | WR | TR | OTH | NOMENCLATURE | REMARKS | ACCEPTABLE SUBS | ITEM MANAGER | DSN PHONE |
|---|---|---|---|---|---|---|---|---|---|
| CTG 9MM F/PISTOL | | | | | | | | | |
| A363 | P | X | X | | Ctg 9mm Ball M882 | | AA49 | [redacted] | [redacted] |
| AA16 | | | X | | Ctg 9mm Mk 254 Mod 0 Frangible | Not transitioned as of Oct 04 | | | |
| AA49 | P | | | | Ctg 9mm Commercial Pack | Cannot be used OCONUS | | | |
| A260 | P | | | X | Ctg 9mm Jacketed Hollow Point Mk 243 Mod 0 | Reserved f/CID & Security Forces | | | |
| A360 | | | | X | Ctg 9mm Ball M1 Parabellum | SOF training | | | |
| A364 | P | | | X | Ctg 9mm HPT M905 | f/ test | | | |
| A359 | O | | | | Ctg 9mm Dummy M917 | All stock excess | | Obsolete | |

[redacted] - LTC

From: [redacted] MA/MPRI
Sent: Friday, May 20, 2005 7:52 AM
To: [redacted] LTC
Subject: RE: (UNCLASSIFIED)

Classification: UNCLASSIFIED
Caveats: NONE

Proonent for the "S & I " list is Defense Ammunition Center, McAlister OK.

[redacted]
Ammunition Manager
Installation Management Agency (IMA)
DSN [redacted] COML [redacted]
FAX [redacted]
E-mail [redacted]@hqda.army.mil

-----Original Message-----
**From:** [redacted] - LTC
**Sent:** Thursday, May 19, 2005 4:58 PM
**To:** [redacted] Mr IMA/MPRI
**Subject:** RE: (UNCLASSIFIED)

Thank you. Who is the proponent for this? Would it be correct to refer to this as the IMA ammunition suitability list?

[redacted]
LTC, MP
Commanding
[redacted]
cell [redacted]
fax [redacted]

-----Original Message-----
**From:** [redacted] Mr IMA/MPRI
**Sent:** [redacted] 2005 12:14 PM
**To:** [redacted] - LTC
**Subject:** (UNCLASSIFIED)

Classification: UNCLASSIFIED
Caveats: NONE

Please find ammunition substitutability list attached

<< File: silist.xls >>

[redacted]
Ammunition Manager
Installation Management Agency (IMA)
DSN [redacted] COM [redacted]
FAX ...- [redacted]

[redacted] - LTC

From: [redacted]
Sent: Thursday, May 19, 2005 12:32 PM
To: [redacted] LTC
Cc: [redacted] MAJ
Subject: FW: Ammunition questions

LTC [redacted]

I had LT [redacted] do some research and the only references we can find are AR-5-13 and AR 190-14. Please see LT [redacted]'s email below in ref to the ammunition personnel he consulted with. I checked both of these regulations and they aren't really specific other than the ammunition should be Army ammunition.

[redacted]
Chief, DA Police
Fort Meade, MD
Commercial: [redacted]
DSN [redacted]

-----Original Message-----
**From:** [redacted]
**Sent:** Thursday, May 19, 2005 10:10 AM
**To:** [redacted]
**Cc:** [redacted]
**Subject:** Ammunition questions

Chief,

Sir I have contacted DPTMS and IMA Ammunition offices in reference to your questions regarding the NSA Ammo. Here is what they told me.

Ms [redacted] (DPTMS) Told me to her knowledge, she does not see anything wrong with what was and is still being done to accomplish the mission. She gave me the number to M [redacted] (IMA) who is in control of us and is place right under DA for this purpose.

Mr. [redacted]y stated that there really is no guideline and cited AR 5-13 for this and told me that this is what he uses. He also told me that NSA ammunition is basically Army ammunition in the sense that every Government entity orders ammunition from TAMIS which means that their ammo for all intent and purposes came from an ARMY ASP. He told me that although everything was ok, we should discontinue this practice and basically "Force" the TAMIS system to work for us, he stated that we are not the only agency that has/ had bypassed the system to make ends meet.

I also looked up AR 190-11, which is control of Arms and ammunition and it says nothing in the training section.

Summed up Sir, there really is no guideline for this because of the new system with IMA and the "Building" of the DA Police organization (The new AR 190-56).

Here are the numbers of the aforementioned personnel:

Ms [redacted]
Mr. [redacted]

V/R

[redacted]
*Lieutenant, Training Officer*

DEPARTMENT OF THE ARMY
HEADQUARTERS COMMAND BATTALION
4215 ROBERTS AVENUE WING C
FORT GEORGE G. MEADE, MARYLAND 20755-5500

REPLY TO
ATTENTION OF:

ANME-HQ

12 May 05

MEMORANDUM FOR RECORD

SUBJECT: AR 15-6

1. Purpose. To document the investigating officer's inspection of the hollow point ammunition used by DA Police at Fort Meade.

2. Summary: On Thursday, 12 May, I inspected the ammunition used by DA Police at Fort Meade. It is stored in the 241st MP Arm's Room and is kept separate from all other ammunition.

3. FINDINGS:

a. The ammunition was hollow point ammunition for a 9mm and was made by two manufacturers, Federal and Speer.

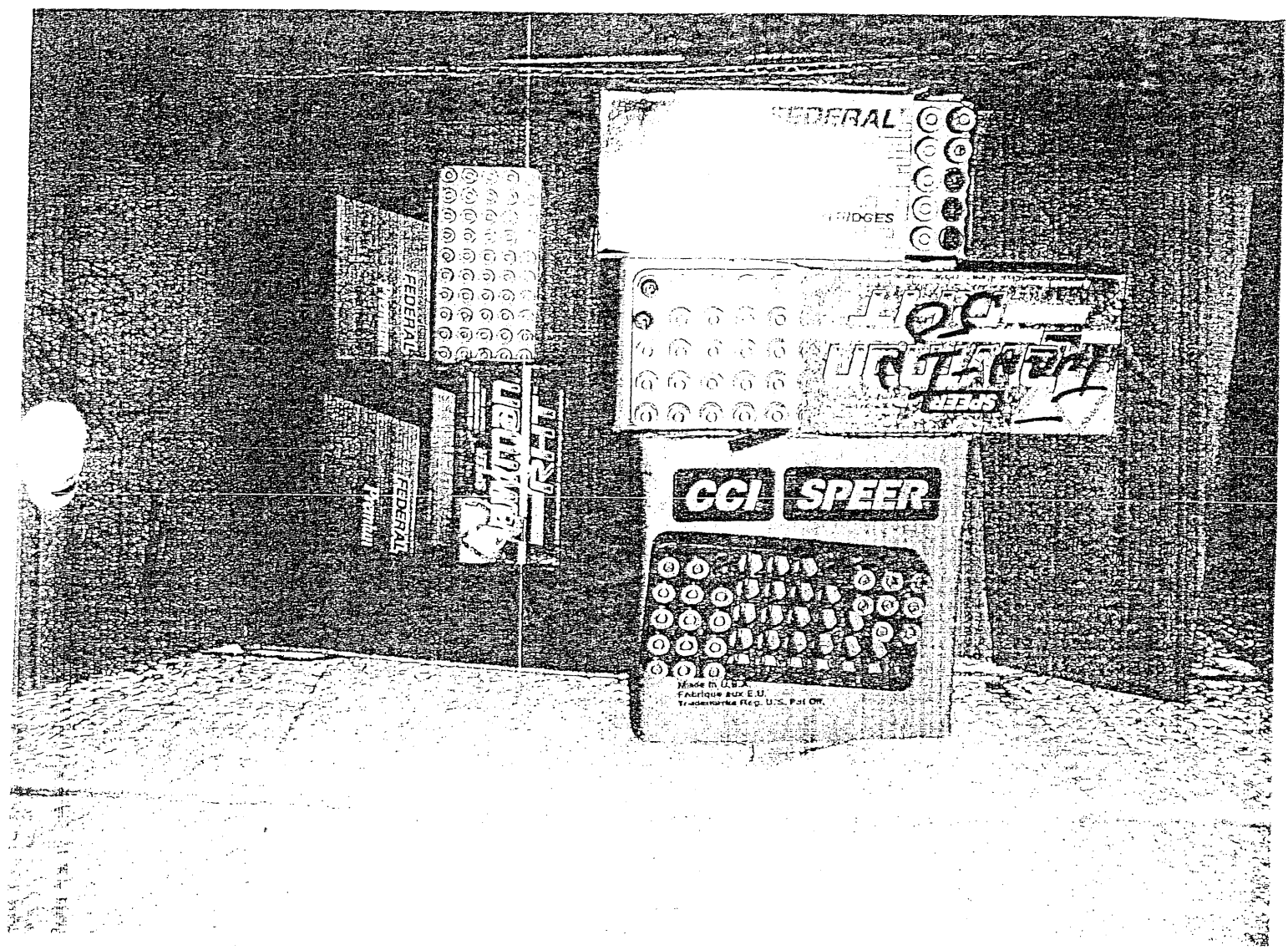
b. I did not see any +P or +P+ ratings on the containers or on the ammunition, as [redacted]eferred to.

c. I did not see any signs of corrosion, green patina, or anything unusual that would raise any safety concerns.

d. Pictures are provided at the enclosure. Some of the bullets pictured were turned upside down by the investigating officer to provide a view of the hollow points.

Encl

[redacted]
LTC, MP
Commanding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FEDERAL
FEDERAL
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Made in U.S.A.
Fabrique aux E.U.
Trademarks Reg. U.S. Pat Off.

SEEDS
DGES

### 4–3. Storage of classified weapon trainers

Because of security classification, nuclear weapon trainers or other classified weapon trainers may be stored in separate locked containers, or wire cages, in arms storage facilities when alternate facilities are not available per AR 380–5, chapter 5. Commanders will prescribe supplementary measures and controls to prevent unauthorized access and ensure the items are accounted for at all times.

### 4–4. Consolidated arms rooms

Arms belonging to more than one unit or organization may be stored in the same arms room or arms storage facility. Arms will be identified by unit. One commander will be designated as having responsibility for the overall security of the consolidated storage facility. Access controls will be established to ensure protection of each unit's arms. Procedures will also be established to fix responsibility for issue, receipt, and physical accountability for arms, including ammunition, and all other sensitive items, stored in the consolidated storage facility, per AR 710–2, paragraph 2–12; and DA Pam 710–2–1, paragraph 9–11. Where feasible, unit arms will be separated by secondary padlocks. If this is done, each unit will maintain sensitive items. Units with small quantities of arms may use locked metal containers instead of separation by partitions. In all cases, one designated commander will continue to have responsibility for the overall security of the consolidated storage facility, including access to that facility. COE drawing DEF 33–33–18 depicts a consolidated arms storage building meeting this criteria. COE drawing STD 40–21–01 depicts expanded metal mesh security cage. Units will provide the commander responsible for the overall security of the consolidated storage facility. Procedures for such consolidated arrangements will be established in SOP of the consolidated storage facility, or in the SOP of the higher headquarters.

### 4–5. privately-owned weapons and ammunition

*a.* Commanders will ensure privately-owned arms and ammunition (including authorized war trophies) are protected on their installations and facilities. Based upon local requirements and availability of resources, Commanders may establish and maintain a system for the registration of privately owned arms on their installations. Commanders will—

(1) Secure arms and ammunition in the installation armory or unit arms rooms in approved locked containers separate from the military AA&E. Storage requirements in this regulation apply. Installation commanders may authorize storage of these items in other locations on military installations, provided they are properly secured.

(2) Account for and inventory arms and ammunition.

*(a)* A DA Form 3749 (Weapons Receipt) will be issued for each privately-owned weapon secured in the arms rooms.

*(b)* privately-owned weapons will be inventoried in conjunction with, and at the frequency of the inventory of Government weapons.

*(c)* Commanders will establish limits on the quantity and type of privately owned ammunition stored in the arms room, based upon availability of space and safety considerations.

(3) Post applicable local regulations and State and local law information on ownership, registration, and possession of weapons and ammunition on unit bulletin boards.

(4) Conduct inspections per AR 190–13, paragraph 2–8, and this regulation to ensure proper storage and control.

(5) Process unauthorized AA&E per AR 190–22, paragraph 3–4.

(6) Prohibit retention and storage of incendiary devices and explosives.

(7) Brief all newly assigned persons on this regulation and subordinate command guidance. All personnel will be made aware of changes.

*b.* Personnel keeping or storing privately owned arms and ammunition (including authorized war trophies) on military installation will—

(1) Comply with local regulations and local and State laws on ownership, possession, registration, off–post transport, and use.

(2) Store both arms and ammunition in the unit arms room or other locations authorized by the installation commander.

(3) Follow local security and safety regulations. Safeguard the unit issued DA Form 3749 for turn–in to the unit armorer when the weapon is withdrawn from the arms room.

(4) Withdraw privately-owned weapons and ammunition from the unit arms rooms only upon approval of the unit commander or the commander's authorized representative.

(5) Ship or store arms and ammunition as personal property, if authorized, per AR 55–355, paragraph 50–12. When loss occurs, notify the local provost marshal or security officer immediately.

(6) Comply with the National Firearms Act of 1968 when receiving or bringing arms into the United States. Automatic arms must be turned over to the Bureau of Alcohol, Tobacco and Firearms (BATF), or brought under Army control.

### 4–6. Weapons and ammunition for marksmanship matches and other special purposes

*a.* Weapons and ammunition for marksmanship matches and other purposes will be protected at all times.

(16) Vulnerabilities and consequences of theft of sensitive critical material.

(17) Protection of security system information.

(18) Communications system operation.

(19) Response force organization, mission, deployment, tactical movement, and rules of engagement.

(20) Use of and defense against chemical and riot control agents.

(21) Unarmed self-defense and restraint techniques.

(22) Use of night vision devices.

(23) Alcohol and drug identification and intervention (for supervisors).

*c.* Weapons training will be conducted according to guidance provided in AR 190–14 and ST 19–138. Civilian police and security guards will be required to qualify every 12 months with their assigned weapon and familiarize yearly with other weapons they are required to use while on duty or in response situations (for example, crew served weapons, rifles and shotguns). Initial qualification will be accomplished prior to performing security functions. At GOCOs, initial qualification may be accomplished after employment, but must be accomplished prior to assignment to duties requiring the carrying of a weapon. Qualification training must include instruction on safety functions, capabilities, limitations, and maintenance of the firearm to be carried.

### 4–6. Overtime authority for training

*a.* Installation commanders are authorized blanket overtime authority for initial and continuing training of Army civilian police and security guards to ensure such personnel are trained to perform duties competently, and are able to respond in a crisis situation. This regulation and AR 690–400, chapter 410, will be cited as the authorities for such overtime training.

*b.* In coordination with local CPOs, commanders will maintain the following documentation for such overtime training:

(1) Number and identity of employees trained or to be trained.

(2) Number of hours in each training session.

(3) Total number of hours in training course.

(4) Dates of training.

(5) Tasks trained.

(6) Amount of funds expended for such training.

*c.* Funding for such overtime training will be the responsibility of the installation or activity concerned.

## Chapter 5
## Authority of Federally Employed Civilian Police and Security Guards

### 5–1. General

This chapter prescribes the authority of civilians performing law enforcement or security functions on Army installations.

### 5–2. Authority

*a.* Federally-employed civilian police and security guards performing law enforcement and security duties authorized by the installation commander, and contract guards performing security duties, may apprehend any persons found on the installation for offenses committed on post that are felonies, breaches of the peace, or otherwise a threat to property or welfare. Such apprehension authority is limited to issuing citations and turning the subject over to the appropriate civilian or military authorities.

*b.* Civilian police and security guard personnel, while on duty at an installation, are considered part of the Army, and are therefore subject to the restrictions on aid to civilian law enforcement imposed by section 1385, title 18, United States Code, commonly known as the Posse Comitatus Act. Accordingly, any proposed aid to civilian law enforcement must be reviewed by the servicing SJA.

*c.* The authority and liability of civilian security guards overseas will depend on applicable international agreements and local law. Thus, the advice of OCONUS SJAs will be sought regarding the status of such personnel.

### 5–3. Written instructions

The provost marshal, in conjunction with the SJA, will provide written instructions for Army civilian police and security guards describing procedures and the limits of their authority. Such instructions will include the limits for apprehension or detention and the limits on the use of force, to include reaction force and hostage situations. Written instructions will be reviewed at least once a year and updated, if necessary. At GOCO facilities, the contractor will provide such instructions, subject to directions and review by the commander and or appropriate security staff.

## Chapter 6
## Clothing and Equipment

### 6–1. Uniforms

*a.* Army civilian police and security guards normally will be uniformed for the purpose of ready recognition and identification of their authority. If serving as a nonuniformed detective, the individual will carry identification indicating his or her official status as a GS–083 detective.

*b.* Army civilian police and security guards are authorized to be furnished a uniform, or monetary allowances in lieu thereof, under the provisions of AR 670–10. It should be noted that uniform allowances are established by Federal law (sections 5901–5903, title 5, United States Code); therefore, any increase in such allowances requires legislative approval.

*c.* Uniform standards and specifications for Army civilian police and security guards are prescribed in AR 670–10, chapter 2. Requests for authority to deviate from established standards of quality or uniform items, or for exceptions to standards of AR 670–10, chapter 2, will be submitted through command channels to the Deputy Chief of Staff for Operations and Plans, ATTN: DAMO–ODL, 400 ARMY PENTAGON, WASH DC 20310–0400. Major overseas commanders will make the final decisions on requests concerning non-U.S. citizen employees. (See AR 670–10.)

*d.* In the case of contract security guards, the contractor will be required to furnish the necessary initial and replacement items for a uniform of a design, material, and color approved by the installation commander or his or her duly authorized representative (such as provost marshal or security officer in coordination with the contracting officer). This uniform will include a badge, a patch displaying the name of the contractor, and a name tag for the individual employee that will be prominently displayed on the outer garment. The contractor will also be required to provide uniform clothing for use during foul weather, such as rain, sleet, snow, and extreme cold, meeting the requirements stated above.

### 6–2. Protective clothing and equipment

Under the provisions of AR 670–10, Army civilian police and security guards may be issued, at local expense, special items of equipment based on locally dictated requirements. Normally, such items will be related to local environmental considerations, such as extreme cold weather gear or safety requirements. These items will be hand receipted to users, and will be returned to the U.S. Government when no longer needed or unserviceable. Policy and procedures for providing protective clothing and equipment against biological, chemical, environmental, or physical hazards are contained in AR 385–10.

### 6–3. Weapons, ammunition, and security equipment

*a.* Army civilian police and security guards will be provided with the weapons, ammunition, and security equipment needed to perform their assigned duties. Contract guards will use equipment furnished by the contractor, unless the contract explicitly obligates the

U.S. Government to furnish equipment. Privately-owned (individually-owned) equipment, except for uniform items, will not be permitted.

*b.* The use of privately-owned firearms and or ammunition by Federally employed Army civilian police and security guards is strictly prohibited.

(1) Government-owned firearms will be turned in at the end of duty; Federally employed Army civilian police and security guards are not permitted to retain firearms or ammunition after completing their normal tour of duty (that is, standby at residence).

(2) AR 190–11 outlines arms and ammunition storage and accountability procedures.

*c.* AR 310–34 contains detailed policies and criteria for authorization and use of Army equipment, including weapons. It also prescribes policies and procedures to be followed by commands and agencies responsible for the development, preparation, processing, review, approval, and publication of common tables of allowances (CTAs) in effecting modifications thereto.

*d.* CTA 50–909 provides the basis of issue that may be used to acquire ammunition to support training and mission requirements for Army civilian police and security guards.

DEPARTMENT OF THE ARMY
HEADQUARTERS, FORT GEORGE G. MEADE
Fort George G. Meade, Maryland 20755-5000

FGGM REGULATION
No. 190-13

21 May 2003

Military Police
Physical Security

---

FOR THE COMMANDER:

JOHN W. IVES
Colonel, Military Intelligence
Commanding

DISTRIBUTION:

A, B
100-ANME-PMP

OFFICIAL:

ANNETTE L. HOBBS
Deputy NCR DOIM
Fort George G. Meade

---

**History:** This regulation supersedes FGGM Reg 190-4, 27 May 1992; FGGM Reg 190-5, 16 January 1992, FGGM Reg 190-11, 3 May 1985; and FGGM Reg 190-13, 3 May 1985. It contains instructional guidelines to establish policies, responsibilities, and procedures for the protection of US Government and personal property.

**Summary:** This regulation contains guidance, information, and reference material for an effective physical security program, requiring each commander and activity chief to ensure government and personal property are afforded the proper level of protection.

**Applicability:** This regulation applies to all individuals employed on, entering, residing on, or visiting Fort George G. Meade (FGGM). Penalties for violation of this regulation include the full range of statutory and regulatory sanctions for military and civilian personnel. These include, but are not limited to, court-martial, prosecution for trespassing, and being barred from the installation.

**Suggested Improvements:** The proponent of this regulation is the Provost Marshal's Office. Users are invited to send comments and suggested improvements on DA Form 2028 (Recommended Changes to Publications and Blank Forms), to the Provost Marshal's Office, ATTN: ANME-PMP, 6619 Mapes Road, Fort George G. Meade, MD 20755-5045.

**Supplementation/Interim Changes:** Supplementation of this regulation is prohibited. Interim changes to this regulation are not official unless they are authenticated by the Provost Marshal's Office.

(16) Replicas and facsimiles of any of the above listed prohibited items intended to be used as weapons. (This does not include obvious plastic toys and cap guns.)

b. Personnel will not wear or carry, either openly or concealed, the following items when intended to be used as a weapon:

(1) Straight razors, razor blades, or weapons made from razor blades.

(2) Knives with blades longer than 3 inches.

(3) Ice picks, machetes, swords, or any similar weapon.

(4) Nunchakus (a device consisting of two pieces of wood, metal, plastic, or other like substance connected by any chain, rope, leather, or other flexible material not exceeding 24 inches in length).

(5) Clubs or any object that can be used as a club (i.e., pieces of wood, pipe, stones, or bricks).

(6) Any other dangerous or deadly weapons that can be readily used to inflict bodily harm.

(7) Personnel will not wear or carry firearms concealed upon or about their person, except as provided for in AR 190-14 and as authorized by the Provost Marshal, FGGM.

3-4. CONTROL AND REGISTRATION OF PRIVATELY-OWNED FIREARMS AND AMMUNITION:

a. The carrying and use of privately-owned firearms by Department of the Army military and civilian personnel while performing official duties is prohibited, except for persons taking part in competitive marksmanship activities and transporting competitive-type weapons for such activities. These persons must be authorized, on official orders, to carry privately-owned, competitive-type weapons.

b. Privately-owned firearms and ammunition will not be carried into or stored in any troop barracks or transient quarters. Such firearms and ammunition will be stored in the arms room of the unit to which the individual is assigned, attached, or on temporary duty. A DA Form 3749, Equipment Receipt, will be used for this purpose.

c. Privately-owned firearms and ammunition stored in unit arms rooms will be safeguarded in accordance with AR 190-11, Chapter 5.

d. Individuals will withdraw privately-owned weapons and ammunition from the unit arms room only upon prior approval of the unit commander or the commander's authorized representative.

e. Individuals will turn in a DA Form 3749, Equipment Receipt, to the unit armorer when the weapon is withdrawn from the arms room.

f. Personnel E5 and above residing in family housing, BEQs, or BOQs may store within their quarters legally acquired projectile weapons, registered firearms, ammunition, or knives with blades measuring longer than 3 inches. Firearms and projectile weapons stored in quarters will be unloaded and will be secured in a locked container (gun cabinet, lockable closet, gun case, etc.) or have a trigger-locking or action-blocking device on the weapon. Firearms and projectile weapons not stored in this manner will be stored in the unit's designated arms room. Up to 1,000

individual ammunition cartridges may be retained in assigned quarters. Ammunition will be stored separate from the container in which the weapon is stored. All reasonable precautions will be taken to prevent the theft or unauthorized use of firearms and ammunition. (This does not apply to knives attached to a plaque or in a frame used for decorative purposes, ceremonial swords, or knives used for food preparation, hunting, fishing, or camping-related activities.)

g. Personnel E4 and below residing in family housing and personnel residing in troop billets must store legally-acquired projectile weapons, registered firearms, ammunition, or knives with blades measuring longer than 3 inches in a designated arms room. (This does not apply to knives attached to a plaque or in a frame used for decorative purposes, ceremonial swords, or knives used for food preparation, hunting, fishing, or camping-related activities.)

h. Unloaded registered firearms may be transported when traveling to and from hunting areas, sport shooting events or bona fide repair shops. Firearms must be carried in an enclosed case or holster and/or be situated so as not to be available for immediate use.

i. Personnel will not carry, possess, or transport loaded firearms on the installation at any time, unless they are actively engaged in authorized hunting or sport shooting events within designated areas. Ammunition will be secured separately from the container in which the weapon is stored while in transport.

j. The shooting of bows and arrows on FGGM is allowed in authorized areas only.

k. Air rifles, air pistols, and BB guns, which use compressed air or gas as a propellant force, will only be used in areas authorized for normal hunting or target practice. These types of weapons, however, will not be used for hunting.

l. Individuals will ship or store arms and ammunition as personal property, if authorized, under provisions of DOD 4500.34R, Personal Property Traffic Management Regulation. When loss occurs, the Provost Marshal's Office will be notified immediately.

m. Individuals will comply with the National Firearms Act of 1968 when receiving or bringing arms into the United States. Automatic arms must be turned over to the Bureau of Alcohol, Tobacco and Firearms (BATF), or brought under Army control.

n. Personnel residing on FGGM will register their privately-owned firearms of all types, calibers, or gauges with the Weapons Registration Section, Provost Marshal's Office, FGGM, within 72 hours after their arrival at FGGM.

o. Proof of ownership is required for registration; however, firearms will not be taken to the Weapons Registration Section.

p. Registrants will notify the Weapons Registration Section immediately upon loss or theft of privately-owned firearms. Change in residence of registrant, location of firearm, or trade/sale of privately-owned firearms will be reported to the Weapons Registration Section within 72 hours of change.

q. Firearms legally brought onto the installation for use on an approved range, and only for the period of time the weapons are used on the range, and firearms carried by federal, state, county, or local law enforcement personnel in the performance of official law enforcement duties, are not required to be registered.

r. Personnel will comply with local and state laws concerning ownership, possession, registration, off-post transport, and use of privately-owned firearms.

DEPARTMENT OF THE ARMY
HEADQUARTERS, FORT GEORGE G. MEADE
4551 LLEWELLYN AVENUE
FORT GEORGE G. MEADE, MD 20755-5000

REPLY TO
ATTENTION OF

ANME-JA

1 July 2003

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: Fort George G. Meade Policy Memorandum #190-11-1, Control and Registration of Privately-Owned Firearms and Ammunition

1. References:

a. AR 190-11, Physical Security of Arms, Ammunition, and Explosive, 12 February 1998.

b. DA Pamphlet 710-2-1, Using Unit Supply System (Manual Procedures), 31 December 1997.

c. Fort George G. Meade Regulation 190-5, Prohibited Weapons/Items and Control of Privately-Owned Firearms and Ammunition, 16 January 1992.

2. Purpose: This memorandum establishes responsibilities and procedures for control and registration of privately-owned firearms, ammunition, and explosives.

3. Scope: This policy applies to all individuals assigned to, stationed at, employed on, entering, residing on, or visiting Fort George G. Meade.

4. Responsibilities: Commanders and supervisors of all activities on the installation must ensure all personnel under their command or supervision are aware of and follow the requirements and proscriptions of this policy memorandum.

5. Policy: All persons entering, or otherwise on, the FGGM installation may possess privately-owned firearms, projectile weapons, ammunition, or knives, under the following conditions:

a. All personnel will comply with applicable federal, state, and local laws on acquisition, ownership, possession, registration, transportation, and use of firearms, weapons, and ammunition.

b. In accordance with paragraph 4-5, AR 190-11, Physical Security of Arms, Ammunition, and Explosives, firearms of all types, calibers, or gauges to be stored on FGGM must be registered at the FGGM Visitor Control Center (VCC) within 3 working days of arrival or acquisition of the firearm.

c. Firearms legally brought onto the installation for use on an approved range, and only for the period the weapons are used on the range, and firearms carried by federal, state, county, or

local law enforcement personnel in the performance of official law enforcement duties are not required to be registered on the installation.

d. Personnel E-5 and above residing in family housing, BEQs, or BOQs may store within their quarters legally acquired projectile weapons, registered firearms, ammunition, or knives with blades measuring longer than three inches. Firearms and projectile weapons stored in quarters will be unloaded and will be secured in a locked container (gun cabinet, lockable closet, gun case, etc.) or have a trigger-locking or action-blocking device on the weapon. Firearms and projectile weapons not stored in this manner will be stored in the unit's designated arms room. Up to 1,000 individual ammunition cartridges may be retained in assigned quarters. Ammunition will be stored separate from the container in which the weapon is stored. All reasonable precautions will be taken to prevent the theft or unauthorized use of firearms and ammunition.

e. Personnel E-4 and below residing in family housing and personnel residing in troop billets must store legally acquired projectile weapons, registered firearms, ammunition, or knives with blades measuring longer than three inches in a designated arms room. (This does not apply to knives attached to a plaque or in a frame used for decorative purposes, ceremonial swords, or knives used for food preparation, hunting, fishing, or camping-related activities.)

f. Personnel will not transport loaded firearms on the installation at any time. Ammunition will be secured separately from the container in which the weapon is stored while in transport.

g. Personnel transporting privately owned weapons on or off the installation will show proof of registration, PMO Form 83R-E, upon reentry to the installation.

6. Unit, Activity, and Partner Commanders' Responsibilities:

a. Ensure necessary security measures are established to safeguard privately-owned weapons and ammunition under their control in accordance with the provisions of AR 190-11, Chapter 5, and DA Pam 710-2-1, Chapter 9.

b. Conduct unannounced quarterly and barracks inspections of privately-owned weapons and ammunition and maintain a record of the inspections to ensure compliance with applicable regulatory requirements.

c. Establish written procedures for safeguarding and controlling privately-owned firearms, ammunition, and other weapons stored in the unit arms room.

d. A letter of understanding between Commanders must be drawn up between commanders when one unit has the requirement to store privately-owned weapons in another unit

commander's arms storage area. This agreement is to formalize the accountability and control standards for the administration of joint use of the arms room.

7. This policy memorandum is punitive. Personnel subject to the Uniform Code of Military Justice (UCMJ) who fail to comply with the requirements of this regulation are subject to punishment under the UCMJ, as well as to adverse administrative action. Personnel not subject to the UCMJ who fail to comply with the provisions of this regulation are subject to adverse administrative action or criminal prosecution as authorized by applicable laws and regulations of the United States.

JOHN W. IVES
Colonel, Military Intelligence
Commanding

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CHAPTER 1

# COMPONENTS AND FUNCTIONING

*This chapter describes the M9 and M11 semiautomatic pistols, their maintenance requirements, and their operation and functioning.*

## Section I. DESCRIPTION AND COMPONENTS

The M9 (Figure 1-1) and M11 (Figure 1-2) pistols are 9-mm, semiautomatic, magazine-fed, recoil-operation, double-action weapons chambered for the 9-mm cartridge.

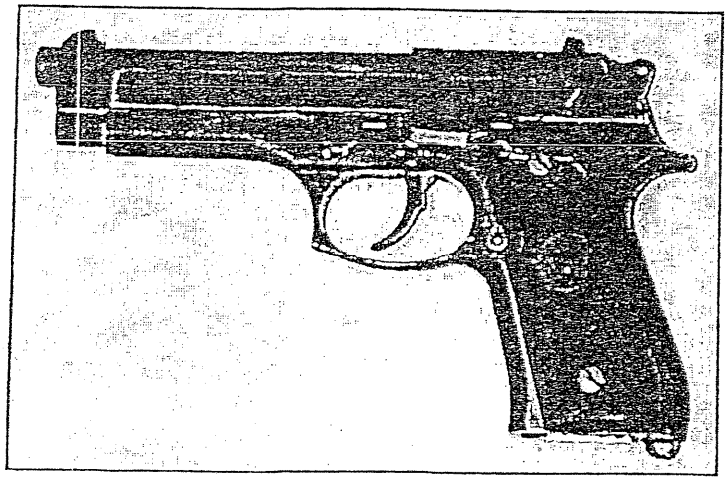

Figure 1-1. 9-mm pistol, M9.

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Shop for Sports Equipment! Compare & Buy from 1000's of Stores

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Pistol and Shot Gun Manuals On Sale This Month Only $9.95

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Helpful information for duelling pistols collectors. History, terms.

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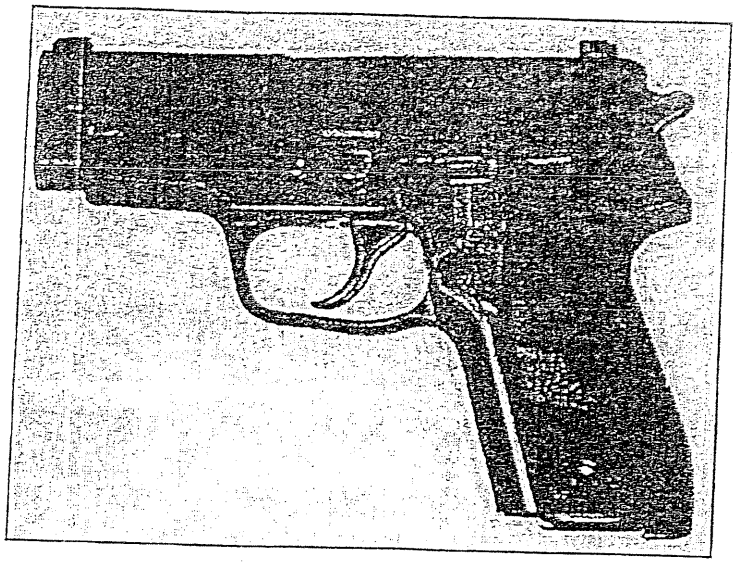

Figure 1-2. 9-mm pistol, M11.

## 1-1. DESCRIPTION

Table 1-1 summarizes equipment data for both pistols.

| | M9 PISTOL | M11 PISTOL |
|---|---|---|
| Caliber | 9-mm NATO | 9-mm NATO |
| System of Operation | Short recoil, semiautomatic | Short recoil, semiautomatic |
| Locking System | Oscillating block | Oscillating block |
| Length | 217 mm (8.54 inches) | 180 mm (7.08 inches) |
| Width | 38 mm (1.5 inches) | 37 mm (1.46 inches) |
| Height | 140 mm (5.51 inches) | 136 mm (5.35 inches) |
| **Magazine Capacity** | **15 Rounds** | **13 Rounds** |
| Weight with Empty Magazine | 960 grams (2.1 pounds) | 745 grams (26.1 oz.) |
| Weight with 15-Round Magazine | 1,145 grams (2.6 pounds) | 830 grams (29.1 oz.) |
| Barrel Length | 125 mm (4.92 inches) | 98 mm (3.86 inches) |
| Rifling | Right-hand, six-groove (pitch 250 mm [about 10 inches]) | Right-hand, six-groove (pitch 250 mm [9.84 inches]) |
| Muzzle Velocity | 375 meters per second (1,230.3 feet per second) | 375 meters per second (1,230.3 feet per second) |
| Muzzle Energy | 569.5 Newton meters (430 foot pounds) | 569.5 Newton meters (430 foot pounds) |
| Maximum Range | 1,800 meters (1,962.2 yards) | 1,800 meters (1,962.2 yards) |
| Maximum Effective Range | 50 meters (54.7 yards) | 50 meters (54.7 yards) |
| Front Sight | Blade, integral with slide | Blade, integral with slide |
| Rear Sight | Notched bar, dovetailed to slide | Notched bar, dovetailed to slide |
| Sighting Radius | 158 mm (6.22 inches) | 158 mm (6.22 inches) |
| Safety Features | Decocking/safety lever, firing pin block. | Decocking/safety lever, firing pin block. |
| Hammer (half-cocked notch) | Prevents accidental discharge. | Prevents accidental discharge. |
| Basic Load | 45 rounds | 45 rounds |
| Trigger Pull | Single-action: 5.50 pounds | Single-Action: 4.40 pounds |

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| | Double-action: 12.33 pounds | Double-Action: 12.12 pounds |

Table 1-1. Equipment Data, M9 and M11 pistols.

NOTE: For additional information on technical aspects of the M9 pistol, see TM 9-1005-317-10. For additional information on technical aspects of the M11 pistol, see TM 9-1005-325-10.

**WARNING**

The half-cocked position catches the hammer and prevents it from firing if the hammer is released while manually cocking the weapon. It is not to be used as a safety position. The pistol will fire from the half-cocked position if the trigger is pulled.

## 1-2. COMPONENTS

The major components of the M9 (Figure 1-3) and M11 (Figure 1-4) pistols are:

a. **Slide and Barrel Assembly**: Houses the firing pin, striker, and extractor. Cocks the hammer during recoil cycle.

b. **Recoil Spring and Recoil Spring Guide**: Absorbs recoil and returns the slide assembly to its forward position.

c. **Barrel and Locking Block Assembly**: Houses cartridge for firing, directs projectile, and locks barrel in position during firing.

d. **Receiver**: Serves as a support for all the major components. Houses action of the pistol through four major components. Controls functioning of the pistol.

e. **Magazine**: Holds cartridges in place for stripping and chambering.

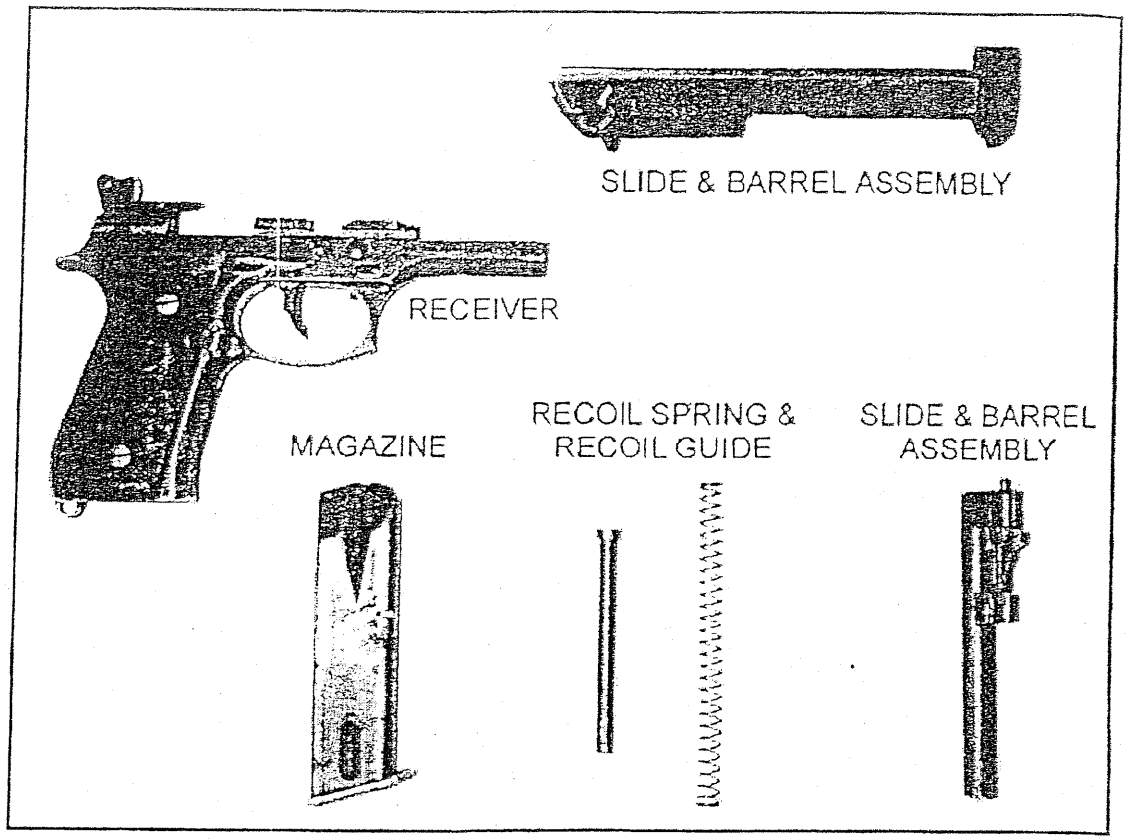



Figure 1-3. Major components, M9.

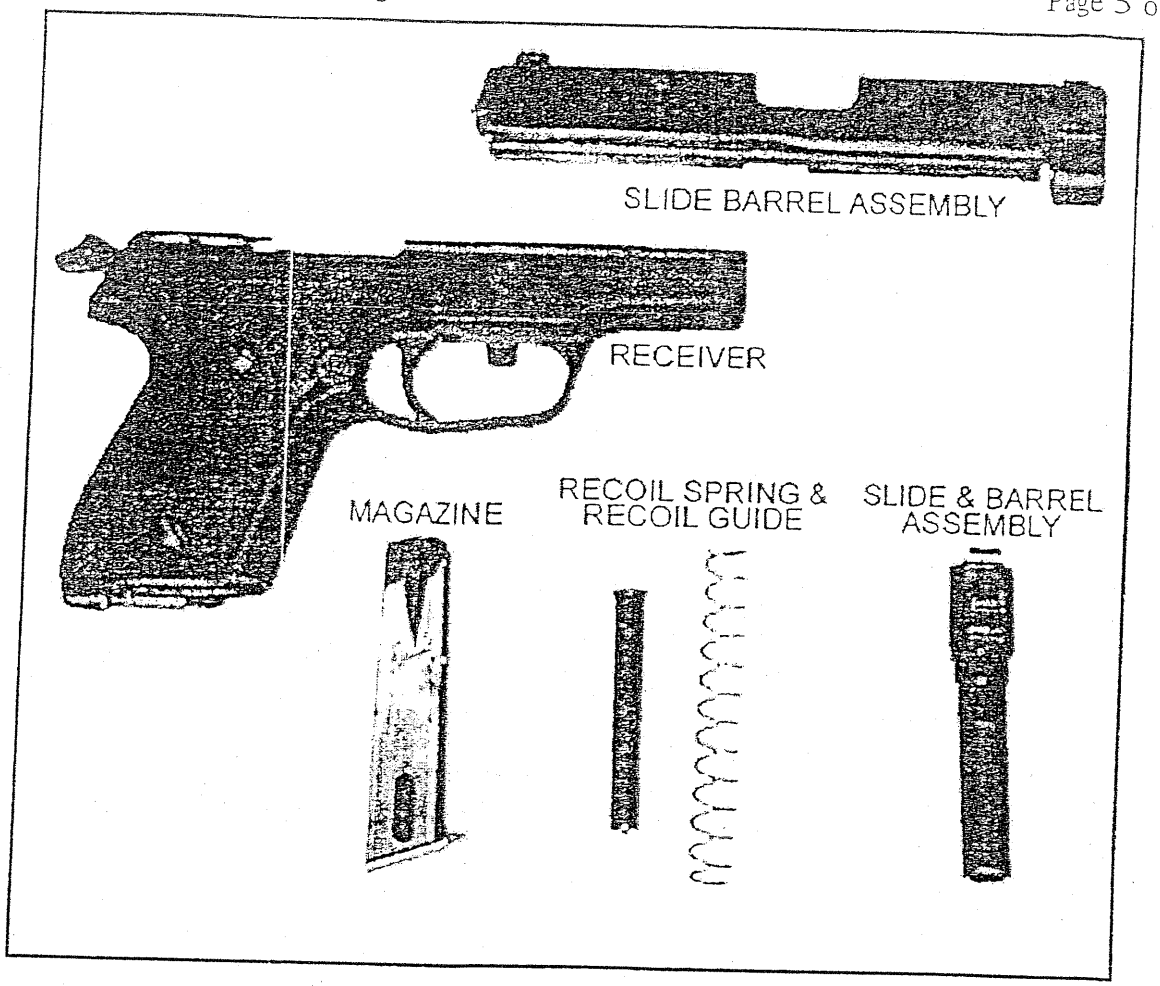



Figure 1-4. Major components, M11.

## 1-3. AMMUNITION

M9 and M11 pistols use several different types of 9-mm ammunition. Soldiers should use only authorized ammunition that is manufactured to US and NATO specifications.

a. **Type and Characteristics.** The specific type ammunition (Figure 1-5) and its characteristics are as follows:

(1) Cartridge, 9-mm ball, M882 with/without cannelure).

(2) Cartridge, 9-mm dummy, M917.

**WARNING**

**Do not fire heavily corroded or dented cartridges, cartridges with loose bullets, or any other rounds detected as defective through visual inspection.**

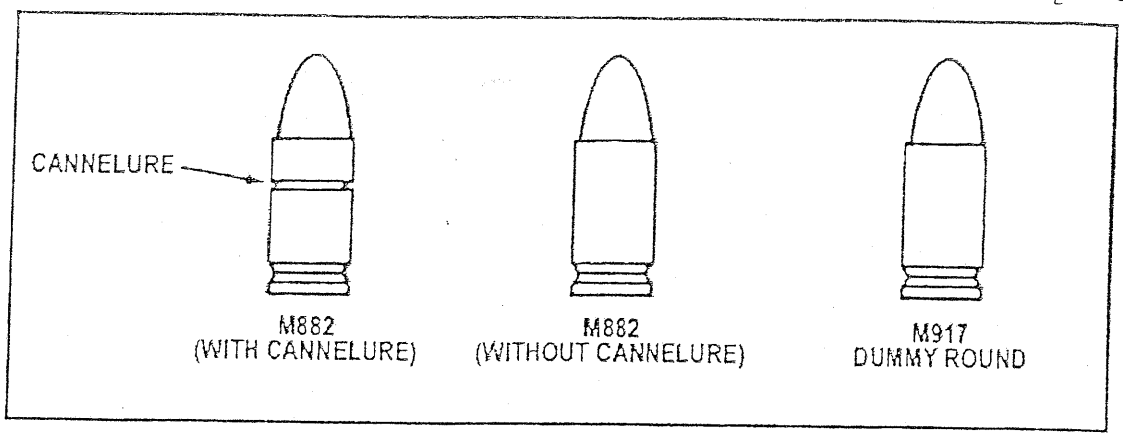



Figure 1-5. Ammunition.

b. Care, Handling, and Preservation.

(1) Protect ammunition from mud, sand, and water. If the ammunition gets wet or dirty, wipe it off at once with a clean dry cloth. Wipe off light corrosion as soon as it is discovered. Turn in heavily corroded cartridges.

(2) Do not expose ammunition to the direct rays of the sun. If the powder is hot, excessive pressure may develop when the pistol is fired.

(3) Do not oil or grease ammunition. Dust and other abrasives that collect on greasy ammunition may cause damage to the operating parts of the pistol. Oiled cartridges produce excessive chamber pressure.

## Section II. MAINTENANCE

Maintenance procedures include clearing, dissembling, inspecting, cleaning, lubricating, assembling, and checking the functioning of the M9 or M11 pistol.

### 1-4. CLEARING PROCEDURES

The first step in maintenance is to clear the weapon. This applies in all situations, not just after firing. Soldiers must always assume the weapon is loaded. To clear the pistol, perform the following procedures.

a. Place the decocking/safety lever in the SAFE down position.

b. Hold the pistol in the raised pistol position.

c. Depress the magazine release button and remove the magazine from the pistol.

d. Pull the slide to the rear and remove any chambered round.

e. Push the slide stop up, locking the slide to the rear.

f. Look into the chamber to ensure that it is empty.

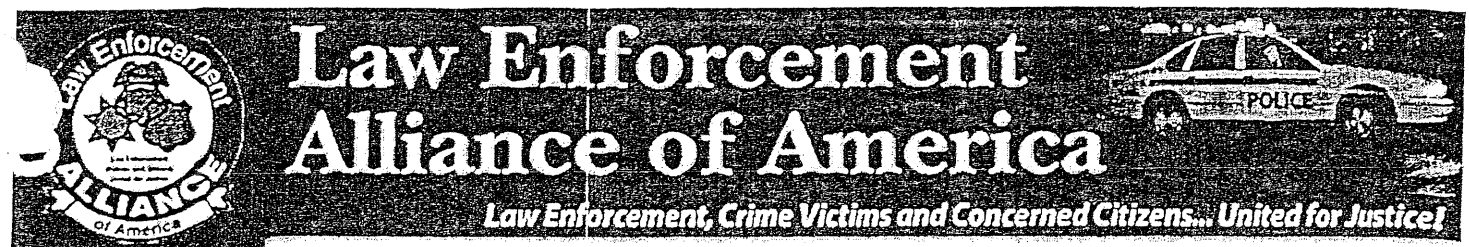
### 1-5. GENERAL DISASSEMBLE

To disassemble the pistol, perform the following procedures.

a. Depress the slide stop and let the slide go forward..

b. Hold the pistol in the right hand with the muzzle slightly raised.

c. Press the disassembly lever button with the forefinger.






## H.R.218: The Law Enforcement Officers Safety Act of 2004

(Enrolled as Agreed to or Passed by Both House and Senate)

One Hundred Eighth Congress of the United States of America

AT THE SECOND SESSION

Begun and held at the City of Washington on Tuesday, the twentieth day of January, two thousand and four

An Act

To amend title 18, United States Code, to exempt qualified current and former law enforcement officers from State laws prohibiting the carrying of concealed handguns.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

**SECTION 1. SHORT TITLE.**

This Act may be cited as the `Law Enforcement Officers Safety Act of 2004'.

**SEC. 2. EXEMPTION OF QUALIFIED LAW ENFORCEMENT OFFICERS FROM STATE LAWS PROHIBITING THE CARRYING OF CONCEALED FIREARMS.**

(a) In General- Chapter 44 of title 18, United States Code, is amended by inserting after section 926A the following:

`Sec. 926B. Carrying of concealed firearms by qualified law enforcement officers

> `(a) Notwithstanding any other provision of the law of any State or any political subdivision thereof, an individual who is a qualified law enforcement officer and who is carrying the identification required by subsection (d) may carry a concealed firearm that has been shipped or transported in interstate or foreign commerce, subject to subsection (b).
>
> `(b) This section shall not be construed to supersede or limit the laws of any State that--
>
> > `(1) permit private persons or entities to prohibit or restrict the possession of concealed firearms on their property; or
> >
> > `(2) prohibit or restrict the possession of firearms on any State or local government property, installation, building, base, or park.
>
> `(c) As used in this section, the term `qualified law enforcement officer' means an employee of a governmental agency who--

`(1) is authorized by law to engage in or supervise the prevention, detection, investigation, or prosecution of, or the incarceration of any person for, any violation of law, and has statutory powers of arrest;

`(2) is authorized by the agency to carry a firearm;

`(3) is not the subject of any disciplinary action by the agency;

`(4) meets standards, if any, established by the agency which require the employee to regularly qualify in the use of a firearm;

`(5) is not under the influence of alcohol or another intoxicating or hallucinatory drug or substance; and

`(6) is not prohibited by Federal law from receiving a firearm.

`(d) The identification required by this subsection is the photographic identification issued by the governmental agency for which the individual is employed as a law enforcement officer.

`(e) As used in this section, the term `firearm' does not include--

`(1) any machinegun (as defined in section 5845 of the National Firearms Act);

`(2) any firearm silencer (as defined in section 921 of this title); and

`(3) any destructive device (as defined in section 921 of this title).'.

(b) Clerical Amendment- The table of sections for such chapter is amended by inserting after the item relating to section 926A the following:

`926B. Carrying of concealed firearms by qualified law enforcement officers.'.

**SEC. 3. EXEMPTION OF QUALIFIED RETIRED LAW ENFORCEMENT OFFICERS FROM STATE LAWS PROHIBITING THE CARRYING OF CONCEALED FIREARMS.**

(a) In General- Chapter 44 of title 18, United States Code, is further amended by inserting after section 926B the following:

`Sec. 926C. Carrying of concealed firearms by qualified retired law enforcement officers

`(a) Notwithstanding any other provision of the law of any State or any political subdivision thereof, an individual who is a qualified retired law enforcement officer and who is carrying the identification required by subsection (d) may carry a concealed firearm that has been shipped or transported in interstate or foreign commerce, subject to subsection (b).

`(b) This section shall not be construed to supersede or limit the laws of any State that--

`(1) permit private persons or entities to prohibit or restrict the possession of concealed firearms on their property; or

`(2) prohibit or restrict the possession of firearms on any State or

local government property, installation, building, base, or park.

`(c) As used in this section, the term `qualified retired law enforcement officer' means an individual who--

`(1) retired in good standing from service with a public agency as a law enforcement officer, other than for reasons of mental instability;

`(2) before such retirement, was authorized by law to engage in or supervise the prevention, detection, investigation, or prosecution of, or the incarceration of any person for, any violation of law, and had statutory powers of arrest;

`(3)(A) before such retirement, was regularly employed as a law enforcement officer for an aggregate of 15 years or more; or

`(B) retired from service with such agency, after completing any applicable probationary period of such service, due to a service-connected disability, as determined by such agency;

`(4) has a nonforfeitable right to benefits under the retirement plan of the agency;

`(5) during the most recent 12-month period, has met, at the expense of the individual, the State's standards for training and qualification for active law enforcement officers to carry firearms;

`(6) is not under the influence of alcohol or another intoxicating or hallucinatory drug or substance; and

`(7) is not prohibited by Federal law from receiving a firearm.

`(d) The identification required by this subsection is--

`(1) a photographic identification issued by the agency from which the individual retired from service as a law enforcement officer that indicates that the individual has, not less recently than one year before the date the individual is carrying the concealed firearm, been tested or otherwise found by the agency to meet the standards established by the agency for training and qualification for active law enforcement officers to carry a firearm of the same type as the concealed firearm; or

`(2)(A) a photographic identification issued by the agency from which the individual retired from service as a law enforcement officer; and

`(B) a certification issued by the State in which the individual resides that indicates that the individual has, not less recently than one year before the date the individual is carrying the concealed firearm, been tested or otherwise found by the State to meet the standards established by the State for training and qualification for active law enforcement officers to carry a firearm of the same type as the concealed firearm.

`(e) As used in this section, the term `firearm' does not include--

`(1) any machinegun (as defined in section 5845 of the National Firearms Act);

`(2) any firearm silencer (as defined in section 921 of this title); and

`(3) a destructive device (as defined in section 921 of this title).'.

(b) Clerical Amendment- The table of sections for such chapter is further amended by inserting after the item relating to section 926B the following:

`926C. Carrying of concealed firearms by qualified retired law enforcement officers.'.

Speaker of the House of Representatives.

Vice President of the United States and President of the Senate.

1a

SECRETARY OF THE ARMY
WASHINGTON

06 SEP 2005

SAMR

MEMORANDUM FOR ASSISTANT SECRETARY OF THE ARMY (FINANCIAL MANAGEMENT & COMPTROLLER)

SUBJECT: Delegations of Authority

References:

(a) Secretary of Defense Memorandum, subject: Partial Mobilization (World Trade Center and Pentagon Attacks) and Redelegation of Authority Under Title 10, United States Code, Section 123, 123a, 527, 12006, 12011, 12012, 12302, and 12305, dtd February 13, 2003
(b) Secretary of the Army Memorandum, subject: Delegation of Authority Under Title 10, United States Code, Sections 123, 123a, 527, 12006, 12011, 12012, 12302, and 12305, dtd April 30, 2004
(c) Article 71(b), Uniform Code of Military Justice, Title 10, United States Code, Section 871(b)

I hereby delegate to you:

1. The authority delegated to me by the Secretary of Defense (ref (a)). Exercise this authority within the limitations prescribed by the Secretary of Defense's memorandum, subject to further implementing instructions issued by the Under Secretary of Defense for Personnel and Readiness or his designee, and in accordance with the procedures set forth below. This delegation supplements the existing delegation to the Assistant Secretary of the Army (Manpower and Reserve Affairs) (ASA(M&RA) (ref (b)), which remains in effect, and authorizes that official to continue to act, as appropriate.

2. The authority to act in the case of any commissioned officer, cadet, or midshipman whose sentence by court-martial extends to dismissal, as set forth in ref (c).

3. The authority to forward to the Office of Special Counsel, all responses to requests for investigations.

The above delegations shall be exercised by you after determining that the ASA(M&RA) is unavailable to take timely action, temporarily absent, or the position of the ASA(M&RA) is vacant, as defined by the Federal Vacancies Reform Act of 1986.

Francis J. Harvey

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1b

Memorandum for Record

On 23 September 2005, I discussed with [redacted] this Office of Special Counsel (OSC) investigation, examining allegations made against civilian police officers at Fort Meade. Ms. [redacted] works in the FOIA office at the National Security Agency (NSA) and indicated that there was no objection to providing the OSC with an unredacted copy of the investigation. However, before any further release of the investigation is made OSC must consult with Ms. [redacted] to redact appropriate NSA-related information from the report. Ms. [redacted] can be reached at 301-688-6527.

[redacted] 23 SEPT 2005

Assistant to the General Counsel

U.S. OFFICE OF SPECIAL COUNSEL
1730 M Street, N.W., Suite 300
Washington, D.C. 20036-4505

March 7, 2005

The Special Counsel

The Honorable Francis J. Harvey
Secretary of the Army
101 Army Pentagon
Washington, D.C. 20310-0101

Re: OSC File Nos. DI-05-0240 and DI-05-0405

Dear Mr. Secretary:

Under my responsibilities as Special Counsel, I am referring to you a whistleblower disclosure that a supervisory civilian police officer at Fort Meade often carries an unauthorized weapon and uses unauthorized ammunition in the course of performing his job duties. Accordingly, I am referring this information to you for an investigation of these allegations and a report of your findings. The civilian police officers at Fort Meade perform a critical role in keeping our nation secure. Not only do they protect the inhabitants of Fort Meade, they are also charged with guarding the perimeter of the National Security Agency (NSA), which is located within the boundaries of Fort Meade. While the NSA police force is responsible for patrolling the NSA campus itself, the Fort Meade police force is responsible for patrolling the area surrounding NSA, to ensure that no intruders are able to gain access to the campus. Therefore, it is essential for Fort Meade police officers to be armed with proper, reliable weapons and ammunition that are maintained in excellent condition.

The U.S. Office of Special Counsel (OSC) is authorized by law to receive disclosures of information from federal employees alleging violations of law, rule, or regulation, gross mismanagement, gross waste of funds, an abuse of authority, or a substantial and specific danger to public health or safety. 5 U.S.C. § 1213(a) and (b). As Special Counsel, if I find, on the basis of the information disclosed, that there is a substantial likelihood that one of these conditions exists, I am required to advise the appropriate agency head of my findings, and the agency head is required to conduct an investigation of the allegations and prepare a report. 5 U.S.C. § 1213(c) and (g). OSC has received a disclosure alleging violations of law, rule, or regulation and a substantial and specific danger to public safety arising out of actions by an employee at the Department of the Army, Directorate of Emergency Services, Civilian Police Department, Fort Meade, Maryland.

More specifically [redacted] a former Civilian Police Officer at Fort Meade, disclosed to OSC that [redacted] Supervisory Police Officer, often carries his personal weapon while on duty and sometimes loads it with his own ammunition. He also alleged that [redacted]ed hollow point ammunition in military rifles on the firing range, and provided hollow point ammunition to other police officers to use on the range. [redacted]

contended that, in doing so, [redacted] olated Army regulation 190-56 and created a substantial and specific danger to public safet[redacted] allegations are described in greater detail in the attached report.

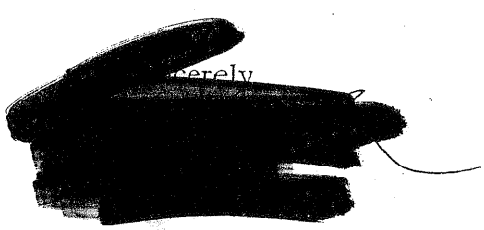
I have concluded that there is a substantial likelihood that the informatio[redacted] provided to OSC discloses violations of law, rule, or regulation and a substantial and specific danger to public safety. As previously stated, I am referring this information to you for an investigation o[redacted] allegations and a report of your findings within 60 days of your receipt of this letter. By law, the report must be reviewed and signed by you personally. Should you delegate your authority to review and sign the report to the Inspector General, or any other official, the delegation must be specifically stated and must include the authority to take the actions necessary under 5 U.S.C. § 1213(d)(5). Without this information, I would hasten to add that the report may be found deficient. The requirements of the report are set forth at 5 U.S.C. § 1213(c) and (d). A summary of § 1213(d) is enclosed.

In the event it is not possible to report on the matter within the 60-day time limit under the statute, you may request in writing an extension of time not to exceed 60 days. Please be advised that an extension of time is normally not granted automatically, but only upon a showing of good cause. Accordingly, in the written request for an extension of time, please state specifically the reasons the additional time is needed.

After making the determinations required by 5 U.S.C. § 1213(e)(2), copies of the report, along with any comments on the report from the person making the disclosure and any comments or recommendations by this office will be sent to the President and the appropriate oversight committees in the Senate and House of Representatives owing to the requirements set forth in 5 U.S.C. § 1213(e)(3).

Unless classified or prohibited from release by law, a copy of the report and any comments will be placed in a public file in accordance with 5 U.S.C. § 1219(a).

Please refer to our file number in any correspondence on this matter. If you need further information, please contac[redacted] hief, Disclosure Unit, at [redacted] am also available for any questions you may have.



Enclosures

Enclosure

## Requirements of 5 U.S.C. § 1213(d)

Any report required under subsection (c) shall be reviewed and signed by the head of the agency[1] and shall include:

(1) a summary of the information with respect to which the investigation was initiated;

(2) a description of the conduct of the investigation;

(3) a summary of any evidence obtained from the investigation;

(4) a listing of any violation or apparent violation of law, rule or regulation; and

(5) a description of any action taken or planned as a result of the investigation, such as:

(A) changes in agency rules, regulations or practices;

(B) the restoration of any aggrieved employee;

(C) disciplinary action against any employee; and

(D) referral to the Attorney General of any evidence of criminal violation.

In addition, we are interested in learning of any dollar savings, or projected savings, and any management initiatives that may result from this review.

[1] Should you decide to delegate authority to another official to review and sign the report, your delegation must be specifically stated.

U.S. OFFICE OF SPECIAL COUNSEL
1730 M Street, N.W., Suite 218
Washington, D.C. 20036-4505
202-254-3600

# REPORT OF DISCLOSURES REFERRED FOR INVESTIGATION
# OSC FILE NOS. DI-05-0240 and DI-05-0405

## I. SUMMARY

[redacted] a former Civilian Police Officer at Fort Meade, disclosed to OSC that Lt [redacted] Supervisory Police Officer, often carries his personal weapon while on duty and sometimes loads it with his own ammunition. He also alleged th[redacted]ed hollow point ammunition in military rifles on the firing range, and provided hollow point ammunition to other police officers to use on the range. [redacted]ntended that, in doing so, [redacted] violated Army regulation 190-56 and created a substantial and specific danger to public safety.

## II. THE INFORMATION DISCLOSED

[redacted]ho has consented to the release of his name, worked for the Army for 23 years and is a commissioned officer in the Army Reserves.[1] He worked as a civilian police officer at Fort Meade from March 8, 2004, until November 3, 2004, when he was terminated.

According to [redacted] often carries his personal weapon – a Glock semi-automatic pistol – while on duty, in violation of Army regulation (AR) 190-56 (The Army Civilian Police and Security Guard Program), section 6-3. This regulation provides, in pertinent part,

> Army civilian police and security guards will be provided with the weapons, ammunition, and security equipment needed to perform their assigned duties. . . . The use of privately owned firearms and/or ammunition by Federally employed Army civilian police and security guards is strictly prohibited.

[redacted]rsonally observe[redacted] carrying his personal weapon at work on the following dates: September 21st and October 5th, 15th, 20th, 25th, 27th, and 29th of 2004. In addition [redacted]leges that, on one occasion [redacted]nformed him that the personal weapon he was carrying at the time was loaded with his own ammunition.

[redacted] alleges that, on several occasions in August and September of 2004, [redacted]red hollow point ammunition on the Fort Meade firing range, using a military-

---

[redacted]esides at [redacted] His home telephone number i[redacted]

owned weapon.[2] [redacted] further relates that, on several occasions while they were practicing at the firing range, [redacted] gave him and several other police officers some of the hollow point ammunition and instructed them to fire it with their military-issued weapons, which they did. [redacted] informed [redacted] that he obtained the hollow point ammunition from police officers in the Anne Arundel County Police Department.

[redacted] lleges that the use of hollow point ammunition by Army civilian police officers not only violates AR 190-56, but also creates a substantial and specific danger to public safety. He explains that military weapons are designed to use a specific type of ammunition, known as "full metal jacket."[3] Therefore, loading a military weapon with nonconforming hollow point ammunition may cause the weapon to malfunction, or even explode, when fired. [redacted] asserts that the hollow point ammunition [redacted] ed in his military-owned weapon and gave to the other officers to use in their weapons was old, thereby exacerbating the risk that the weapons might malfunction or explode. In fact, Mr. [redacted] elates that much o[redacted] s hollow point ammunition appeared green and corroded.

[redacted] ates that, not only is it possible for one of the weapons to malfunction on the firing range, while loaded with the hollow point ammunition, but the hollow point ammunition could also damage a weapon in such a way as to cause it to malfunction at a later time, when it is loaded with proper ammunition. Thus, he contends that using hollow point ammunition in a military weapon renders the weapon less reliable, thereby endangering the safety of the police officer who carries the weapon on the job, as well as jeopardizing the safety of those whom he or she is assigned to protect. Because the Fort Meade police officers help to protect the grounds of the National Security Agency, among other duties, the quality and condition of their weapons and ammunition have national security implications, in addition to implications for the general safety and security of the other inhabitants of Fort Meade.

## II. THE SPECIAL COUNSEL'S FINDINGS

Given [redacted] s apparent expertise regarding the matters he has disclosed, the detail he has provided, and his first-hand knowledge of many of the incidents he has described, I have concluded that there is a substantial likelihood that the informatio[redacted] ovided to OSC discloses violations of law, rule, or regulation and a substantial and specific danger to public safety.

---

[2] A bullet with a cavity in the tip to facilitate expansion upon impact.

[3] A bullet with a jacket, usually of harder metal, encasing the core. The military uses a 9 mm bullet with a full metal copper jacket and a lead core.

DEPARTMENT OF THE ARMY
OFFICE OF THE GENERAL COUNSEL
104 ARMY PENTAGON
WASHINGTON, DC 20310-0104

REPLY TO
ATTENTION OF

Suspense: 15 April 2005
9 March 2005

MEMORANDUM FOR United States Army Military District of Washington, Office of the Staff Judge Advocate, [redacted] Building 32, Fort Lesley J. McNair, Washington, D.C. 20319

SUBJECT: Whistleblower Investigation—Directorate of Emergency Services, Civilian Police Department, Fort Meade, Maryland (OSC File Nos. DI-05-0240 and DI-05-0405)

Enclosed for your action is a 7 March 2005 letter from the Office of Special Counsel (OSC), requesting an investigation of the noted allegations and a report pursuant to 5 U.S.C.1213(c)(1) and (g). The Special Counsel has concluded that there is substantial likelihood that information provided by [redacted] former Civilian Police Officer at Fort Meade, Maryland, discloses violations of law, rule or regulation and a substantial and specific danger to public safety arising out of actions by an employee at the Department of the Army, Directorate of Emergency Services (DES), Civilian Police Department, Fort Meade, Maryland.

According to the OSC's correspondence, [redacted] disclosed that [redacted] Supervisory Policy Officer, often carries his personal weapon while on duty and sometimes loads it with his own ammunition. Additionally, [redacted] ged that Lt. [redacted] sed hollow point ammunition in military rifles on the firing range, and provided hollow point ammunition to other police officers to use on the range [redacted] ends that these actions are in violation of Army Regulation (AR) 190-56 and created a substantial and specific danger to public safety. The specifics for each of the allegations are contained in Enclosure 1. I should note that the Special Counsel is particularly concerned with these allegations given the critical role DES plays in keeping America secure. DES not only protects the inhabitants of Fort Meade but also guards the perimeter of the National Security Agency. It is imperative that the Fort Meade police officers are armed with proper, reliable weapons and ammunition that are maintained in excellent condition. The allegations outlined in the OSC correspondence ultimately affect the reliability of those weapons.

A final response describing any actions taken to address the allegations should be prepared for the signature of the Assistant Secretary of the Army (Manpower and Reserve Affairs) (ASA (M&RA)) who has been delegated the authority by the Secretary of the Army to review, sign and submit written reports of investigations of information and related matters transmitted to the Department of the Army by the Special Counsel, in accordance with Title 5, United States Code, sections 1213(c), (d) and (g). The final response should be submitted to this office AS SOON AS POSSIBLE BUT NOT LATER THAN 15 April 2005.

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The Army's response will be available to the public. Therefore, our response and any supporting investigative report should be prepared in a manner intended to facilitate public understanding of the allegations and Army's response thereto. The requirements specified in 5 U.S.C. 1213(d) (copy enclosed) may be used as a guideline and should include findings, conclusions and corrective action. In all cases, please furnish for our review all backup materials supporting the proposed response that will be used to prepare the official response for the Secretary of the Army. When you forward your report to me, please do so in hard copy. Additionally, by email to me, please provide the electronic version of the report, including the findings, conclusions and corrective action, but not the backup/supporting documentation.

By statute, the agency has sixty (60) days from receipt of the OSC letter to provide the required report. If necessary, I will seek an extension of the date for our reply to the Special Counsel. As soon as it becomes apparent that more time beyond the suspense noted above will be needed to complete your report, you should forward to me an interim response requesting the extension and indicating the reasons for the request and the date by which I can expect to receive your final response. As you can understand, once your report is forwarded to me, I will need additional time to staff the proposed response to the OSC and finalize the Army's report.

If you have any questions, please do not hesitate to contact me [redacted]
Additionally, my email address is [redacted]

[redacted]

Enclosure

CF: [redacted]

U.S. OFFICE OF SPECIAL COUNSEL
1730 M Street, N.W., Suite 300
Washington, D.C. 20036-4505

March 7, 2005

The Special Counsel

The Honorable Francis J. Harvey
Secretary of the Army
101 Army Pentagon
Washington, D.C. 20310-0101

Re: OSC File Nos. DI-05-0240 and DI-05-0405

Dear Mr. Secretary:

Under my responsibilities as Special Counsel, I am referring to you a whistleblower disclosure that a supervisory civilian police officer at Fort Meade often carries an unauthorized weapon and uses unauthorized ammunition in the course of performing his job duties. Accordingly, I am referring this information to you for an investigation of these allegations and a report of your findings. The civilian police officers at Fort Meade perform a critical role in keeping our nation secure. Not only do they protect the inhabitants of Fort Meade, they are also charged with guarding the perimeter of the National Security Agency (NSA), which is located within the boundaries of Fort Meade. While the NSA police force is responsible for patrolling the NSA campus itself, the Fort Meade police force is responsible for patrolling the area surrounding NSA, to ensure that no intruders are able to gain access to the campus. Therefore, it is essential for Fort Meade police officers to be armed with proper, reliable weapons and ammunition that are maintained in excellent condition.

The U.S. Office of Special Counsel (OSC) is authorized by law to receive disclosures of information from federal employees alleging violations of law, rule, or regulation, gross mismanagement, gross waste of funds, an abuse of authority, or a substantial and specific danger to public health or safety. 5 U.S.C. § 1213(a) and (b). As Special Counsel, if I find, on the basis of the information disclosed, that there is a substantial likelihood that one of these conditions exists, I am required to advise the appropriate agency head of my findings, and the agency head is required to conduct an investigation of the allegations and prepare a report. 5 U.S.C. § 1213(c) and (g). OSC has received a disclosure alleging violations of law, rule, or regulation and a substantial and specific danger to public safety arising out of actions by an employee at the Department of the Army, Directorate of Emergency Services, Civilian Police Department, Fort Meade, Maryland.

More specifically [redacted] former Civilian Police Officer at Fort Meade, disclosed to OSC that Lt. [redacted] Supervisory Police Officer, often carries his personal weapon while on duty and sometimes loads it with his own ammunition. He also alleged th[redacted]d hollow point ammunition in military rifles on the firing range, and provided hollow point ammunition to other police officers to use on the range [redacted]

Enclosure 1

contended that, in doing so [redacted] violated Army regulation 190-56 and created a substantial and specific danger to public safety. [redacted] allegations are described in greater detail in the attached report.

I have concluded that there is a substantial likelihood that the information Mr. Daly provided to OSC discloses violations of law, rule, or regulation and a substantial and specific danger to public safety. As previously stated, I am referring this information to you for an investigation of [redacted] allegations and a report of your findings within 60 days of your receipt of this letter. By law, the report must be reviewed and signed by you personally. Should you delegate your authority to review and sign the report to the Inspector General, or any other official, the delegation must be specifically stated and must include the authority to take the actions necessary under 5 U.S.C. § 1213(d)(5). Without this information, I would hasten to add that the report may be found deficient. The requirements of the report are set forth at 5 U.S.C. § 1213(c) and (d). A summary of § 1213(d) is enclosed.

In the event it is not possible to report on the matter within the 60-day time limit under the statute, you may request in writing an extension of time not to exceed 60 days. Please be advised that an extension of time is normally not granted automatically, but only upon a showing of good cause. Accordingly, in the written request for an extension of time, please state specifically the reasons the additional time is needed.

After making the determinations required by 5 U.S.C. § 1213(e)(2), copies of the report, along with any comments on the report from the person making the disclosure and any comments or recommendations by this office will be sent to the President and the appropriate oversight committees in the Senate and House of Representatives owing to the requirements set forth in 5 U.S.C. § 1213(e)(3).

Unless classified or prohibited from release by law, a copy of the report and any comments will be placed in a public file in accordance with 5 U.S.C. § 1219(a).

Please refer to our file number in any correspondence on this matter. If you need further information, please contact [redacted] Chief, Disclosure Unit, at [redacted] I'm also available for any questions you may have.

Sincerely,

Scott J. Bloch

Enclosures

Enclosure

Requirements of 5 U.S.C. § 1213(d)

Any report required under subsection (c) shall be reviewed and signed by the head of the agency[1] and shall include:

(1) a summary of the information with respect to which the investigation was initiated;

(2) a description of the conduct of the investigation;

(3) a summary of any evidence obtained from the investigation;

(4) a listing of any violation or apparent violation of law, rule or regulation; and

(5) a description of any action taken or planned as a result of the investigation, such as:

(A) changes in agency rules, regulations or practices;

(B) the restoration of any aggrieved employee;

(C) disciplinary action against any employee; and

(D) referral to the Attorney General of any evidence of criminal violation.

In addition, we are interested in learning of any dollar savings, or projected savings, and any management initiatives that may result from this review.

[1] Should you decide to delegate authority to another official to review and sign the report, your delegation must be specifically stated.

U.S. OFFICE OF SPECIAL COUNSEL
1730 M Street, N.W., Suite 218
Washington, D.C. 20036-4505
202-254-3600

# REPORT OF DISCLOSURES REFERRED FOR INVESTIGATION
# OSC FILE NOS. DI-05-0240 and DI-05-0405

## I. SUMMARY

[redacted] a former Civilian Police Officer at Fort Meade, disclosed to OSC that Lt. [redacted] Supervisory Police Officer, often carries his personal weapon while on duty and sometimes loads it with his own ammunition. He also alleged th[redacted]ed hollow point ammunition in military rifles on the firing range, and provided hollow point ammunition to other police officers to use on the range. [redacted] contended that, in doing so, [redacted] olated Army regulation 190-56 and created a substantial and specific danger to public safety.

## II. THE INFORMATION DISCLOSED

[redacted] who has consented to the release of his name, worked for the Army for 23 years and is a commissioned officer in the Army Reserves.[1] He worked as a civilian police officer at Fort Meade from March 8, 2004, until November 3, 2004, when he was terminated.

According to M[redacted]ften carries his personal weapon – a Glock semi-automatic pistol – while on duty, in violation of Army regulation (AR) 190-56 (The Army Civilian Police and Security Guard Program), section 6-3. This regulation provides, in pertinent part,

> Army civilian police and security guards will be provided with the weapons, ammunition, and security equipment needed to perform their assigned duties. . . . The use of privately owned firearms and/or ammunition by Federally employed Army civilian police and security guards is strictly prohibited.

[redacted] personally observed [redacted] rying his personal weapon at work on the following dates: September 21st and October 5th, 15th, 20th, 25th, 27th, and 29th of 2004. In addition, Mr. Daly alleges that, on one occasion, Lt. Russell informed him that the personal weapon he was carrying at the time was loaded with his own ammunition.

[redacted] lso alleges that, on several occasions in August and September of 2004, [redacted] hollow point ammunition on the Fort Meade firing range, using a military-

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[redacted] His home telephone number [redacted]

owned weapon.[2] [redacted]urther relates that, on several occasions while they were practicing at the firing range, [redacted]gave him and several other police officers some of the hollow point ammunition and instructed them to fire it with their military-issued weapons, which they did. [redacted]formed [redacted]hat he obtained the hollow point ammunition from police officers in the Anne Arundel County Police Department.

[redacted]lleges that the use of hollow point ammunition by Army civilian police officers not only violates AR 190-56, but also creates a substantial and specific danger to public safety. He explains that military weapons are designed to use a specific type of ammunition, known as "full metal jacket."[3] Therefore, loading a military weapon with nonconforming hollow point ammunition may cause the weapon to malfunction, or even explode, when fired. [redacted]asserts that the hollow point ammunition [redacted]used in his military-owned weapon and gave to the other officers to use in their weapons was old, thereby exacerbating the risk that the weapons might malfunction or explode. In fact, Mr. [redacted]relates that much of [redacted]s hollow point ammunition appeared green and corroded.

[redacted]es that, not only is it possible for one of the weapons to malfunction on the firing range, while loaded with the hollow point ammunition, but the hollow point ammunition could also damage a weapon in such a way as to cause it to malfunction at a later time, when it is loaded with proper ammunition. Thus, he contends that using hollow point ammunition in a military weapon renders the weapon less reliable, thereby endangering the safety of the police officer who carries the weapon on the job, as well as jeopardizing the safety of those whom he or she is assigned to protect. Because the Fort Meade police officers help to protect the grounds of the National Security Agency, among other duties, the quality and condition of their weapons and ammunition have national security implications, in addition to implications for the general safety and security of the other inhabitants of Fort Meade.

## II. THE SPECIAL COUNSEL'S FINDINGS

Given [redacted]parent expertise regarding the matters he has disclosed, the detail he has provided, and his first-hand knowledge of many of the incidents he has described, I have concluded that there is a substantial likelihood that the information [redacted]provided to OSC discloses violations of law, rule, or regulation and a substantial and specific danger to public safety.

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[2] A bullet with a cavity in the tip to facilitate expansion upon impact.

[3] A bullet with a jacket, usually of harder metal, encasing the core. The military uses a 9 mm bullet with a full metal copper jacket and a lead core.

DEPARTMENT OF THE ARMY
OFFICE OF THE GENERAL COUNSEL
104 ARMY PENTAGON
WASHINGTON, DC 20310-0104

REPLY TO
ATTENTION OF

6 May 2005

[redacted]

Chief, Disclosure Unit
U.S. Office of Special Counsel
1730 M Street, N.W., Suite 300
Washington, D.C. 20036-4505

Re: OSC File Nos. DI-05-0240 and DI-05-0405

Dear [redacted]

This letter is a status report for the above captioned cases. I am requesting that you grant an extension of time to file the Department of the Army's report required by 5 USC §1213 for the above captioned Office of Special Counsel (OSC) cases where OSC concluded that there is substantial likelihood that information provided by [redacted] former Civilian Police Officer at Fort Meade, Maryland, discloses violations of law, rule or regulation and a substantial and specific danger to public safety arising out of actions by an employee at the Department of the Army, Directorate of Emergency Services (DES), Civilian Police Department, Fort Meade, Maryland. In support of these conclusions, OSC's 7 March 2005 correspondence to the Secretary of the Army stated that [redacted] losed to the OSC that Lt [redacted] upervisory Policy Officer, often carries his personal weapon while on duty and sometimes loads it with his own ammunition. Additionally [redacted] alleged that [redacted] d hollow point ammunition in military rifles on the firing range, and provided hollow point ammunition to other police officers to use on the range.

This request for an extension is being made pending the anticipated completion of an investigated initiated by the U.S. Army Military District of Washington (MDW) and its subordinate activity at Fort Meade. On 9 March 2005, I forwarded the OSC correspondence to the Staff Judge Advocate, [redacted] W, for appropriate action since Fort Meade is a MDW subordinate activity. CO [redacted] warded the subject action to the Fort Meade Office of the Judge Advocate to begin an inquiry into allegations.

As stated in the supporting documentation from the MDW and Fort Meade Staff Judge Advocate Offices, additional time is needed to complete the report of investigation at Fort Meade, to have it properly reviewed and finalized at the Fort Meade and MDW levels before it is forwarded to my office for review and further processing. In turn, once the draft report is forwarded to my office, the Department of the Army will need additional time to address the issues presented in the draft report and prepare the final report to the OSC in satisfaction of the 5 USC §1213 requirements.

Therefore, I am requesting that you grant an extension so that the Department of the Army's Fort Meade and MDW can continue these efforts to complete their determination as to what they intend to do to address the issues presented in the OSC investigation. Further, when the Fort Meade/MDW effort is completed, the Department of the Army will need additional time to address the issues presented in that final effort. Should you grant this extension, please advise me as to length of the extension. Within that allotted time, I will either provide you another status update on this pending action or be able to submit the final Department of the Army report to the Special Counsel.

I appreciate your assistance in considering the extension request. To advise me if this extension will be granted, you can reach me [redacted]

Enclosures

DEPARTMENT OF THE ARMY
U. S. ARMY MILITARY DISTRICT OF WASHINGTON
103 THIRD AVENUE
FORT LESLEY J. McNAIR, DC 20319-5058

REPLY TO
ATTENTION OF

ANJA

5 May 2005

MEMORANDUM FOR Office of the General Coun[redacted] Army
Pentagon, Washington, DC 20310-0104

SUBJECT: Request for Extension

1. The purpose of this memorandum is to request a revised suspense date on the Office of Special Counsel (OSC) directed local investigation into the matters disclosed in the OSC files Office of Special Counsel File Numbers DI-05-0240 and DI-05-0405. Fort Meade needs until 27 May 2005 to complete their investigation, and we need adequate time to provide our review of the investigation.

2. When Fort Meade first requested a delay, the request related primarily to their difficulty in finding an investigating officer with seniority over the targets of the investigation and subject matter expertise. A suitable officer was found and she has made diligent progress in her pursuit of the investigation. One of the main difficulties in pursuing this investigation has been locating witnesses, as several have left the agencies where they worked. Fort Meade personnel are highly mobile and frequently move to more lucrative positions. However, the investigating officer is making tremendous progress in locating and interviewing witnesses.

3. Fort Meade needs until 27 May 2005 for completion of the investigation to provide sufficient time for the investigating officer to track down all of the witnesses, interview them, thoroughly analyze the facts, consider the applicable law, and write a report that will illuminate the allegations. In a matter as important as this, a thorough and well-reasoned investigation is crucial to everyone involved.

4. Until we receive the investigation and can review all of the evidence, we will not know how much time we will need to do our review before forwarding to your office. However, respectfully request approval of a extension of the suspense date until 10 June 2005. If we can not complete the Military District of Washington review prior to that date, we will advise you prior to 7 June 2005.

5. If you need additional information, please contact m[redacted]

[redacted]
COL, JA
Staff Judge Advocate

DEPARTMENT OF THE ARMY
HEADQUARTERS, FORT GEORGE G. MEADE
OFFICE OF THE STAFF JUDGE ADVOCATE
2257 HUBER ROAD
FORT GEORGE G. MEADE, MARYLAND 20755-5030

REPLY TO
ATTENTION OF:

INME-MEA-LAP

8 April 2005

MEMORANDUM THRU United States Army Military District of Washington, Office of the Staff Judge Advocat[redacted]ilding 32, Fort Lesley J. McNair, Washington, D.C. 20319

MEMORANDUM FOR Office of the General Counsel, Operations and Personnel, Ms. [redacted], 104 Army Pentagon, Washington, DC 20310-0104

SUBJECT: Request for Extension to Investigate Office of the Special Counsel allegations

1. Fort George G. Meade respectfully requests an extension of time to investigate and respond to the allegations forwarded by the Office of Special Counsel concerning alleged violations of laws, rules, or regulation contained in OSC file Nos. DI-05-0240 and DI-05-0405. We request an extension of the date to reply to your office of 27 May 2005.

2. This request for a delay is submitted due to the extreme difficulty in finding an investigation officer with sufficient seniority and experience related to the targeted subject matter. The individual selected as the investigating officer is an Army Lieutenant Colonel from the Military Police Corps. Her rank and subject matter expertise make her ideally suited to perform this investigation. She is senior to the potential targets of the investigation and a subject matter expert regarding military police operations. A less carefully selected investigating officer may be inherently more likely to make mistakes or not perceive ripe paths of inquiry.

3. Questions may be directed to the undersigned at 301-677-9105.

FOR THE STAFF JUDGE ADVOCATE:

[redacted]

DEPARTMENT OF THE ARMY
OFFICE OF THE GENERAL COUNSEL
104 ARMY PENTAGON
WASHINGTON, DC 20310-0104

REPLY TO
ATTENTION OF

June 22, 2005

MEMORANDUM FOR [redacted] Chief Counsel, Installation Management Agency, 2511 Jefferson Davis Highway, Room 12014, Arlington, Virginia 22202

SUBJECT: Whistleblower Investigation—Fort Meade, Maryland-OSC File Nos. DI-05-0240 and DI-05-0405)

As we discussed, enclosed for your review and action is the Army Regulation (AR) 15-6, Report of Investigation (ROI) that was initiated by COL John Ives, Installation Commander, Fort George M. Meade for the above captioned Office of Special Counsel (OSC) case. The OSC referred to the Secretary of the Army its conclusion that there is substantial likelihood that information provided by [redacted] a former Civilian Police Officer at Fort George G. Meade (FGGM), Fort Meade, Maryland, disclosed violations of law, rule or regulation and a substantial and specific danger to public safety arising out of actions by an employee at the Department of the Army, Directorate of Emergency Services (DES), Civilian Police Department, Fort Meade, Maryland.

According to the OSC's correspondence, [redacted] losed that (1) Lieutenant (LT) [redacted] Supervisory Policy Officer, often carries his personal weapon, a Glock semi-automatic pistol, whole on duty, in violation of Army regulation (AR) 190-56, the Army Civilian Police and Security Guard Program; ([redacted] sometimes loads it with his own ammunition; ([redacted] used hollow point ammunition in military rifles on the FGGM firing range; and (4) LT [redacted] ided hollow point ammunition to Mr. Daly and other police officers to use on the range with their military-issued weapons, which they did [redacted] ended that these actions are in violation of Army Regulation (AR) 190-56 and that they created a substantial and specific danger to public safety; (5) using the hollow point ammunition in military weapons may cause the weapon to malfunction, or even explode, when fired; and (6) the hollow point ammunition appeared green and corroded, thus, exacerbating the risk that the weapons might malfunction or explode either at the firing range or at a later time when they are loaded with proper ammunition. Of paramount concern to the Special Counsel was that "because the Fort Meade police officers help to protect the grounds of the National Security Agency, among other duties, the quality and condition of their weapons and ammunition have national security implications, in addition to implication for the general safety and security of the other inhabitants of Fort Meade."

On March 9, 2005, I forwarded the OSC request for investigation to the United States Army Military District of Washington (MDW), Office of the Staff Judge Advocate (MDW OSJA), [redacted] appropriate action. In turn, the OSJA forwarded

the action to the Fort George G. Meade Office of the Staff Judge Advocate (FGGM OSJA) to initiate an investigation into the allegations.

On April 8, 2005, COL John Ives, Installation Commander, FGGM, as the Appointing Authority, initiated an Army Regulation (AR) 15-6, Procedure for Investigating Officers and Board of Officers, investigation into the allegations. He had been delayed in doing so due to the extreme difficulty in finding an investigation officer with sufficient seniority and experience related to the targeted subject matter. The individual selected as the investigation officer (IO) was an Army Lieutenant Colonel (LTC) from the Military Police Corps [redacted] mmander, Headquarters Command Battalion, FGGM, senior in rank to the potential targets and with subject matter experience regarding military police operations that made her ideally suited to perform the investigation.. Thoug[redacted] proceeded with the AR 15-6 investigation with due diligence, she encountered difficulties in locating and interviewing several of the relevant witnesses who had since left FGGM. Therefore, on May 6, 2005, I requested that OSC grant an extension of time to permit additional time for FGGM to complete the AR 15-6 Report of Investigation (ROI), for the ROI and draft Army report to be reviewed by the MDW OSJA for legal sufficiency and then have it forwarded to OGC for further review and processing to ensure that all allegations were addressed in a thorough and complete manner, and prepare and forward the final report to OSC in satisfaction of the 5 USC §1213 requirement[redacted] Chief, Disclosure Unit, OSC, granted the request for extension. On June 2, 2005, COL Ives accepted the AR 15-6 ROI findings and conclusions. On June 7, 2005, the MDW OSJA submitted its report to OGC.

In response to OGC review, additional clarification and follow-up actions by FGGM and MDW were provided to OGC along with supplemental documentation. Since FGGM is an Army activity under the Garrison at FGGM, with a reporting chain to the Installation Management Activity (IMA), an Army field operating activity, additional coordination with the IMA chain of command on the ROI and preparation of the draft report is also necessary. In addition to the ROI that I forwarded to you electronically on June 17, 2005, I am providing you with the initial OSC request for investigation and my forwarding memo to the FGGM OSJA that initiated the AR 15-6 investigation into the allegations. for review.

Therefore, it is appropriate for you to apply your judgment and review the Report and ensure the following are addressed: (1) whether the ROI is legally sufficient in that the evidence supports the ROI Investigating Officer's findings and conclusions; and (2) to provide the IMA chain of command the opportunity to comment on the ROI and supplemental documentation as well as the corrective action taken by FGGM/MDW, and take additional corrective action as it deems necessary; (3) address the issue of the applicability of HR 218 on Fort Meade territory and whether local Fort Meade regulations and policies need to be revised to provide for police officers bringing onto and storing their privately owned weapons (POW) within Fort Meade, particularly in light of the fact that statements from several civilian police officers and supervisors indicated that police officers wanted to bring or did bring their POWs onto Fort Meade; (4) the status of [redacted] qual employment opportunity complaint that

was processed by FGGM, and was referenced in her statement (Tab 8e of the ROI); (5) a discussion of the allegations (and conclusions and findings as relevant) that were investigated by the Fort Meade Inspector General (i.e., whether they are similar or the same as those in the instant OSC referral) and were referenced in COL Ives' June 2, 2005 memorandum transmitting the AR 15-6 ROI thru MDW OSJA to OGC; and (6) prepare the draft Army report to OSC addressing the allegations, meeting the requirements of 5 USC 1213(c), (d) and(g).

For each allegation, the draft report should include a discussion of applicable/relevant statutory, regulatory and policy authorities; whether there was any violation of these authorities; the relevant facts; any corrective action, including disciplinary action, that IMA considers appropriate; and any matters that surfaced during the AR 15-6 investigation that, though may be unrelated to the allegations referred to Amy by OSC, should be addressed and corrective action taken. Please realize that it is imperative that the Department of the Army address all issues that arise during an investigation that is undertaken in response to allegations from an OSC referred action, regardless if they were part of the initial OSC action.

As I requested in my initial referral to MDW for action, dated March 9, 2005, a final response describing any actions taken to address the allegations should be prepared for the signature of the Acting Assistant Secretary of the Army (Manpower and Reserve Affairs) (ASA (M&RA)) who has been delegated the authority by the Secretary of the Army to review, sign and submit written reports of investigations of information and related matters transmitted to the Department of the Army by the Special Counsel, in accordance with Title 5, United States Code, sections 1213(c), (d) and (g). The final response should be submitted to this office no later than June 29, 2005. This will allow sufficient time within the remaining timeframe for the transmission of Army's report to complete the OGC review and prepare the final Army report for revi[redacted] Acting ASA (M&RA), and then forwarding the Army report to OSC.

The Army's response will be available to the public. Therefore, our response and any supporting investigative report should be prepared in a manner intended to facilitate public understanding of the allegations and Army's response thereto. The requirements specified in 5 U.S.C. 1213(d) (enclosed) may be used as a guideline and should include findings, conclusions and corrective action. In all cases, please furnish for our review all backup materials supporting the proposed response that will be used to prepare the official response for the Secretary of the Army.

If you have any questions, please do not hesitate to contact me a[redacted]

DEPARTMENT OF THE ARMY
OFFICE OF THE GENERAL COUNSEL
104 ARMY PENTAGON
WASHINGTON, DC 20310-0104

REPLY TO
ATTENTION OF

June 30, 2005

[redacted]
1730 M Street, N.W., Suite 300
Washington, D.C. 20036-4505

Re: OSC File Nos. DI-05-0240 and DI-05-0405

[redacted]

This letter is a status report for the above captioned cases. I am requesting that you grant an extension of time to file the Department of the Army's report required by 5 USC §1213 for the above captioned Office of Special Counsel (OSC) cases where OSC concluded that there is substantial likelihood that information provided by [redacted] former Civilian Police Officer at Fort Meade, Maryland, discloses violations of law, rule or regulation and a substantial and specific danger to public safety arising out of actions by an employee at the Department of the Army, Directorate of Emergency Services (DES), Civilian Police Department, Fort Meade, Maryland. In support of these conclusions, OSC's 7 March 2005 correspondence to the Secretary of the Army stated that [redacted] disclosed to the OSC that ([redacted] Supervisory Policy Officer, often carries his personal weapon while on duty; (2) [redacted] sometimes loads it with his own ammunition; (3) [redacted] hollow point ammunition in military rifles on the firing range; (4) Lt [redacted] provided hollow point ammunition to other police officers to use on the range; (5) the use of hollow point ammunition in military weapons may cause the weapon to malfunction or even explode, when fired; and (6) the hollow point ammunition appeared green and corroded, thus exacerbating the risk that the weapons might malfunction or explode either at the firing range or at a later time when they are loaded with proper ammunition.

This request for an extension is being made because there must be a further investigation conducted into the above allegations as well as other related matters that surfaced during the previous investigation that had been initiated in response to the initial OSC referral. On March 9, 2005, I forwarded the OSC correspondence to the Staff Judge Advocate, [redacted] United States Army, Military District of Washington (MDW), for appropriate action since Fort Meade is a MDW subordinate activit[redacted] forwarded the subject action to the Fort Meade Office of the Judge Advocate to begin an inquiry into allegations. On April 8, 2005, an Army Regulation (AR) 15-6, Procedures for Investigating Officers and Board of Officers, investigation was initiated by the Fort Meade Appointing Authority, [redacted] Installation Commander.

On May 6, 2005, you granted a prior request for an extension to complete the required Agency report until July 11, 2005. That request was made because initially there had been a delay in initiating the investigation (since there was extreme difficulty in finding an investigating officer with sufficient seniority and experience related to the subject matter), and, once that investigation was initiated, additional time was needed to complete that Report of Investigation (ROI), prepare the draft Army response and have it properly reviewed and finalized at the Fort Meade and MDW levels before it was forwarded to my office for review and further processing of the final report to the OSC in satisfaction of the 5 USC §1213 requirements.

On June 2, 2005, COL Ives accepted the AR 15-6 ROI findings and conclusions. On June 7, 2005, the MDW OSJA submitted its report to OGC. In response to OGC review and concerns related to the thoroughness of the ROI, additional clarification and follow-up actions by Fort Meade and MDW were provided to OGC along with supplemental documentation. Since Fort Meade is an Army activity under the Garrison at Fort Meade, with a reporting chain to the Installation Management Activity (IMA), an Army field operating activity, additional coordination with the IMA chain of command on the ROI and preparation of the draft report was also necessary.

Upon review of these reports and documents by the IMA Office of Chief Counsel, issues regarding the thoroughness and legal sufficiency of the MDW investigation into the six OSC referred allegations as well as the need to address additional issues that surfaced during the AR 15-6 investigation have necessitated this request for another extension of time. Matters are further complicated by the fact that a new AR 15-6 investigation must be initiated to address all of those matters in an expanded investigation since previous officials associated with the Fort Meade AR 15-6 investigation are no longer at Fort Meade to continue the investigation under the authority of the initial AR 15-6 investigation. The Investigating Officer recently left Fort Meade for another assignment and the Appointing Authority, Installation Commander, retired on June 30, 2005. The new Installation Commander will initiate the new AR 15-6 investigation within a few days of assuming his command. In addition to further development of the facts related to the initial OSC referred allegations, issues that need further inquiry include the propriety of Army civilian police bringing privately owned weapons onto the installation and storing them; firing non-standard, i.e., commercial ammunition, on the firing range; the use of ammunition by Fort Meade civilian police that is not from the Army ammunition inventory; and the applicability of the Law Enforcement Officers Safety Act of 2004 (P.L. 108-277) on federal installations.

Please note, once the new AR 15-6 investigation is completed, the IMA chain of command must be provided the opportunity to comment on the ROI and supplemental documentation as well as the corrective action taken by initially by Fort Meade and MDW, and take additional corrective action as it deems necessary.

Therefore, I am requesting that you grant an extension of sixty additional days so that the Department of the Army's IMA can continue these efforts to complete their determination as to what they intend to do to address the issues presented in the OSC referral and the expanded investigative effort. When the IMA effort is completed, the

Department of the Army will need additional time to address the issues presented in that final effort. Should you grant this extension, please advise me as to length of the extension. Within that allotted time, I will either provide you another status update on this pending action or be able to submit the final Department of the Army report to the Special Counsel. I am making this extension request at this point since it is clear that the submission of the final Army will not be completed by July 11, 2005. The Army has been working diligently to fully address all of the OSC referred allegations as well as those that surfaced for the first time during its initial investigative effort and are related to the OSC allegations.

I appreciate your assistance in considering the extension request. To advise me if this extension will be granted, you can reach me [redacted]

[redacted]

Enclosure

DEPARTMENT OF THE ARMY
INSTALLATION MANAGEMENT AGENCY
2511 JEFFERSON DAVIS HIGHWAY
ARLINGTON, VA 22202-3926

REPLY TO
ATTENTION OF

IMAH-LA

30 June 2005

MEMORANDUM FOR [redacted] Associate Deputy General Counsel (Human Resources), Office of the Army General Counsel, 104 Army Pentagon, Room 3C546, Washington, D.C. 20310-0104

SUBJECT: Request for Extension—OSC Investigation D1-05-0240 and D1-05-0405

1. This office is preparing a response pertaining Office of Special Counsel (OSC) file numbers DI-05-0240 and DI-05-0405. OSC requested an investigation of the allegations contained in a letter, dated March 7, 2005, to the Secretary of the Army and a report pursuant to 5 U.S.C. §1213(c)(1) and (g). [redacted] former Government employee, alleged that a Department of the Army civilian police (DACP) officer, at Fort George G. Meade (FGGM), carried a privately owned weapon loaded with privately owned ammunition while on duty. In addition, he alleged that DACP personnel used "hollow point" ammunition on the range. Both of these allegations, according t[redacted]uld violate Army regulations and create a danger to public safety.

2. The initial investigation has been completed. In the approved findings, the Investigating Officer (IO) did not substantiate that the DACP carried a privately owned weapon or privately owned ammunition while on duty. The IO found that "hollow point" ammunition was used on the range; however, she determined that Army regulations permit DACP and other security forces to use "hollow point" ammunition for training. I have reviewed the investigation and I do not believe that it is sufficiently thorough or complete. Further, I believe that the investigation reveals several possible instances of regulatory violations or mismanagement that, while not directly alleged b[redacted]e within the scope of his general allegations. I believe that these new discrepancies should be investigated so that the response to OSC will be as thorough and complete as possible.

3. For example, while "hollow point" ammunition is authorized to be used by DACP on the firing range, it is clear this ammunition was commercially produced and was not procured through the Army's "Training Ammunition Master Information System" (TAMIS). As such, it is "non-standard" ammunition and requires special high level approval before Army personnel may use it on the firing range. There is no evidence showing that the appropriate Commander approved its use.

4. In addition, the investigation shows new potential regulatory violations within the Directorate of Emergency Services, Fort George G. Meade. These include: DACP bringing privately owned weapons onto the installation and storing them there without

complying with all regulatory requirements; firing non-standard, i.e., commercial ammunition, on the firing range; failing to properly forecast and planning requirements for training ammunition; and a failure of DES leadership to fully understand the limitations and rights conferred by the Law Enforcement Officers Safety Act of 2004 (P.L. 108-277). These allegations, if substantiated, would constitute possible safety hazards and regulatory violations.

5. Therefore, I believe that the investigation should be returned to the Garrison Commander, FGGM for further investigation. This would include a more thorough investigation into the facts of the original allegations as well as an investigation into the other alleged improprieties, revealed in the initial investigation, that were not a direct part [redacted] legations. I intend to make that recommendation to the Commander, U.S. Army Installation Management Agency (IMA), who is responsible for all Army installations worldwide.

6. If the Commander, IMA approves my recommendation, I will need additional time to fully respond to the allegations. The current Garrison Commander is retiring from the Army today. In addition, the original Investigating Officer has departed Fort Meade. Thus, the new Commander must appoint a new Investigating Officer. The follow-on investigation, with its greatly expanded scope, will be further complicated by the need to find some witnesses who were unavailable in the original investigation. Given all these facts, I request that the deadline be extended by 30 days. If this extension is not approved, I do not believe that the response to the original allegations will be as thorough and complete as necessary.

[redacted]
Chief Counsel

DEPARTMENT OF THE ARMY
INSTALLATION MANAGEMENT AGENCY
2511 JEFFERSON DAVIS HIGHWAY
ARLINGTON, VA 22202-3926

REPLY TO
ATTENTION OF

IMAH-ZA

JUL 7 2005

MEMORANDUM FOR [redacted] U.S. Army Installation Management Agency (IMA), Northeast Region

SUBJECT: Office of Special Counsel Investigation D1-05-0240 and D1-05-0405

1. I have reviewed the enclosed "whistleblower" investigation from Fort George G. Meade (FGGM). I believe that the investigation is neither thorough nor complete. I direct you to ensure that the allegations are further investigated. You must return the additional Report of Proceedings to me no later than 20 July 2005. It is unlikely that I will be able to grant any time extensions, because of the external deadline imposed by the Office of Special Counsel. I want you to review the findings and recommendations to ensure that they are thorough, complete, and comply with the law.

2. The investigation should answer the following questions or accomplish the following objectives:

a. Determin[redacted]plied with all Federal (including Army and Fort George G. Meade regulations and policy) in bringing privately owned weapons on the installation. Determine if he used or wore his weapon on duty or, if off duty, on the installation. Determine, if possible, wheth[redacted] privately owned ammunition while on duty.

b. Determine why the Directorate of Emergency Services (DES), FGGM went to another DOD agency to transfer almost 9,000 rounds of small caliber ammunition to DES to train and qualify Department of the Army Civilian Police (DACP). Why did DES not use the Army ammunition supply system? Did DES properly forecast its training requirements and did it properly and timely submit its ammunition authorizations? Did DES comply with all Army regulations in transferring the ammunition? Did DES properly add the transferred ammunition to its inventory? Was the transferred ammunition "non-standard?" If so, did the proper authority approve the use of the ammunition? Was any of the transferred ammunition corroded, dented or tinged with green patina? Who inspected the ammunition to ensure it was safe prior to use on the training range?

c. Locate and interview all relevant witnesses, includi[redacted] the investigating officer (IO) cannot locate a witness, document all measures to find him or her.

d. Did Ms. [redacted] report to [redacted] she was being sexually harassed? If so, what measures did he take in response and were his actions

appropriate? In addition, [redacted] claims that "There were money problems and a lot of talk that [redacted] negligent and not taking care of his people. There were issues between [redacted] That is wh[redacted] fired." Investigate M[redacted]gation t[redacted] was negligent and not taking care of his people and th[redacted] fired in retaliation.

e. Determine if the use of "hollow point" ammunition on the firing range by DACPs is safe and complies with all regulatory requirements. Determine if, as Mr. Daly alleges, ammunition with an unsafe or too high pressure rating was used in military weapons by the DACPs on the firing range. What actions did the chain of command take to ensure that proper and safe ammunition was being used on the range? Were these actions appropriate? Were ammunition and weapons properly transported to and from the firing range?

f. [redacted]ns, "One of the problems at Fort Meade is that we have no locker room space in which to secure POWs. This issue becomes even greater as DA police become more proactive. DA Police have a tendency to interact with the community more than their military counterparts, due to increased off-post opportunities and more longevity." What does that mean? Are DACP engaged in off post law enforcement? What actions did the leadership at the DES take to resolve wha[redacted]laims is a problem, i.e., lack of locker room space? What did [redacted]ean when he said that the DACPs are getting more "proactive?" What are these "off-post opportunities?"

g. [redacted]rts tha[redacted]saulted her in "Bar Baltimore." What are the facts behind this assault? Did she report the assault? Who was there and who witnessed it? Were other DACPs present? She also states that [redacted]ntinues to send her emails. What is the nature of these emails?

h. Local regulations require registering privately owned weapons at the Visitor Control Center (VCC), FGGM. Yet, [redacted]tes the VCC refused to register weapons for persons who "don't live on post." Why was the VCC denying registrations for non-resident persons seeking to register their weapon? Was this local policy or a failure to follow policy? If the latter, why was no action taken to correct that situation?

3. This follow on investigation will comply with the informal investigation procedures of AR 15-6.

Encl

DEPARTMENT OF THE ARMY
INSTALLATION MANAGEMENT AGENCY
NORTHEAST REGION
5 NORTH GATE RD
FORT MONROE, VA 23651-1048

SFIM-NE-ZJ

19 July 2005

MEMORANDUM FOR [redacted]rovost Marshal, Fort Eustis, Virginia 23604

SUBJECT: Appointment of Investigating Officer for Office of Special Counsel Investigation

1. With the approval of t[redacted]rt Eustis Garrison Commander, you are hereby appointed an investigating officer pursuant to AR 15-6, paragraph 2-1, to investigate the circumstances surrounding allegations made in a complaint to the Office of Special Counsel regarding conditions in the Fort Meade Provost Marshal's office and procedures followed by personnel assigned to The Provost Marshall's office. A more detailed listing of the issues and problems that need to be investigated is included below. In addition, a copy of the actual OSC Complaint and an initial AR 15-6 Investigation into the allegations have been provided to you and should be reviewed prior to commencing your investigation.

2. From the evidence and other material you develop, you will make findings and appropriate recommendations concerning the following issues:

a. Determine if Fort Meade DA Civilian Police Officer [redacted]mplied with all Federal (including Army and Fort George G. Meade regulations and policy) in bringing privately owned weapons on the installation. Determine if he used or wore his privately owned weapon on duty or, if off duty, on the installation. Determine, if possible, whethe[redacted]sed privately owned ammunition while on duty.

b. Determine why the Directorate of Emergency Services (DES), FGGM went to another DOD agency to transfer almost 9,000 rounds of small caliber ammunition to DES to train and qualify Department of the Army Civilian Police (DACP). Why did DES not use the Army ammunition supply system? Did DES properly forecast its training requirements and did it properly and timely submit its ammunition authorizations? Did DES comply with all Army regulations in transferring the ammunition? Did DES properly add the transferred ammunition to its inventory? Was the transferred ammunition "non-standard?" If so, did the proper authority approve the use of the ammunition? Was any of the transferred ammunition corroded, dented or tinged with green patina? Who inspected the ammunition to ensure it was safe prior to use on the training range?

c. You must also locate and interview all relevant witnesses with information about the above allegations, including [redacted] cannot locate a witness, you should document all measures taken to find him or her.

d. You also need to determine i[redacted]ormer Fort Meade employee now employed as a policewoman with the Naval District of Washington, reported t[redacted] she was being sexually harassed? If so, you should determine what measures or action[redacted]ve taken in response to the reported allegations of sexual harassment and whether the actions were adequate and

appropriate? In addition, [redacted] claims that "There were money problems and a lot of talk that [redacted] was negligent and not taking care of his people. There were issues between [policeman [redacted] That is why [redacted] was fired." You should interview Ms. [redacted] as to her allegation that [redacted] was negligent and not taking care of his people and that [redacted] was fired in retaliation. You should also have [redacted] her statement to indicate what sort of money problems she was referring to.

e. You should also determine if the use of "hollow point" ammunition on the firing range at Fort Meade by DACPs occurred and, if so, whether such use is safe and complies with all regulatory requirements. Determine if, as [redacted] alleges in his OSC complaint, that ammunition with an unsafe or too high pressure rating was used in military weapons by the DACPs on the firing range. If "hollow point" ammunition was used on the Fort Meade firing range, was the chain of command aware of this and if so, what actions did they take to ensure that only proper and safe ammunition was being used on the range? Were these actions appropriate? You should also determine if ammunition and weapons were properly transported to and from the firing range?

f. Additionally, [redacted] claims, "One of the problems at Fort Meade is that we have no locker room space in which to secure POWs. This issue becomes even greater as DA police become more proactive. DA Police have a tendency to interact with the community more than their military counterparts, due to increased off-post opportunities and more longevity." You should interview [redacted] to determine exactly what he means by his statement? You should also determine whether DACP are engaged in off post law enforcement. If so, was such employment properly authorized? Also determine what actions, if any were taken by the leadership at the DES take to resolve what [redacted] claims is a problem, i.e., lack of locker room space? What did [redacted] mean when he said that the DACPs are getting more "proactive?" And what are these "off-post opportunities?"

g. Additionally, [redacted] reports that [redacted] assaulted her in "Bar Baltimore" by pulling her hair. You should interview [redacted] for more detail to determine the exact facts behind this alleged assault? Where "Bar Baltimore" is? Did the incident at Bar Baltimore occur on duty or off duty? In your interview you should determine if she reported the assault, if so to whom, what action, if any was taken, and who was there that may have witnessed the hair pulling incident and/or interceded on [redacted] behalf? You should also determine if other DACPs were present when the incident occurred? You should also interview [redacted] regarding the e-mails she contends [redacted] continues to send her. What the nature of these emails is and whether she continues to receive them?

h. Finally, according to various Fort Meade personnel, local regulations require persons entering Fort Meade to registering privately owned weapons at the Visitor Control Center (VCC), FGGM. Notwithstanding this policy, Mr. [redacted] states the VCC refused to register weapons for persons who "don't live on post." In your investigation you should determine if in fact the VCC was denying registrations for non-resident persons seeking to register their weapon? Did this constitute a failure to follow established Fort Meade policy? If so, why was no action taken to correct that situation?

3. 3. In your investigation, use informal procedures under AR 15-6. Insofar as practicable, all witness statements should be sworn to using a DA Form 2823. In addition, you must provide those making statements with a Privacy Act Statement before you solicit any personal information. Prior to beginning your investigation, you should contact [redacted] RO Legal Counsel, at Co[redacted]

SFIM-NE-ZJ
SUBJECT: Appointment of Investigating Officer

DSN [redacted] cell, [redacted] or guidance in conducting this investigation and assistance in obtaining the appropriate forms for use during the investigation.

4. If in the course of your investigation, you believe that a civilian employee has engaged in conduct that could subject them to potential disciplinary action or which may require possible union involvement, or should you determine that a military member may have engaged in inappropriate conduct for which possible UCMJ action may be required, you should conta[redacted] appropriate advice on how to proceed.

5. Your report of investigation, including findings and recommendations, should be submitted to me on DA Form 1574 by 3 August 2005. If an extension beyond this date is necessary, such extension should be requested in writing, stating the reasons for any delay.

/3/

[redacted]

Army Regulation 190-56

Military Police

# The Army Civilian Police and Security Guard Program

Headquarters
Department of the Army
Washington, DC
21 June 1995

Unclassified

# SUMMARY of CHANGE

AR 190-56
The Army Civilian Police and Security Guard Program

This revision--

- Deletes introduction paragraph (para 1-5).
- Deletes the requirement for a urinalysis test as part of the physical examination (para 2-3g).
- Adds sexual harassment awareness training to required training (para 4-5b(5).
- Revises weapons qualification on assigned weapon from yearly to every 12 months (para 4-5c).
- Adds mandatory training on safety functions, capabilities, limitations and maintenance of firearms (para 4-5c).

Headquarters
Department of the Army
Washington, DC
21 June 1995

*Army Regulation 190–56

Effective 21 July 1995

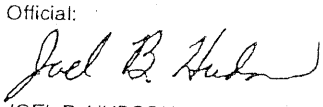
Military Police

# The Army Civilian Police and Security Guard Program

By Order of the Secretary of the Army:

GORDON R. SULLIVAN
*General, United States Army*
*Chief of Staff*

Official:



JOEL B. HUDSON
*Acting Administrative Assistant to the Secretary of the Army*

**History.** This printing publishes a revision of this regulation. Because the publication has been extensively revised, the changed portions have not been highlighted.

**Summary.** This regulation prescribes policies and procedures for the Army Civilian Police and Security Program. It contains provisions for the selection, management, employment, and training of civilian police and security guards.

**Applicability.** This regulation applies to the Active Army and the U.S. Army Reserve. Although not specifically applicable to the Army National Guard, the policies and procedures contained herein are appropriate for Army National Guard activities. It is applicable to security guard personnel at Government-owned, contractor-operated facilities. It is applicable worldwide, although outside continental United States commanders must consider such factors as host nation support and status of forces agreements when implementing its policies and procedures. It applies to all Department of the Army employees who are assigned to civilian police and security guard positions involving the enforcement of law and or the protection and safeguarding of personnel and property, and to contract and contractor security personnel involved in the protection and safeguarding of personnel and property.

**Proponent and exception authority.** The proponent of this regulation is the Deputy Chief of Staff for Operations and Plans. The Deputy Chief of Staff for Operations and Plans has the authority to approve exceptions to this regulation that are consistent with controlling law and regulation. The proponents may delegate the approval authority in writing to a division chief under their supervision within the proponent agency who holds the grade of colonel or the civilian equivalent.

**Army management control process.** This regulation contains management control provisions in accordance with AR 11–2, but does not contain checklists for conducting management control reviews. Alternate management control reviews are used to accomplish assessment of management controls.

**Supplementation.** Supplementation of this regulation is prohibited without prior approval of the Deputy Chief of Staff for Operations and Plans, ATTN: DAMO–ODL, 400 ARMY PENTAGON, WASH DC 20310–0400.

**Interim changes.** Interim changes to this regulation are not official unless they are authenticated by the Administrative Assistant to the Secretary of the Army. Users will destroy interim changes on their expiration dates unless sooner superseded or rescinded.

**Suggested Improvements.** Users are invited to send comments and suggested improvements through established command channels on DA Form 2028 (Recommended Changes to Publications and Blank Forms) directly to Deputy Chief of Staff for Operations and Plans, ATTN: DAMO–ODL–S, 400 ARMY PENTAGON, WASH, DC 20310–0400.

**Distribution.** Distribution of this publication is made in accordance with the requirements on DA Form 12–09–E, block 2133, intended for command levels A, B, C, D, and E for Active Army, Army National Guard, and U.S. Army Reserve.

**Contents** (Listed by paragraph and page number)

**Chapter 1**
**General,** *page 1*
Purpose • 1–1, *page 1*
Reference • 1–2, *page 1*
Explanation of abbreviations and terms • 1–3, *page 1*
Responsibilities • 1–4, *page 1*
Objectives • 1–5, *page 2*

**Chapter 2**
**Personnel Qualification and Selection,** *page 2*
Basic character traits • 2–1, *page 2*
Qualification standards • 2–2, *page 2*
Employment security screening procedures • 2–3, *page 2*
Drug abuse testing • 2–4, *page 3*
Standards of appearance • 2–5, *page 3*

**Chapter 3**
**Individual Reliability Program (IRP),** *page 3*
General • 3–1, *page 3*
Exemption • 3–2, *page 3*
Policy • 3–3, *page 3*
IRP applicability • 3–4, *page 3*
IRP certifying official • 3–5, *page 3*
Reliability factors • 3–6, *page 3*
Disqualifying factors • 3–7, *page 4*
Unreliability determination • 3–8, *page 4*
Review of records • 3–9, *page 4*
Medical evaluation • 3–10, *page 4*
Certifying official's evaluation • 3–11, *page 4*
Continuing evaluation • 3–12, *page 5*
Temporary disqualification • 3–13, *page 5*
Contractor requirements • 3–14, *page 5*

**Chapter 4**
**Training,** *page 5*
General • 4–1, *page 5*
Training and qualification policy • 4–2, *page 5*
Contract security guards • 4–3, *page 5*
Documentation • 4–4, *page 5*
Minimum training standards • 4–5, *page 5*

*This regulation supersedes AR 190–56, 10 September 1986.



Unclassified

## Chapter 1
## General

### 1–1. Purpose
This regulation establishes the Army Civilian Police and Security Guard Program. Also, it assigns responsibilities, and establishes policy, standards, and procedures for the effective implementation of the program.

### 1–2. Reference
Required and related publications and prescribed and referenced forms are listed in appendix A.

### 1–3. Explanation of abbreviations and terms
Abbreviations used in this regulation are explained in the glossary.

### 1–4. Responsibilities
*a.* The Deputy Chief of Staff for Operations and Plans (DCSOPS) will develop policies, standards, and procedures to enhance the overall effectiveness of the Army Civilian Police and Security Guard Program. Under the direction of the DCSOPS, the Chief, Security, Force Protection, and Law Enforcement (DAMO–ODL) will act as the principal Army staff officer responsible for efforts to enhance program effectiveness. The Chief, DAMO–ODL, will designate a project officer to oversee and manage the Army Civilian Police and Security Guard Program. The project officer will be the principal point of contact within the Army Staff and major commands on all program matters.

*b.* Under the direction of the Deputy Chief of Staff for Personnel (DCSPER)—

(1) The Director of Civilian Personnel (DCP) will ensure that civilian personnel management policies support a skilled and professional civilian police and security guard work force. These policies include recruitment and placement; reassignment and termination; job evaluation; classification; pay administration; development of model job descriptions and pay grades; incentives; employee relations and morale; uniforms and allowances; performance appraisal; training; and career development. The DCP will act as the principal point of contact with the Office of Personnel Management (OPM) concerning civilian personnel management matters affecting civilian police and security guards.

(2) The Chief, Leader Policy Division, Directorate of Human Resources Development, will determine policies relating to civilian police and security guard participation in the Army Civilian Employee Drug Testing Program. Such policies will be coordinated with the Office of Labor and Employee Relations, Office of the DCP.

(3) The Commanding General, U.S. Total Army Personnel Command (PERSCOM), will implement policies affecting civilian police and security guards assigned to nuclear and chemical surety or nuclear reactor positions.

*c.* The Deputy Chief of Staff for Logistics (DCSLOG) will accomplish actions pertaining to issuance of special clothing and equipment for civilian police and security guards.

*d.* The Deputy Chief of Staff for Intelligence (DCSINT) will ensure that personnel security policies and procedures are supportive of the Army Civilian Police and Security Guard Program.

*e.* Heads of other Army Staff agencies will—

(1) Determine policies within their assigned functional areas.

(2) Designate a single organizational element as a sole point of contact responsible for coordination of civilian police and security guard matters within their respective agency.

(3) Coordinate such matters with the DAMO–ODL project officer.

*f.* The Commanding General, U.S. Army Training and Doctrine Command (TRADOC) will provide training development, training, and training support activities for the Army Civilian Police and Security Guard Program.

*g.* Commanders of major Army commands and heads of Staff Agencies commanding field operating agencies will—

(1) Provide guidance and staff assistance to subordinate commands, installations, and activities to ensure compliance with the intent and requirements of this regulation.

(2) Effect necessary planning, programming, budgeting, and accounting actions to meet command-wide training needs for civilian police and security guard personnel.

(3) Designate a project officer to oversee and manage the civilian police and security guard program.

(4) Closely monitor the installation, activities, and Government-owned, contractor-operated (GOCO) facilities under their command to ensure compliance with applicable regulatory guidance.

*h.* Installation and activity commanders, and commanders of tenant activities or subordinate units employing security guards or civilian police (for example, airfields) will—

(1) Implement and ensure compliance with this regulation in a manner appropriate for their activities.

(2) Ensure that only individuals who are qualified, physically fit, reliable, and trustworthy are employed in civilian police and security guard positions.

(3) Identify training needs and allocate necessary resources to meet their needs.

(4) Ensure that contingency contracts under the Logistics Civil Augmentation Program provide for use of contract and contract security guard services in support of U.S. Forces during crisis, including wartime.

*i.* Provost marshals and or security managers will—

(1) Ensure that civilian police and security guard personnel are adequately trained to perform assigned duties and to react to terrorist incidents and other high-risk, special threats.

(2) In coordination with local civilian personnel officers (CPOs), accomplish the following:

*(a)* Ensure that personnel employed in civilian police and security guard positions are qualified, capable, reliable, and trustworthy.

*(b)* Ensure that appropriate reliability investigations are conducted on Army employees before they are assigned to civilian police and security guard duties.

*(c)* Develop individual training plans to ensure that the training needs of civilian police and security guards are met.

(3) In coordination with contracting officers, accomplish the following:

*(a)* Establish adequate work performance standards for security guard services contracts. This will assist contracting officers to negotiate contracts in which specific security guard needs are met, and only qualified, capable, reliable, and trustworthy personnel are hired to perform such work. For GOCO facilities, work performance standards will be established by the command issuing or modifying contracts for operation and or maintenance of the facility.

*(b)* Ensure provisions in security guard services contracts authorize provost marshal personnel as the contracting officer's representative, to monitor and inspect the performance of such contracts. For GOCO facilities, the statement of work will ensure that the provost marshal, security officer, and other designated Army personnel may monitor and inspect the performance of such contracts.

*(c)* Ensure appropriate reliability or security clearance investigations are conducted on contract personnel before such personnel are assigned security guard duties.

*(d)* Ensure that contracts clearly define the limits of authority, jurisdiction, and use of force.

(4) In coordination with the local intelligence office, ensure personnel requiring access to classified material have the appropriate security clearance.

*j.* Local CPOs, contracting officers, and heads of supporting intelligence activities will provide technical assistance and coordinate all employment matters affecting the Army Civilian Police and Security Guard Program with the appropriate provost marshal.

*k.* Managers and or supervisors at all levels will—

(1) Implement internal controls per AR 11–2 to ensure adherence to this regulation, and to ensure the Army Civilian Police and Security Guard Program is managed efficiently and effectively.

(2) Develop job descriptions (per DA Pams 690–8 and 690–10)

that adequately describe the duties to be performed, including physical demands, physical fitness requirements, and security screening requirements. Contractors operating GOCO facilities will prepare job descriptions prescribed by their company procedures.

(3) Ensure position descriptions conform to the mission and an analysis of respective areas of responsibility.

### 1–5. Objectives

The objectives of the Army Civilian Police and Security Guard Program are to—

*a.* Provide centralized and cohesive direction to the program, while reinforcing the commander's responsibility to manage local assets.

*b.* Enhance the professionalism, quality, and effectiveness of civilian police and security guards.

*c.* Facilitate the overall security of Army installations and activities by employing nonmilitary personnel to perform security and law enforcement services.

## Chapter 2
## Personnel Qualification and Selection

### 2–1. Basic character traits

Basic character traits of honesty, courtesy, tact, cooperation, personal appearance, and bearing are important factors required of civilian police and security guards. Personal qualities of good conduct and character, integrity, dependability, and good mental and physical fitness are also required of such personnel.

### 2–2. Qualification standards

Army civilian police and security guards will be required to meet the OPM qualification standards for the Police Series (GS–083) or Guard Series (GS–085). To ensure such personnel are qualified and capable of performing their prescribed duties, local provost marshals, in close coordination with local CPOs, will develop job descriptions and performance standards that accurately describe the duties to be performed based on job analysis. OPM qualification standards for the Police Series, GS–083 and Guard Series, GS–085 (TS 224, Feb 88, or later versions that may be approved by the Office of Personnel Management including separate and approved Army standards), contain minimum qualification requirements for police and guard positions. Job-related functions, such as strenuous activity, physical exertion, physical ability, and levels of stress as they pertain to a specific job will be considered for both normal and emergency operations. Minimum physical requirements will be per the Office of Personnel Management (OPM) qualification standards, the command's job analyses, and written performance plans cited above, and will be standardized at each installation or activity. More stringent physical demands will be supported by valid job analyses and written performance plans. In preparing job analyses, careful consideration must be given to whether or not waivers of physical demands can be considered. The physical agility test found in ST 19–138, chapter 1, may be used as a guide.

### 2–3. Employment security screening procedures

*a.* All applicants tentatively selected for appointment to Army civilian police and security guard positions will be security screened to the extent possible (for example, a minimum of a local files check) prior to being offered an appointment to such positions. The time period covered by the security screening will be the most recent 5 years, or since age 18, whichever is shorter, provided it covers the most recent 2 years of the applicant's life. No security checks are required prior to the applicant's 16th birthday.

*b.* Preemployment inquires will be conducted by the local CPO and will include, at a minimum, checks with former employers, former supervisors, and personal references.

*c.* The local CPO will request the local provost marshal to conduct a check of arrest and criminal history records (except where prohibited by local and State law) of the State(s) in which an applicant has resided during the most recent 5 years. Provost marshals will make the record checks through their supporting police or sheriff's department under the authorization of the Federal Bureau of Investigation (FBI) National Crime Information Center (NCIC). (See AR 190–27.) Provost marshals will also request a records check from the U.S. Army Criminal Investigation Command Crime Record Center (CRC). (See AR 190–30.)

*d.* The provost marshal will forward the results of such inquiries to the CPO with a recommendation to continue or discontinue the processing of the applicant.

*e.* The security screening requirements in *a* , *b*, and *c* above also apply to contract security guard personnel, except that the contractor will be responsible for conducting the security screening checks. The contracting officer, in conjunction with the provost marshal, will include in the solicitation/contract/statement of work, a requirement that security guard personnel meet the suitability requirements of this regulation as well as appropriate security clearance requirements of AR 380–67 or DOD 5220.22–M, if applicable. The contractor will be required to furnish the contracting officer and provost marshal a record of the results of each employee's security screening prior to entry on duty. In coordination with the contractor and contracting officer, the provost marshal may conduct the arrest and criminal history checks through the NCIC and CRC. If security clearances are required for contract security guards, requests for investigations should be made to the supporting Defense Investigative Services office. (See DOD 5220.22–M.)

*f.* In addition to the requirements above, contract security guards not required to have security clearances will undergo a credit check as part of the security guard services contract. Results of credit checks will be furnished the contracting officer and provost marshal. The costs of all such checks and inquiries will be the responsibility of the contractor unless the Government explicitly undertakes to pay for the requirement.

*g.* In addition to the employment security screening procedures prescribed above, Army civilian police and security guard positions are categorized as noncritical-sensitive, and require favorable completion of a National Agency Check and Inquiry (NACI) prior to appointment to such positions. (See AR 380–67 and DOD 5220.22–M.)

(1) Filling a position before completion of the NACI will be kept to a minimum, but if absolutely necessary, an exception to AR 380–67 must be authorized in writing by an authority listed in AR 380–67 or delegated authority, and will contain specific justification. The commander will be notified of all exceptions. In such instances, the position may be filled only after the NACI has been initiated.

(2) Certifying officials (discussed in chap 3) will implement a tracking system to ensure that records of personnel hired under such exceptions to policy are monitored. Results of the NACI will be forwarded to the certifying official on receipt by the CPO.

*h.* Commanders of outside continental United States (OCONUS) major Army commands (MACOMs) will establish necessary security screening procedures for security guard personnel to ensure that the spirit and intent of this regulation are met. The cooperation of the host country will be solicited.

*i.* All tentative selectees for appointment in the GS–083, Police Series and GS–085, Guard Series will be required to undergo a medical examination (at Government expense) to determine the physical qualifications, and the emotional and mental stability of such individuals.

(1) This requirement also applies to personnel currently employed in police and guard positions.

(2) Employees assigned to police and guard positions will be reexamined annually, at Government expense, to determine their continued physical and emotional suitability to perform the functional requirements of such positions.

*(a)* A copy of the OPM qualification standards and physical standards required for the position concerned (para 2–2), along with a copy of the requirements in this chapter, will be provided to the

examining physician with SF 78 (United States Civil Service Commission Certificate of Medical Examination).

*(b)* To be finally selected, examinees must be medically certified to the appointing officer as eligible under such standards.

*j.* Administrative action, as determined by management in consultation with the servicing CPO and staff judge advocate labor counselor, will be taken in the case of currently employed Army civilian police and security guards who are determined by medical examination to possess lasting physical conditions that, in the judgement of competent medical authorities, constitute a health danger to themselves or others when placed in circumstances involving arduous physical exertion or a stressful situation, or will adversely effect performance of assigned job duties.

*k.* In the case of contract security guards, the provost marshal, in coordination with the contracting officer and staff judge advocate (SJA) labor counselor, will prescribe in security guard services contracts or contractor statement of work, the specific qualification standards, including physical fitness, suitability, and medical examination requirements, for such personnel. Medical examinations for contract employees will not be conducted at Government expense. Medical examinations for contractor guards are a reimbursable expense at GOCO installations. The standards will be those outlined in ST 19–138 and as found in the performance statement of work (SOW), dated 9 February 1981, (or later version) when issued by the Office of the Assistant Secretary of the Army (Research, Development, and Acquisition) (Contract Administration). The statement of work contains a standard format for security guards services contracts. Additionally, FM 19–30, appendix G, contains guidance and a sample contract for security guard services. Contracting offices, in coordination with provost marshals, will monitor hiring actions to ensure compliance with qualification standards. Procedures will be established for periodic review of personnel records for contract security guards. The specific provisions of the contract may include the requirement that Government personnel administer or monitor the contractor's administration of required physical fitness testing. Depending on the size of the contract security guard force and the complexity of its mission, the provost marshal or his or her representative may be appointed as a contracting officer representative or contracting officer technical representative.

*l.* The Individual Reliability Program (IRP) (as outlined in chap 3) supplements the employment security screening requirements.

### 2–4. Drug abuse testing

*a.* AR 600–85 establishes the Civilian Employee Drug Testing Program for certain selected Army employees working in critical jobs or classes of jobs. It includes guidance on Army civilian police and security guards.

*b.* Contract security guards will be subject to the requirements of AR 600–85 on the same basis as Federally employed Army civilian police and security guards. These requirements will be incorporated in any contract for security guard services.

### 2–5. Standards of appearance

Civilian police and security guard personnel will maintain high standards of personnel appearance, as reasonably expected by the public served. (See AR 670–10.)

## Chapter 3
## Individual Reliability Program (IRP)

### 3–1. General

This chapter establishes the IRP for Army civilian police and security guards, including contract security guards. The IRP provides a means of assessing the reliability and suitability of individuals being considered for employment, and provides for continuous assessment of personnel assigned to civilian police and security guard positions.

### 3–2. Exemption

Security guards performing duties associated with nuclear (including nuclear reactors) and chemical surety material are exempt from the requirements of this chapter. These personnel are covered under the Personnel Reliability Program criteria and procedures in AR 50–5 and AR 50–6. Contract security force personnel will be subject to the work rules established by the responsible contractor regarding counseling and employment. The individual may be terminated per those rules and no right to counseling or further employment shall exist, except as provided for by the responsible contractor.

### 3–3. Policy

*a.* Personnel who are assigned to civilian police and security guard positions will be required to maintain a high standard of conduct at all times. The protection of many installations and activities, particularly those storing classified and sensitive material, depends heavily on these individuals. Personnel engaged in civilian police and security guard duties work with relatively little supervision, and frequently in isolated locations.

*b.* Army assets must be safeguarded against the actions of untrustworthy and emotionally unstable security personnel. All personnel performing civilian police and security guard duties must be continuously evaluated to determine if their character, trustworthiness, and fitness are consistent with the high standards expected of the law enforcement and security profession.

### 3–4. IRP applicability

The IRP is considered a condition of employment and applies to—

*a.* Prospective employees tentatively selected for civilian police or security guard positions.

*b.* Employees currently in such positions.

*c.* Contract security guards.

### 3–5. IRP certifying official

*a.* The IRP certifying official will be the commander, or designated representative, charged with the maintenance of law and order at an installation or facility. Commanders may designate the provost marshal/security officer or CPO as the IRP certifying official. The provost marshal may in turn further delegate this function to a senior individual within the provost marshal/security office. At GOCO facilities, the plant manager may be delegated as the IRP certifying official, and may, in turn, further delegate this function to a senior individual within the contractor security department.

*b.* The IRP certifying officials must make every effort to maintain frequent personal contact with persons performing duties under the IRP.

*c.* Certifying officials will establish a system for periodic (at least annual) review of employee records to ensure that any adverse information added to the file after initial certification is reviewed and considered.

(1) The certifying official will review available personnel records and those records obtained as the result of the employment security screening procedures (see chap 2) and make a suitability determination. The purpose of this review is to determine if information contained in these records may preclude assignment or continued assignment to civilian police or security guard positions.

(2) In the case of medical records, the procedures in paragraph 3–9 apply.

### 3–6. Reliability factors

*a.* The following reliability factors will be used by the certifying official in making determinations with respect to an individual's eligibility for employment, retention in sensitive duties, or eligibility for access to classified information.

(1) Loyalty.

(2) Foreign preference/connections.

(3) Security responsibility safeguards.

(4) Criminal misconduct.

(5) Mental or emotional disorders.

*b.* The reliability factors are per AR 380–67, and are discussed further in paragraph 3–7 of this regulation.

### 3–7. Disqualifying factors

*a.* AR 380–67 lists the disqualifying factors for civilian police and security guard duties unless overriding evidence of reliable duty performance exists. Examples of disqualifying medical conditions, traits, or behavioral characteristics for civilian police and security guard duties are listed below:

(1) *Loyalty.* Any behavior or knowing membership in an organization that unlawfully advocates the overthrow of the Government of the United States.

(2) *Foreign preference/connections.* Any behavior or acts which would be considered serving the interests of another government in preference to the interests of the United States. Any behavior that would make the individual vulnerable to coercion, influence, or pressure that may cause conduct contrary to the national interest.

(3) *Security responsibility consistent with paragraph 3–6 safeguards.* Any behavior that disregards public law, statutes, executive orders, or regulations, including violation of security regulations or practices or unauthorized disclosure of classified information.

(4) *Criminal misconduct.* Court-martial convictions; civil conviction of a serious nature (felony), or equivalent disciplinary actions; or a pattern of behavior or actions reasonably indicative of a contemptuous attitude toward the law or other duly constituted authority.

(5) *Mental or emotional disorders.* Any significant physical or mental condition, substantiated by competent medical authority, that may impair the individual's ability to perform assigned duties, or any character trait, or aberrant behavior that the certifying official believes is prejudicial to reliable performance of the duties of a particular police or security guard position.

(6) *Financial matters.* Excessive indebtedness, recurring financial difficulties, or unexplained affluence.

(7) *Alcohol and drug abuse.* Any possession, use, or distribution of alcohol or drugs that adversely affects reliability or job performance. Persons medically diagnosed as alcohol or drug dependent may not be selected for, or retained in, the Army Civilian Police and Security Guard Program. Other instances of substance abuse will be evaluated by the certifying official on a case-by-case basis. Those persons disqualified for substance abuse are not eligible for requalification until satisfactory completion of the Alcohol and Drug Abuse Prevention and Control Program, as outlined in AR 600–85, or a civilian equivalent.

(8) *Falsification/refusal to answer.* Any knowing and willful falsification, cover-up, concealment, misrepresentation, or omission of material used by DoD or any other Federal agency. Failing or refusing to answer or to authorize others to answer questions or provide information required by a Congressional committee, court, or agency in the course of an official inquiry when information is relevant to the evaluation of an individual's reliability.

(9) *Sexual misconduct.* Any acts of perversion indicative of moral turpitude, poor judgement, or lack of regard for the laws of society.

(10) *Work performance.* Any behavior that is considered negligence, insubordination, or delinquency in performance of duty.

*b.* When, despite the presence of disqualifying factors, an individual is retained for duty in the IRP because of overriding evidence of reliable performance of duty in a particular civilian police or security guard position, the certifying official will record this information. A memorandum for record (MFR) clearly outlining the facts considered and the basis for the decision made, shall be prepared.

(1) A copy will be provided to the employee who will sign, acknowledging receipt and the fact that he or she may rebut the matters asserted within a reasonable time (normally 5 working days).

(2) Both the MFR and any attached rebuttals will be placed in the employees official personnel folder per *c* below.

*c.* Adverse information not already on record may be placed in the employee's official personnel folder only per current laws and regulations. Forward the information to the servicing CPO for evaluation and filing.

*d.* As soon as it is suspected that a disqualification may occur, the certifying official must contact the servicing CPO. The CPO must be involved at the earliest. Coordination with the staff judge advocate labor counselor is the responsibility of the CPO.

### 3–8. Unreliability determination

*a.* An unreliability determination may be made at any time during screening.

*b.* Commanders who disqualify Army civilian employees from the IRP will seek the advice of their servicing CPO for assistance in placing or separating those employees. When personnel are disqualified from the IRP, this becomes a personnel action, and appropriate guidance is found in civilian personnel regulations.

*c.* In the case of contract security guards, the contractor will be required to replace any individual who is disqualified under the IRP.

### 3–9. Review of records

The certifying official will review available personnel records and those records obtained as the result of the employment security screening procedures in chapter 2 for suitability determination. The purpose of the review is to determine if information contained in the these records may preclude assignment or to continue assignment to civilian police or security guard positions.

### 3–10. Medical evaluation

*a.* The results of the medical examination (para 2–3*i*) will be evaluated by a competent medical authority (licensed physician or military physician assistant (PA)) to determine physical and mental condition.

*b.* The certifying official will be advised promptly of any condition that may impact on fitness for IRP duty. The certifying official will also be advised of any prescribed medication that may detract from the individual's ability to perform assigned duties. When the certifying official suspects that there is a medical condition that has not been discovered, or the medical finding is unclear, the certifying official will consult the competent medical authority before making a final determination.

*c.* The competent medical authority will make a recommendation to the certifying official on the reliability of the individual. The final decision will be made by the certifying official or, where appropriate, a reviewing official (designated by the commander concerned), and will be based on a thorough review of pertinent information and consultation with appropriate medical personnel and the CPO.

### 3–11. Certifying official's evaluation

*a.* After the personnel and medical records are screened, the certifying official will determine whether the person is acceptable for assignment to, or retention in, the IRP. If acceptable, the certifying official will interview the individual and cover the topics below:

(1) The behavioral traits and medical conditions that are disqualifying for assignment or retention in the IRP.

(2) The importance of the assignment and the responsibilities involved.

*b.* DA Form 5557–R (Individual Reliability Screening and Evaluation Record) will be used to record screening and evaluation of Army employees and contract personnel. A copy of DA Form 5557–R is available at the back of this regulation for reproduction purposes. It will be reproduced locally on 8 1/2 by 11–inch paper. Such information will be safeguarded to prevent unauthorized access, use, disclosure, alteration, and destruction per AR 340–21 and AR 25–55.

(1) The original DA Form 5557–R will be filed in the individual's official personnel folder, and a copy will be retained in the files of the certifying official.

(2) A copy will be forwarded to the screening medical activity and retained in the individual's medical records where it will serve to identify the individual as a member of the IRP, so that medical personnel can carry out their responsibilities per paragraph 3–11*a*.

### 3–12. Continuing evaluation

*a.* Continuing evaluation of IRP personnel is essential. Any incident or problem that might be cause for temporary or permanent removal from IRP duty must be promptly reported to the certifying official. This is done by IRP personnel, supervisors, associates, personnel officers, and those who provide medical care and maintain medical records. Any prescribed use of medication that may detract from the ability of a person to perform assigned duties must also be reported. Oral or telephone notice will be confirmed in writing.

*b.* The IRP is a commander's program. The commander must therefore be aware of, and concerned with, the personal status of his or her personnel at all times. In order for the IRP to work, total team effort and interaction is necessary. Supervisors at all levels have an inherent responsibility to inform the commander of all cases of erratic performance and poor judgement by personnel on or off duty that could affect on-the-job reliability. All personnel are responsible for reporting behavior affecting reliability of their coworkers to their immediate supervisors.

*c.* To ensure that certifying officials are aware of patterns of behavior that may indicate unreliability, installations should establish systems to incorporate reference counseling of employees in both supervisor and employee records. These records will be periodically reviewed by certifying officials.

*d.* If the commander becomes aware of behavior that may reflect adversely on an employee's loyalty, as outlined in AR 380–67, DA Form 5248–R (Report of Unfavorable Information for Security Determination) will be forwarded to the Commander, U.S. Army Central Personnel Security Clearance Facility, ATTN: PCCF–M, Fort Meade, MD 20755–5250. A copy of DA Form 5248–R is available at the back of this regulation for reproduction purposes. It will be reproduced locally on 8 1/2 by 11-inch paper.

### 3–13. Temporary disqualification

When performance of duty may be impaired by the use of prescribed medication or short-term stress, the person will be immediately restricted from civilian police or security guard duties. The employee will be assigned duties which do not conflict with this condition, or if no such duties are available within the work unit, management will coordinate with CPO to find other suitable duties to which the employee can be temporarily detailed.

### 3–14. Contractor requirements

*a.* The requirements of this chapter will be incorporated in all contracts for security guard contracts or statement of work for contract security guard services. Contracts will be updated as needed to comply with substantive changes to this regulation.

*b.* The contract will require that contract employees performing security guard duties meet the reliability standards of the IRP. Contractors will—

(1) Instruct contract personnel on the purpose, standards, and procedures of the IRP, and on physical fitness and agility standards.

(2) Instruct each employee that assignment to a security guard position is subject to the standards and procedures of the IRP.

(3) Ensure that employees assigned, or to be assigned, to a security guard position have the required medical examinations and evaluations.

(4) Provide for sufficient observation by contract security personnel of employees assigned to security guard positions.

(5) Give the results of a medical evaluation of any contract employees assigned, or to be assigned, to a security guard position to the certifying official. Promptly report any data about employees that is relevant to assignment, retention, or disqualification under the IRP.

(6) Assign to security guard positions only those employees who are found by the certifying official to be eligible.

(7) Promptly on notice of information that is, or appears to be, reason for disqualification, temporarily remove an employee from a security guard position, and inform the certifying official promptly of the action and the reason.

(8) Promptly inform the proper activities so that entry control and access lists may be updated to bar removed or disqualified personnel.

(9) Immediately suspend an employee from a security guard position when the certifying official informs the contractor that the employee has been temporarily removed from the IRP.

(10) Remove the employee when informed that he or she is unacceptable because of failure to meet reliability standards and has been permanently disqualified.

## Chapter 4
## Training

### 4–1. General

The effectiveness of a security force is influenced by the quality of its training program. Effective training depends on leadership, imaginative planning, and efficient use of resources.

### 4–2. Training and qualification policy

Each individual who performs civilian police and security guard tasks or duties will, prior to assignment, be trained and qualified to perform such tasks or duties, per guidance in ST 19–138 and local requirements.

### 4–3. Contract security guards

Security guard services contracts or contractor statement of work will include training and qualification requirements appropriate to assigned job tasks or duties per guidance in ST 19–138 and local requirements.

### 4–4. Documentation

The training and qualifications of each individual will be documented by the training manager or training supervisor. These documents will be readily available for review and inspection. In the case of contract security guards, such documentation will be made available to the responsible provost marshal for review and approval prior to assignment of the contract security guard. Contractor training courses and supporting material will be available for the provost marshal's review.

### 4–5. Minimum training standards

*a.* Training standards will conform, as local requirements dictate, to the performance-oriented tasks, conditions, standards, supporting skills and knowledge, and performance measures contained in ST 19–138. Installation commanders should use this publication, in conjunction with local threat analyses and job requirements, to design their local training program.

*b.* Commanders will also provide training, as appropriate, in the following areas:

(1) Standards of conduct and ethics.

(2) Jurisdiction and authority.

(3) Use of force.

(4) Equal opportunity training.

(5) Sexual harassment awareness training.

(6) Safety.

(7) Local organization and chain of command (civilian and military).

(8) Security command and control system during normal and contingency operations.

(9) Federal magistrate system (continental United States (CONUS)).

(10) Status of forces agreements (outside continental United States (OCONUS)).

(11) Alarm system operation.

(12) Recognition of sabotage-related devices and equipment that might be used against the installation or in-transit shipment.

(13) Location of sensitive or vital areas within an installation, activity, or facility, and protection of them.

(14) Protected area security and vulnerability.

(15) Locks and key control system operation.

(16) Vulnerabilities and consequences of theft of sensitive critical material.

(17) Protection of security system information.

(18) Communications system operation.

(19) Response force organization, mission, deployment, tactical movement, and rules of engagement.

(20) Use of and defense against chemical and riot control agents.

(21) Unarmed self-defense and restraint techniques.

(22) Use of night vision devices.

(23) Alcohol and drug identification and intervention (for supervisors).

*c.* Weapons training will be conducted according to guidance provided in AR 190–14 and ST 19–138. Civilian police and security guards will be required to qualify every 12 months with their assigned weapon and familiarize yearly with other weapons they are required to use while on duty or in response situations (for example, crew served weapons, rifles and shotguns). Initial qualification will be accomplished prior to performing security functions. At GOCOs, initial qualification may be accomplished after employment, but must be accomplished prior to assignment to duties requiring the carrying of a weapon. Qualification training must include instruction on safety functions, capabilities, limitations, and maintenance of the firearm to be carried.

### 4–6. Overtime authority for training

*a.* Installation commanders are authorized blanket overtime authority for initial and continuing training of Army civilian police and security guards to ensure such personnel are trained to perform duties competently, and are able to respond in a crisis situation. This regulation and AR 690–400, chapter 410, will be cited as the authorities for such overtime training.

*b.* In coordination with local CPOs, commanders will maintain the following documentation for such overtime training:

(1) Number and identity of employees trained or to be trained.

(2) Number of hours in each training session.

(3) Total number of hours in training course.

(4) Dates of training.

(5) Tasks trained.

(6) Amount of funds expended for such training.

*c.* Funding for such overtime training will be the responsibility of the installation or activity concerned.

## Chapter 5
## Authority of Federally Employed Civilian Police and Security Guards

### 5–1. General

This chapter prescribes the authority of civilians performing law enforcement or security functions on Army installations.

### 5–2. Authority

*a.* Federally-employed civilian police and security guards performing law enforcement and security duties authorized by the installation commander, and contract guards performing security duties, may apprehend any persons found on the installation for offenses committed on post that are felonies, breaches of the peace, or otherwise a threat to property or welfare. Such apprehension authority is limited to issuing citations and turning the subject over to the appropriate civilian or military authorities.

*b.* Civilian police and security guard personnel, while on duty at an installation, are considered part of the Army, and are therefore subject to the restrictions on aid to civilian law enforcement imposed by section 1385, title 18, United States Code, commonly known as the Posse Comitatus Act. Accordingly, any proposed aid to civilian law enforcement must be reviewed by the servicing SJA.

*c.* The authority and liability of civilian security guards overseas will depend on applicable international agreements and local law. Thus, the advice of OCONUS SJAs will be sought regarding the status of such personnel.

### 5–3. Written instructions

The provost marshal, in conjunction with the SJA, will provide written instructions for Army civilian police and security guards describing procedures and the limits of their authority. Such instructions will include the limits for apprehension or detention and the limits on the use of force, to include reaction force and hostage situations. Written instructions will be reviewed at least once a year and updated, if necessary. At GOCO facilities, the contractor will provide such instructions, subject to directions and review by the commander and or appropriate security staff.

## Chapter 6
## Clothing and Equipment

### 6–1. Uniforms

*a.* Army civilian police and security guards normally will be uniformed for the purpose of ready recognition and identification of their authority. If serving as a nonuniformed detective, the individual will carry identification indicating his or her official status as a GS–083 detective.

*b.* Army civilian police and security guards are authorized to be furnished a uniform, or monetary allowances in lieu thereof, under the provisions of AR 670–10. It should be noted that uniform allowances are established by Federal law (sections 5901–5903, title 5, United States Code); therefore, any increase in such allowances requires legislative approval.

*c.* Uniform standards and specifications for Army civilian police and security guards are prescribed in AR 670–10, chapter 2. Requests for authority to deviate from established standards of quality or uniform items, or for exceptions to standards of AR 670–10, chapter 2, will be submitted through command channels to the Deputy Chief of Staff for Operations and Plans, ATTN: DAMO–ODL, 400 ARMY PENTAGON, WASH DC 20310–0400. Major overseas commanders will make the final decisions on requests concerning non-U.S. citizen employees. (See AR 670–10.)

*d.* In the case of contract security guards, the contractor will be required to furnish the necessary initial and replacement items for a uniform of a design, material, and color approved by the installation commander or his or her duly authorized representative (such as provost marshal or security officer in coordination with the contracting officer). This uniform will include a badge, a patch displaying the name of the contractor, and a name tag for the individual employee that will be prominently displayed on the outer garment. The contractor will also be required to provide uniform clothing for use during foul weather, such as rain, sleet, snow, and extreme cold, meeting the requirements stated above.

### 6–2. Protective clothing and equipment

Under the provisions of AR 670–10, Army civilian police and security guards may be issued, at local expense, special items of equipment based on locally dictated requirements. Normally, such items will be related to local environmental considerations, such as extreme cold weather gear or safety requirements. These items will be hand receipted to users, and will be returned to the U.S. Government when no longer needed or unserviceable. Policy and procedures for providing protective clothing and equipment against biological, chemical, environmental, or physical hazards are contained in AR 385–10.

### 6–3. Weapons, ammunition, and security equipment

*a.* Army civilian police and security guards will be provided with the weapons, ammunition, and security equipment needed to perform their assigned duties. Contract guards will use equipment furnished by the contractor, unless the contract explicitly obligates the

U.S. Government to furnish equipment. Privately-owned (individually-owned) equipment, except for uniform items, will not be permitted.

*b.* The use of privately-owned firearms and or ammunition by Federally employed Army civilian police and security guards is strictly prohibited.

(1) Government-owned firearms will be turned in at the end of duty; Federally employed Army civilian police and security guards are not permitted to retain firearms or ammunition after completing their normal tour of duty (that is, standby at residence).

(2) AR 190–11 outlines arms and ammunition storage and accountability procedures.

*c.* AR 310–34 contains detailed policies and criteria for authorization and use of Army equipment, including weapons. It also prescribes policies and procedures to be followed by commands and agencies responsible for the development, preparation, processing, review, approval, and publication of common tables of allowances (CTAs) in effecting modifications thereto.

*d.* CTA 50–909 provides the basis of issue that may be used to acquire ammunition to support training and mission requirements for Army civilian police and security guards.

Army Regulation 190–14

Military Police

# Carrying of Firearms and Use of Force for Law Enforcement and Security Duties

Headquarters
Department of the Army
Washington, DC
12 March 1993

Unclassified

# SUMMARY of CHANGE

AR 190-14
Carrying of Firearms and Use of Force for Law Enforcement and Security Duties

This revision--

- Implements applicable portions of Department of Defense Directive 5210.56.
- Clearly establishes minimum qualification requirements for military police and Department of the Army law enforcement and security personnel (para 2-3).
- Expands authorization documentation options for authorizing officials (para 2-4).
- Limits and controls the carrying of firearms by Department of the Army military and civilian personnel (para 2-6).
- Prohibits the carrying of non-Government owned or issued weapons or ammunition (para 2-6).
- Prohibits carrying of firearms by persons taking prescription drugs or other medication that may cause drowsiness or impair reaction or judgment (para 2-7).
- Prohibits consumption of alcohol within 8 hours of carrying firearm or flying in aircraft (paras 2-7 and 4-3).
- Requires the use of deadly force with firearms be applied equally to personnel using a weapon or equipment which, when properly employed in their intended application, would exert deadly force (para 3-2).

Headquarters
Department of the Army
Washington, DC
12 March 1993

# *Army Regulation 190–14

Effective 12 April 1993

Military Police

# Carrying of Firearms and Use of Force for Law Enforcement and Security Duties

By Order of the Secretary of the Army:

GORDON R. SULLIVAN
*General, United States Army*
*Chief of Staff*

Official:

MILTON H. HAMILTON
*Administrative Assistant to the Secretary of the Army*

**History.** This UPDATE printing publishes a revision of this publication. Because the publication has been extensively revised, the changed portions have not been highlighted.

**Summary.** This revision provides guidance on the carrying of firearms and the use of force by personnel engaged in law enforcement and security duties. It implements Department of Defense policy to limit and control the carrying of firearms by Department of the Army military and civilian personnel. It establishes criteria for compliance with its provisions by contract security personnel. This revision requires that the use of deadly force with firearms be applied equally to personnel using a weapon or equipment which, when properly employed, would exert deadly force. Authorizing officials are given additional authorization document options and qualification requirements are also clarified. It fully implements applicable portions of DOD Directive 5210.56 (app B).

**Applicability.** This regulation applies to the Active Army, the U.S. Army Reserve, the Department of the Army civilian police and security guard activities, contracted or contractor security force operations and activities, and the Army National Guard only when called or ordered to active duty in a Federal status under the provisions of title 10, United States Code.

**Proponent and exception authority.** The proponent of this regulation is the Deputy Chief of Staff for Operations and Plans. The Deputy Chief of Staff for Operations and Plans has the authority to approve exceptions to this regulation which are consistent with controlling law in writing to a division chief within the proponent agency in the grade of colonel or the civilian equivalent.

**Army management control process.** This regulation is subject to the requirements of AR 11–2. It contains internal control provisions but does not contain checklists for conducting internal control reviews. These checklists are being developed and will be published at a later date.

**Supplementation.** Supplementation of this regulation and establishment of command and local forms are prohibited without prior approval from HQDA (DAMO–ODL), WASH DC 20310–0440.

**Interim changes.** Interim changes to this regulation are not official unless they are authenticated by the Administrative Assistant to the Secretary of the Army. Users will destroy interim changes on their expiration dates unless sooner superseded or rescinded.

**Suggested Improvements.** Users are invited to send comments and suggested improvements on DA Form 2028 (Recommended Changes to Publications and Blank Forms) directly to HQDA (DAMO–ODL), WASH DC 20310–0440.

**Distribution.** Distribution of this regulation is made in accordance with the requirements on DA Form 12–09–E, block number 3169, intended for command levels A, B, C, D, and E for Active Army and A for Army National Guard and U.S. Army Reserve.

**Contents** (Listed by paragraph and page number)

**Chapter 1**
**Introduction,** *page 1*
Purpose • 1–1, *page 1*
References • 1–2, *page 1*
Explanation of abbreviations and terms • 1–3, *page 1*
Responsibilities • 1–4, *page 1*
Policy • 1–5, *page 1*

**Chapter 2**
**Carrying of Firearms by Law Enforcement and Security Personnel,** *page 1*

*Section I*
*Authorizations, page 1*
Authorizing officials • 2–1, *page 1*
Authority to carry firearms • 2–2, *page 1*
Authorization procedures • 2–3, *page 1*
Authorization documentation • 2–4, *page 2*

*Section II*
*Conditions for Carrying Firearms, page 2*
Eligibility requirements • 2–5, *page 2*
Restrictions on carrying firearms • 2–6, *page 2*
Persons prohibited from carrying firearms • 2–7, *page 2*
Carrying concealed firearms • 2–8, *page 2*
Safeguarding firearms • 2–9, *page 2*

**Chapter 3**
**Use of Force,** *page 2*
Procedures for use of force • 3–1, *page 2*
Deadly force • 3–2, *page 3*

**Chapter 4**
**Carrying Firearms While Aboard Commercial and Military Aircraft,** *page 3*
Procedures • 4–1, *page 3*
Firearms not required in flight • 4–2, *page 3*

*This regulation supersedes AR 190–14, 23 September 1988.



**Unclassified**

## Contents—Continued

Firearm required during flight • 4–3, *page 4*
Exclusive military flights • 4–4, *page 4*
Use of other commercial transportation by personnel carrying firearms • 4–5, *page 4*

## Appendixes

**A.** References, *page 5*

**B.** DoD Directive 5210.56, *page 5*

## Glossary

## Index

## Chapter 1
## Introduction

### 1–1. Purpose
This regulation prescribes policies and procedures for authorizing, carrying, and using firearms in connection with law enforcement and security duties. It establishes uniform policy for the use of force by law enforcement and security personnel.

### 1–2. References
Required and related publications and prescribed and referenced forms are listed in appendix A.

### 1–3. Explanation of abbreviations and terms
Abbreviations and special terms used in this regulation are explained in the glossary.

### 1–4. Responsibilities
*a.* The Deputy Chief of Staff for Operations and Plans will establish policy covering the carrying of firearms and the use of force by personnel performing law enforcement and security duties.

*b.* Commanders at all levels will exercise sufficient control over operations and authorizations involving the carrying of firearms, and will ensure—

(1) When use of force is required, only minimum force necessary is applied. (Coordinate with legal counsel, as appropriate, for legal sufficiency for the use of deadly force implementing guidance.)

(2) Individuals being issued a firearm have written authorization in effect before the actual issuance of the weapon.

(3) Personnel permitted to perform law enforcement or security duties or duties guarding U.S. military prisoners—

*(a)* Receive instruction on use of force for the particular duty or post to which assigned.

*(b)* Demonstrate knowledge and skill in use of unarmed defense techniques, the military police (MP) club, chemical aerosol irritant projectors, and assigned firearms. Requirements concerning use of the MP club and chemical aerosol projectors apply only when these items are issued and carried on duty.

*(c)* Are qualified and trained, to include safety functions, on the use of all firearms authorized to be carried according to this regulation (and host nation requirements, overseas).

*(d)* Are briefed on administrative and safety requirements regarding the carrying of firearms aboard aircraft.

*(e)* Develop criteria consistent with this regulation and local law, for the carrying of firearms and for the use of force by contract security forces.

### 1–5. Policy
*a.* The authorization to carry firearms will be issued only to qualified personnel when there is a reasonable expectation that life or Department of the Army (DA) assets will be jeopardized if firearms are not carried. Evaluation of the necessity to carry a firearm will be made considering this expectation weighed against the possible consequences of accidental or indiscriminate use of firearms.

*b.* DA personnel regularly engaged in law enforcement or security duties will be armed.

*c.* DA personnel are authorized to carry firearms while engaged in security duties, protecting personnel and vital Government assets, or guarding prisoners.

*d.* The terms of official agreements between the United States and the host government and implementing instructions issued by commanders of major Army commands (MACOMs) of overseas areas will govern the arming of Department of Army personnel in foreign countries. The issuance of authorizations to local and other foreign nationals employed by DA will be governed by agreements or arrangements with the host nation.

*e.* Provisions of this regulation do not apply to DA personnel engaged in military operations and subject to authorized rules of engagement, or assigned to duty in the following areas or situations, as defined by an Executive Order, a Department of Defense (DOD) Directive, or an Army regulation (AR):

(1) In a combat zone in time of war.

(2) In a designated hostile fire area when rules of engagement apply, or when the combatant commander issues operations orders setting forth different criteria.

(3) When under the operational control of another Federal agency carrying firearms in support of the mission is subject to the approval and requirements of both the Federal agency and DA.

(4) In civil disturbance mission area.

(5) When DA personnel perform training missions.

## Chapter 2
## Carrying of Firearms by Law Enforcement and Security Personnel

### Section I
### Authorizations

### 2–1. Authorizing officials
*a.* Officers of field grade rank or higher, or civilian equivalent of grade General Schedule (GS)–12 or above may authorize the carrying of firearms for law enforcement and security duties described in paragraph 2–2.

*b.* The carrying of firearms for personal protection will only be approved on a case-by-case basis per paragraph 2–2d.

(1) The Secretary of the Army may authorize the carrying of firearms for personal protection within the continental United States.

(2) Commanders of MACOMs, or their appointed representative, in an overseas area may authorize the carrying of firearms for personal protection outside the continental United States.

### 2–2. Authority to carry firearms
*a.* Due to the serious responsibility imposed on persons authorized to bear or use firearms, such persons must be selected with care.

*b.* Authorization to carry a firearm includes the authority to permit or require the firearm to be loaded. Unless otherwise specified by local policy, authority to carry a loaded firearm will be implied by issuance of ammunition with the firearm.

*c.* Authorization to carry firearms may be granted to personnel authorized to—

(1) Conduct law enforcement activities including cases or investigations of espionage, sabotage, and other serious crimes in which DA programs, personnel, or property are involved and investigations conducted in hazardous areas or under hazardous circumstances.

(2) Protect classified information, systems, or equipment.

(3) Protect the President of the United States, high ranking Government officials, DOD personnel, or foreign dignitaries.

(4) Protect DOD assets and personnel.

(5) Guard prisoners.

*d.* DA military and civilian personnel may be authorized to carry firearms for personal protection when the responsible intelligence center identifies a credible and specific threat against DA personnel in that regional area. Firearms will not be issued indiscriminately for that purpose. Before individuals are authorized to carry a firearm for personal protection under this regulation, the authorizing official must evaluate—

(1) The probability of the threat in a particular location.

(2) The adequacy of support by DA or DOD protective personnel.

(3) The adequacy of protection by U.S. or host nation authorities.

(4) The effectiveness of other means to avoid personal attacks.

### 2–3. Authorization procedures
*a.* Procedures will be established to ensure that any individual being issued a firearm has a written authorization in effect before actual issuance of the weapon.

*b.* Except in situations requiring immediate action to protect life

or vital Government assets, all authorizations to carry firearms by personnel will be, in writing, signed by the appropriate authorizing official, and issued only to personnel who are eligible to carry firearms as specified in paragraph 2–5.

*c.* Personnel traveling from the continental United States to an overseas area in a temporary duty status must obtain advanced authorization from the applicable overseas authorizing official to carry a firearm for personal protection in that overseas area.

### 2–4. Authorization documentation

*a.* Written authorization documents will consist of one of the following: DA Form 2818 (Firearms Authorization), memorandum, or amended organizational roster. (DA Form 2818 is available through normal publications supply channels. Instructions for completing this form are self-explanatory.) Procedures will be established to immediately withdraw authorization to carry a firearm when an individual is no longer eligible or qualified to do so.

*b.* Written authorization does not have to be maintained by the person while the weapon is carried, except as noted in chapter 4 and paragraph 2–7b.

*c.* DA military and civilian personnel regularly assigned to law enforcement or security duties may be given a continuing authorization (not to exceed 1 year) to carry firearms, provided they pass and maintain eligibility and qualification standards.

*d.* DA Personnel not regularly assigned to law enforcement or security duties may carry firearms only for the duration of specific assignments dependent on satisfactory completion of mandatory training, proficiency testing, and eligibility, as specified in this regulation.

*e.* Minimum information to be included in the written authorization is as follows:

(1) Individual's name, rank, social security number, and activity or organization.

(2) The type and serial number of the weapon to be carried.

(3) The inclusive dates of the authorization, statement that the individual is authorized to carry the weapon described in connection with official duties during the period indicated, and whether the weapon is to be carried openly or concealed.

(4) Name, title, rank, and signature of the authorizing official.

*f.* Personnel assigned firearms for personal protection under the provisions of paragraph 2–2d, will be authorized to carry firearms on a case-by-case basis and written authorization issued only for the duration of specific assignment or threat. Individuals carrying firearms for personal protection must comply with all qualifying requirements specified in this regulation.

*g.* U.S. Army Criminal Investigation Command (USACIDC) special agents and supervisors may carry weapons while performing official duties based on the written authorization contained in their USACIDC credentials. Procedures will be established to ensure authorization and qualifying criteria for carrying firearms remain valid.

*h.* Except for USACIDC special agents or supervisors, travel orders must state whether—

(1) Personnel are authorized to carry a firearm while on temporary duty or permanent change of station.

(2) The firearm is to be carried openly or concealed.

## Section II
## Conditions for Carrying Firearms

### 2–5. Eligibility requirements

To be considered eligible to carry firearms, personnel must have satisfactorily completed mandatory training and proficiency testing within the preceding 12 months.

*a.* Mandatory training must include—

(1) A thorough briefing on individual responsibilities.

(2) Use of deadly force training.

(3) Instructions on safety functions, capabilities, limitations, and maintenance procedures for the firearm to be carried.

*b.* As a minimum, proficiency testing will include annual qualification firing according to Army qualification standards for the type of weapon being carried. Records of individual qualification results must be retained for as long as the individual possesses a firearm.

(1) Military police, DA civilian investigators, DA civilian police and security guards, and contracted or contractor security forces will qualify annually on the Military Police Firearms Qualification Course as specified in Field Manual 19–10.

(2) In the absence of a qualification standard for a particular type of firearm, successful completion of a familiarization course of fire is acceptable, providing that the familiarization course has been approved by the official authorizing the firearm to be carried.

### 2–6. Restrictions on carrying firearms

*a.* Weapons may be carried off an installation by DA personnel engaged in official duties when authorized by officers of field grade rank or higher, or civilian equivalent of grade GS–12 or above.

*b.* Only Government-owned, and Government-issued weapons and ammunition are authorized to be carried by DA personnel while performing official duties. The Secretary of the Army may authorize an exception to this requirement for Army investigative organizations.

*c.* Firearms will not be carried within prisoner domicile and work areas, inside closed neuropsychiatric wards, or hospital prison wards. No further restrictions on the carrying of firearms in medical treatment facilities may be imposed on personnel performing law enforcement or security duties.

### 2–7. Persons prohibited from carrying firearms

*a.* The following persons are not authorized to carry firearms:

(1) Those exhibiting unsuitable behavior as defined in AR 50–6, AR 190–56, or AR 380–67.

(2) Those with medical conditions, traits or behavioral characteristics are defined as disqualifying factors in AR 50–6, AR 190–56, or AR 380–67.

(3) Those whose security clearance has been revoked or denied under AR 50–6, AR 190–56, or AR 380–67.

(4) Those taking prescription drugs or other medications that may produce drowsiness or impair reaction or judgment.

*b.* Personnel authorized to carry firearms are prohibited from consuming alcoholic beverages 8 hours prior to carrying a firearm. An officer in the chain of command or supervisory chain in the grade of at least colonel may grant an exception to this provision for USACIDC special agents and supervisors, military police investigators, and DA civilian investigators operating in a covert role.

### 2–8. Carrying concealed firearms

*a.* Military or civilian personnel may carry concealed firearms while performing law enforcement or security duties if carrying firearms openly would compromise the mission.

*b.* Personnel authorized to carry concealed firearms will possess documentation identifying their law enforcement or security duty status and authorization to carry a concealed firearm. During covert operations, field grade commanders or provost marshals may waive the requirement to carry identifying documentation if such could compromise the mission or endanger the person carrying the weapon (requires sufficient control over operations to ensure that authorization and identification can be readily verified if required). A waiver under such situations does not preclude the requirement for written authorization to carry a firearm.

### 2–9. Safeguarding firearms

*a.* An individual authorized to carry a firearm is responsible for ensuring proper safeguards to prevent loss, theft, or unauthorized use.

*b.* Firearms will be returned to a designated control point on completion of the assignment for storage and accountability according to AR 190–11. The Secretary of the Army and the Commander, USACIDC, may authorize exceptions to this requirement for criminal investigators.

## Chapter 3
## Use of Force

### 3–1. Procedures for use of force

*a.* DA military and civilian personnel engaged in law enforcement or security duties will avoid the use of force where they can carry out their duties without resorting to its use. In such cases where the use of force is warranted, DA personnel will use the minimum amount of force necessary to reach their objective. Only as a last resort will deadly force be used and only as described in this regulation.

*b.* Commanders are encouraged to substitute nonlethal devices for firearms when considered adequate for safely performing law enforcement and security duties. In evaluating the degree of force required for specific law enforcement or security situations, the following options should be considered in the order listed:

(1) Verbal persuasion.

(2) Unarmed defense techniques.

(3) Chemical aerosol irritant projectors (subject to host nation or local restrictions).

(4) MP club.

(5) Military working dogs (military working dogs will be used per AR 190–12).

(6) Presentation of deadly force capability .

(7) Deadly force (para 3–2).

### 3–2. Deadly force

*a.* Principles defined in this regulation on the use of deadly force with firearms will be applied equally to personnel using a weapon or equipment which, when properly employed in their intended application, would exert deadly force.

*b.* The Secretary of the Army, major Army commanders, or their designees may impose further restrictions on the use of deadly force if deemed necessary in their judgment and if such restrictions would not unduly compromise the national security interests of the United States.

*c.* Personnel will not be permitted to perform law enforcement or security duties requiring the use of weapons until they have received instruction on applicable regulations for the use of deadly force in the performance of such duties. Additionally, annual refresher training will be given to all personnel assigned to those duties to ensure that they continue to be thoroughly familiar with all restrictions on the use of deadly force.

*d.* Personnel carrying weapons for personal protection under the provisions of paragraph 2–2d will have the necessary training on deadly force commensurate with that prescribed by this regulation.

*e.* For contract security forces, use of deadly force criteria will be established consistent with this regulation and local law.

*f.* Deadly force is justified only under conditions of extreme necessity and as a last resort when all lesser means have failed or cannot reasonably be employed. Deadly force is justified under one or more of the following circumstances:

(1) *Self-Defense and defense of others.* When deadly force reasonably appears to be necessary to protect law enforcement or security personnel who reasonably believe themselves or others to be in imminent danger of death or serious bodily harm.

(2) *Assets involving national security.* When deadly force reasonably appears necessary to prevent the actual theft or sabotage of assets vital to national security. DOD assets will be specifically designated as "vital to national security" only when their loss, damage, or compromise would seriously jeopardize the fulfillment of a national defense mission. Examples include nuclear weapons; nuclear command, control, and communications facilities; and designated restricted areas containing strategic operational assets, sensitive codes or special access programs.

(3) *Assets not involving national security but inherently dangerous to others.* When deadly force reasonably appears to be necessary to prevent the actual theft or sabotage of resources, such as operable weapons or ammunition, that are inherently dangerous to others; such as assets that, in the hands of an unauthorized individual, present a substantial potential danger of death or serious bodily harm to others. Examples include high risk portable and lethal missiles, rockets, arms, ammunition, explosives, chemical agents, and special nuclear material.

(4) *Serious offenses against persons.* When deadly force reasonably appears necessary to prevent the commission of a serious offense involving violence and threatening death or serious bodily harm. Examples include murder, armed robbery, and aggravated assault.

(5) *Arrest or apprehension.* When deadly force reasonably appears to be necessary to arrest, apprehend, or prevent the escape of a person who, there is probable cause to believe, has committed an offense of the nature specified in (2) through (4) above.

(6) *Escapes.* When deadly force has been specifically authorized by the Secretary of the Army and reasonably appears to be necessary to prevent the escape of a prisoner, provided law enforcement or security personnel have probable cause to believe that the escaping prisoner poses a threat of serious bodily harm either to security personnel or others.

*g.* Additional requirements for the use of firearms.

(1) Give an order to halt before firing.

(2) Warning shots are prohibited.

(3) When a firearm is discharged, it will be fired with the intent of rendering the person(s) at whom it is discharged incapable of continuing the activity or course of behavior prompting the individual to shoot.

(4) Shots will be fired only with due regard for the safety of innocent bystanders.

(5) In the case of holstered weapons, a weapon should not be removed from the holster unless there is reasonable expectation that use of the weapon may be necessary.

*h.* Commanders of MACOMs may establish additional considerations in implementing procedures over the use of firearms.

## Chapter 4
## Carrying Firearms While Aboard Commercial and Military Aircraft

### 4–1. Procedures

DA personnel authorized to carry firearms aboard commercial and/or military aircraft will follow the rules specified in this paragraph. These rules satisfy both Federal Aviation Administration regulations and military directives for DOD personnel who carry firearms aboard commercial and/or military aircraft, and ensure the safety of aircraft and the personnel on the aircraft.

*a.* When personnel must carry firearms aboard aircraft, either on themselves or in their baggage, the commercial airline or military passenger service representatives will be notified before the flight departure.

*b.* Personnel will possess proper identification with full-face photograph and written authorization, such as, letter of authorization, credentials, and so forth, to carry firearms. Exceptions will only occur as a result of prior coordination with competent authority.

### 4–2. Firearms not required in flight

If the firearm is not required during the flight, the person carrying the firearm will—

*a.* Declare to the commercial airline representative or military passenger service representative, before the baggage is checked, that an unloaded firearm is in the baggage.

*b.* Inform the commercial airline representative or military passenger service representative that the firearm container is appropriate for air transportation. If the firearm is a handgun or other weapon that normally is not fired from the shoulder position, the baggage will be locked and the key will be kept by the person carrying the firearm. If the firearm is carried in the baggage, the weapon will be unloaded and securely locked in the baggage.

*c.* Place ammunition in an ammunition pouch or other suitable

container in the baggage with the firearm, or in a different piece of luggage.

### 4–3. Firearm required during flight

If a firearm must be accessible during flight, the person carrying the firearm will—

*a.* Notify the airlines or passenger service representative at least 1 hour before the plane departs that the weapon will be carried on the aircraft. If an emergency occurs and the airline cannot be notified 1 hour before the plane departs, then the airline will be notified expeditiously.

*b.* Present official Government identification and written authorization, which contains a full-face picture, signature, and the official seal of the authorizing organization, to the airline's attendant.

*c.* Consume no alcoholic beverages 8 hours before or during the flight.

*d.* Be knowledgeable of danger and limitations on use of firearms aboard aircraft.

### 4–4. Exclusive military flights

When the total cabin load of an aircraft on a flight for DOD purposes is used exclusively by the DOD Components, the following conditions apply to everyone except law enforcement or security personnel whose duties require that they be armed:

*a.* No firearms will be loaded (such as no magazine inserted or round in the chamber) and all bolts to such firearms will be locked in the "open" position and the safety engaged, as appropriate.

*b.* Before DA personnel board the aircraft, the commercial airlines representative or the passenger service representative will be notified by the unit commander (or officer-in-charge of the charter) that weapons will be carried aboard the aircraft.

### 4–5. Use of other commercial transportation by personnel carrying firearms

Procedures similar to those for commercial aircraft will apply to other means of commercial transportation. Specific requirements must be determined through advanced coordination with appropriate transportation authorities.

## Appendix A
## References

### Section I
### Required Publications

**AR 190–11**
Physical Security of Arms, Ammunition and Explosives. (Cited in para 2–9.)

**AR 190–12**
Military Police Working Dogs. (Cited in para 3–1.)

**AR 190–56**
The Army Civilian Police and Security Guard Program. (Cited in para 2–7.)

**AR 380–67**
The Department of the Army Personnel Security Program. (Cited in para 2–7.)

### Section II
### Related Publications

**AR 50–5–1**
Nuclear Weapon Security.

**AR 50–6**
Nuclear and Chemical Weapons and Material, Chemical Surety

**AR 190–58**
Personal Security.

**AR 190–59**
Chemical Agent Security Program.

**AR 195–2**
Criminal Investigation Activities.

**AR 381–20**
U.S. Army Counterintelligence Activities.

**DOD Directive 5210.56**
Use of Deadly Force and the Carrying of Firearms by DOD Personnel Engaged in Law Enforcement and Security Duties.

**FM 19–10**
Military Police Operations

### Section III
### Prescribed Forms

**DA Form 2818**
Firearms Authorization. (Prescribed in para 2-4.)

### Section IV
### Referenced Forms
This section contains no entries.

## Appendix B
## DoD Directive 5210.56

### Department of Defense Directive

February 25, 1992
NUMBER 5210.56

ASD(C3I)/IG

**Subject:**
Use of Deadly Force and the Carrying of Firearms by DoD Personnel Engaged in Law Enforcement and Security Duties.

(a) DoD Directive 5210.56, "Use of Force by Personnel Engaged in Law Enforcement and Securities Duties," May 10, 1986 (hereby canceled)
(b) DoD Directive 5210.56, "Carrying of Firearms by DoD Personnel," March 17, 1986 (hereby canceled)
(c) Section 1585 of title 10, United States Code
(d) Title 14, Code of Federal Regulations, Part 108.11, "Carriage of Weapons," current edition
(e) Section 1472 of title 49, United States Code

### A. Reissuance and Purpose
This Directive:

*1.* Reissues reference (a), replaces reference (b), and consolidates policy and procedures for carrying of firearms and use of deadly force by DoD military and civilian personnel engaged in law enforcement or security duties.

*2.* Implements the provisions of reference (c) that govern the carrying of forearms by civilian DoD personnel performing law enforcement and security duties, and references (d) and (e) that apply to the carrying of forearms by DoD military and civilian personnel aboard commercial aircraft.

### B. Applicability and Scope
This Directive:

*1.* Applies to the Office of the Secretary of Defense (OSD), the Military Departments, the Chairman of the Joint Chiefs of Staff and the Joint Staff, the Unified and Specified Commands, the Inspector General of the Department of Defense, the Defense Agencies, and the DoD Field Activities (hereafter referred to collectively as "the DoD Components"). The term "Military Services," as used herein, refers to the Army, the Navy, the Air Force, and the Marine Corps.

*2.* Authorizes DoD personnel to carry firearms while engaged in law enforcement or security duties, protecting personnel, vital Government assets, or guarding prisoners.

*3.* Does not apply to DoD personnel engaged in military operations and subject to authorized rules of engagement, or assigned to duty in the following areas or situations, as defined by an Executive order or a DoD Directive:

*a.* In a combat zone in time of war.

*b.* In a designated hostile fire area when rules of engagement apply, or when the combatant comander issues operations orders setting forth different criteria.

*c.* Under the operational control of another Federal Agency carrying firearms in support of the mission, subject to the approval and requirements of both the Federal Agency and the DoD Component.

*d.* Civial disturbance mission area.

*e.* Military Services personnel performing training missions.

*4.* Requires that the principles defined in this Directive on use of deadly force with firearms be applied equally to personnel using any weapon or equipment which, when properly employed in their intended application, would exert deadly force.

*5.* Requires establishing criteria for compliance with its provisions by contract security forces.

### C. Definitions
*1. Deadly Force.* Force that a person uses causing, or that a person knows or should know would create a substantial risk of causing, death or serious bodily harm. Deadly force shall be used only as set forth in enclosure 2.

*2. Defense Criminal Investigative Organizations (DCIOs)* Means the Naval Investigative Service Command, the Air Force Office of

Special Investigations, the Army Criminal Invertigations Command, and the Defense Criminal Investigative Service, and any successor organizations.

*3. Serious Bodily Harm.* Does not include minor injuries, such as a black eye or bloddy nose, but does include fractured or dislocated bones, deep cuts, torn members of the body, serious damage to the internal organs, and other life-threatening injuries.

*4. Armed* Equipped with a loaded firearm.

### D. Policy

It is DoD Policy:

*1.* To limit and control the carrying of firearms by DoD military and civilian personnel. The authorization to carry firearms shall be issued only to qualified personnel when there is a reasonable expectation that life or DoD assets will be jeopardized if firearms are not carried. Evaluation of the necessity to carry a firearm shall be made considering this expectation weighed against the possible consequences of accidental or indiscriminate use of firearms. DoD personnel regularly engaged in law enforcement or security duties shall be armed. Procedures on authorization to carry and the carrying of firearms are in enclosure 1.

*2.* That DoD military and civilian personnel engaged in law enforcement or security duties shall avoid the use of force where they can carry out their duties without resorting to its use. In such cases where the use of force is warranted, DoD personnel shall use the minimum amount of force necessary to reach their objective. Deadly force whall only be used as described in enclosure 2.

*3.* That when personnel must carry firearms aboard aircraft, either on their person or in baggage, commercial airline or military passenger service representatives shall be notified before the flight departure. personnel shall carry written authorization to carry the firearm and proper identification to include a full-face photograph. If the firearm is carried in baggage, the weapon shall be unloaded and securely locked in the baggage. Procedures for the authorization and carrying of firearms on commercial and/or military aircraft are in enclosure 3.

### E. Responsibilities

*1.* The *Assistant Secretary of Defense for Command, Control, Communications and Intelligence* shall monitor compliance with this Directive as it relates to counterintelligence, law enforcement and security matters.

*2.* The *Inspector General of the Department of Defense* shall monitor compliance with this Directive as it relates to criminal investigative policy and law enforcement functions in the DCIOs.

*3.* The *Heads of the DoD Components* shall:

*a.* Authorize DoD personnel to carry firearms in accordance with this Directive. This authority shall be exercised by the Director of Administration and Management for OSD; the Defense Advanced Research Projects Agency; the Defense Legal Services Agency; the Defense Security Assistance Agency; and the DoD Field Activities.

*b.* Establish, as needed, implementing procedures to ensure compliance with this Directive.

*c.* Ensure that local commanders develop criteria, consistent with this Directive and local law, for the carrying of firearms and the use of force by contract security forces.

### F. Procedures

The procedures for the arming of DoD Law enforcement and security personnel, the use of deadly force, and the carrying of firearms aboard aircraft are in enclosures 1 through 3, respectively.

### G. Effective Date and Implementation

*1.* This Directive is effective immediately. Forward one copy of implementing documents to the Assistant Secretary of Defense (Command, Control, Communications and Intelligence) and the Inspector General, Department of Defense within 120 days.

*2.* Documents that implement this Directive in overseas areas should be framed in a manner to satisfy applicable provisions of international agreements or arrangements relating to law enforcement and security matters.

Signed by Donald J. Atwood

Deputy Secretary of Defense

Enclosures —3

*1.* Procedures for the Arming of DoD Law Enforcement and Security personnel

*2.* Procedures for Use of Deadly Force

*3.* Procedures for DoD Personnel Who Carry Firearms While Aboard Commercial and Military Aircraft

Feb 25, 92

5210.56 (Encl 1)

## PROCEDURES FOR THE ARMING OF DoD LAW ENFORCEMENT AND SECURITY PERSONNEL

A. Authorizations to carry firearms shall be granted by the Heads of the DoD Components or their designees. Personnel to be issued a firearm shall be briefed thoroughly on their individual responsibilities and shall receive the mandatory training as required by this Directive.

B. An authorization to carry firearms may be granted to personnel authorized to be engaged and in fact engaged in the following activities:

*1.* Law enforcement activities, including investigations of espionage, sabotage, and other serious crimes in which DoD programs, personnel, or property are the victim, or

*a.* In cases where DoD personnel are involved in serious crimes; or

*b.* Where investigations are conducted in hazardous areas or under hazardous circumstances.

*2.* Protecting classified information, systems, or equipment.

*3.* Protecting the President of the United States, high ranking Government officials, DoD personnel, or foreign dignitaries.

*4.* Protecting DoD assets and personnel.

*5.* Guarding prisoners.

C. DoD military and civilian personnel may be authorized to carry firearms for personal protection in overseas areas when the DoD Component headquarters intelligence center identifies a credible and specific threat against DoD personnel in that regional area. Firearms shall not be issued indiscriminately for that purpose. Authorizations must be approved by the Heads of the DoD Components, or their designees. Before individuals are authorized to carry a firearm for protection under this Directive, the Heads of the DoD Components or their designees must evaluate the probability of the threat in a particular location, the adequacy of support by DoD protective personnel, the adequacy of protection by U.S. or host nation authorities, and the effectiveness of other means to avoid personal attacks.

D. Except in situations requiring immediate action to protect life or vital Government assets, all authorizations to carry firearms by personnel shall be in writing, signed by the appropriate authorizing official, and issued only to personnel who satisfactorily have completed qualification training, proficiency testing, and use of deadly force training within the preceding 12 months. Written authorization does not have to be maintained by the person while the weapon is carried except as noted in subsection D.3., above, of the basic Directive. As a minimum, annual firearm qualification training is also required of all personnel issued and maintaining firearms. Records of individual qualification results must be retained for as long as the individual possesses a firearm.

E. DoD military and civilian personnel regularly assigned to law enforcement or security duties may be given a continuing authorization to carry firearms provided they pass the required yearly qualification standards. Personnel assigned firearms for personal protection under the provisions of section C above shall be authorized to carry firearms on a case-by-case basis only for the duration of specific assignments or threats. Procedures shall be established to ensure that any individual being issued a firearm has written authorization in effect before the actual issuance of the weapon.

F. Firearms shall be returned to a designated control point on completion of the assignment for storage and accountability in accordance with Component procedures. The Secretaries of the Military Departments and the Inspector General, Department of Defense may authorize exceptions to this requirement for the DCIOs.

G. An individual authorized to carry a firearm is responsible for ensuring proper safeguards to prevent loss, theft, or unauthorized use.

H. Weapons may be carried off an installation by DoD personnel engaged in official duties when authorized by the Heads of the DoD Components or their designees.

I. Only Government-owned and issued weapons and ammunition are authorized to be carried by DoD personnel while performing official duties. The Secretaries of the Military Departments and the Inspector General, Department of Defense may authorize an exception to this requirement for the DCIOs.

Feb 25, 92

5210.56 (Encl 2)

## PROCEDURES FOR USE OF DEADLY FORCE

A. The procedures for use of deadly force are in section B., below. The Heads of the DoD Components shall consult as appropriate with the DoD General Counsel, or the General Counsel of the DoD Component, or their designees, for legal sufficiency of use of deadly force implementing guidance. The Heads of the DoD Components, or their designees, may impose further restrictions on the use of deadly force if deemed necessary in their judgment and if such restrictions would not unduly compromise the national security interests of the United States.

B. Deadly force is justified only under conditions of extreme necessity and as a last resort when all lesser means have failed or cannot reasonably be employed. Deadly force is justified under one or more of the following circumstances:

*1. Self-Defense and Defense of Others.* When deadly force reasonably appears to be necessary to protect law enforcement or security personnel who reasonably believe themselves or others to be in imminent danger of death or serious bodily harm.

*2. Assets Involving National Security.* When deadly force reasonably appears necessary to prevent the actual theft or sabotage of assets vital to national security. DoD assets shall be specifically designated as "vital to national security" only when their loss, damage, or compromise would seriously jeopardize the fulfillment of a national defense mission. Examples include nuclear weapons; nuclear command, control, and communications facilities; and designated restricted areas containing strategic operational assets, sensitive codes, or special access programs.

*3. Assets Not Involving National Security But Inherently Dangerous To Others.* When deadly force reasonably appears to be necessary to prevent the actual theft or sabotage of resources, such as operable weapons or ammunition, that are inherently dangerous to others; i.e., assets that, in the hands of an unauthorized individual, present a substantial potential danger of death or serious bodily harm to others. Examples include high risk portable and lethal missiles, rockets, arms, ammunition, explosives, chemical agents, and special nuclear material.

*4. Serious Offenses Against Persons.* When deadly force reasonably appears necessary to prevent the commission of a serious offense involving violence and threatening death or serious bodily harm. Examples include murder, armed robbery, and aggravated assault.

*5. Arrest or Apprehension.* When deadly force reasonably appears to be necessary to arrest, apprehend, or prevent the escape of a person who, there is probably cause to believe, has committed an offense of the nature specified in subsections B.2. through B.4. of this enclosure, above.

*6. Escapes.* When deadly force has been specifically authorized by the Heads of the DoD Components and reasonable appears to be necessary to prevent the escape of a prisoner, provided law enforcement or security personnel have probable cause to believe that the escaping prisoner poses a threat of serious bodily harm either to security personnel or others.

C. For contract security forces, use of deadly force criteria shall be established consistent with this Directive and local law.

D. Personnel shall not be permitted to perform law enforcement or security duties requiring the use of weapons until they have received instruction on applicable regulations for the use of deadly force in the performance of such duties. Additionally, annual refresher training shall be given to all personnel assigned to those duties to ensure that they continue to be thoroughly familiar with all restrictions on the use of deadly force.

E. Personnel carrying weapons for personal protection under the provisions of section C. Enclosure 1, shall have the necessary training on deadly force commensurate with that prescribed by this Directive.

F. Additional requirements for the use of firearms:

*1.* Warning shots are prohibited.

*2.* When a firearm is discharged, it will be fired with the intent of rendering the person(s) at whom it is discharged incapable of continuing the activity or course of behavior prompting the individual to shoot.

*3.* Shots shall be fired only with due regard for the safety of innocent bystanders.

*4.* In the case of holstered weapons, a weapon should not be removed from the holster unless there is reasonable expectation that use of the weapon my be necessary.

*5.* The Heads of the DoD Components may establish additional considerations in implementing procedures over the use of firearms.

Feb 25, 92

5210.56 (Encl 3)

## PROCEDURES FOR DoD PERSONNEL WHO CARRY FIREARMS WHILE ABOARD COMMERCIAL AND MILITARY AIRCRAFT

A. The following rules satisfy both the Federal Aviation Administration administrative regulations and military directives for DoD personnel who carry firearms aboard commercial and/or military aircraft: (Those rules were developed to ensure the safety of aircraft and the personnel on the aircraft.)

B. DoD personnel authorized to carry firearms aboard commercial and/or military aircraft shall follow the following rules:

*1.* Personnel shall possess written authorization to carry firearms;

i.e., letter of authorization, DoD Component credentials, etc. Exceptions shall only occur as a result of prior coordination with competent authority.

*2.* If the firearm is not required during the flight, the person carrying the firearm shall:

*a.* Declare to the commercial airline representative or military passenger service representative before the baggage is checked that a firearm is in the baggage and that the firearm is unloaded.

*b.* Inform the commercial airline representative or military passenger service representative that the container is appropriate for air transportation. If the firearm is a handgun or other weapon that normally is not fired from the shoulder position, the baggage shall be locked and the key shall be kept by the person carrying the firearm.

*3.* If a firearm must be accessible during flight, the person carrying the firearm shall:

*a.* Notify the airlines or passenger service representative at least 1 hour before the plane departs that the weapon shall be carried on the aircraft. If an emergency occurs and the airline cannot be notified 1 hour before the plane departs, then the airline shall be notified expeditiously.

*b.* Present official Government identification and written authorization, which contain his or her full-face picture, signature, and the official seal of the authorizing organization, to the airline's attendant.

*c.* Consume no alcoholic beverages eight hours before or during the flight.

C. When the total cabin load of an aircraft on a flight for DoD purposes is used exclusively by the DoD Components, the following conditions apply to everyone except law enforcement or security personnel whose duties require that they be armed:

*1.* No firearms shall be loaded (i.e., no magazine inserted or rounds in the chambers) and all bolts to such firearms shall be locked in the "open" position and the safety engaged, as appropriate.

*2.* Before DoD personnel board the aircraft, the commercial airlines representative or the passenger service representative shall be notified by the unit commander (or officer in charge of the charter) that weapons shall be carried aboard the aircraft.

## Glossary

### Section I
### Abbreviations

**AR**
Army regulation

**ARNG**
Army National Guard

**DA**
Department of the Army

**DAMO-ODL**
Security, Force Protection, and Law Enforcement Division, Deputy Chief of Staff, Operations, Headquarters, Department of the Army

**DOD**
Department of Defense

**GS**
General Schedule

**HQDA**
Headquarters, Department of the Army

**MACOM**
major Army command

**MP**
military police

**USACIDC**
U.S. Army Criminal Investigations Command

**U.S.**
United States

**USAR**
U.S. Army Reserve

### Section II
### Terms

**Armed**
Equipped with a loaded firearm.

**Deadly force**
Force that a person uses causing, or that a person knows, or should know, will create a substantial risk of causing, death or serious bodily harm. Deadly force will be used only as set forth in chapter 3.

**Serious bodily harm**
Does not include minor injuries, such as a black eye or a bloody nose, but does include fractured or dislocated bones, deep cuts, torn members of the body, serious damage to the internal organs, and other life-threatening injuries.

### Section III
### Special Abbreviations and Terms
This section contains no entries.

## Index

This index is organized alphabetically by topic and subtopic. Topics and subtopics are identified by paragraph number.

**Alcohol use, 2–7 and 4–3**
**Authority to carry firearms**
Armed, 2–2
Authorizing officials, 2–1
Documentation, 2–4
Procedures, 2–3

**Concealed weapons, 2–8**
**Contract security force requirements, 3–2**

**Deadly force, 3–2**
**Definitions, Glossary**
**Drug use, 2–7**

**Eligibility, 2–5**
**Exceptions to the regulation, 1–5**

**Firearms**
Aboard aircraft, 4–1
Non-Government issue, 2–6
Restrictions, 2–6
Safeguarding, 2–9
Use of, 3–2
**Forms, DA Form 2818, 2–4**

**Nonlethal devices, 3–1**

**Personal protection, 2–1, 2–2**
**Persons prohibited from carrying firearms, 2–7**
**Policy, 1–5**
**Purpose, 1–1**

**Qualification, 2–5**

**References, Appendix A**
**Responsibilities, 1–4**

**Training, 2–5**
**Transportation other than aircraft, 4–5**

**Use of force, 3–1**

**Warning shots, 3–2**

# USAPA

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Field Manual
No. 19-10

HEADQUARTERS
DEPARTMENT OF THE ARMY
Washington, DC, 30 September 1987

# MILITARY POLICE LAW AND ORDER OPERATIONS

## Preface

One of the most important missions the Army has is to maintain its readiness. Unit readiness rests on the morale, discipline, and training of its soldiers. It rests equally on having quality soldiers and their families feel good about life in the Army community. Our soldiers and their families must have a safe and secure environment in which to live, work, and train. The military police (MP) accept that challenge daily.

MP protect the Army's assets through active physical security measures. And MP undertake a vigorous economic crime program. They guard the Army's people and installations against terrorist threats. Their initiatives in crime prevention and family advocacy and their "work friendly" attitude show they care about soldiers and their families. MP unstintingly fulfill their law and order mission, knowing it to be vital to the Army's success in combat.

This field manual (FM) discusses each element of the MP law and order mission. It addresses law enforcement operations, investigations, confinement of US military prisoners, and terrorism counteraction. This FM will assist MP in understanding how each of these elements is an essential part of their law and order mission. Commanders will find it useful in understanding how MP help support the fulfillment of command responsibilities.

Because many aspects of the MP law and order mission are undertaken largely to provide a safe environment for the total Army community, much of the discussion in this FM is devoted to MP law and order responsibilities in a peacetime environment.

The proponent of this publication is Headquarters, US Army Training and Doctrine Command (TRADOC). Submit changes for improving this publication on Department of the Army (DA) Form 2028 (Recommended Changes to Publications and Blank Forms) and forward it to Commandant, US Army Military Police School, ATTN: ATZN-MP-DML, Fort McClellan, Alabama 36205-5030.

Unless otherwise stated, whenever the masculine gender is used both men and women are included.

*This publication supersedes FM 19-10, 30 September 1976.

APPENDIX B

# Military Police Firearms Qualification

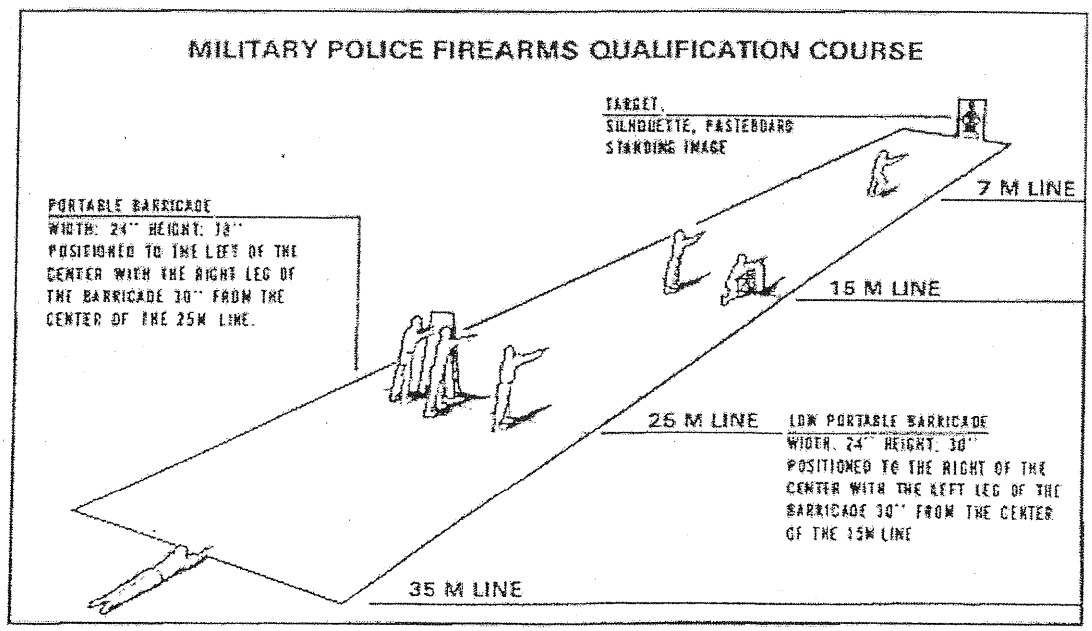
Military police personnel must be trained in the use of the weapon that they carry in the performance of their duties. The weapon may be the M16, the M1911A1 (.45-caliber pistol), the .38-caliber revolver with 4-inch or a 2-inch barrel, or the M9 9-mm parabellum semiautomatic pistol. FM 23-9 provides marksmanship instruction on the M16. USACIDC Regulation 195-19 provides instruction on the .38-caliber 2-inch barrel weapon. The Military Police Firearms Qualification Course (MPFQC) described in this appendix provides marksmanship instruction for the .45-caliber pistol, the .38-caliber revolver with 4-inch barrel, and the 9-mm parabellum semiautomatic pistol.

Commanders at all levels are responsible for ensuring that personnel entrusted with weapons are trained to use the weapons as intended and in a safe manner. AR 190-14 and AR 190-28 establish the requirements for granting authorization to carry firearms and to conduct training. DA Pamphlet 350-38 authorizes ammunition for MP personnel to qualify yearly with their assigned weapon. Yearly qualification includes protective mask firing. (See DA Pamphlet 350-38 for the protective mask firing requirements.)

The MPFQC is designed to provide realistic and effective police marksmanship training. The MP engages single targets at various ranges using the standard service weapon. The six tables of the MPFQC require the firer to fire from 7, 15, 25, and 35 meters. The firer uses both the strong and weak hands in the standing and kneeling positions, and the strong hand in the prone and crouch positions. The MPFQC standards are--

Expert, 48 to 50 hits.

- Sharpshooter, 45 to 47 hits.
- Marksman, 35 to 44 hits.
- Unqualified, 34 or fewer hits.




A locally reproduced record of qualification should be used and must be forwarded with departing personnel as proof

of weapons qualification at the gaining unit. DA Form 88 (Combat Pistol Qualification Course Scorecard) should not be used for the MPFQC because this course does not provide combat pistol qualification.

## MPFQC REQUIREMENTS

| TABLE | RANGE | POSITION | NO. ROUNDS | TIME: 9-MM/.45-CALIBER | TIME: .38-CALIBER | INSTRUCTIONS |
|---|---|---|---|---|---|---|
| I | 35 m | Prone | 10 | 1 min, 45 sec | 2 min | 9-mm/.45-caliber—Holster weapon. Draw weapon, pull slide to the rear, chamber a round, and fire five rounds. Change magazines at own speed, and fire five additional rounds. |
| | | | | | | .38-caliber—Fire revolver single-action, and reload at own speed. |
| II | 25 m | Standing without support (strong hand) | 10 | 1 min, 45 sec | 2 min | 9-mm/.45-caliber—Load one 5 round-magazine into the weapon initially. On command draw the weapon, chamber a round, and fire 5 rounds. Change magazines at own speed, and fire five additional rounds. Use the two-handed position. Use the weak hand for support. As an alternative use the weak hand to support the strong hand by grasping the weapon's grip over the strong hand. |
| | | | | | | .38-caliber—Fire revolver single-action, and reload at own speed. |
| III | 25 m | Standing with support (left hand) | 5 | 45 sec | 45 sec | 9-mm/.45-caliber—Load one magazine into the weapon initially. On command draw the weapon, chamber a round, and fire five rounds from the support position behind the left side of the barricade, using the left hand. Then, from behind the barricade, reload the weapon, move to the right side of the barricade, and fire five rounds with the right hand from a supported position. |
| | | Standing with support (right hand) | 5 | 45 sec | 45 sec | |
| | | | | | | .38-caliber—Fire revolver single-action and reload behind the barricade at own speed. |

CONTINUED NEXT PAGE

## MPFQC REQUIREMENTS-CONTINUED

| TABLE | RANGE | POSITION | NO. ROUNDS | TIME: 9-MM/.45-CALIBER | TIME: .38-CALIBER | INSTRUCTIONS |
|---|---|---|---|---|---|---|
| IV | 15 m | Standing without support (strong hand) | 5 | 40 sec | 40 sec | 9-mm/.45-caliber—On command draw the loaded weapon, chamber a round, and fire from the standing position without support. Use only the strong hand and do not support it with the nonshooting hand. |
| | | | | | | .38-caliber—Fire revolver double-action. |
| V | 15 m | Kneeling with support (left hand) | 5 | 40 sec | 40 sec | 9-mm/.45-caliber—On command draw the loaded weapon, chamber a round while assuming kneeling position, and fire five rounds with the support left hand over the top of the barricade. Reload at own speed before firing five more rounds. Use the right hand and again fire over the top of the barricade. |
| | | Kneeling with support (right hand) | 5 | 40 sec | 40 sec | |
| | | | | | | .38-caliber—Fire the revolver double-action, and reload at own speed. |
| VI | 7 m | Crouch | 5 | 12 sec | 12 sec | 9-mm/.45-caliber—On command move forward from the 15-meter line with a locked and loaded weapon. On command obtain the crouch position and engage the target with five rounds, using two hands. |
| | | | | | | .38-caliber—Fire revolver double-action. |
| TOTAL | | | 50 | 7 min, 12 sec | 7 min, 42 sec | A summary of the MPFQC. |

NOTE: When the revolver is fired, the firer is issued the number of rounds required to fire a specific table. Reloading is done at the firer's own speed during the table.

Loading done prior to the beginning of each table is controlled by the range officer or range NCO.

EXAMPLE OF RECORD MPFQC RESULTS

# DISPOSITION FORM

For use of this form, see AR 340-15; the proponent agency is TAGO.

| REFERENCE OR OFFICE SYMBOL | SUBJECT |
|---|---|
| XXXX-XX-X | Record of Military Police Firearms Qualification Course Results |

TO XXXXXX FROM XXXXXX DATE XX XXX XX CMT 1 XXXXXX/XX/XXXX

1. Reference:

a. DA Pam 350-38, Standards in Weapons Training.

b. FM 19-10, Military Police Law and Order Operations.

2. The individual listed below completed the Military Police Firearms Qualification Course on 14 Dec 87 at Fort Blank, AL and qualified (~~expert~~/sharpshooter/~~marksman~~) with 47 hits out of 50 possible hits.

Name Kenneth E. Lewis Rank Staff Sergeant SSN 257-52-0014

Unit B Company, 952d Military Police Battalion, Fort Blank, AL

3. The individual (did/~~did not~~/~~not~~) complete a protective mask fire for record course in accordance with reference 1a.

John Jones

JOHN JONES
CPT, MP
Company Commander/Range Officer

DA FORM AUG 80 2496 PREVIOUS EDITIONS WILL BE USED GPO : 1987 O - 272-421

## Downloadable Files

Army Regulation 710–2

Inventory Management

# Supply Policy Below the National Level

Headquarters
Department of the Army
Washington, DC
8 July 2005

UNCLASSIFIED

# SUMMARY of CHANGE

AR 710-2
Supply Policy Below the National Level

This rapid action revision, dated 8 July 2005--

- Changes the term "forward distribution point" to "supply support activity" throughout the regulation.
- Changes the acronym "SSA" to "SSA" throughout the regulation
- Adds responsibilities taken from DA Pam 710-2-1, paragraph 12-18 (paras 1-4m and 1-4n).
- Changes the dollar threshold from $2,500 up to $5,000 when determining whether an item is to be accounted for on property book records (para 2-5).
- Directs that cellular phones, pagers, and personal digital assistants having unit cost of $1,000 or more be accounted for on property book records (para 2-5a(24)).
- Directs that Government--furnished equipment in the hands of contractors having a unit cost greater than $5,000 be accounted for on property book records (para 2-5a(25)).
- Removes requirement to develop procedures to ensure controls are applied that prevent the release of passing action receipts (para 3-21a(7)).
- Removes the requirement to remove magazine data cards from the magazine area prior to conducting inventories (para 3-37a(1)(b)).
- Adds appendix G.

This revision, dated 25 February 2004--

- Changes the title of this regulation from "Inventory Management, Supply Policy Below the Wholesale Level" to "Supply Policy Below the National Level." The term "wholesale" is changed to "national" throughout this regulation.
- Changes the acronym "AMDF" (Army Master Data File) to "AMDF" contained in "FEDLOG" throughout this regulation.
- Changes Deputy Chief of Staff for Logistics to the Deputy Chief of Staff, G-4 throughout this regulation.
- Adds policy to implement automatic identification technologies at the forward distribution point level (para 1-1a).

- Adds requirement for the Assistant Secretary of the Army (Financial Management and Comptroller) to provide financial management and policy guidance to support the single stock fund initiative (Para 1-4a).

- Adds responsibility for the Office of the Deputy Chief of Staff, G-4 for the development, supervision, and implementation of automatic identification technologies (para 1-4a).

- Lists responsibilities of the Director, Single Stock Fund Program (para 1-4e)

- Places the requirement on major Army commands to ensure automatic identification technologies devices are available and used throughout the logistics process (para 1-4d).

- Requires major Army command commanders to oversee execution of single stock fund by assigned units and activities (para 1-4e)

- Designates the U.S. Army Materiel Command (AMC) as the lead office for the AWCF-SMA and National Maintenance Program and as National Manager for the centralized management of secondary items in the Army logistics system (para 1-4f(1)).

- Requires the U.S. Army Materiel Command to coordinate single stock fund planning, development, and execution for U.S. Army Materiel Command assigned units and activities (para 1-4f(2)).

- Requires the U.S. Army Training and Doctrine Command to ensure automatic identification technologies are incorporated into material requirements documents for future systems required, utilizing automatic identification technologies (para 1-4g(2)).

- Adds the requirement for U.S. Army Training and Doctrine Command to add emerging logistics technology and trends to logistics training in military occupational specialty producing and professional development schools and programs.

- Requires the U.S. Army Materiel Command major subordinate commands to develop and provide material requirements to support budget requests, and justify adjustments to the obligation authority (para 1-4h).

- Requires the U.S. Army Materiel Command major subordinate commands to include Army working capital fund supply management and Army forward distribution point data in the requirements determination process (para 1-4h(2).

- Places the requirement on U.S. Army Materiel Command major subordinate commands to plan and execute the National Maintenance Program (para 1-4h(4).

- Designates the Commander, U. S. Army Quartermaster Center and School as the Army program agent for administration of all aspects of the Chief of Staff Army Supply Excellence Award Program (para 1-4k).

- Requires USAQMC&S to review and approve major Army command nominations submitted for consideration and evaluation in Chief of Staff Army Supply Excellence Award Program (para 1-4k(2).

- Adds requirement for all property to have an automatic identification technologies device affixed to it from the source of supply that will interact with the automation information system that will be used to account and receive Army property (para 1-12b(2).

- Introduces the use of the Defense Property Accountability System (para 1-13).

- Adds policy for total package fielding (para 1-14).

- Adds guidance and definition of automation information technology (para 1-16j).

- Allows a contractor to be appointed as communication security custodian for communication security accounts designated as contractor maintenance communication security accounts (para 1-18b(1)(c)).

- Adds the requirement that all communication security equipment will have an automatic information technology device affixed (para 1-19a).

- Changes the term "supply support activity" (SSA) to "forward distribution point" (SSA) (throughout this regulation).

- Changes formula computing demand satisfaction/net availability, from a percentage of valid demands that were "completely filled" to "filled to a level of at least 90 percent" (para 1-22b).

- Revises authorized stockage list mobility index to reflect ability to move authorized stockage list cube in accordance with section 1, of direct support unit's modification table of organization and equipment or modification table of distribution and allowances (para 1-22).

- Changes the dollar value of inventory discrepancies that may be accepted on the stock record accounts at forward distribution points from $50.00 or less, to $1,000 or less in extended line item value (throughout).

- Adds "fill rate" as a performance objective at the forward distribution point (para 1-22n).

- Adds "demand accommodation" as a performance objective at the forward distribution point (para 1-22o).

- Changes the source of material safety data sheets from Defense General Supply Center Richmond, to Defense Logistics Information Service, Battle Creek, MI (para 1-29b).

- Adds the requirement for major Army commands to ensure that designated alert forces establish operational plans and procedures to adequately identify and plan for a sufficient level of Class 9 repair parts support to sustain deploying equipment during the initial period of deployed operations (para 1-29j).

- Revises the requirement for maintaining property book accountability for items of property having a unit cost of $2,500 or less with a CIIC code of "U" or "7" (para 2-5a).

- Adds the requirement for basic loads of Class 1 and 5 when authorized but not on hand to enter the basic load authorization requirement into the standard property book system - redesign or the Defense property accounting system (para 2-5a(11)).

- Eliminates the requirement to account for on hand U.S. Government national credit cards and aviation fuel identaplates on property book records (para 2-5a(16).

- Provides policy and guidance on the automated facilities engineering property book for use by the Directorate of Engineering and Housing and the Directorate of Public Works (para 2-5w).

- Adds policy and guidance on the use of the Government-wide purchase card (para 2-6m).

- Eliminates the use of contractor operated parts stores (para 2-6o).

- Provides guidance to U.S. Army Reserve on requests for which funds are not available (para 2-6o).

- Requires commanders to coordinate with supporting communication security account custodian for transactions concerning classified communication security material (para 2-6p and q).

- Authorizes the use of electronic documents with electronic signatures to receipt for supplies at the forward distribution point (para 2-8a(3)).

- Provides instructions for receipting and posting of unclassified communication security equipment (para 2-8d).

- Adds policy actions to be taken when property is received that is not currently authorized on the modification table of organization and equipment/ table of distribution and allowances (para 2-8e).

- Provides guidance on the logistics integrated database (para 2-9a).

- Adds requirement for property book officers to report changes to Class 5 basic/operational loads via standard Army ammunition system-materiel management center interface within 5 days of transaction (para 2-9f).

- Adds the requirement for reporting capital equipment (para 2-9i).

- Adds the requirement for Reserve Officers' Training Corps, to report reserve personnel Army funded clothing to the region headquarters for redistribution (para 2-13b(2)).

- Adds guidance on disposing and turn-in of material (para 2-13b(2)(i)).
- Changes the stockage of organizational clothing and individual equipment at a central issue facility to be based on the average monthly demands (para 2-14e).
- Eliminates the stockage of organizational clothing and individual equipment at nonautomated central issue facilities and parent units when a central issue facility has not been established (para 2-14f).
- Revises the guidance on the establishment of central issue facilities within the Army National Guard stating the State adjutant general will determine (para 2-17b).
- Changes the time limit for the loan of safety clothing and equipment to be the length of the soldier's annual training period (para 2-17d(5)).
- Adds policy that electronic organizational clothing and individual equipment records maintained by Army National Guard central issue facilities will be accessible to supported units. (para 2-17h).
- Adds policy and guidance on accounting and controlling flat-rack assets (para 2-35c).
- Revises policy on obtaining diesel fuel and gasoline for fueling convoys (para 2-36).
- Provides information on obtaining advice and assistance in procuring aviation related petroleum products and services (para 2-36c).
- Changes the U.S. Government national credit card to U.S. AIR cards (para 2-36e).
- Changes the requirement for unit/activity to conduct review/validation of credit card transactions against the commercial fuel billings from twice annually to at least monthly (para 2-36e(4)).
- Revises the supplies and services that can be obtained using an AIR card (para 2-36e).
- Adds policy and guidance on automated fuel dispensing systems (para 2-38).
- Adds policy on ammunition management (para 2-40).
- Requires unit commanders to provide a missile consumption report to the servicing ammunition supply point for each missile consumed in training (para 2-42f).
- Adds requirement to physically inventory ammunition basic and operational loads stored in an open storage area on a daily basis (para 2-43a(3).
- Adds policy on wartime accounting (para 4-48).

- Adds policy stating munitions support to non-Department of the Army organizations must be coordinated and approved through the major Army command (para 2-60a(6).

- Adds controlled inventory item code "N" items to those items required to be inventoried during the quarterly controlled items inventory (table 2-2i).

- Adds the requirement for a national-level coordinated authorized stockage list, requirement to develop a distinct authorized stockage list to support customer units, and conduct an authorized stockage list review and analysis board at least once every year (para 3-2).

- Adds guidance on conversion to single stock fund during milestone 3 and capitalizing stocks into the Army Working Capital Fund Supply Management Army (para 3-2f).

- Adds policy to use the Integrated Logistics Analysis Program as the Army's standard Web-based decision support system (para 3-2g).

- Adds policy on stockage selection (para 3-8b).

- Adds dollar cost banding as the Army's mandatory method for computing and stockage of an national stock numbers on an authorized stockage list for forward distribution points using an automated stock record account with a customer support mission (para 3-9a).

- Adds policy on the use of the Internet for urgent or emergency requirements and the preferred method of placing requisitions into the Defense Logistics supply system (para 3-16a).

- Adds policy on supply systems (para 3-24).

- Changes policy pertaining to excesses equal to or less than $100 previously stated deferred for review by the semiannual authorized stockage list review board now can be reduced through attrition or turned in subject to local decision (para 3-26f(1)(a)3).

- Changes the term authorized stockage list review board to, authorized stockage list review and analysis (para 3-26h).

- Allows major Army commands to authorize maximum allowable retention levels for subordinate tactical forward distribution points within limits set forth (para 3-26).

- Adds policy on the storage locator system for ammunition (para 3-34b).

- Adds policy stating all activities storing CAT I missiles and rockets will ensure that applicable reports are submitted to the supporting standard Army ammunition system - materiel management center for submission to worldwide ammunition reporting system (para 3-38d).

- Adds policy stating unit requests will be filled or killed based on available resources per local policy (para 3-39b(3)).

- Adds policy stating that when the ammunition support activity cannot accomplish the turnin within 5 days, the ammunition support activity will provide notification extending the issue document. The ammunition support activity will make every effort to provide temporary storage space until the turnin is accomplished (para 3-39d(2).

- Adds policy stating major Army commands will establish a minimum threshold for Class 5 items damaged due to other than fair wear and tear for reporting through command channels. When the threshold is met, the ammunition support activity accountable officer will send copies of the DA Form 5811-R through command channels to the first colonel (O-6) in the unit's chain of command (para 3-39d(10)).

- Adds policy stating commanders will not implement the procedures of wartime accountability policy for ammunition unless specifically authorized by the major Army command commander and notification is received through command channels (para 3-41a).

- Adds policy stating on Army prepositioned stocks, stockage list code "X", stating to use stockage list code "X" for U.S. Army Materiel Command authorized on hand levels of Army prepositioned stocks materiel stocks (para 4-8b(9)).

- Changes the term selected item management system-expanded to unique item tracking in logistics integrated database (para 4-8c).

- Removes policy on operational readiness float policy from chapter 4 and referred reader to para 3-12 (para 4-13).

- Eliminates policy on quick supply store policy (throughout).

- Adds policy on the use of local purchase to obtain explosives and munitions stating the local purchase of these items will be strictly controlled. Procurement by Army elements must be viewed as exception to normally Army acquisition policies and must be carefully evaluated and approved on a case-by-case basis by Headquarters Department of the Army, Office Deputy Chief of Staff, G-4 (DALO-SMA) before acquisition (para 4-16b(3)(a)).

- Eliminates the policy on contractor operated parts stores and contractor operated parts depot (4-21).

- Adds policy stating the Army will use maintenance contract database as a management tool for visibility of contract repair vehicles. (para 4-27b).

- Adds policy on the inclusion of automation information technology devices at the initial source to alleviate the need to process equipment/supplies without documentation and expedite all receipt processing (para 4-24g).

- Changes the term Army stock fund and Army industrial fund to Army working capital fund-supply management Army when referring to pseudoreceipts policy (para 4-26).

- Adds policy changing the requirement for causative research for inventory adjustments from over $500, to over $1,000 in extended line item value (para 4-28k(2).

- Adds policy allowing installation support activities colocated with Army maintenance depots to inventory their material assets using the inventory rules of AMCL-8A (para 4-28n).

- Adds policy directing forward distribution points to provide a full asset balance file reconciliation to the Logistics Support Activity on a monthly basis to support Army total asset visibility/logistics integrated data base requirements (para 4-41d(1)(c)).

- Changes the term Theater Army Area Command, to Theater Support Command throughout chapter 5.

- Adds policy stating the Corps and Theater Support Command operate under the Army Working Capital Fund-Supply Management Army concept (para 5-2d).

- Adds policy stating all supply functions at the Corps Support Command and Theater Army Area Command level will be automation information technology enabled (para 5-7l).

- Adds policy on the use of automation information technology in receipt processing, pseudoreceipts, and inventory and adjustment (para 5-19, 5-20, and 5-22).

- Adds policy changing the dollar value of inventory discrepancies that may be accepted without doing a recount from $50 or less, to discrepancies that have an extended line item value of $1,000 or less (para 5-21h).

- Adds policy changing the requirement for causative research for inventory adjustments from over $500, to over $1,000 in extended line item value (para 5-21n).

- Adds policy requiring all activities storing CAT I missiles and rockets to ensure reports are submitted to world wide ammunition reporting system (para 5-29d(13)).

- Adds policy, stating commanders will not implement the procedures of wartime accountability for ammunition unless specifically authorized by the major Army command commander and notification is received through command channels (para 5-32a).

- Changes the term Theater Army Materiel Management Center, to Theater Support Command Material Management Center (para 6-2).

- Changes the source of catalog data from the Army Central Logistics Data Bank, to the Defense Logistics Support Center (para 6-6a).

- Adds policy changing the requirement for causative research for inventory adjustments from over $500, to over $1,000 in extended line item value (para 6-13n(2)).

- Adds policy requiring all activities storing CAT I missiles and rockets to ensure reports are submitted to world wide ammunition reporting system (para 6-21d(14)).

*(m)* Quantity short.

*(n)* Date and initials of the issuing person.

(4) The PBO will have on request all nonexpendable component shortages for hand receipt holders.

(5) Durable component shortages will be on request at the level where the document register for ordering durables is kept.

(6) Expendable component shortages will be placed on request at the level that maintains the expendable document register. Normal replenishment of consumables is requested by the hand receipt holder.

(7) Changes are posted to hand receipt annexes as they occur, unless the previously described (paragraph 2–10*g*(5)) method of change documents is used.

(8) Aircraft inventory record is used in lieu of a hand receipt or hand receipt annex to control components of aircraft.

(9) The commander/PBO ensures that nonexpendable and durable special tools, test, measurement, and diagnostic equipment (TMDE), and other special equipment prescribed by TMs are hand or subhand receipted to the user level when responsibility has not already been assigned using component hand receipts.

(10) In the ARNG, component listings may be used to control nonexpendable and durable components. ARNG component listings must conform to the most current DA publication. Use of these listings does not change the requirement of having the most current DA publication (TM or SC/CL) on hand in the unit.

(11) IMA regions/MACOMs may approve requests initiated by TDA maintenance activities to maintain SKOs at less than 100 percent fill. Approval will be effective for 1 year from the date of approval and may be extended annually.

*j.* The tool room or tool crib custodian is responsible for all tools contained within the tool room or tool crib.

(1) All tools issued from a tool room or tool crib become the personal responsibility of the recipient (user).

(2) Hand tools, tool sets and kits, and shop equipment are secured and controlled per the physical security standards of AR 190–51.

*k.* When utilizing an automated system for accounting for and controlling tools in a tool room or a tool crib the following applies:

(1) This paragraph applies strictly to tool room operations, utilizing automated tool control systems, at "fixed base" activities, general support (GS) mission SSAs, mission SSAs (MSSAs), or depot maintenance activities. This paragraph does not apply to tactical MTOE units issuing tools from a consolidated area.

(2) Tool room/tool cribs account for tools, both expendable and nonexpendable, utilizing an automated system. Property book accountability is not required. The tool control officer (TCO) is appointed in writing as the accountable property officer. The officer making the appointment must utilize the criteria in AR 735–5, chapter 2.

(3) The PBO issues the TCO a series of document numbers, both expendable and durable, and nonexpendable for requesting tools.

(4) The TCO will—

*(a)* Maintain separate document registers for expendable, durable tools and for nonexpendable tools.

*(b)* Maintain a supporting document file for nonexpendable tools.

*(c)* Perform and document inventories per table 2–2.

*(d)* Account for lost tools per AR 735–5.

## 2–11. Storage of supplies

*a.* Property will be stored per DOD 4145.19–R–1. A&E will be stored per the above DODI, AR 740–1, AR 385–64, DA Pam 385–64, and/or host nation agreements and public law, whichever is more restrictive. CCI will be stored per TB 380–40–2. Classified COMSEC equipment will be stored per TB 380–41.

*b.* USAR property will be positioned and accounted for as follows:

(1) At home station, or ECSs.

(2) All MTOE, CTA, and TDA authorized equipment required for home station training assemblies, including multiple-unit training assemblies, will be located at the organization's home station. When there is not enough space for parking or storing authorized equipment at the home station, IMA region/MACOM (or designated subordinate major command) will prescribe procedures for storage of equipment.

(3) MTOE/TDA/CTA property authorized to and owned by a USAR organization but not stored at home station may be stored in an ECS or other storage location as prescribed by the MACOM (or designated subordinate major command). Equipment on hand in an ECS will be used to support annual training (AT). Small arms will be stored at the unit's home station unless otherwise authorized by the USARC.

(4) MTOE/TDA/CTA equipment stored in an ECS or other approved storage site will be accounted for on the property book of the owning unit.

## 2–12. Evaluations, inspections, and inventories

*a.* The commander/supervisor ensures property—

(1) Accounting is complete and accurate.

(2) Is on hand and serviceable.

(3) Is safeguarded.

*b.* Commanders and supervisors evaluate all supply operations using the standards of the CSDP as outlined in appendix B.

*c.* Commanders and supervisors ensure that physical security inspections are conducted per AR 190–11 and AR 190–13.

*d.* Commanders and supervisors ensure inventory of property is taken per table 2–2. Property book items with serial numbers, Army registration numbers, and ammunition lot and serial numbers will be verified against the property book or hand receipt. Components are verified against appropriate supply catalog (SC) or technical manual (TM). The use of AIT devices will ensure minimum error occur while verifying the various numbers of the property book items.

(1) Inventories of weapons and ammunition will not be done by unit armorers nor by the same person 2 months in a row.

(2) Inventories of controlled items other then weapons and ammunition are done by any controlled item hand receipt holder.

*e.* Property that is lost, damaged, or destroyed is accounted for per AR 735–5. Also, the loss of COMSEC equipment and CCI requires the submission of an incident report per TB 380–41 and TB 380–40–22, respectively.

*f.* Property determined to be unserviceable through fair wear and tear (FWT) is accounted for per paragraph 2–13*b*.

*g.* Causative research (see glossary) is conducted to determine the reason for inventory discrepancies.

*h.* Inventory of medical sets, kits, and outfits are conducted per AR 40–61, chapter 5.

*i.* For USAR and ARNG the unit commander jointly conducts a 100 percent inventory of unit property not on subhand receipt during the change of command inventory. The next higher commander will appoint disinterested personnel if the incoming or outgoing commander cannot be present for the change of command inventory.

*j.* All classified COMSEC equipment, components, key assigned ALC 1 or 2 must be physically inventoried at least semiannually and the inventory results reconciled with the Army COMSEC ACCOR. All other COMSEC material accounted for by the COMSEC custodian equipment and components must be physically inventoried at least annually or upon change of custodian. (See procedures in TB 380–41.)

## 2–13. Disposing of materiel

PBOs are relieved from accounting for property upon transfer of the property to another organization or upon turn-in of the property to an SSA. PBOs will ensure that reporting requirements comply with paragraph 2–9.

*a. Transfers.*

(1) Transfers of organization and installation property will be directed by the commander having command jurisdiction over both the losing and gaining organization. (In ARNG, CNGB will approve such actions between States.) When the transfer involves two MACOMs, it will be coordinated between the MACOMs. For purposes of lateral transfer authority, Headquarters U. S. Army Installation Management Agency (IMA) will be considered a MACOM. Assuming favorable coordination, the losing MACOM will direct the transfer. In circumstances involving a single MACOM, the directing/approving authority for lateral transfers between different commands on the same installation may be delegated to the installation DOL or equivalent. Within AMC organization the DOL or equivalent may further delegate to the installation equipment manager. USPFO may delegate their authority to the PBO when the property book has been centralized at a division or brigade. Transfers of property between Army and non-Army organizations requires the approval of HQDA (DALO–SMP).

(2) Property transferred will meet the standards in AR 750–1, chapter 4.

(3) Scrap or salvage will not be transferred.

(4) The gaining PBO will provide the CBS–X/LIDB collection activity a copy of the transfer document.

(5) DOIMs (with the agreement of the supported organization) may approve lateral transfers of sustaining base information systems equipment on their post installations or configured organizations.

(6) Users of automation equipment that is identified to be excess will provide excess listing along with the equipment condition code to the property book officer (PBO) 145 days in advance of anticipated excess date. Listing of excess will be submitted per DA Pam710–2–1 or DA Pam 710–2–2 to the Army Reutilization Focal Point.

(7) Classified COMSEC material will be transferred/shipped by COMSEC custodians by approved COMSEC channels as specified in TB 380–41 and DA Pam 25–380–2, appendix C.

(8) IMA installation management of noncataloged, nonstandard commercial items. The availability of excess serviceable material will be advertised by the installation within the geographic area and within IMA regions around the installation holding the material. Material will also be cross leveled on the installation. Material will be held for possible demand for 30 days after advertising. Efforts will be made by the installation to identify noncataloged, nonstandard commercial items to an NSN before turn-in to the DRMO.

*b. Turn-in to SSA.*

(1) The using unit commander ensures that adjustment documentation is prepared and processed per AR 735–5

when an item is unserviceable through other than FWT. Other than obvious FWT will be determined by competent technical authority.

(2) Turn-in of property book and nonexpendable items is required when items on hand exceed allowances, or are unserviceable and not repairable. (ROTC, Reserve Personnel Army (RPA) funded clothing will be reported to the Region Headquarters for redistribution). The owning unit will work order nonexpendables to the supporting maintenance activity. The supporting maintenance activity classifies items as unserviceable and nonrepairable, and assigns the appropriate condition code. The owning organization will turn the items into the supporting SSA. Items will be free of ammunition or explosives and cleaned within the unit's ability. Maintenance records must be submitted with the items being turned in. Accompanying records will be per AR 750–1 and DA Pam738–750. Turn-in documents for all items requiring serial number accounting and CCI will contain the serial number. CCI will be marked "CCI" in the remarks section.

*(a)* When on hand property book items are excess and disposition instructions have not been provided, initiate turn-in action within 10 days after the effective date of the authorization document change. When an authorization document change causes a replacement of items, the items being replaced may be retained if needed as a substitute until receipt of the authorized items. Begin turn-in of substitute items within 10 days after receipt of the authorized items (30 days for USAR). Property no longer required because of authorization document changes may be turned in or transferred no sooner than 365 days before the effective date of the new authorization document. The unit commander and the next higher headquarters must both approve the turn-ins. This action facilitates transition of the unit to the new organizational document. Commanders must ensure that turn-in of these deleted or reduced items does not degrade mission capability and readiness of the unit.

*(b)* DA will make redistribution of excesses of critical items. Major items funded by procurement Army (PA) are managed under the Total Army Equipment Distribution Program (TAEDP). TAEDP products provide materiel managers with information to furnish disposition instructions for excess PA-funded items. If disposition instructions have not been received by the effective date of the authorization document change, excess PA-funded items will be reported within 10 days after effective date of the authorization document change. Divisional units will report excess items to the division materiel management center (DMMC). Nondivisional units will report excess to either their COSCOM materiel management center or to the installation's office responsible for logistics. Procedures for reporting excess PA funded items will be established by materiel management centers or the office on the installation responsible for logistics. If disposition instructions for the excess PA-funded items are not received within 30 days after the effective date of the authorization document change, the items will be turned in to the SSA.

*(c)* On hand property book items within allowances are turned in only if found to be unserviceable and determined to be not repairable by the supporting maintenance facility personnel.

*(d)* End items being turned in should be complete with all components and basic issue items (BIIs). If end items are not complete, the unit commander or PBO must sign a shortage list to document what is missing. Attach the shortage list to the turn-in document. TRADOC training activities and AMC research and development (R&D) activities that are issued items without components, will include copies of these issue documents when the items are turned in to the SSA. (Documents supporting turn-in of these items will be marked: USED AS TRAINING AIDS AND FREQUENT DISASSEMBLY AND ASSEMBLY FOR INSTRUCTIONAL PURPOSE.)

*(e)* The SSA will provide turn-in instructions for temporary loan items.

*(f)* Report and turn in excess medical materiel under AR 40–61.

*(g)* Turn in excess OCIE to the SSA within 10 days (30 days for USAR).

*(h)* All excess and unserviceable classified COMSEC equipment and components will be turned in by the COMSEC custodian to the supporting COMSEC account. Disposal through channels other than COMSEC channels is not authorized.

*(i)* Upon determination that locally purchased and/or fabricated property is unserviceable and nonrepairable, the commander may designate item(s) to be disassembled to the degree necessary to recover any reusable components and identify the remains as recyclable scrap. The PBO will use an AAR to drop the item from the property book. The AAR will describe the disassembly action and tell what was done with the recovered items (for example, added to shop stock or bench stock, turned in to the installation stock record account, and so forth). Serviceable excess locally purchased or fabricated property qualifies for redistribution at paragraph *c* below.

(3) Turn-in of nonproperty book items (for example, repair parts, components, and so forth) to the supporting SSA does not require a technical inspection before turn-in.

*(a)* Turn in excess serviceable repair parts within 72 hours of discovery of excess.

*(b)* Turn in unserviceable repairables with a turn-in document and prepare a request document if a replacement is required.

*(c)* Initiate turn-in action of excess components within 10 days after receipt of supply publications and/or changes to them.

*(d)* Batteries with a recoverability code (RC) of "A" are recoverable items and are turned in to the SSA for disposition.

*(e)* Excess caused by unit pack may be kept and used.

*(f)* Unserviceable nonrepairables and uneconomical repairable recoverability code "O" items are turned in as scrap and processed in accordance with *e* below.

*(g)* Unserviceable and economically salvageable material will be turned in to the SSA.

*(h)* Items that are no longer needed by the user may be returned to the SSSC. The items should be in the same unit pack as purchased. No documentation is needed when returning SSSC items.

*c. Redistribution of noncritical items.* MACOM, ARNG, USPFO, and CNGB will make the maximum usage of redistribution of non-critical items before reporting excess to the NICP. Total Asset Visibility is designed to provide decision makers a key tool in the redistribution process. More detailed guidance is found in paragraph 3–31*i*.

(1) Procedures for reporting excess ARNG' TAEDP property will be established by the USPFO or the CNGB.

(2) The USPFO is authorized to designate officers other than PBOs to classify items for withdrawal from ARNG units and for the turn-in to the USPFO. Commissioned officers of the regular Army, or an AGR commissioned officer of the ARNGUS may make the final fair wear and tear determination on all unserviceable property prior to disposition, per Section 710(f), Title 32, United States Code (32 USC 710(F)). The property may be located anywhere within the ARNG logistics system at the time the determination is made. The final decision will be made before the property is released to a disposal activity. When the decision has been made, the USPFO may designate unserviceable condemned clothing items for use as Class "X" under AR 32–5. Unserviceable condemned items, including Class "X" clothing no longer required, will be turned in to DRMO. The USPFO is not authorized to convert used clothing into rags.

(3) Turn-in instructions for ARNG rapid deployment units will be included in procedural publications.

(4) ARNG property must be turned in to the USPFO before processing to DRMO. USPFOs may authorize ARNG units to deal directly with DRMO.

*d. Other turn-ins to an SSA.*

(1) When property is found on an installation and when items are discovered in a unit and are not on accountable records (hereafter referred to as "found on installation"), the property will be turned in immediately. Found on installation property will not be picked up on organization property records. It will be turned in to the SSA in "as-is" condition. Units will not spend resources to upgrade found on installation property before turn-in. A document number will not be assigned by the unit. SSA will assign a voucher number to the turn-in after receipt. At ARNG units, found on installation property will be reported to the USPFO by using turn-in documentation. A document number will be assigned to the turn-in by the finding organization. The USPFO will direct movement of the property. Also, CCI that is discovered and is not on an accountable record requires the submission of an incident report per DA Pam 25–380–2.

(2) Property turned in as found on installation will be issued to the finding unit if the unit has an authorized requirement for the item. The unit will not be charged for the found item. It will be furnished on a free issue basis. The turn-in and request for issue will be done at the same time. Moving the property is not required in this case.

(3) Classified COMSEC material discovered that are not on COMSEC accountable records will be immediately reported to the COMSEC custodian at the COMSEC account. All such discoveries will require incident reporting as specified in TB 380–41.

(4) Before turning in any damaged, excess, or unserviceable blessed or consecrated items, the installation staff chaplain will request the PBO to drop such items from the property book. The request will also state the condition or status of the items, and that they will be disposed of in a manner acceptable to the distinctive faith group that blessed or consecrated them. After the PBO has dropped the items from the property book, the items may be disposed of in the appropriate manner. Such items will not be turned over to property disposal officers.

*e. Turn-ins to DRMO.* No items regardless of serviceability will be turned in to the DRMO directly from the unit/organization level. All material will be turned in to the activity responsible for consolidating and reporting excess material. This does not preclude the SSA from directing the units to turn in scrap to the DRMO. When so directed, the supporting maintenance activity will visually check (not technically inspect) these items to verify them as scrap.

(1) Classified COMSEC equipment and CCI, including components, scrap or residue are specifically prohibited from turn-in to DRMO. All COMSEC material, including CCI will be turned in to the supporting COMSEC account or installation SSA, as appropriate, (according to its security classification) for ARI shipment to Tobyhanna Army Depot (TOAD).

(2) Items of IMPE reported to the Software Management Support Department (SMSD) per DOD 8000.X–M, Defense Automation Resources Management, may be directly turned in to the DRMO. Upon receipt of disposition instructions from SMSD, the property book officer will complete a DD Form 1348–1A (Issue Release/Receipt Document) or DD Form 1348–2 (DOD Issue Release Receipt Document with Address Label) and turn-in the items directly to the DRMO.

(3) Items identified as flight safety critical aircraft parts (FSCAP) should be identified by criticality code. Criticality codes for FSCAP are (F) FSCAP item and (E) FSCAP – Nuclear hardened. Organizations turning in Army aviation items with one of the above listed criticality codes must request disposal documentation from the managing commodity command using the materiel returns program process. Request for documentation should be directed to the Aviation and Missile Command (AMCOM) either by e-mail or facsimile (FAX). The e-mail address is datareconstruction-@redstone.army.mil. The FAX telephone number is DSN 788–2570 or commercial (256) 842–2570. These items must

have DEMIL action performed prior to being offered for sale at the DRMO and be accompanied by the supporting documentation.

*f. Forms used for turn-ins.* Forms used for turn-ins will contain the same essential elements of data as those for requests. Turn-ins of noncataloged, nonstandard commercial items will contain, as a minimum, the complete item description and end item application.

*g. Discrepant shipments.* Shipments received that were not ordered or having defects will be handled as discrepant shipments. These must be returned to the SSA that issued the item with a turn-in document. Do not assign a new document number; use the same document number on which the item was issued. Enter return advice code "1T".

*h. Parachutes and components.* Prepare a separate turn-in document for each different year of manufacture. Enter the date of manufacture on each turn-in document. Enter advice code "1Z."

*i. Expendable batteries requiring special disposal.*

(1) Batteries containing HAZMATs such as lithium and mercury are classified for disposal purposes as hazardous waste.

(2) Magnesium batteries are nonhazardous solid waste for disposal purposes; however, they are not to be amassed and disposal must be controlled.

(3) Other type of batteries that need special handling and disposal are; zinc silver chloride, certain lead acid batteries, and certain NICAD batteries.

(4) Primary batteries that need special handling and disposal will be treated as recoverable items but not necessarily repairable. These batteries are identified with a recoverability code (RC) "A." Coordination for the turn-in to DRMO will be completed through the SSA. Refer to Army Supply Bulletins 11–6 and 11–30 for disposal instructions.

*j. Demilitarization.* Refer to paragraph 1–16*h*, this regulation for demilitarization instructions.

## Section III
## Organization Clothing and Individual Equipment/Central Issue Facility

### 2–14. Organization clothing and individual equipment/central issue facility management

*a.* The policy for the accounting and assignment of responsibility for OCIE items on a unit or element of a unit basis is in paragraphs 2–5 and 2–10.

*b.* OCIE will be stocked, issued, recovered, and accounted for at a CIF or by the parent unit when a CIF has not been established. When there is more than one parent unit within a single battalion, a consolidated OCIE issue point to support the battalion may be established. Also applies to senior and junior ROTC battalions. Establishing a CIF requires approval by installation commander (CONUS) or division/SUPCOM/separate command commander (OCONUS). A CIF will support activities within its geographical jurisdiction. A CIF will not be approved for establishment unless personnel positions have been previously authorized by MTOE or TDA. A CIF will not be routinely staffed using detail personnel. This does not preclude using personnel for fatigue details. The approving commander determines the number of CIFs necessary to provide sufficient support.

*c.* Expendable supplies required to complete or place an item of OCIE into use will be initially stocked at CIFs or parent units when a CIF has not been established. Examples are items such as camouflage cover bands, tent pins, tent poles, and ropes. Expendable items will be replaced at the using unit level.

*d.* OCIE issues will be limited to only those items necessary to satisfy the mission and needs of the unit. Supported units and organizations will provide the CIF with their requirements for OCIE and the number of personnel to be supported on an annual basis. The CIF will use this information to develop tailored issues.

*e.* Total stockage of an OCIE item at a CIF will be based on average monthly demands. Stockage will be reviewed and recomputed semiannually. The total dollar value of the stockage allowance is recomputed annually as of the last day of the first month of the fiscal year, as required by AR 735–5, paragraph 14–28*a*(5). Disposition of excess will be per paragraph 2–13.

(1) Safety level is the quantity of an item replenished from supply channels during the past 12 months, multiplied by a fixed number of days (CONUS, 5 days; OCONUS, 15 days), and divided by 360 days.

(2) Requisition wait time (RWT) level is the quantity of an item replenished from supply channels during the past 12 months, multiplied by the average RWT, and divided by 360 days.

(3) Operating level is the quantity of an item replenished from supply channels during the past 12 months, multiplied by 30 days, and divided by 360 days.

*f.* The accountable record for OCIE is the property book. The types of data and essential elements of data for OCIE records are the same as for other property book records. A basic property book record will be maintained for each OCIE line authorized and/or on hand. ROTC units and activities are exempt from maintaining formal property book accountability for OCIE items.

*g.* The commander for whom the property book is kept appoints the CIF PBO. A DODAAC will be obtained for the CIF property book. When the unit is not supported by a CIF, OCIE will be accounted for in the OCIE segment of the property book. (USAR, see paragraph 2–18.)

*h.* The balance recorded in the property book will reflect the quantity on the shelf, plus items in the laundry,

## *RECOMMENDATIONS*:

1. That the Director, Installation Management Agency, Northeast Region direct the Garrison Commander at Fort Meade, Maryland to conduct a review of all installation policies and procedures regarding the transporting and storage of privately owned weapons onto Fort Meade by military personnel, civilian employees, dependents, and any other persons entering the installation including tenant activities to ensure said policies and procedures comply with Federal, State, and Local laws and to ensure that said procedures and policies comply with DoD directives and Army regulations.

2. That the Director, Installation Management Agency, Northeast Region direct the Garrison Commander at Fort Meade, Maryland (with the assistance of the Fort Meade Provost Marshal) to have published in the installation newspaper an article or series of articles detailing the rules and regulations governing the transportation and storage of privately owned weapons on Fort Meade, Maryland. In addition, procedures should be put in place to ensure that all new civilian employees, military members, dependents, and contractors assigned to or working on Fort Meade be provided information regarding transportation and storage of privately owned weapons when the in-process or begin working on Fort Meade.

3. That the Director, Installation Management Agency, Northeast Region direct the Garrison Commander at Fort Meade, Maryland to have the Fort Meade Provost Marshal conduct a training session with all Fort Meade military police, all Department of the Army civilian police, and all contract guards on the Army policies and procedures for transporting and storing privately owned weapons on the installation. This training should also

address the prohibition against carrying a privately owned weapon in the course of performing official duties.

4. That the Director, Installation Management Agency, Northeast Region direct the Garrison Commander at Fort Meade, Maryland to have the Fort Meade Provost Marshal assisted by appropriate Logistics personnel conduct a training session with appropriate Fort Meade military police supervisors and Department of the Army civilian police supervisors and training officers on the appropriate procedures for obtaining and forecasting annual or recurring ammunition needs for training and qualification of Fort Meade law enforcement or installation security personnel required to carry a weapon. This training should also include appropriate instruction on the appropriate storage, transportation, and accounting of Army ammunition as well as a review of guidance on the types of ammunition approved for use during training, qualification, and during the performance of normal military police duties.

5. That Lt. [redacted] DA Civilian Police receive appropriate civilian supervisory training, commensurate with his position and duties.

6. That the Director, Installation Management Agency, Northeast Region direct the Garrison Commander at Fort Meade Maryland to ensure that all members of the Fort Meade military police organization including military members and DA Civilian Police have been provided Prevention of Sexual Harassment training and that the senior Fort Meade representative for any contract security guards working on Fort Meade be reminded that all security guards working for the contractor should be educated as to the prohibition against engaging in the type of conduct that could be considered sexual harassment and of the requirement to prevent such conduct from occurring.

7. That the Director, Installation Management Agency, Northeast Region, forward a recommendation to the Director, Installation Management Agency, that a review be accomplished by Headquarters, IMA of the funding available and the procedures being followed to procure and supply adequate ammunition for all military police and DA Civilian Police training needs at CONUS Army installations and that HQ IMA provide appropriate guidance to all Region Directors as to the procedures to be followed by installations within the regions to forecast and request adequate training ammunition.

## *FORT MEADE AR 15-6 INVESTIGATION FINDINGS*

This AR 15-6 Investigation was conducted as a follow on to a previous AR 15-6 Investigation (Tab Z). Both investigations were conducted to review allegations made to the U. S. Office of Special Counsel (OSC) by a former Fort Meade probationary employee, Mr [redacted]. In his complaint to the Office of Special Counsel, Mr [redacted] alleged that at least one Department of Army Civilian Police (DA Civilian Police) employee, if not more, brought their privately owned weapon (POW) on to Fort Meade in their personal vehicle in violation of Army and Fort Meade Regulations. Additionally, Mr. [redacted] lleged that at least one DA Civilian Policeman, LT. [redacted] had carried his POW in lieu of his government issued weapon on various occasions while on duty between September 21, 2004 and October 29, 2004 in violation of Army regulations. Mr. [redacted] urther alleged that LT [redacted] allowed unauthorized hollow point ammunition to be used by DA Civilian Police during training and qualification at a firing range on Fort Meade and that such use posed a significant safety risk to the users. Pursuant to your appointment memorandum, you also asked that several other issues not directly related to Mr. [redacted] SC allegations also be investigated. My findings and recommendations regarding those separate issues are also contained in my report of investigation.

Issue # 1. a. Determine if Fort Meade DA Civilian Police Officer, Lt [redacted] complied with all Federal statutes and regulations (including Army and Fort George G. Meade regulations and policy) in bringing privately owned weapons on the installation.

Finding: As noted in the initial investigation conducted into Mr. [redacted] allegations, LT. [redacted] admits to bringing his privately owned weapon onto Fort Meade and that he had mistakenly not registered the weapon with the proper

authorities on Fort Meade because he believed he was exempt from registration based on his status as a DA Civilian Police Officer (Tab A). Though this was a violation of AR 190-11 (Tab B), Fort Meade Regulation 190-13 (Tab C), and Fort Meade Policy Memorandum #190-11-1 (Tab D), each of the regulations are somewhat ambiguous on the specific registration requirements for POWs transported by persons traveling onto, but not residing, on Fort Meade or other Army installations. Since having this matter brought to his attention, LT. [redacted] has ceased bringing his POW onto Fort Meade. Additionally, as a result of this matter being brought to the attention of the supervisory chain for the DA Civilian Police, all DA Civilian Police have been briefed on their requirements to register and properly store any POWs they may transport onto the installation.

Issue #1. b. Determine if LT. [redacted] used or wore his privately owned weapon on duty or, if off duty, at any time on the installation.

Finding: Based on my interview of persons in the DES Law Enforcement section, including Deputy Chief [redacted] (Tab E), and based on my review of the sales receipt provided to me by LT [redacted] documenting his purchase of a Glock brand handgun on October 27, 2004 (Tab F) and based on a review of Maryland Police records indicating that this is the only gun registered to LT. [redacted] n their data base, I have concluded that there is insufficient evidence, if any, to conclude that LT. [redacted] carried a privately owned weapon on his person while on duty or off duty on Fort Meade. Mr. [redacted] claims to have witnessed LT. [redacted] carrying/wearing a non-issue POW (Tab G, [redacted] statement from previous 15-6) on various dates between September 21, 2004 and October 29, 2004, the date Mr. [redacted] received his notice of separation from Federal Service (Tab H). Given that LT. [redacted] only took possession of his personal Glock firearm no earlier than on or about October 27, 2004, the facts simply do not support Mr. [redacted] allegation. Only one other witness, Mr. [redacted] who has since transferred indicated that on one occasion (the date was undetermined) he believes LT. [redacted] was wearing a POW (Tab I, from the previous 15-6). Mr. [redacted]

statement lacks sufficient specificity and facts to outweigh the statement of Deputy [redacted] or to overcome the fact that LT. [redacted] did not purchase his Glock until October 27, 2004.

Issue #1c: Determine, if possible, whether LT. [redacted] used privately owned ammunition while on duty.

Finding: There is simply no evidence to support a finding that LT [redacted] used privately owned ammunition while on duty. LT. [redacted] denies using any ammo not issued to him by Fort Meade or transferred from the National Security Agency (NSA) as part of the approximately 8,800 rounds of ammunition that NSA provided to Fort Meade to assist with their training and qualification requirements (Tab J).

Issue #2a. Determine why the Directorate of Emergency Services (DES), FGGM went to another DOD agency to transfer almost 9,000 rounds of small caliber ammunition to DES to train and qualify Department of the Army Civilian Police (DACP). Why did DES not use the Army ammunition supply system?

Finding: Due to changes in force structure and the move to hire civilian DA Police as well as the increased need to plus up installation security, Fort Meade's civilian DA Police workforce grew faster than it's approved authorizations on the Fort Meade Table of Distribution an Allowances (TDA)(Tab K). Ammunition requirements are based authorizations not actual employee population. As such there was insufficient authority to requisition adequate ammunition through the normal supply process (Tab L).

Issue #2b. Did DES properly forecast its training requirements and did it properly and timely submit its ammunition authorizations?

Finding: As noted above, Fort Meade's actual DA Civilian police force grew faster than it's TDA authorizations. This growth combined with the Army's current requirement to convert many military slots to civilian positions made timely and accurate forecasting of training ammunition needs impossible given the requirement to measure ammunition needs against authorized TDA positions rather than against actual total on board manning.

Issue# 2c. Did DES comply with all Army regulations in transferring the ammunition? Who inspected the ammunition to ensure it was safe prior to use on the training range? Was any of the transferred ammunition corroded, dented or tinged with green patina?

Finding: Based on interviews with the Range Control Officer, the individual procuring the ammunition, as well as LT [redacted] the transfer of ammunition from one Federal Agency, NSA, to another, Fort Meade DES, within the confines of a single installation, Fort Meade, was a routine interagency transfer accompanied by a proper hand-receipt (Tab M). Inspection of the ammunition by range safety personnel revealed no indication that the ammunition was damaged or unsafe (Tab N).

Issue#2d. Was the transferred ammunition "non-standard?" If so, did the proper authority approve the use of the ammunition?

Finding: According to a Department of the Army memorandum dated March 18, 2002 issued by the Deputy Chief of Staff for Operation and Planning, use of 9mm hollow point ammunition is authorized for use in CONUS (Tab O). This memo delegates authority to Installation Commanders in the Continental U.S. for use of 9mm hollow point ammunition and further goes on to state in regard to any safety issues that " [t]he Weapon Systems Explosives Safety Review Board (WSESRB)

of the Naval Sea Systems Command reviewed the results of the 9mm hollow point test program and concluded that the round was acceptable for Service use. Their process is just as rigorous as the Army's testing program. Therefore, there is no valid reason for the Army to conduct additional tests on this cartridge." Based on this memo, I have concluded that use of the 9mm hollow point ammunition by DA Civilian Police at Fort Meade was both authorized, permissible, and safe, and that proper authority for it's use existed.

Issue #3. I was directed to locate and interview all relevant witnesses with possible information about the above allegations, including [redacted] and [redacted] and further that if I cannot locate a witness, I should document all measures taken to find them.

It is my opinion that I have interviewed all relevant witnesses that I can reasonably locate within the short span of time afforded to complete this investigation. I attempted to call Mr. [redacted] and Mr. [redacted] at their last known phone numbers. I was unsuccessful in reaching either person. I also questioned persons within the DES as to any possible information they could provide regarding these two individuals, but those efforts also met with negative results.

Issue #4a. Determine if the use of "hollow point" ammunition on the firing range at Fort Meade by DACPs occurred and, if so, whether such use is safe and complies with all regulatory requirements. Determine if, as Mr. [redacted] alleges in his OSC complaint, that ammunition with an unsafe or too high pressure rating was used in military weapons by the DACPs on the firing range.

Finding: It is clear from the documentation (Tab P) and statements of numerous witnesses that hollow point ammunition was in fact used at the firing range by Department of Army Civilian Police to enable them to complete their training and qualification requirements. As noted above, the use of 9mm hollow point

ammunition was authorized by HQDA and was determined to meet safety requirements. Witnesses in both this investigation and the earlier investigation indicate that the ammunition was in good condition. It should also be noted that the ammunition was only a year old and was from the annual turn-in ammo turned in annually by NSA weapon users (Tab Q).

Issue #4b. If "hollow point" ammunition was used on the Fort Meade firing range, was the chain of command aware of this and if so, what actions did they take to ensure that only proper and safe ammunition was being used on the range? Were these actions appropriate?

Finding: MAJ[redacted], Fort Meade Provost Marshall indicates that he was unaware that 9mm hollow point ammunition was being used at the firing range, but that he trusted his subordinates in the DA Civilian Police supervisory chain to ensure that only authorized and safe ammunition was used at the firing range (Tab R).

Issue #5a. Chief [redacted] claims, "One of the problems at Fort Meade is that we have no locker room space in which to secure POWs. This issue becomes even greater as DA police become more proactive. DA Police have a tendency to interact with the community more than their military counterparts, due to increased off-post opportunities and more longevity." Interview Chief [redacted] to determine exactly what he means by his statement and that DACPs are getting more "proactive?" What are these "off-post opportunities?" Also determine what actions, if any were taken by the leadership at the DES take to resolve what Chief [redacted] claims is a problem, i.e., lack of locker room space?

Finding: Chief [redacted] explained that what he meant by DA Civilian Police becoming more proactive and having more off-post opportunities was that now that the security forces on installation were becoming more and more civilian and fewer uniformed soldiers, that the DA Civilian Police were going to be more likely

than soldiers to encounter persons in the civilian community with whom they may have had an encounter such as a DUI or other citation on the installation because the DA Civilian Police are more likely to live in the local community and less likely to shop and participate in on-base activities for which they may not have privileges (Tab S). These off-post encounters meant that DA Civilian Police may find themselves faced with more frequent risk of harm than their military counter parts and that there may be a need for them to be constantly carrying a weapon for protection. As such, there was a growing need for more storage space on the installation for DA Civilian Police to store their POWs while they are on duty to allow access to the weapons upon going off duty. Management is reviewing this issue to determine exactly what their true storage requirements are.

Issue #5b. You should also determine whether DACP are engaged in off post law enforcement. If so, was such employment properly authorized?

Finding: I found no evidence that DA Civilian Police were engaging in off-duty employment that potentially conflicted with their Army jobs.

Issue #6 SGT [redacted] reports that Mr. [redacted] assaulted her in "Bar Baltimore" by pulling her hair. You should interview SGT [redacted] in more detail to determine the exact facts behind this alleged assault? Where "Bar Baltimore" is? Did the incident at Bar Baltimore occur on duty or off duty? In your interview you should determine if she reported the assault, if so to whom, what action, if any was taken, and who was there that may have witnessed the hair pulling incident and/or interceded on SGT [redacted] behalf? You should also determine if other DACPs were present when the incident occurred? You should also interview SGT [redacted] regarding the e-mails she contends Mr. [redacted] continues to send her. What the nature of these emails is and whether she continues to receive them?

Findings: I made numerous attempts to contact SGT [redacted] but she did not return my phone calls. I asked various members of the DA Civilian Police Force if they had any information regarding this incident and no one had any information to offer. "Club Baltimore" is a "hip-hop" club in Baltimore. It's internet advertisement is rather racy (Tab T) indicating that it would lend itself to conduct that under Army standards would clearly be considered inappropriate. Without further cooperation from SGT [redacted] I cannot determine what other actions might have been taken in regard to Mr. [redacted]

Issue #7. According to various Fort Meade personnel, local regulations require persons entering Fort Meade to register privately owned weapons at the Visitor Control Center (VCC), FGGM. Notwithstanding this policy, Mr. [redacted] states the VCC refused to register weapons for persons who "don't live on post." In your investigation you should determine if in fact the VCC was denying registrations for non-resident persons seeking to register their weapon? Did this constitute a failure to follow established Fort Meade policy? If so, why was no action taken to correct that situation?

Finding: I interviewed Ms. [redacted] lead supervisor at the Fort Meade Visitor Control Center regarding the allegations made by [redacted] that the VCC refused to register POWs for persons not residing on Fort Meade. Ms. [redacted] denied that there was any policy in place which required the VCC to deny persons not residing on Fort Meade the opportunity to register their POWs if they worked on Fort Meade and regularly came on the installation. Ms. [redacted] could recall only one occasion where someone in that situation had been denied the opportunity to register their privately owned weapon and that was because the individual did not meet the requirements of the installation policy (Tab U).

Issue #8a. Determine if Ms. [redacted], a former Fort Meade employee now employed as a policewoman with the Naval District of Washington, reported to Lt. [redacted] that she was being sexually harassed? If so, you should determine what measures or actions Lt. [redacted] may have taken in response to the reported allegations of sexual harassment and whether the actions were adequate and appropriate?

Finding: I interviewed Ms. [redacted] and LT. [redacted] as well as the Fort Meade EEO Officer, Ms. [redacted] and the former Fort Meade labor counselor, [redacted] in regard to this issue (V). What I determined was that Ms. [redacted] had experienced significant problems during her field training at Fort Meade to become a fully qualified DA Civilian Policewoman. Ms. [redacted] had been assigned numerous Fort Meade DA Civilian Police Field Training Officers (FTO) and seemed to encounter problems with each one. Ms. [redacted] training record (Tab W) documents many of the deficiencies she exhibited. According to LT. [redacted] during one counseling session with Ms. [redacted] in which he was advising her that she was still not qualified, Ms. [redacted] responded to the counseling by making allegations of sexual harassment against the assigned FTO. Upon hearing the allegations, LT. [redacted] summoned the FTO to his office and confronted the FTO in front of Ms. [redacted] The FTO adamantly denied the allegations. There were no other witnesses to the alleged conduct. Based on the FTO's denial and on Ms. [redacted] continued complaint, LT. [redacted] referred Ms. [redacted] to the Fort Meade EEO Office. Subsequently, during the informal complaint process, the Army and Ms. [redacted] reached a nominal settlement and the complaint was dismissed. No action was taken against the FTO as there was no evidence other than Ms. [redacted] statement that the harassment had occurred. In my opinion LT. [redacted] acted appropriately and promptly in dealing with the allegation.

Issue #8b. Ms. [redacted] claims that "There were money problems and a lot of talk that Lt. [redacted] was negligent and not taking care of his people. There were issues between [policeman [redacted] and [redacted]. That is why [redacted] was fired." Interview Ms. [redacted] as to her allegation that [redacted] was negligent and not taking care of his people and that [redacted] was fired in retaliation. You should also have Ms. [redacted] clarify her statement to indicate what sort of money problems she was referring to.

Findings: I interviewed Ms. [redacted] in regard to her allegations about "money problems," about LT. [redacted] not taking care of his people and about issues existing between Mr. [redacted] and LT. [redacted]. From my interviews the two primary problems were the time it took to receive settlement for the civilian police training at the DA Police Academy at Aberdeen and the fact that Mr. [redacted] had an abrasive personality and was constantly challenging LT. [redacted] and others' authority. Mr. [redacted] was ultimately terminated during his probation due to a incident that occurred in Fort Meade base housing (Tab X). I might point out that during my investigation I learned that Mr. [redacted] had previously been terminated from employment with the Camden, NJ police force for theft of property while in the performance of his police duties. From the information I gathered, it appears Mr. [redacted] is prohibited from ever working in law enforcement in New Jersey again (Tab Y).

## REPORT OF PROCEEDINGS BY INVESTIGATING OFFICER/BOARD OF OFFICERS

For use of this form, see AR 15-6; the proponent agency is OTJAG.

*IF MORE SPACE IS REQUIRED IN FILLING OUT ANY PORTION OF THIS FORM, ATTACH ADDITIONAL SHEETS*

### SECTION I - APPOINTMENT

Appointed by [redacted] Director, Installation Management Agency Northeast Region, Fort Monroe, VA
*(Appointing authority)*

on 19 July 2005 *(Date)* *(Attach inclosure 1: Letter of appointment or summary of oral appointment data.) (See para 3-15, AR 15-6.)*

### SECTION II - SESSIONS

The *(investigation) (board)* commenced at Fort Meade, Maryland *(Place)* at 1400 Hours *(Time)*

on 20 July 2005 *(Date)* *(If a formal board met for more than one session, check here* ☐*. Indicate in an inclosure the time each session began and ended, the place, persons present and absent, and explanation of absences, if any.)* The following persons *(members, respondents, counsel)* were present: *(After each name, indicate capacity, e.g., President, Recorder, Member, Legal Advisor.)*

The following persons *(members, respondents, counsel)* were absent: *(Include brief explanation of each absence.) (See paras 5-2 and 5-8a, AR 15-6.)*

The *(investigating officer) (board)* finished gathering/hearing evidence at 1900 Hrs *(Time)* on 8 August 2005 *(Date)*

and completed findings and recommendations at 1700 Hours *(Time)* on 19 August 2005 *(Date)*

### SECTION III - CHECKLIST FOR PROCEEDINGS

| A. COMPLETE IN ALL CASES | YES | NO 1/ | NA 2/ |
|---|---|---|---|
| 1 Inclosures *(para 3-15, AR 15-6)* | | | |
| Are the following inclosed and numbered consecutively with Roman numerals: *(Attached in order listed)* | | | |
| *a.* The letter of appointment or a summary of oral appointment data? | X | | |
| *b.* Copy of notice to respondent, if any? *(See item 9, below)* | | | X |
| *c.* Other correspondence with respondent or counsel, if any? | | | X |
| *d.* All other written communications to or from the appointing authority? | | | X |
| *e.* Privacy Act Statements *(Certificate, if statement provided orally)?* | X | | |
| *f.* Explanation by the investigating officer or board of any unusual delays, difficulties, irregularities, or other problems encountered *(e.g., absence of material witnesses)?* | X | | |
| *g.* Information as to sessions of a formal board not included on page 1 of this report? | | | X |
| *h.* Any other significant papers *(other than evidence)* relating to administrative aspects of the investigation or board? | | | X |

*FOOTNOTES:* 1/ *Explain all negative answers on an attached sheet.*
2/ *Use of the N/A column constitutes a positive representation that the circumstances described in the question did not occur in this investigation or board.*

| | | YES | NO 1/ | NA 2/ |
|---|---|---|---|---|
| 2 | Exhibits *(para 3-16, AR 15-6)* | | | |
| | *a.* Are all items offered *(whether or not received)* or considered as evidence individually numbered or lettered as exhibits and attached to this report? | X | | |
| | *b.* Is an index of all exhibits offered to or considered by investigating officer or board attached before the first exhibit? | X | | |
| | *c.* Has the testimony/statement of each witness been recorded verbatim or been reduced to written form and attached as an exhibit? | X | | |
| | *d.* Are copies, descriptions, or depictions *(if substituted for real or documentary evidence)* properly authenticated and is the location of the original evidence indicated? | | | X |
| | *e.* Are descriptions or diagrams included of locations visited by the investigating officer or board *(para 3-6b, AR 15-6)?* | | | X |
| | *f.* Is each written stipulation attached as an exhibit and is each oral stipulation either reduced to writing and made an exhibit or recorded in a verbatim record? | X | | |
| | *g.* If official notice of any matter was taken over the objection of a respondent or counsel, is a statement of the matter of which official notice was taken attached as an exhibit *(para 3-16d, AR 15-6)?* | | | X |
| 3 | Was a quorum present when the board voted on findings and recommendations *(paras 4-1 and 5-2b, AR 15-6)?* | | | X |
| | B. COMPLETE ONLY FOR FORMAL BOARD PROCEEDINGS *(Chapter 5, AR 15-6)* | | | |
| 4 | At the initial session, did the recorder read, or determine that all participants had read, the letter of appointment *(para 5-3b, AR 15-6)?* | | | |
| 5 | Was a quorum present at every session of the board *(para 5-2b, AR 15-6)?* | | | |
| 6 | Was each absence of any member properly excused *(para 5-2a, AR 15-6)?* | | | |
| 7 | Were members, witnesses, reporter, and interpreter sworn, if required *(para 3-1, AR 15-6)?* | | | |
| 8 | If any members who voted on findings or recommendations were not present when the board received some evidence, does the inclosure describe how they familiarized themselves with that evidence *(para 5-2d, AR 15-6)?* | | | |
| | C. COMPLETE ONLY IF RESPONDENT WAS DESIGNATED *(Section II, Chapter 5, AR 15-6)* | | | |
| 9 | Notice to respondents *(para 5-5, AR 15-6):* | | | |
| | *a.* Is the method and date of delivery to the respondent indicated on each letter of notification? | | | |
| | *b.* Was the date of delivery at least five working days prior to the first session of the board? | | | |
| | *c.* Does each letter of notification indicate — | | | |
| | (1) the date, hour, and place of the first session of the board concerning that respondent? | | | |
| | (2) the matter to be investigated, including specific allegations against the respondent, if any? | | | |
| | (3) the respondent's rights with regard to counsel? | | | |
| | (4) the name and address of each witness expected to be called by the recorder? | | | |
| | (5) the respondent's rights to be present, present evidence, and call witnesses? | | | |
| | *d.* Was the respondent provided a copy of all unclassified documents in the case file? | | | |
| | *e.* If there were relevant classified materials, were the respondent and his counsel given access and an opportunity to examine them? | | | |
| 10 | If any respondent was designated after the proceedings began *(or otherwise was absent during part of the proceedings):* | | | |
| | *a.* Was he properly notified *(para 5-5, AR 15-6)?* | | | |
| | *b.* Was record of proceedings and evidence received in his absence made available for examination by him and his counsel *(para 5-4c, AR 15-6)?* | | | |
| 11 | Counsel *(para 5-6, AR 15-6):* | | | |
| | *a.* Was each respondent represented by counsel? | | | |
| | Name and business address of counsel: | | | |
| | | | | |
| | *(If counsel is a lawyer, check here* ☐ *)* | | | |
| | *b.* Was respondent's counsel present at all open sessions of the board relating to that respondent? | | | |
| | *c.* If military counsel was requested but not made available, is a copy *(or, if oral, a summary)* of the request and the action taken on it included in the report *(para 5-6b, AR 15-6)?* | | | |
| 12 | If the respondent challenged the legal advisor or any voting member for lack of impartiality *(para 5-7, AR 15-6):* | | | |
| | *a.* Was the challenge properly denied and by the appropriate officer? | | | |
| | *b.* Did each member successfully challenged cease to participate in the proceedings? | | | |
| 13 | Was the respondent given an opportunity to *(para 5-8a, AR 15-6):* | | | |
| | *a.* Be present with his counsel at all open sessions of the board which deal with any matter which concerns that respondent? | | | |
| | *b.* Examine and object to the introduction of real and documentary evidence, including written statements? | | | |
| | *c.* Object to the testimony of witnesses and cross-examine witnesses other than his own? | | | |
| | *d.* Call witnesses and otherwise introduce evidence? | | | |
| | *e.* Testify as a witness? | | | |
| | *f.* Make or have his counsel make a final statement or argument *(para 5-9, AR 15-6)?* | | | |
| | requested, did the recorder assist the respondent in obtaining evidence in possession of the Government and in ranging for the presence of witnesses *(para 5-8b, AR 15-6)?* | | | |
| | e all of the respondent's requests and objections which were denied indicated in the report of proceedings or in an closure or exhibit to it *(para 5-11, AR 15-6)?* | | | |

*FOOTNOTES:* 1/ *Explain all negative answers on an attached sheet.*
2/ *Use of the N/A column constitutes a positive representation that the circumstances described in the question did not occur in this investigation or board.*

## SECTION IV - FINDINGS *(para 3-10, AR 15-6)*

The *(investigating officer) (board)*, having carefully considered the evidence, finds:

SEE ATTACHED FINDINGS

## SECTION V - RECOMMENDATIONS *(para 3-11, AR 15-6)*

In view of the above findings, the *(investigating officer) (board)* recommends:

SEE ATTACHED RECOMMENDATIONS

**SECTION VI - AUTHENTICATION** *(para 3-17, AR 15-6)*

THIS REPORT OF PROCEEDINGS IS COMPLETE AND ACCURATE. *(If any voting member or the recorder fails to sign here or in Section VII elow, indicate the reason in the space where his signature should appear.)*

[redacted]

*(Recorder)*

*(Investigating Officer)* ~~*(President)*~~

*(Member)*

*(Member)*

*(Member)*

*(Member)*

**SECTION VII - MINORITY REPORT** *(para 3-13, AR 15-6)*

To the extent indicated in Inclosure _____ , the undersigned do(es) not concur in the findings and recommendations of the board. *(In the inclosure, identify by number each finding and/or recommendation in which the dissenting member(s) do(es) not concur. State the reasons for disagreement. Additional/substitute findings and/or recommendations may be included in the inclosure.)*

*(Member)*

*(Member)*

**SECTION VIII - ACTION BY APPOINTING AUTHORITY** *(para 2-3, AR 15-6)*

The findings and recommendations of the *(investigating officer)* ~~*(board)*~~ are *(approved)* ~~*(disapproved)*~~ ~~*(approved with following exceptions/ substitutions)*~~. *(If the appointing authority returns the proceedings to the investigating officer or board for further proceedings or corrective action, attach that correspondence (or a summary, if oral) as a numbered inclosure.)*

[redacted]

Director,
Installation Management Agency
Northeast Region

DEPARTMENT OF THE ARMY
OFFICE OF THE GENERAL COUNSEL
104 ARMY PENTAGON
WASHINGTON, DC 20310-0104

REPLY TO
ATTENTION OF

September 15, 2005

Ms. [redacted]
Chief, Disclosure Unit
U.S. Office of Special Counsel
1730 M Street, N.W., Suite 300
Washington, D.C. 20036-4505

Re: OSC File Nos. DI-05-0240 and DI-05-0405

Dear [redacted]

This letter is a status report for the above captioned cases. I am requesting that you grant an extension of time for an additional two weeks, until Monday, October 3, 2005, to file the Department of the Army's report required by 5 USC §1213 for the above captioned Office of Special Counsel (OSC) cases. In its March 7, 2005 correspondence to the Secretary of the Army, the OSC concluded that there is substantial likelihood that information provided by Mr [redacted] former Civilian Police Officer at Fort Meade, Maryland, discloses violations of law, rule or regulation and a substantial and specific danger to public safety arising out of actions by an employee at the Department of the Army, Directorate of Emergency Services (DES), Civilian Police Department, Fort Meade, Maryland. In support of these conclusions, OSC's correspondence to the Secretary of the Army stated that Mr. [redacted] sclosed to the OSC that (1) [redacted] Supervisory Policy Officer, often carries his personal weapon while on duty; (2) Lt. [redacted] sometimes loads it with his own ammunition; (3) [redacted] used hollow point ammunition in military rifles on the firing range; (4) Lt [redacted] provided hollow point ammunition to other police officers to use on the range; (5) the use of hollow point ammunition in military weapons may cause the weapon to malfunction or even explode, when fired; and (6) the hollow point ammunition appeared green and corroded, thus exacerbating the risk that the weapons might malfunction or explode either at the firing range or at a later time when they are loaded with proper ammunition.

This is the third requested extension. The prior two were requested and granted to provide for additional time to conduct a thorough and complete investigation into the OSC referred allegations, to complete the staffing of the report and forward it to the OSC in satisfaction of its §1213 requirements. The second extension request was granted in July 2005. Since that time, the Army has been working diligently to fully address, in a second investigation, all of the March 7, 2005 OSC referred allegations, as well as those that surfaced for the first time during its initial investigative effort and needed to be addressed as well, and to prepare and staff its proposed report to the OSC.

I am requesting this extension because additional time is needed to complete the staffing of the §1213 report before it is forwarded to the OSC. The senior official

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designated by the Secretary of the Army to review and sign this §1213 report requires additional time to review the report and execute her responsibilities in furtherance of this delegation.

On September 6, 2005, as a result of the recent application of the Federal Vacancies Reform Act of 1998, Ms. [redacted], the Assistant Secretary of the Army (Financial Management and Comptroller) (ASA (FM&C)) was designated as the appropriate official to forward the subject report. (Enclosure 1). Prior to this designation, Ms. [redacted] had no responsibilities associated with the §1213 report.

Given the relatively short time that Ms. [redacted] has had to assume these new responsibilities, she has not had sufficient time to adequately review the subject report given her other responsibilities as the ASA (FM&C) that have similar pressing time limits for execution. As the ASA (FM&C), she is the Army's senior functional official responsible for executing for the Army the appropriations that were provided for the "Emergency Supplemental Appropriations Act for Defense, the Global War on Terror, and Tsunami Relief Act, 2005" and the two recently passed emergency supplemental appropriations for Hurricane Katrina Relief. Additionally, she is also responsible for closing out the Army's Fiscal Year 2005 books during the end of this fiscal year period.

Therefore, I am requesting that you grant an extension for approximately two additional weeks, until Monday, October 3, 2005, so that Ms. [redacted] can have sufficient time to complete her review of the proposed Army report. Should you grant this extension, please advise me as to length of the extension.

I appreciate your assistance in considering this extension request. To advise me if this extension will be granted, you can reach me a[redacted]

[redacted]

Associate Deputy General Counsel
(Human Resources)

Enclosure

SECRETARY OF THE ARMY
WASHINGTON

06 SEP 2005

SAMR

MEMORANDUM FOR ASSISTANT SECRETARY OF THE ARMY (FINANCIAL MANAGEMENT & COMPTROLLER)

SUBJECT: Delegations of Authority

References:

(a) Secretary of Defense Memorandum, subject: Partial Mobilization (World Trade Center and Pentagon Attacks) and Redelegation of Authority Under Title 10, United States Code, Section 123, 123a, 527, 12006, 12011, 12012, 12302, and 12305, dtd February 13, 2003
(b) Secretary of the Army Memorandum, subject: Delegation of Authority Under Title 10, United States Code, Sections 123, 123a, 527, 12006, 12011, 12012, 12302, and 12305, dtd April 30, 2004
(c) Article 71(b), Uniform Code of Military Justice, Title 10, United States Code, Section 871(b)

I hereby delegate to you:

1. The authority delegated to me by the Secretary of Defense (ref (a)). Exercise this authority within the limitations prescribed by the Secretary of Defense's memorandum, subject to further implementing instructions issued by the Under Secretary of Defense for Personnel and Readiness or his designee, and in accordance with the procedures set forth below. This delegation supplements the existing delegation to the Assistant Secretary of the Army (Manpower and Reserve Affairs) (ASA(M&RA) (ref (b)), which remains in effect, and authorizes that official to continue to act, as appropriate.

2. The authority to act in the case of any commissioned officer, cadet, or midshipman whose sentence by court-martial extends to dismissal, as set forth in ref (c).

3. The authority to forward to the Office of Special Counsel, all responses to requests for investigations.

The above delegations shall be exercised by you after determining that the ASA(M&RA) is unavailable to take timely action, temporarily absent, or the position of the ASA(M&RA) is vacant, as defined by the Federal Vacancies Reform Act of 1986.

Francis J. Harvey

Enclosure 1

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The revised "ammunition suitability list" states that jacketed hollow point ammunition is no longer an authorized substitute for 9 mm ball ammunition for security forces for **training** purposes. The current "ammunition suitability list" (at http://www.osc.army.mil/sm/silist.xls) provides:

| DODIC | P/S/D | WR | TS | TU | OTH | NOMENCLATURE | ILO | REMARKS |
|---|---|---|---|---|---|---|---|---|
| CTG 9MM F/PISTOL | | | | | | | | |
| A363 | P | | X | | | Ctg 9mm Ball M882 | | |
| AA49 | S | | | X | | Ctg 9mm Ball M882 Commercial Pack | | |
| A260 | P | X | | | X | Ctg 9mm Jacketed Hollow Point Mk 243 Mod 0 | | Reserved f/CID & Security Forces. NOT for training. |
| A360 | P | | | | X | Ctg 9mm Ball M1 Parabellum | | SOF training |
| A364 | P | | | | X | Ctg 9mm HPT M905 | | f/ test |
| A359 | P | | | X | | Ctg 9mm Dummy M917 | | |
| AA16 | D | | | | X | Ctg 9mm Mk 254 Mod 0 Frangible | | |

The ammunition suitability list does not explain the reason for the change but it may well be as a cost saving measure since hollow point ammunition is more expensive than ball.

Here is an explanation of the columns used in the "ammunition suitability list" spreadsheet. The rows in the matrix pertaining to other munitions have been deleted for convenience, leaving only the reference to the 9 mm ammunition. The last two columns, which also have been deleted for space considerations and convenience, list the Joint Munitions Commander manager of the item and the telephone number of the manager.

The first column is the "DODIC" or the Department of Defense Identification Code. The DODIC is a four-character code used to identify an ammunition item.

The second column is labeled, "P/S/D." This column identifies which items are preferred, or prime (P), and which are substitutes (S). If an item has a substitute, that substitute is listed directly below the prime item. The "D" indicates a developmental item that is not currently available for fielding.

The remaining columns convey the following information:

3. WR (War Reserve). An "x" in this column indicates the item has a war reserve requirement.
4. TS (Training Standard). An "x" in this column indicates the item is used for both war reserve and training purposes.
5. TU (Training Unique). An "x" in this column indicates the item is intended for training use only.
6. OTH (Other). An "x" in this column indicates the item has some other application not directly related to war reserves and training. The requirement is explained in the remarks column.
7. NOMENCLATURE. This is the name of the item.
8. ILO (in lieu of). These are items that can be used in lieu of the prime item. For technical reasons dealing with the "Training Ammunition Management Information System" (TAMIS) allocations and tracking systems these are essentially substitute items that must be listed differently than as a "substitute."
9. REMARKS. This column is used to explain that the items have some other application or restriction.

The appendix to the ammunition list provides in a worksheet the following abbreviations:

- Ctg = cartridge
- f/ = for
- HPT = high pressure test
- SOF = special operation forces

The other abbreviations are not provided.

TAB 15-- TABLE OF CONTENTS

**15-a**-8 September 2005- Transmittal of AR 15-6 Investigation by COL [redacted]
**15-b**-6 September 2005-Legal Review-AR 15-6 Investigation by [redacted]
**15-c**-DA Form 1574-Report of AR 15-6 Investigation- Report of Proceedings by Investigating Office/Board of Officers
**15-d**-Fort Meade AR 15-6 Investigation Findings:

A. Sworn statement of [redacted] with 3 enclosures:
-- Lawmen Supply Company, Inc. Invoice
--Department of the Treasury Firearms Transaction Record
--Department of the Army Police Lieutenant Identification Card/Credentials
-- Maryland Drivers License

B. AR 190-11, Physical Security of Arms, Ammunition & Explosives

C. FGGM Reg 190-13, Military Policy Physical Security

D. FGGM Policy Memo # 190-11, Control & Registration of Privately-Owned Firearms & Ammunition

E. Sworn Statement of [redacted] with 2 enclosures:
--Maryland Coordination and Analysis Center Watch Section--B.O.L.O.—Threat Against Police Officer
--NSA Police Communications—BOLO Informational Broadcast

F. *Invoice from Lawmen Supply Company, Inc.
*Department of the Treasury Firearms Transaction Record
*Department of the Army Police Lieutenant Identification Card/Credentials
*Maryland Drivers License
*FGGM vehicle registration record

G. Sworn Statement of [redacted]

H. FGGM Memo, Discharge During Probationary Period—[redacted]

I. Sworn Statement of Officer [redacted]

J. *FGGM Memo, Assistance with Training/Qualification Ammunition for the Fort Meade Police Department from [redacted] (10 June 2005) with hand receipt
*Sworn Statement of [redacted] with hand receipt

K. *Memorandum for Record, Office Visit with [redacted]
*Memorandum for Record, Office Visit with [redacted] (BUT only refers to conversation with [redacted]
*Sworn Statement of [redacted]
*Sworn Statement of [redacted]

L. Memorandum for Record, Telephone conversation with [redacted] from LTC [redacted] (unsigned)

M. *FGGM Memo, Assistance with Training/Qualification Ammunition for the Fort Meade Police Department from [redacted] (10 June 2005) with hand receipt
*Sworn Statement of [redacted] with hand receipt (duplicate of Tab J)

N. Sworn Statement of [redacted] (duplicate of Tab Q)

O. Memorandum, DAMO-RQ, Subject: Procurement of 9mm Jacketed Hollow-Point (JHP), 18 March 2002

Ammunition

P. Sworn Statement of [redacted] and Hand receipt

Q. Sworn Statement [redacted] (duplicate of Tab N)

R. Sworn Statement of [redacted]

S. Sworn Statement of [redacted] with 2 enclosures (duplicate of Tab E)

--Maryland Coordination and Analysis Center Watch Section--B.O.L.O.—Threat Against Police Officer

--NSA Police Communications—BOLO Informational Broadcast

T. BAR Baltimore Web Profile

U. Sworn Statement of [redacted]

V. *Sworn Statement of [redacted]

*Sworn Statement of [redacted] (with email attachment from [redacted]

*Sworn Statement of [redacted]

* Memorandum for Record, Telephone conversation with [redacted], Attorney General, Maryland

W. Memorandum for Record, Field Training Evaluation Outline of Officer [redacted]

X. Memorandum, Discharge During Probationary Period (duplicate of Tab H).

Y. 2002 Media Release for Camden County

Z. Report of Investigation, AR 15-6, Fort Meade, 8 June 2005

TAB 15, Admin-a

DEPARTMENT OF THE ARMY
INSTALLATION MANAGEMENT AGENCY
2511 JEFFERSON DAVIS HIGHWAY
ARLINGTON, VA 22202-3926

REPLY TO
ATTENTION OF

IMAH-LA

6 September 2005

MEMORANDUM FOR Director, U.S. Army Installation Management Agency

SUBJECT: Legal Review—AR 15-6 Investigation

1. I have reviewed the informal investigation into allegations that a Department of the Army Civilian Police (DACP) carried a privately owned weapon (POW) while on duty and used unauthorized ammunition. In my opinion, the investigation is legally sufficient and complies with the regulatory and legal requirements of Army Regulation 15-6. I have a few comments to make with regard to the investigation.

2. A former employee at Fort Meade alleged that a DACP employee was wrongfully carrying a privately owned weapon, loaded with privately owned ammunition, while on duty. This, of course, is prohibited by AR 190-56, paragraph 6-3. In addition, the employee claimed that Fort Meade improperly used non-standard ammunition to qualify and train DACP, as required by AR 190-56. The Army obtained this ammunition from the National Security Agency (NSA) on a supply transfer.

3. The Garrison Commander, Fort Meade appointed an investigation officer (IO) under the provisions of AR 15-6 to examine these allegations. The approved findings and recommendations concluded that no improprieties occurred. The allegation of a carrying privately owned weapons and ammunition while on duty was not substantiated by the evidence. The DACP officers did use NSA's commercial ammunition, but the investigation found that this was not improper.

4. The investigation was returned for additional investigation because it was clear that Army officials wrongfully believed that the Law Enforcement Officers Safety Act of 2004 applied to DACP allowing them to carry privately owned weapons while off-duty without complying with Army registration requirements. It was also returned for further fact finding on some tangential issues.

5. The second investigation is now complete. I have reviewed and have the following comments. Army Regulation AR 710–2, Supply Policy Below the National Level, dated July 8, 2005, states that "Transfers of property between Army and non-Army organizations requires the approval of HQDA (DALO–SMP)." Para 2-13a(1). The purpose of this regulatory requirement is to prevent the acquisition of "non standard" army equipment and property. There is no evidence in the report of investigation that the required approval was ever obtained. I recommend that the Chief of Logistics and Chief of Operations, Installation Management Agency send out appropriate notifications to the installations to prevent these types of transfers in the future.

6. I note a few minor defects in the Report of Investigation. Some of the exhibits are duplicates, such as Tabs X and H; S and E; and, N and E. Some of the MFRs are unsigned. The Appointment Letter does not have a signature. There is no action indicated by the Appointing Authority on Section VII, DA 1574. Section V, DA Form 1574 states: "SEE ATTACHED RECOMMENDATIONS." I cannot find, however, any recommendations. I found an unpaginated six-page document entitled "Fort Meade AR 15-6 Investigation Findings" but it does not contain Recommendations. I think that these errors fall within the provisions of Para 2-3c(1), AR 15-6. You are not precluded from taking any action based on these errors.

7. I recommend that the Report of Investigation be transmitted to the Army Office of the General Counsel for use as the basis of the 5 U.S.C § 1213 report to the Office of the Special Counsel. A copy should be returned to the Director, Northeast Region (NERO) with a recommendation that she return it to the IO for recommendations. After the IO completes her recommendations, the Director, NERO can take action on the findings and recommendations as appropriate.

8. With these caveats, I conclude that the investigation is thorough and complete, complies with all legal requirements. I have contacted the local Staff Judge Advocate, Fort Meade and asked him to follow and verify the local command process for revising the local policy letter to clarify any ambiguities.

[redacted]
Chief Counsel

TAB 15-Admin-Ls

DEPARTMENT OF THE ARMY
INSTALLATION MANAGEMENT AGENCY
2511 JEFFERSON DAVIS HIGHWAY
ARLINGTON, VA 22202-3926

REPLY TO
ATTENTION OF

IMAH-Z

SEP 8 2005

MEMORANDUM FOR Army General Counsel, 104 Army Pentagon, Room 3C546, Washington, D.C. 20310-0104

SUBJECT: Office of the Special Counsel Investigation D1-05-0240 and D1-05-0405

1. I have carefully reviewed the enclosed investigation into allegations of impropriety at Fort George G. Meade, Directorate of Emergency Services. The investigation arose when a former government employee alleged that a Department of the Army civilian police officer carried a privately owned weapon loaded with privately owned ammunition while on duty. In addition, he alleged that Army personnel improperly used "hollow point" ammunition on the firing range. According to the employee, these actions, if true, would violate Army regulations and create a danger to public safety.

2. The chain of command has extensively investigated these allegations. I agree with the conclusions of the investigation that the use of privately owned weapons and ammunition by Army police personnel while on duty could not be established. I further agree with the investigation's conclusion that the Army personnel used "hollow point" ammunition for training purposes on the firing range, but that this did not violate any law or regulation nor did it create a public danger.

3. The investigation did disclose that some Army personnel did not fully understand the legal requirements for registering and storing privately owned weapons on the installation. As a result, some persons brought and stored privately owned weapons on post without fully complying with the requirements of Army and local regulations and policies. I do not believe that these actions created a public danger and I am satisfied with the corrective action taken. Army police personnel at Fort Meade have been briefed about registration and storage requirements for privately owned weapons. In addition, the Director of Emergency Services, U.S. Army Installation Management Agency will notify all installations to ensure that Army police personnel are not exempt from Army and local regulations pertaining to registering and storing privately owned weapons.

[redacted]

Encl
as

COL, MP
Chief of Staff

TAB 15, Admin-C

# REPORT OF PROCEEDINGS BY INVESTIGATING OFFICER/BOARD OF OFFICERS

For use of this form, see AR 15-6; the proponent agency is OTJAG.

*IF MORE SPACE IS REQUIRED IN FILLING OUT ANY PORTION OF THIS FORM, ATTACH ADDITIONAL SHEETS*

## SECTION I - APPOINTMENT

Appointed by [redacted], Director, Installation Management Agency Northeast Region, Fort Monroe, VA
*(Appointing authority)*

on 19 July 2005 *(Date)* *(Attach inclosure 1: Letter of appointment or summary of oral appointment data.) (See para 3-15, AR 15-6.)*

## SECTION II - SESSIONS

The *(investigation) (board)* commenced at Fort Meade, Maryland *(Place)* at 1400 Hours *(Time)*

on 20 July 2005 *(Date)* *(If a formal board met for more than one session, check here* ☐*. Indicate in an inclosure the time each session began and ended, the place, persons present and absent, and explanation of absences, if any.)* The following persons *(members, respondents, counsel)* were present: *(After each name, indicate capacity, e.g., President, Recorder, Member, Legal Advisor.)*

The following persons *(members, respondents, counsel)* were absent: *(Include brief explanation of each absence.) (See paras 5-2 and 5-8a, AR 15-6.)*

The *(investigating officer) (board)* finished gathering/hearing evidence at 1900 Hrs *(Time)* on 8 August 2005 *(Date)*

and completed findings and recommendations at 1700 Hours *(Time)* on 19 August 2005 *(Date)*

## SECTION III - CHECKLIST FOR PROCEEDINGS

| A. COMPLETE IN ALL CASES | YES | NO 1/ | NA 2/ |
|---|---|---|---|
| 1 Inclosures *(para 3-15, AR 15-6)* | | | |
| Are the following inclosed and numbered consecutively with Roman numerals: *(Attached in order listed)* | | | |
| *a.* The letter of appointment or a summary of oral appointment data? | X | | |
| *b.* Copy of notice to respondent, if any? *(See item 9, below)* | | | X |
| *c.* Other correspondence with respondent or counsel, if any? | | | X |
| *d.* All other written communications to or from the appointing authority? | | | X |
| *e.* Privacy Act Statements *(Certificate, if statement provided orally)?* | X | | |
| Explanation by the investigating officer or board of any unusual delays, difficulties, irregularities, or other problems encountered *(e.g., absence of material witnesses)?* | X | | |
| Information as to sessions of a formal board not included on page 1 of this report? | | | X |
| *h.* Any other significant papers *(other than evidence)* relating to administrative aspects of the investigation or board? | | | X |

*FOOTNOTES:* *1/ Explain all negative answers on an attached sheet.*
*2/ Use of the N/A column constitutes a positive representation that the circumstances described in the question did not occur in this investigation or board.*

| | | YES | NO 1/ | NA 2/ |
|---|---|---|---|---|
| 2 | Exhibits *(para 3-16, AR 15-6)* | | | |
| | *a.* Are all items offered *(whether or not received)* or considered as evidence individually numbered or lettered as exhibits and attached to this report? | X | | |
| | *b.* Is an index of all exhibits offered to or considered by investigating officer or board attached before the first exhibit? | X | | |
| | *c.* Has the testimony/statement of each witness been recorded verbatim or been reduced to written form and attached as an exhibit? | X | | |
| | *d.* Are copies, descriptions, or depictions *(if substituted for real or documentary evidence)* properly authenticated and is the location of the original evidence indicated? | | | X |
| | *e.* Are descriptions or diagrams included of locations visited by the investigating officer or board *(para 3-6b, AR 15-6)?* | | | X |
| | *f.* Is each written stipulation attached as an exhibit and is each oral stipulation either reduced to writing and made an exhibit or recorded in a verbatim record? | X | | |
| | *g.* If official notice of any matter was taken over the objection of a respondent or counsel, is a statement of the matter of which official notice was taken attached as an exhibit *(para 3-16d, AR 15-6)?* | | | X |
| 3 | Was a quorum present when the board voted on findings and recommendations *(paras 4-1 and 5-2b, AR 15-6)?* | | | X |
| B. COMPLETE ONLY FOR FORMAL BOARD PROCEEDINGS *(Chapter 5, AR 15-6)* | | | | |
| 4 | At the initial session, did the recorder read, or determine that all participants had read, the letter of appointment *(para 5-3b, AR 15-6)?* | | | |
| 5 | Was a quorum present at every session of the board *(para 5-2b, AR 15-6)?* | | | |
| 6 | Was each absence of any member properly excused *(para 5-2a, AR 15-6)?* | | | |
| 7 | Were members, witnesses, reporter, and interpreter sworn, if required *(para 3-1, AR 15-6)?* | | | |
| 8 | If any members who voted on findings or recommendations were not present when the board received some evidence, does the inclosure describe how they familiarized themselves with that evidence *(para 5-2d, AR 15-6)?* | | | |
| C. COMPLETE ONLY IF RESPONDENT WAS DESIGNATED *(Section II, Chapter 5, AR 15-6)* | | | | |
| 9 | Notice to respondents *(para 5-5, AR 15-6):* | | | |
| | *a.* Is the method and date of delivery to the respondent indicated on each letter of notification? | | | |
| | *b.* Was the date of delivery at least five working days prior to the first session of the board? | | | |
| | *c.* Does each letter of notification indicate – | | | |
| | (1) the date, hour, and place of the first session of the board concerning that respondent? | | | |
| | (2) the matter to be investigated, including specific allegations against the respondent, if any? | | | |
| | (3) the respondent's rights with regard to counsel? | | | |
| | (4) the name and address of each witness expected to be called by the recorder? | | | |
| | (5) the respondent's rights to be present, present evidence, and call witnesses? | | | |
| | *d.* Was the respondent provided a copy of all unclassified documents in the case file? | | | |
| | *e.* If there were relevant classified materials, were the respondent and his counsel given access and an opportunity to examine them? | | | |
| 10 | If any respondent was designated after the proceedings began *(or otherwise was absent during part of the proceedings):* | | | |
| | *a.* Was he properly notified *(para 5-5, AR 15-6)?* | | | |
| | *b.* Was record of proceedings and evidence received in his absence made available for examination by him and his counsel *(para 5-4c, AR 15-6)?* | | | |
| 11 | Counsel *(para 5-6, AR 15-6):* | | | |
| | *a.* Was each respondent represented by counsel? | | | |
| | Name and business address of counsel: | | | |
| | | | | |
| | *(If counsel is a lawyer, check here* ☐ *)* | | | |
| | *b.* Was respondent's counsel present at all open sessions of the board relating to that respondent? | | | |
| | *c.* If military counsel was requested but not made available, is a copy *(or, if oral, a summary)* of the request and the action taken on it included in the report *(para 5-6b, AR 15-6)?* | | | |
| 12 | If the respondent challenged the legal advisor or any voting member for lack of impartiality *(para 5-7, AR 15-6):* | | | |
| | *a.* Was the challenge properly denied and by the appropriate officer? | | | |
| | *b.* Did each member successfully challenged cease to participate in the proceedings? | | | |
| 13 | Was the respondent given an opportunity to *(para 5-8a, AR 15-6):* | | | |
| | *a.* Be present with his counsel at all open sessions of the board which deal with any matter which concerns that respondent? | | | |
| | *b.* Examine and object to the introduction of real and documentary evidence, including written statements? | | | |
| | *c.* Object to the testimony of witnesses and cross-examine witnesses other than his own? | | | |
| | *d.* Call witnesses and otherwise introduce evidence? | | | |
| | *e.* Testify as a witness? | | | |
| | *f.* Make or have his counsel make a final statement or argument *(para 5-9, AR 15-6)?* | | | |
| 14 | If requested, did the recorder assist the respondent in obtaining evidence in possession of the Government and in arranging for the presence of witnesses *(para 5-8b, AR 15-6)?* | | | |
| 5 | Are all of the respondent's requests and objections which were denied indicated in the report of proceedings or in an inclosure or exhibit to it *(para 5-11, AR 15-6)?* | | | |

*FOOTNOTES:* 1/ *Explain all negative answers on an attached sheet.*
2/ *Use of the N/A column constitutes a positive representation that the circumstances described in the question did not occur in this investigation or board.*

**SECTION IV - FINDINGS** *(para 3-10, AR 15-6)*

The *(investigating officer) (board)*, having carefully considered the evidence, finds:

SEE ATTACHED FINDINGS

**SECTION V - RECOMMENDATIONS** *(para 3-11, AR 15-6)*

In view of the above findings, the *(investigating officer) (board)* recommends:

SEE ATTACHED RECOMMENDATIONS

## SECTION VI - AUTHENTICATION *(para 3-17, AR 15-6)*

THIS REPORT OF PROCEEDINGS IS COMPLETE AND ACCURATE. *(If any voting member or the recorder fails to sign here or in Section VII below, indicate the reason in the space where his signature should appear.)*

[redacted]

| | |
|---|---|
| *(Recorder)* | *(Investigating Officer) (President)* |
| *(Member)* | *(Member)* |
| *(Member)* | *(Member)* |

## SECTION VII - MINORITY REPORT *(para 3-13, AR 15-6)*

To the extent indicated in Inclosure _____ , the undersigned do(es) not concur in the findings and recommendations of the board. *(In the inclosure, identify by number each finding and/or recommendation in which the dissenting member(s) do(es) not concur. State the reasons for disagreement. Additional/substitute findings and/or recommendations may be included in the inclosure.)*

| | |
|---|---|
| *(Member)* | *(Member)* |

## SECTION VIII - ACTION BY APPOINTING AUTHORITY *(para 2-3, AR 15-6)*

Findings and recommendations of the *(investigating officer) (board)* are *(approved) (disapproved) (approved with following exceptions/substitutions). (If the appointing authority returns the proceedings to the investigating officer or board for further proceedings or corrective action, attach that correspondence (or a summary, if oral) as a numbered inclosure.)*

TAB 15, Admin-d

# FORT MEADE AR 15-6 INVESTIGATION FINDINGS

This AR 15-6 Investigation was conducted as a follow on to a previous AR 15-6 Investigation (Tab Z). Both investigations were conducted to review allegations made to the U. S. Office of Special Counsel (OSC) by a former Fort Meade probationary employee, Mr. [redacted]. In his complaint to the Office of Special Counsel, M[redacted] alleged that at least one Department of Army Civilian Police (DA Civilian Police) employee, if not more, brought their privately owned weapon (POW) on to Fort Meade in their personal vehicle in violation of Army and Fort Meade Regulations. Additionally, Mr. [redacted] alleged that at least one DA Civilian Policeman, LT. [redacted] had carried his POW in lieu of his government issued weapon on various occasions while on duty between September 21, 2004 and October 29, 2004 in violation of Army regulations. Mr. Daly further alleged that LT. [redacted] allowed unauthorized hollow point ammunition to be used by DA Civilian Police during training and qualification at a firing range on Fort Meade and that such use posed a significant safety risk to the users. Pursuant to your appointment memorandum, you also asked that several other issues not directly related to Mr. [redacted] OSC allegations also be investigated. My findings and recommendations regarding those separate issues are also contained in my report of investigation.

Issue # 1. a. Determine if Fort Meade DA Civilian Police Officer, Lt. [redacted] complied with all Federal statutes and regulations (including Army and Fort George G. Meade regulations and policy) in bringing privately owned weapons on the installation.

Finding: As noted in the initial investigation conducted into Mr. [redacted] allegations, LT. [redacted] admits to bringing his privately owned weapon onto Fort Meade and that he had mistakenly not registered the weapon with the proper authorities on Fort Meade because he believed he was exempt from registration based on his status as a DA Civilian Police Officer (Tab A). Though this was a violation of AR 190-11 (Tab B), Fort Meade Regulation 190-13 (Tab C), and Fort Meade Policy Memorandum #190-11-1 (Tab D), each of the regulations are somewhat ambiguous on the specific registration requirements for POWs transported by persons traveling onto, but not residing, on Fort Meade or other Army installations. Since having this matter brought to his attention, LT. [redacted] has ceased bringing his POW onto Fort Meade. Additionally, as a result of this matter being brought to the attention of the supervisory chain for the DA Civilian Police, all DA Civilian Police have been briefed on their requirements to register and properly store any POWs they may transport onto the installation.

Issue #1. b. Determine if LT. [redacted] used or wore his privately owned weapon on duty or, if off duty, at any time on the installation.

Finding: Based on my interview of persons in the DES Law Enforcement section, including Deputy Chief [redacted] (Tab E), and based on my review of the sales receipt provided to me by LT. [redacted] documenting his purchase of a Glock brand handgun on October 27, 2004 (Tab F) and based on a review of Maryland Police records indicating that this is the only gun registered to LT. [redacted] in their data base, I have concluded that there is insufficient evidence, if any, to conclude

that LT. [redacted] carried a privately owned weapon on his person while on duty or off duty on Fort Meade. Mr. [redacted] claims to have witnessed LT. [redacted] carrying/wearing a non-issue POW (Tab G, [redacted] statement from previous 15-6) on various dates between September 21, 2004 and October 29, 2004, the date Mr. [redacted] received his notice of separation from Federal Service (Tab H). Given that LT. [redacted] only took possession of his personal Glock firearm no earlier than on or about October 27, 2004, the facts simply do not support Mr. [redacted] allegation. Only one other witness, Mr. [redacted], who has since transferred indicated that on one occasion (the date was undetermined) he believes LT. [redacted] was wearing a POW (Tab I, from the previous 15-6). Mr. [redacted] statement lacks sufficient specificity and facts to outweigh the statement of Deputy Chief [redacted] or to overcome the fact that LT. [redacted] did not purchase his Glock until October 27, 2004.

Issue #1c: Determine, if possible, whether LT. [redacted] used privately owned ammunition while on duty.

Finding: There is simply no evidence to support a finding that LT. [redacted] used privately owned ammunition while on duty. LT. [redacted] denies using any ammo not issued to him by Fort Meade or transferred from the National Security Agency (NSA) as part of the approximately 8,800 rounds of ammunition that NSA provided to Fort Meade to assist with their training and qualification requirements (Tab J).

Issue #2a. Determine why the Directorate of Emergency Services (DES), FGGM went to another DOD agency to transfer almost 9,000 rounds of small caliber ammunition to DES to train and qualify Department of the Army Civilian Police (DACP). Why did DES not use the Army ammunition supply system?

Finding: Due to changes in force structure and the move to hire civilian DA Police as well as the increased need to plus up installation security, Fort Meade's civilian DA Police workforce grew faster than it's approved authorizations on the Fort Meade Table of Distribution an Allowances (TDA)(Tab K). Ammunition requirements are based authorizations not actual employee population. As such there was insufficient authority to requisition adequate ammunition through the normal supply process (Tab L).

Issue #2b. Did DES properly forecast its training requirements and did it properly and timely submit its ammunition authorizations?

Finding: As noted above, Fort Meade's actual DA Civilian police force grew faster than it's TDA authorizations. This growth combined with the Army's current requirement to convert many military slots to civilian positions made timely and accurate forecasting of training ammunition needs impossible given the requirement to measure ammunition needs against authorized TDA positions rather than against actual total on board manning.

Issue# 2c. Did DES comply with all Army regulations in transferring the ammunition? Who inspected the ammunition to ensure it was safe prior to use on the training range? Was any of the transferred ammunition corroded, dented or tinged with green patina?

Finding: Based on interviews with the Range Control Officer, the individual procuring the ammunition, as well as LT. [redacted], the transfer of ammunition from one Federal Agency, NSA, to another, Fort Meade DES, within the confines of a single installation, Fort Meade, was a routine interagency transfer accompanied by a proper hand-receipt (Tab M). Inspection of the ammunition by range safety personnel revealed no indication that the ammunition was damaged or unsafe (Tab N).

Issue#2d. Was the transferred ammunition "non-standard?" If so, did the proper authority approve the use of the ammunition?

Finding: According to a Department of the Army memorandum dated March 18, 2002 issued by the Deputy Chief of Staff for Operation and Planning, use of 9mm hollow point ammunition is authorized for use in CONUS (Tab O). This memo delegates authority to Installation Commanders in the Continental U.S. for use of 9mm hollow point ammunition and further goes on to state in regard to any safety issues that " [t]he Weapon Systems Explosives Safety Review Board (WSESRB) of the Naval Sea Systems Command reviewed the results of the 9mm hollow point test program and concluded that the round was acceptable for Service use. Their process is just as rigorous as the Army's testing program. Therefore, there is no valid reason for the Army to conduct additional tests on this cartridge." Based on this memo, I have concluded that use of the 9mm hollow point ammunition by DA Civilian Police at Fort Meade was both authorized, permissible, and safe, and that proper authority for it's use existed.

Issue #3. I was directed to locate and interview all relevant witnesses with possible information about the above allegations, including [redacted] and [redacted] and further that if I cannot locate a witness, I should document all measures taken to find them.

It is my opinion that I have interviewed all relevant witnesses that I can reasonably locate within the short span of time afforded to complete this investigation. I attempted to call Mr. [redacted] and Mr. [redacted] at their last known phone numbers. I was unsuccessful in reaching either person. I also questioned persons within the DES as to any possible information they could provide regarding these two individuals, but those efforts also met with negative results.

Issue #4a. Determine if the use of "hollow point" ammunition on the firing range at Fort Meade by DACPs occurred and, if so, whether such use is safe and complies with all regulatory requirements. Determine if, as Mr. [redacted] alleges in his OSC complaint, that ammunition with an unsafe or too high pressure rating was used in military weapons by the DACPs on the firing range.

Finding: It is clear from the documentation (Tab P) and statements of numerous witnesses that hollow point ammunition was in fact used at the firing range by Department of Army Civilian Police to enable them to complete their training and qualification requirements. As noted above, the use of 9mm hollow point ammunition was authorized by HQDA and was determined to meet safety requirements. Witnesses in both this investigation and the earlier investigation indicate that the ammunition was in good condition. It should also be noted that the ammunition was only a year old and was from the annual turn-in ammo turned in annually by NSA weapon users (Tab Q).

Issue #4b. If "hollow point" ammunition was used on the Fort Meade firing range, was the chain of command aware of this and if so, what actions did they take to ensure that only proper and safe ammunition was being used on the range? Were these actions appropriate?

Finding: MAJ [redacted], Fort Meade Provost Marshall indicates that he was unaware that 9mm hollow point ammunition was being used at the firing range, but that he trusted his subordinates in the DA Civilian Police supervisory chain to ensure that only authorized and safe ammunition was used at the firing range (Tab R).

Issue #5a. Chief [redacted] claims, "One of the problems at Fort Meade is that we have no locker room space in which to secure POWs. This issue becomes even greater as DA police become more proactive. DA Police have a tendency to interact with the community more than their military counterparts, due to increased off-post opportunities and more longevity." Interview Chief [redacted] to determine exactly what he means by his statement and that DACPs are getting more "proactive?" What are these "off-post opportunities?" Also determine what actions, if any were taken by the leadership at the DES take to resolve what Chief [redacted] claims is a problem, i.e., lack of locker room space?

Finding: Chief [redacted] explained that what he meant by DA Civilian Police becoming more proactive and having more off-post opportunities was that now that the security forces on installation were becoming more and more civilian and fewer uniformed soldiers, that the DA Civilian Police were going to be more likely than soldiers to encounter persons in the civilian community with whom they may have had an encounter such as a DUI or other citation on the installation because the DA Civilian Police are more likely to live in the local community and less likely to shop and participate in on-base activities for which they may not have privileges (Tab S). These off-post encounters meant that DA Civilian Police may find themselves faced with more frequent risk of harm than their military counter parts and that there may be a need for them to be constantly carrying a weapon for protection. As such, there was a growing need for more storage space on the installation for DA Civilian Police to store their POWs while they are on duty to allow access to the weapons upon going off duty. Management is reviewing this issue to determine exactly what their true storage requirements are.

Issue #5b. You should also determine whether DACP are engaged in off post law enforcement. If so, was such employment properly authorized?

Finding: I found no evidence that DA Civilian Police were engaging in off-duty employment that potentially conflicted with their Army jobs.

Issue #6 SGT [redacted] reports that Mr. [redacted] assaulted her in "Bar Baltimore" by pulling her hair. You should interview SGT [redacted] in more detail to determine the exact facts behind this alleged assault? Where "Bar Baltimore" is? Did the incident at Bar Baltimore occur on duty or off duty? In your interview you should determine if she reported the assault, if so to whom, what action, if any was taken, and who was there that may have witnessed the hair pulling incident and/or interceded on SGT [redacted] behalf? You should also determine if other DACPs were present when the incident occurred? You should also interview

SGT [redacted] regarding the e-mails she contends Mr. [redacted] continues to send her. What the nature of these emails is and whether she continues to receive them?

Findings: I made numerous attempts to contact SGT [redacted] but she did not return my phone calls. I asked various members of the DA Civilian Police Force if they had any information regarding this incident and no one had any information to offer. "Club Baltimore" is a "hip-hop" club in Baltimore. It's internet advertisement is rather racy (Tab T) indicating that it would lend itself to conduct that under Army standards would clearly be considered inappropriate. Without further cooperation from SGT [redacted], I cannot determine what other actions might have been taken in regard to Mr. [redacted]

Issue #7. According to various Fort Meade personnel, local regulations require persons entering Fort Meade to register privately owned weapons at the Visitor Control Center (VCC), FGGM. Notwithstanding this policy, Mr. [redacted] states the VCC refused to register weapons for persons who "don't live on post." In your investigation you should determine if in fact the VCC was denying registrations for non-resident persons seeking to register their weapon? Did this constitute a failure to follow established Fort Meade policy? If so, why was no action taken to correct that situation?

Finding: I interviewed Ms. [redacted], lead supervisor at the Fort Meade Visitor Control Center regarding the allegations made by [redacted] that the VCC refused to register POWs for persons not residing on Fort Meade. Ms. [redacted] denied that there was any policy in place which required the VCC to deny persons not residing on Fort Meade the opportunity to register their POWs if they worked on Fort Meade and regularly came on the installation. Ms. [redacted] could recall only one occasion where someone in that situation had been denied the opportunity to register their vehicle and that was because the individual did not meet the requirements of the installation policy (Tab U).

Issue #8a. Determine if Ms. [redacted] a former Fort Meade employee now employed as a policewoman with the Naval District of Washington, reported to Lt. [redacted] that she was being sexually harassed? If so, you should determine what measures or actions Lt. [redacted] may have taken in response to the reported allegations of sexual harassment and whether the actions were adequate and appropriate?

Finding: I interviewed Ms. [redacted] and LT. [redacted] as well as the Fort Meade EEO Officer, Ms [redacted] and the former Fort Meade labor counselor, [redacted] in regard to this issue (V). What I determined was that Ms. [redacted] had experienced significant problems during her field training at Fort Meade to become a fully qualified DA Civilian Policewoman. Ms. [redacted] had been assigned numerous Fort Meade DA Civilian Police Field Training Officers (FTO) and seemed to encounter problems with each one. Ms. [redacted] training record (Tab W) documents many of the deficiencies she exhibited. According to LT. [redacted] during one counseling session with Ms. [redacted] in which he was advising her that she was still not qualified, Ms. [redacted] responded to the counseling by making allegations of sexual harassment against the assigned FTO. Upon hearing the allegations, LT. [redacted] summoned the FTO to his office and confronted the FTO in front of Ms. [redacted]. The FTO

adamantly denied the allegations. There were no other witnesses to the alleged conduct. Based on the FTO's denial and on Ms. [redacted]s continued complaint, LT. [redacted] referred Ms. [redacted] to the Fort Meade EEO Office. Subsequently, during the informal complaint process, the Army and Ms. [redacted] reached a nominal settlement and the complaint was dismissed. No action was taken against the FTO as there was no evidence other than Ms. [redacted]'s statement that the harassment had occurred. In my opinion LT. [redacted] acted appropriately and promptly in dealing with the allegation.

Issue #8b. Ms. [redacted] claims that "There were money problems and a lot of talk that Lt. [redacted] was negligent and not taking care of his people. There were issues between [policeman [redacted] and [redacted]. That is why [redacted] was fired." Interview Ms. [redacted] as to her allegation that [redacted] was negligent and not taking care of his people and that [redacted] was fired in retaliation. You should also have Ms. [redacted] clarify her statement to indicate what sort of money problems she was referring to.

Findings: I interviewed Ms. [redacted] in regard to her allegations about "money problems," about LT. [redacted] not taking care of his people and about issues existing between Mr. [redacted] and LT. [redacted] From my interviews the two primary problems were the time it took to receive settlement for the civilian police training at the DA Police Academy at Aberdeen and the fact that Mr. [redacted] had an abrasive personality and was constantly challenging LT. [redacted] and others' authority. Mr. [redacted] was ultimately terminated during his probation due to a incident that occurred in Fort Meade base housing (Tab X). I might point out that during my investigation I learned that Mr. [redacted] had previously been terminated from employment with the Camden, NJ police force for theft of property while in the performance of his police duties. From the information I gathered, it appears Mr. [redacted] is prohibited from ever working in law enforcement in New Jersey again (Tab Y).

TAB I 5, Admin e

DEPARTMENT OF THE ARMY
INSTALLATION MANAGEMENT AGENCY
NORTHEAST REGION
5 NORTH GATE RD
FORT MONROE, VA 23651-1048

SFIM-NE-ZJ

19 July 2005

MEMORANDUM FOR LTC [redacted], Provost Marshal, Fort Eustis, Virginia 23604

SUBJECT: Appointment of Investigating Officer for Office of Special Counsel Investigation

1. With the approval of the COL [redacted] Fort Eustis Garrison Commander, you are hereby appointed an investigating officer pursuant to AR 15-6, paragraph 2-1, to investigate the circumstances surrounding allegations made in a complaint to the Office of Special Counsel regarding conditions in the Fort Meade Provost Marshal's office and procedures followed by personnel assigned to The Provost Marshall's office. A more detailed listing of the issues and problems that need to be investigated is included below. In addition, a copy of the actual OSC Complaint and an initial AR 15-6 Investigation into the allegations have been provided to you and should be reviewed prior to commencing your investigation.

2. From the evidence and other material you develop, you will make findings and appropriate recommendations concerning the following issues:

a. Determine if Fort Meade DA Civilian Police Officer, Lt. [redacted], complied with all Federal (including Army and Fort George G. Meade regulations and policy) in bringing privately owned weapons on the installation. Determine if he used or wore his privately owned weapon on duty or, if off duty, on the installation. Determine, if possible, whether [redacted] used privately owned ammunition while on duty.

b. Determine why the Directorate of Emergency Services (DES), FGGM went to another DOD agency to transfer almost 9,000 rounds of small caliber ammunition to DES to train and qualify Department of the Army Civilian Police (DACP). Why did DES not use the Army ammunition supply system? Did DES properly forecast its training requirements and did it properly and timely submit its ammunition authorizations? Did DES comply with all Army regulations in transferring the ammunition? Did DES properly add the transferred ammunition to its inventory? Was the transferred ammunition "non-standard?" If so, did the proper authority approve the use of the ammunition? Was any of the transferred ammunition corroded, dented or tinged with green patina? Who inspected the ammunition to ensure it was safe prior to use on the training range?

c. You must also locate and interview all relevant witnesses with information about the above allegations, including [redacted] and [redacted]. If you cannot locate a witness, you should document all measures taken to find him or her.

d. You also need to determine if Ms [redacted], a former Fort Meade employee now employed as a policewoman with the Naval District of Washington, reported to Lt [redacted] that she was being sexually harassed? If so, you should determine what measures or actions Lt. [redacted] may have taken in response to the reported allegations of sexual harassment and whether the actions were adequate and

appropriate? In addition, Ms. [redacted] claims that "There were money problems and a lot of talk that Lt. [redacted] was negligent and not taking care of his people. There were issues between [policeman [redacted] and [redacted] That is why [redacted] was fired." You should interview Ms. [redacted] as to her allegation that [redacted] was negligent and not taking care of his people and that [redacted] was fired in retaliation. You should also have Ms. [redacted] clarify her statement to indicate what sort of money problems she was referring to.

e. You should also determine if the use of "hollow point" ammunition on the firing range at Fort Meade by DACPs occurred and, if so, whether such use is safe and complies with all regulatory requirements. Determine if, as Mr. [redacted] alleges in his OSC complaint, that ammunition with an unsafe or too high pressure rating was used in military weapons by the DACPs on the firing range. If "hollow point" ammunition was used on the Fort Meade firing range, was the chain of command aware of this and if so, what actions did they take to ensure that only proper and safe ammunition was being used on the range? Were these actions appropriate? You should also determine if ammunition and weapons were properly transported to and from the firing range?

f. Additionally, Chief [redacted] claims, "One of the problems at Fort Meade is that we have no locker room space in which to secure POWs. This issue becomes even greater as DA police become more proactive. DA Police have a tendency to interact with the community more than their military counterparts, due to increased off-post opportunities and more longevity." You should interview Chief [redacted] to determine exactly what he means by his statement? You should also determine whether DACP are engaged in off post law enforcement. If so, was such employment properly authorized? Also determine what actions, if any were taken by the leadership at the DES take to resolve what Chief [redacted] claims is a problem, i.e., lack of locker room space? What did Chief [redacted] mean when he said that the DACPs are getting more "proactive?" And what are these "off-post opportunities?"

g. Additionally, SGT [redacted] reports that Mr. [redacted] assaulted her in "Bar Baltimore" by pulling her hair. You should interview SGT [redacted] in more detail to determine the exact facts behind this alleged assault? Where "Bar Baltimore" is? Did the incident at Bar Baltimore occur on duty or off duty? In your interview you should determine if she reported the assault, if so to whom, what action, if any was taken, and who was there that may have witnessed the hair pulling incident and/or interceded on SGT [redacted] behalf? You should also determine if other DACPs were present when the incident occurred? You should also interview SGT [redacted] regarding the e-mails she contends Mr. [redacted] continues to send her. What the nature of these emails is and whether she continues to receive them?

h. Finally, according to various Fort Meade personnel, local regulations require persons entering Fort Meade to registering privately owned weapons at the Visitor Control Center (VCC), FGGM. Notwithstanding this policy, Mr. [redacted] states the VCC refused to register weapons for persons who "don't live on post." In your investigation you should determine if in fact the VCC was denying registrations for non-resident persons seeking to register their weapon? Did this constitute a failure to follow established Fort Meade policy? If so, why was no action taken to correct that situation?

3. 3. In your investigation, use informal procedures under AR 15-6. Insofar as practicable, all witness statements should be sworn to using a DA Form 2823. In addition, you must provide those making statements with a Privacy Act Statement before you solicit any personal information. Prior to beginning your investigation, you should contact Mr. [redacted] NERO Legal Counsel, at Comm. [redacted] or

DSN [redacted] or cell, [redacted], for guidance in conducting this investigation and assistance in obtaining the appropriate forms for use during the investigation.

4. If in the course of your investigation, you believe that a civilian employee has engaged in conduct that could subject them to potential disciplinary action or which may require possible union involvement, or should you determine that a military member may have engaged in inappropriate conduct for which possible UCMJ action may be required, you should contact Mr [redacted], for appropriate advice on how to proceed.

5. Your report of investigation, including findings and recommendations, should be submitted to me on DA Form 1574 by 3 August 2005. If an extension beyond this date is necessary, such extension should be requested in writing, stating the reasons for any delay.

/S/

[redacted]
Director

Tab A

# SWORN STATEMENT

For use of this form, see AR 190-45; the proponent agency is ODCSOPS

PRIVACY ACT STATEMENT

AUTHORITY: Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9397 dated November 22, 1943 (SSN).
PRINCIPAL: To provide commanders and law enforcement officials with means by which information may be accurately identified.
ROUTINE USES: Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval.
DISCLOSURE: Disclosure of your social security number is voluntary.

| 1. LOCATION | 2. DATE (YYYYMMDD) | 3. TIME | 4. FILE NUMBER |
|---|---|---|---|
| Fort Meade, MD Building 8479 | 2005/07/26[redacted] | 1241[redacted] | |

| 5. LAST NAME, FIRST NAME, MIDDLE NAME | 6. SSN | 7. GRADE/STATUS |
|---|---|---|
| [redacted] | [redacted] | DACP Training Officer |

8. ORGANIZATION OR ADDRESS
DES

9.
I, [redacted], WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

Q. Are you an Army retiree or at any time employed by the Defense? If employed by the Defense, which service?
A. I was employed by the Army as a Military Policeman from Mar94 to Oct03, almost 10 years of service. I reentered Federal Civilian Service in May04
Q. When start working for DES/PMO, Fort Meade?
A. I started working for the PMO in Jul00 until Oct03 with the Army (I held positions of Senior Desk Sergeant, Platoon Sergeant, Training NCO and Operations Sergeant). In May04 I started back at the Ft Meade PMO as a Training Officer for the Ft Meade Police Department.
Q. What position were you hired to do and what did you actually do upon working for DES/PMO as a civilian?
A. I was actually hired as the Training Officer for the Police Department. On 11 July 2004 I was detailed to the GS-11 Deputy Chiefs position.
Q. How long did you work as Deputy Chief and when did you return to your assigned duty?
A. I worked as the Detailed Chief for 3 months and returned to my Training Officer position in the middle of October 2004 when Deputy [redacted] arrived.
Q. What is your duty position?
A. I am the Training Officer of the Ft Meade Police Department; I have a copy of my Position Description that is provided.
Q. When you attended the DAC police academy, what types of handgun were used?
A. I was promised to attend the next academy when the Deputy Chief arrived and have not attended one to this date. MSG [redacted] and Maj [redacted] (My Rater and Senior) informed me that my MP School training was sufficient until they could afford to send me due to the lack of supervision.
Q. What equipment were you issued to perform the duties as DAC police?
A. I was not issued equipment, I personally wrote contracts to equip the DA Force with all the equipment that they have today. Even though I am not the contracting officer I wrote ALL of the contracts that have been written for the DA Police force to date. When we got all of the equipment on board I was issued all of the duty gear that every officer gets.
Q. As the DES training officer, what is your duty uniform?
A. There was no prescribed uniform when I came on board, I did not even know that I was a Lieutenant until I conducted research, nothing was laid in place when I arrived. I tried to get information from all of the DA Police departments in the area as to what they were wearing and nobody had a clue, AR190-56 and AR670-10 listed uniforms that were not even made anymore and no one was following this. I tried to place the officers in uniforms that represented our closest unit, Aberdeen Police Academy.
Q. Do you conduct patrolling as a DAC training officer?
A. I have been out in the cars on ride alongs with the officers; I have also been here for special events (4th of July festivities).
Q. Why carry a duty handgun if you are the DAC police training officer?
A. Even though I am the training officer, I am still a Police Officer and when I was out in the Community of Ft Meade because I am in the uniform I wear a Vest and a Pistol Belt or my side holster in case I may have to respond to an emergency.
Q. According to your previous statement, you purchased a Glock in Oct 04. Have you ever purchased or possessed other handguns? If so, what were they?
A. No, I have not purchased any other handguns or possessed any other Handguns besides my Glock and the Governments issued M9.
Q. Have you ever brought your Glock onto post since purchasing it in Oct 04? If so, why?
A. Yes, I am required to come to work fully dressed in my uniform, there are people out there who do not like police and will wait for an opportunity to hurt a Police Officer who may have dealt with them previously. Because I was always at the Police Station and I always seen these criminals I carried my sidearm off post for Personal Protection.

| EXHIBIT | 11. INITIALS OF PERSON MAKING STATEMENT | PAGE 1 OF 7 PAGES |
|---|---|---|
| | [redacted] | |

ONAL PAGES MUST CONTAIN THE HEADING "STATEMENT _____ TAKEN AT _____ DATED _____

THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE BE INDICATED.



ENCL

USE THIS PAGE IF NEEDED. IF THIS PAGE IS NOT NEEDED, PLEASE PROCEED TO FINAL PAGE OF THIS FORM.

STATEMENT OF [redacted] TAKEN AT Fort Meade, MD DATED 2005/07/26

9. STATEMENT *(Continued)*

Q. If you purchased or owned other handguns before the Glock, did you ever bring it/them onto post?
A. No, I did not own any other weapons besides them.
Q. When you entered the installation, transporting your POW, did you ever inform the security guards that you have a weapon?
A. No I did not inform them, I had my weapon stored in two separate locked areas of my vehicle. If I would have been inspected I would have informed them then.
Q. With the above question, did you ever show your weapon registration?
A. Post policy 190-11 stated that you did not have to register your weapon if you are a Federal Police Officer.
Q. Have you ever registered your POW on the installation? If so, when?
A. No, after I was informed and counseled for the allegations I stopped carrying my POW and now keep it locked at my house, I also get changed at work because I do not want to be in uniform Off post without protection.
Q. Does the Glock or any of the other weapons you mentioned look, feel, fit the same as the Army M9, Barretta?
A. Both are Black on color, the M9 is longer than the Glock by about an inch.
Q. Did you bring your POW with you today? If so, I would like to see it.
A. No, as stated before I stopped bringing my POW onto the installation when these allegations came up, I did have it during the IG investigation in which I invited IG LTC down to my vehicle to see how I had it stored.
Q. Have you ever used or wear your privately owned weapon on duty or off duty while on the installation? If so, what were the types of weapons and why?
A. I did have my leather holster that belongs to my Glock on a few times but I have never wore my Glock in an Official Duty capacity.
Q. What is/were the perceived threat?
A. Yes, there are against police officers here all the time, most recently there was a gentleman arrested that vowed to kill a Ft Meade Police Officer. This is a serious threat, something that I worry about when the Army has not taken any steps to ensure that there Civilian Police Officers are protected while off duty. All of the Civilian Police get the impression that when they are off duty there is little or no concern about a DACP. At the time I purchased my Glock, the HR218 and hearing the horror stories were the reasons why I purchased it.
Q. Are you listed in the telephone book?
Yes, I am listed in the telephone book, you can also get my name address and directions to my house off of Google.
Have you ever worn any personal items on the official duty belt? If so, what and why?
Yes, my personal leather holster. If I were in my office I may have had my Black leather holster on a few times, but it never contained my personal weapon. After I purchased my weapon, I obtained authorization to carry a concealed weapon by providing proof my police credentials and filled out an ATF form at Lawman Police Supply in Clinton, Maryland. This allowed me to carry my personal weapon when I came to work during off duty status.
Q. Who authorized you to change your duty uniform?
A. Though I have the issued holster, my personal holster was left on the duty belt because at times I did not sign out my duty weapon. There was never a uniform standard published anywhere which allowed me to leave my personal holster on the duty belt. My duty gear consisted of a belt and holster.
Q. If not, ask about the holster and request to see his pistol belt.
A. I have shown the holster and the pistol belt to you.
Q. What type of holster do you use to carry your weapon?
A. I have a black leather CQC holster that will fit my Glock and I have a Nylon Holster that I have worn for my M9, that is a universal holster.
Q. With your personal holster, would the Army issue weapon, 9mm Barretta, fit it?
A. I am sure that it would fit it but I have never had my M9 in there. I would not want to damage my holster. When I signed out my duty weapon, I would always have my Nylon Holster on my side.
Q. Where do you store your POW when on post?
A. It has remained locked in my car (When I owned my Pontiac Grand Prix (Gun locked in the Glovebox (Keyed lock) and rounds locked in the center console of my car (Keyed lock also).
Q. Are you familiar with the Federal regulations of bringing privately owned weapon on to the installation? If yes, please elaborate the Federal regulations.
A. No, I am not. I am familiar with the Post Policy and was never told by the command that we could not bring our weapons onto the Post.
Q. Are you familiar with the Army regulations of bringing privately owned weapon on to the installation? If yes, please elaborate the Army regulations.
A. Not familiar enough to recite any references in the AR. I now know that they want your weapons registered (This pertains to Military) but there is no specific guidance in the reg as to what civilians do or are suppose to do.
Q. Are you familiar with the installation's regulations and policies of bringing privately owned weapon on to the installation? If yes, se elaborate the installation's regulations and policies
am familiar with the Post policy and had my weapon separated in accordance with it, I have also been told by the IG and the Ft SJA to either register my weapon or do not carry it on post and I have corrected this.

INITIALS OF PERSON MAKING STATEMENT [redacted]

USE THIS PAGE IF NEEDED. IF THIS PAGE IS NOT NEEDED, PLEASE PROCEED TO FINAL PAGE OF THIS FORM.

STATEMENT OF [redacted] TAKEN AT Fort Meade, MD DATED 2005/07/26

9. STATEMENT *(Continued)*

Q. When you commute to and from work, how do you transport your POW and personal rounds when driving your POV?
A. When I was outside the installation I would carry my weapon on my side when I was in uniform. I do not carry it at all now and have not since January.
Q. Do you own a concealed weapons permit to carry a POW? If so, why?
A. Yes, my weapon is registered with the ATF and it is also in the NCIC database.
Q. Have you ever worn your POW into the work buildings when on post? If so, why? Did any one know?
A. No, I have never worn my POW into a work building on Post.
Q. AR 190-11 specifically states that POW will be stored in the armsroom or other place authorized by the commander when you bring it on the installation. Did you receive any authorization be it verbal or written by the commander?
A. We do not have a company commander and the regulation does not give guidance on civilian law enforcement to my knowledge and I was never given guidance on this from the command as it was never an issue; I have made suggestions in the past for us to store our weapons in the company arms room to the command and it was never an issue that was moved on.
Q. Where do you store your weapon while on duty?
A. It was stored in my vehicle (POW), my government weapon is kept in the Armsroom until I need to draw it.
Q. As the DAC training officer, are you responsible for tracking the DAC Police weapons qualification?
A. Yes I have tracked weapons qualification, AR190-56 is very vague in the whole training area so I went with the STRAC manual in the MPFQC and the Alternate Pistol Qual Course. Twice a year, even the MP School house could not give guidance on this as they were in the process of fixing this, and still are today. Different Installations do different things with their DACP, there is no single piece of guidance to follow off of.
Q. What is the frequency they are to qualify annually and how many rounds they are to qualify with?
A. They qualify twice a year according to that and they fire 60 rounds each, 10 for familiarization and 50 for qualification. According to what we had in place.
Q. When do you submit your ammunition forecast and to whom do you submit it to?
A. We never could submit an ammunition forecast because we did not have weapons on the books, our weapons were the MP weapons and what they had forcasted was what we used, we also used Hollowpoint ammunition that they received from NSA Police to use for qualification because we did not have any ammo to fire and the Police Officer needed to be qualified.
Q. Would you have copies of any ammunition forecast and requests from FY03, FY04, and FY05?
A. I do not have any paperwork for any of those dates. We are currently working on TAMIS to correct the ammunition shortfall, if we do not have weapons on the books we cannot order ammo, we were told this buy everyone. They stated that the MP Company had to order it against their weapons. Ms. [redacted] from DPTMS [redacted] and Ms. [redacted] can verify this statement, this has been a constant battle and no one has been willing to support us getting weapons, At the DA level they stated that they wanted to send down a team for a manpower study. This was back in November of 2004 and they have still not arrived. DC Frank will have more information on this.
Q. In order to forecast the ammunition, what was the number of personnel did you use?
A. The number changes daily, we have had no exact number as to who we could hire, the number was 30 then it went to 68, then 128, then 89. There has been no specific layout of steps to stand the department up, like I stated before no post is the same and few are willing to share their plan. It was basically a fend for yourself type setup.
Q. How many weapons are assigned to the DAC police?
A. I am not sure as to how many weapons we have assigned to the department. I know that we have 51 personnel assigned. DC Frank will have more information on this.
Q. IF the number of personnel is different from the number of weapons, why is there a difference?
A. There are more weapons than personnel because we still have to hire officers, we just received these weapons from GSA and had received more so that we can assign a weapon to an officer when he arrives.
Q. When did you first notice there was an ammunition shortfall in FY04 and FY05?
A. They MP Company noticed it in the middle of the year; we could not get ammo any other way because of the war effort.
Q. Who did you inform and what did they do?
A. This was not my lane, I did inform the DES command that the MP Company was out of ammunition and that we had to qualify the officers so we received government ammunition from NSA to fire on their ranges only. MAJ [redacted] and MSG [redacted] were talking to the MP Company since we were borrowing the company's weapons.
Q. Do you combine the DAC police weapon qualification range with the military police or any other agencies?
A. When I got here in May they were shooting with the MPs, they never have shot with us since then.
Q. If so, then how do you account for the ammunition expended?
A. I am unaware of any account on our part, NSA has a list that they used to account for it on their end, they just wanted us to dispose of it properly.
Q. How often do you have weapons qualification?
A. Every 6 months, twice a year.
Q. Why so frequent?
A. There is not a standard for the DA Police, AR 190-56 is still not out so I did the best I could and tried to have people qualified in accordance with the STRAC manual.

INITIALS OF PERSON MAKING STATEMENT

USE THIS PAGE IF NEEDED. IF THIS PAGE IS NOT NEEDED, PLEASE PROCEED TO FINAL PAGE OF THIS FORM.

STATEMENT OF [redacted] TAKEN AT Fort Meade, MD DATED 2005/07/26

9. STATEMENT *(Continued)*

Q. Where do the DAC police qualify their weapons? On post or off?
A. They qualified them out at Range 8, NSA Ranges. We have never fired a weapon off Post.
Q. Have you attended the installation's range safety course?
A. Yes I have been Range Safety officer certified with NSA since Aug of 2000, revalidating every year, with the exception I was gone for 8 months (working for John Hopkins).
Q. What type of rounds have you used on the qualification ranges from Jan 04 to present?
A. We could only get NSA ammunition, either from the MP Company or from NSA. This is the hollowpoint ammo.
Q. Do you recall them mentioning the type of rounds approved on the range?
A. They gave us the ammunition they are approved for fire on Range 8, this is the only "lead" range left.
Q. What was your procedure in getting the ammunition for the Sep/Oct 04 range?
A. We still had no ammunition and the MP Company did not order any for the rest of the weapons, mainly the ones that we were utilizing, I went through the command to get approval to obtain ammo via letter from NSA because we still had no weapons on our books.
Q. What is the procedure in transporting ammunition?
A. At our range, the ammunition is location at the range control. We pick it up in our Government vehicle and weapons. We don't put placards on the vehicle because the ammunition amount being provided does not meet the required weight amount.
Q. Are you familiar with the different type of ammunition?
A. Yes I am familiar with the different types of ammunition
Q. Did range control ever inspect your rounds?
A. Yes, they issued them to us.
Q. Did you request nearly 9,000 rounds of ammunition back in Sep/Oct 04?
A. No, I did not request this amount of rounds. The maximum number of rounds I ever requested was for a few officers who needed to qualify. Unfortunately, I do not have that memorandum requesting those ammunition.
Q. Why request so many?
A. I did not request it. I think it was the company who did it. Had I done so, the right amount of ammunition I would have requested would have been for approximately 34 officers assigned. 9000 would have been too many.
At the time when SGT [redacted] picked up the ammunition, did you inspect the rounds? If so, did you know at that time it was hollowpoint?
At that time, I don't think we used the ammunition the company picked up. The ammunition we used was the NSA ammunition. I think MAJ [redacted] would talk to the company commander regarding our qualification. I don't think we used the ammunition that the company signed for. Officer [redacted] would be the person to talk to you on this. Unfortunately he's in Germany at this time doing reserve duty. The range we had back in Sep04 and Oct04 did have hollowpoint, but I was not aware there was a problem with that, it is Government ammunition going through a Government weapon, Hollowpoints are even in the Army's Ammunition Supply system, and the Joint Munitions Command was going to issue us some if we could not get anything done through TAMIS because of the War effort.
Q. Did you transport the entire amount to the range back in Sep/Oct 04? If so, why? If not, how much did you transport?
A. I am not sure how much we transported, my Firearms Instructor who is also HAZMAT qualified transported the ammunition to the Range. He is also Range qualified, his name is Officer [redacted]
Q. Did you know at the time of the weapon qualification that you had hollowpoint?
A. Yes
Q. Did range control inspect on this particular day?
A. Yes
Q. Is hollowpoint ammunition approved by the Army?
A. Yes it is in the Army Ammunition system, I have not found a regulation though all of the 15-6s and IG complaints that this has been through.
Q. If you don't know, then why use it?
A. Police Officers would have sit here unqualified, then the Army would have wanted to know why we hired so many to just sit here and perform other duties. It was my job to adapt and overcome the situation to accomplish the mission, I did nothing wrong but insure that the officers were qualified with their assigned weapons so they could perform the mission, everything was done with Safety in mind.
Q. During the Sep/Oct 04 weapon qualification, at any time did any of the DAC police bring to your attention the type of ammunition? If so, who? And what did you do?
A. No one brought anything to my attention, there were only a few people out there, I have provided a schedule of personnel who had to fire.
Q. Have you ever requested ammunition from NSA before? If so, did you ever specify the type?
A. The MP Company got ammunition from them, so I requested through the command to obtain some so that we could qualify.
Have you or other DAC police ever fired POWs on the range while conducting a weapons qualification? If so, when?
Not to my knowledge, we were never authorized by the NSA Police to fire POWs out there so I never authorized it.

INITIALS OF PERSON MAKING STATEMENT [redacted]

USE THIS PAGE IF NEEDED. IF THIS PAGE IS NOT NEEDED, PLEASE PROCEED TO FINAL PAGE OF THIS FORM.

STATEMENT OF [redacted] TAKEN AT Fort Meade, MD DATED 2005/07/26

9. STATEMENT *(Continued)*

Q. What type of ammunition were used? Personal or official?
A. I am not aware of any other ammunition being used out there besides the NSA Ammo and the government weapons I was not at this Range that long.
Q. Does range control allow POWs on the range?
A. I am not sure if they do or not.
Q. How many rounds are you issued when on duty?
A. The officers are issued 45, I only took 15 when I drew my weapon because there was a shortage of ammo.
Q. Have you ever used your own personal rounds while on duty?
A. No I have never used, I could not use them anyway they are a different caliber (40cal. not 9mm)
Q. Are you familiar with AR 190-56 and the updated version?
A. I am familiar with the old version, the new version has been under revision for about a year now and they still have not completed it, it was suppose to be done in June of this year.
Q. Are you aware of the prohibitions of using POWs by DAC police?
A. The old did not state that we could not carry off duty, the new does state that and I have not since I was informed by IG in January.
Q. Do you feel that some of the DAC police are comfortable in telling you if they encounter problems?
A. Yes, everyone in the Department knows that I am the type of person that is approachable no matter what the situation. They all know that I am looking out for their best interest.
Q. Do you know [redacted]
A. Yes I knew Ms [redacted] she use to work here, she is with the NDW Police now she left in I believe January.
Q. How long?
A. 7 to 8 months
Q. How would you describe your relationship with her on duty and off?
A. I had a professional working relationship with her, she knew that I was always looking out for her. I did this for everyone. She would mention that she had problems with certain FTOs and lessons. I had to exhaust all of the FTO we had to train her. I had no interaction with her outside of work.
Q. Did Ms [redacted] report to you that she was being sexually harassed? If not, have you heard of this situation?
A. Yes she did, I immediately called MSG [redacted] ([redacted]) and reported it to him. I asked her if she wanted to go to [redacted] and she said no. I even spoke to Officer [redacted] about this allegation and he told me it was not true. I attempted to solve this at the lowest level, and I did report this to my supervisor. Prior to her telling me she was sexually harassed, the conversation she and I had was based on her performance during the FTO program and why she was not making it. Deputy [redacted] has the entire packet on this, too. This was reported after she was told that she was not going to pass the Field Training Officer Program that we have in place because she was not proficient in some areas, she reported that her FTO (Officer [redacted]) has said some things to her. There was an investigation on this to by the EO/EEO office in which she recanted her statement saying that she was just angry. Officer [redacted] was cleared of any wrong doing.
Q. Who did you hear it from?
A. She personally came and told me.
Q. If so, what measures or actions did you take in response to the reported allegations of sexual harassment?
A. I took immediate action by calling MSG [redacted] and calling in the FTO concerned, I told Officer [redacted] that this was unacceptable behavior and would not be tolerated in the workplace, I also informed Officer [redacted] to go to the EO/EEO office and file an official complaint.
Q. Do you consider your actions adequate and appropriate?
A. Yes, I had talked to her to try to solve it on the lowest level; I informed the command of the situation and told her to follow up with EO/EEO if she felt that this was not adequate. She never told me that my actions to this were insufficient. She has told be me before that she was happy that I was here. But when it came to her performance, she would get defensive. She has a great personality, very easy to get along with. But the moment I would talk to her about her performance, she would get defensive.
Q. Do you know if she told the situation to anyone else?
A. I know that she told the situation to the EO/EEO office, I am unsure of anyone else.
Q. Who was hired first: you or [redacted]?
A. Mr [redacted] was hired first, I believe that he was brought on board around March.
Q. Did you know Mr [redacted] before he was hired?
A. No I did not.
Q. What was Mr [redacted] work performance like?
A. He did what was asked of him, not without complaint though, he always had an issue with something and always tried to undermine the command by telling the officers not to listen to us. I would have officers come back and tell me this. I also have proof of emails sent to other officer undermining what the command was trying to accomplish here.
Q. Have you ever given performance counseling on [redacted] If so, why and date of counseling.
A. [redacted] because it was unknown if I could counsel the officers under the Detail (CPAC). The first counseling that I gave was to [redacted] s and that was at the end of July of 2004 but that was still unclear.

INITIALS OF PERSON MAKING STATEMENT [redacted]

USE THIS PAGE IF NEEDED. IF THIS PAGE IS NOT NEEDED, PLEASE PROCEED TO FINAL PAGE OF THIS FORM.

STATEMENT OF [redacted] TAKEN AT Fort Meade, MD DATED 2005/07/26

9. STATEMENT *(Continued)*

Q. Did you have disagreements with him? Or he with you?

A. I had talks with him with Officer [redacted] present informing him that he must do union activities on Union time, he would constantly try to talk union business during work hours.

Q. Were there public displays of disagreements?

A. No there were none between us in Public, he used to badmouth me to the officers when I was not around, a few of them did. Mainly because they felt that they should have had my job, they felt that they were more qualified than me. SGT [redacted] and Officer [redacted] knew of this badmouthing. Officer [redacted] overheard this, too. He's on reserve duty at this time.

Q. Who witnessed them?

A. We had a Union discussion with Officer [redacted] present (Officer [redacted] was the one responsible for starting the FOP at Ft Meade) [redacted] as telling everyone that they were represented by FOP6F when in fact there was nothing in place on this, we had discussed this and I informed him that everyone was covered under AFGE until the FOP was voted in to the organization, Officer [redacted] agreed with me.

Q. Why was his employment terminated?

A. I do not know. I was not working as the deputy chief at that time. He was terminated by Deputy [redacted] I had nothing to do with that.

Q. Why not conduct a performance improvement program (PIP)?

A. I have no idea of what was done with him, once Deputy Chief took over I was told that I was now Labor and could not get into Management issues.

Q. Do you know Mr [redacted] ubmitted an IG complaint last year about you?

A. Yes and I actually have a copy of this with the determination, I was counseled on this. The IG's report stated that they substantiated that I brought my personal weapon on post and that I did not carry it on official duties. Mr [redacted] has made several allegations on personnel in the department and has made statements to Officer [redacted] hat he was coming back and he was bringing 3 heads with him, she verified this and I reported it to the command. I also have statements from concerned officers that he was attempting to set me up. My Question is if Mr [redacted] would have seen me doing something wrong he would have reported it then, this is the type of person that he is. If he was terminated in November, why did it take him 2 months to report allegations, why he not report them right then.

Do you and the DAC Police socialize after duty hours?

No I do not socialize with any of the DA Police after hours.

IF so, how frequent?

A. N/A

Q. Do you know SGT [redacted]

A. I do know her and know that she works for the MP Company, never talked to her much though.

Q. How long?

A. I know she has been here for a while but I have only talked to her maybe a dozen times, most of which her telling me that her husband wanted a job here.

Q. Have you heard if SGT [redacted] attended some of these get togethers? Who did you hear it from?

A. No I have not heard this.

Q. Have you heard of any problems which involved SGT [redacted]

A. No I have not.

Q. IF so, what actions did you take?

A. N/A

Q. How would you describe your neighborhood where you lived in Oct 04?

A. There was section 8 housing at the beginning of it. Overall safe.

Q. You stated that "people out there who do not like police and will wait for an opportunity to hurt a Police Officer who may have dealt with them previously" What facts do you have that supports your statement?

A. Though this is recent, this is a supportable fact. It was a bolo that was put out that this individual would kill a Fort Meade police officer. I do not have anything from before, but we do deal with high drug offenses in our concurrent jurisdiction. Right outside of our gates, we have gang activities. We have MS 13, too. NSA has protective measures for the their police department and their whole agency. For instance, the personnel who work there do not have any DOD decal. Where as we do.

Q. do you have the FOP sticker on your car?

A. No. Even though I am a member, I do not even have FOP on my plates.

Q. do you have a locker to store your clothing?

A. No.

Q. When did the FT Meade start issuing DAC Police credentials?

A. They were issued before I started working here.

Q. Do you have any comments you would like to make?

A. I would like to provide to you the email documentation I have with [redacted] of the times I attempted to order the [illegible]s. I fully understand how difficult it is to get training ammunition without weapons on official documentation. We are hiring [illegible] officers and the logistics chain is broken. Getting ammunition and weapons are so difficult here.

INITIALS OF PERSON MAKING STATEMENT [redacted]

STATEMENT OF [redacted] TAKEN AT Fort Meade, MD DATED 2005/07/26

9. STATEMENT *(Continued)*

Q. When you receive a new officer, does that person qualify before going to Aberdeen, qualify at Aberdeen?

A. yes. However, at this time, we are limited on who needs to attend the academy based on funding. If they have attended a prior academy, then they will go at a later time versus those who have never attended an academy before, be it prior military police training, too.

Q. In your opinion, why would Mr [redacted] make problems for you?

A. I don't know. I think if it were someone in my seat, then he would go after that person. He wasn't happy with deputy chief or Corporal [redacted] either. If you were to talk to Officer [redacted], he made a comment to me that he perceived that [redacted] would have gone after deputy [redacted] if he weren't too high. I hate to say it was personal, but I really don't know.

----------NOTHING FOLLOWS ----------

**AFFIDAVIT**

I, [redacted], HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 7. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

[redacted]

*(Signature of Person Making Statement)*

WITNESSES:

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 26 day of July, 2005 at

*(Signature of Person Administering Oath)*

[redacted]P, Investigating Officer

*(Typed Name of Person Administering Oath)*

*(Authority To Administer Oaths)*

INITIALS OF PERSON MAKING STATEMENT [redacted]

# LAWMEN SUPPLY COMPANY, INC.

7477 Old Alexandria Ferry Road
Clinton, MD 20735
Phone: (301) 877-8884 • Fax: (301) 877-0914
VISIT US ON THE WEB AT
www.lawmensupply.com

Invoice Number
2496
Invoice Date
[redacted]
FED ID #55-082157

"HISTORY"

[redacted]

SHIP TO

| OUR ORDER NO. | OUR ORDER NO. | SHIP DATE | SHIP VIA | TERMS |
|---|---|---|---|---|
| | | [redacted] | CUSTOMER PICK UP | C.O.D. CHECK |

| QUANTITY ERED | SHIPPED | B/O | ITEM NUMBER | DESCRIPTION | UNIT PRICE | UNITS | AMO |
|---|---|---|---|---|---|---|---|
| | | 1 | 420102BK-R | BLACKHAWK CQC HOLSTER DETACH SLIDE G17, 19, 26 | 56.95 | EA | 56.! |
| | | 1 | 17000 | HOGUE RUBBER GRIP SLEEV UNIVERSAL | 5.95 | EA | 5.! |
| | | 1 | PI23502 | GLOCK G-23 .40CALIBER FIXED SIGHT 4.0"BBL | 349.00 | EA | 349.0 |
| Serial #'s | | | CLA102US MF91323 | | | | |
| | | 1 | | GLOCK 23 13RD MAGAZINE ONLY | 12.00 | EA | 12.0 |

THANK YOU FOR YOUR BUSINESS!
MASTERCARD $ 445.10

| | |
|---|---|
| Sub Total | 423.90 |
| Tax | 21.20 |
| Freight | .00 |
| **INVOICE TOTAL** | 445.10 |

**REMIT PAYMENT TO:**
LAWMEN SUPPLY COMPANY, INC.
7477 Old Alexandria Ferry Road, Clinton, MD 20735

ENCL

1 E

DEPARTMENT OF THE TREASURY
BUREAU OF ALCOHOL, TOBACCO AND FIREARMS

OMB NO. 1512-0

# FIREARMS TRANSACTION RECORD PART I - OVER-THE-COUNTER

Transferor's Transaction Serial Number 2004-23

WARNING: You may not receive a firearm if prohibited by Federal or State Law. The information you provide will be used to determine whether you are prohibited under law from receiving a firearm.
Prepare in original only. All entries must be in ink. Read the Important Notices, Instructions and Definitions on this form.

**Section A - Must Be Completed Personally By Transferee (Buyer)**

1. Transferee's Full Name *(Last, First, Middle)* [redacted]

2. Residence Address *(No., Street, City, County, State, ZIP Code; cannot be a post office box)* [redacted]

3. Place of Birth *(City, State or foreign country)* [redacted]

4. Height [redacted] Weight [redacted]

5. [X] Male [ ] Female

6. Birth Date Month [redacted] Day [redacted] Year [redacted]

7. Social Security Number *(Optional, but will help prevent misidentification.)* [redacted]

8. Race *(Ethnicity) (Check one or more boxes)*

[ ] American Indian or Alaska Native [ ] Black or African American [ ] Native Hawaiian or Other Pacific Islander
[ ] Hispanic or Latino [ ] Asian [X] White

9. What is your State of residence *(if any)*? Maryland *(See Definition 5. If you are not a citizen of the United States, you have State of residence only if you have resided in a State for at least 90 days prior to the date of this sale.)*

10. What is your country of citizenship? *(List more than one, if applicable.)* United States

11. If you are not a citizen of the United States, what is your INS-issued alien number or admission number? N/A

**Certification Of Transferee**

12. Answer questions 12a through 12l by writing "yes" or "no" in the boxes to the right of the questions.

| | |
|---|---|
| a. Are you the actual buyer of the firearm(s) listed on this form? **Warning: You are not the actual buyer if you are acquiring the firearm(s) on behalf of another person. If you are not the actual buyer, the dealer cannot transfer the firearm(s) to you.** *(See Important Notice 1 for actual buyer definition and examples.)* | yes |
| b. Are you under indictment or information in any court for a felony, or any other crime, for which the judge could imprison you for more than one year? *(An information is a formal accusation of a crime by a prosecutor. See Definition 3.)* | NO |
| c. Have you been convicted in any court of a felony, or any other crime, for which the judge could have imprisoned you for more than one year, even if you received a shorter sentence including probation? *(See Important Notice 6, Exception 1.)* | NO |
| d. Are you a fugitive from justice? | NO |
| e. Are you an unlawful user of, or addicted to, marijuana, or any depressant, stimulant, or narcotic drug, or any other controlled substance? | NO |
| f. Have you ever been adjudicated mentally defective *(which includes having been adjudicated incompetent to manage your own affairs)* or have you ever been committed to a mental institution? | NO |
| g. Have you been discharged from the Armed Forces under dishonorable conditions? | NO |
| h. Are you subject to a court order restraining you from harassing, stalking, or threatening your child or an intimate partner or child of such partner? *(See Important Notice 7.)* | NO |
| i. Have you been convicted in any court of a misdemeanor crime of domestic violence? *(See Important Notice 6, Exception 1 and Definition 4.)* | NO |
| j. Have you ever renounced your United States citizenship? | NO |
| k. Are you an alien illegally in the United States? | NO |
| l. Are you a nonimmigrant alien? *(See Definition 6.)* | NO |

13. If you are a nonimmigrant alien, do you fall within any of the exceptions set forth in Important Notice 6, Exception 2?
Yes [ ] No [ ] Not applicable [X] *(If "yes," the licensee must complete question 18c.)*

I certify that the above answers are true and correct. I understand that answering "yes" to question 12a when I am not the actual buyer of the firearm is a crime punishable as a felony. I understand that a person who answers "yes" to any of the questions 12b through 12k is prohibited from purchasing or receiving a firearm. I understand that a person who answers "yes" to question 12l is prohibited from purchasing or receiving a firearm, unless the person also answers "yes" to question 13. I also understand that making any false oral or written statement, or exhibiting any false or misrepresented identification with respect to this transaction, is a crime punishable as a felony. I further understand that the repetitive purchase of firearms for the purpose of resale for livelihood and profit without a Federal firearms license is a violation of law. *(See Important Notice 8.)*

14. Transf[redacted]

15. Date [redacted]

ATF F 4473 (5300.9) PART I (10-2001) PREVIOUS EDITIONS ARE OBSOLETE

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## Section B - Must Be Completed By Transferor (Seller)

16. Type of firearm(s) to be transferred:

[X] Handgun [ ] Long Gun [ ] Both

17. Location of sale if at a gun show. *(See Instruction to Transferor*

_____ *(city, state)*

18a. Type of Identification *(e.g., driver's license or other valid government- issued photo identification.)*: [redacted]

Number on Identification: [redacted]

Expiration Date of Identification *(if any)* 06-20-07 *(See Instruction to Transferor 1.)*

18b. **Aliens only:** Types and dates of additional required identification *(e.g., utility bills or lease agreements. See Instruction to Transferor 2.)*

N/A

18c. **Nonimmigrant aliens only:** Type of documentation showing an exception to the nonimmigrant alien prohibition *(e.g., hunting license/permit; waiver. See Instruction to Transferor 3.)*

N/A

**Question 19, 20, or 21 Must Be Completed Prior To The Transfer Of The Firearm(s)** *(See Instructions to Transferor 5-7.)*

19a. The transferee's identifying information in Section A of this form was transmitted to NICS or the appropriate state agency on N/A *(Date)*.

19b. The NICS or state transaction number *(if provided)* was: N/A

19c. The reponse initially provided by NICS or the appropriate state agency was:

[ ] Proceed [ ] Denied [ ] Delayed

19d. If initial NICS or state response was "Delayed," the following response wa received from NICS or the appropriate state agency on _____ *(Date)*

[ ] Proceed [ ] Denied [ ] No resolution was provided within 3 busines days.

19e. The name and Brady identification number of the NICS examiner *(if provided)* N/A / _____ *(optional)*

*(name)* *(number)*

20. [ ] No NICS check was required because the transfer involved only NFA firearm(s). *(See Instruction to Transferor 7.)*

N/A

21. [ ] No NICS check was required because the buyer has a valid permit which qualifies as an exemption to NICS *(See Instruction to Transferc 7.)*

L.E. LETTER

State Permit Type: N/A - Date of Issuance: _____

Expiration Date *(if any)*: _____ Permit Number: _____

## Section C

If the transfer of the firearm(s) takes place on a different day from the date that the transferee signed Section A, the transferee must complete Sectio C immediately prior to the transfer of the firearm(s). *(See Instruction to Transferee 3 & Instruction to Transferor 8.)*

**I certify that the answers I provided to the questions in Section A of this form are still true and correct.**

22. Transferee's Signature

23. Date

## Section D

| 24. Manufacturer and/or Importer | 25. Model | 26. Serial Number | 27. Type *(pistol, revolver, rifle, shotgun, etc.)* | 28. Caliber or Gauge |
|---|---|---|---|---|
| Glock, Inc. | G23 | CLA102US | Pistol | .40 |
| P.O. Box 369 | | | | |
| Smyrna, GA 30081 | | | | |

**Complete ATF F 3310.4 For Multiple Purchases Of Handguns** *(See Instruction to Transferor 11.)*

29. Trade/corporate name and address of transferor *(Hand stamp may be used.)*

LAWMEN SUPPLY CO., INC.
7477 OLD ALEXANDRIA FERRY RD.
CLINTON, MD 20735

30. Federal Firearms License Number *(Hand stamp may be used.)*

8.52.033.01.7H.01219

On the basis of (1) the statements in Section A; (2) my verification of identity noted in question 18a and my verification again at the time of transfer *(if the transfer does not occur on the same day the verification was noted in question 18a)*; and (3) the information in the current State Laws and Published Ordinances, it is my belief that it is not unlawful for me to sell, deliver, transport, or otherwise dispose of the firearm(s) listed on this form to the person identified in Section A.

**The Person Actually Transferring The Firearm(s) Must Complete Questions 31-34.**

31. Transferor's Name *(Please print.)* [redacted]

32. [redacted]

33. Transferor's Title SALESMAN

34. Date Transfer is completed [redacted]

Government Printing Office: 2004—304-380/73104

# UNITED STATES OF AMERICA

*DEPARTMENT OF THE ARMY*

[redacted]

IS A

## POLICE LIEUTENANT

WHOSE SIGNATURE AND PHOTOGRAPH APPEAR HEREON HAS BEEN APPOINTED UNDER TITLE 5, US CODE AS A POLICE OFFICER AND IS AUTHORIZED IN ACCORDANCE WITH TITLE 10 SECTION 1585, [redacted] TITLE 18 SECTION 7&13 US CODE TO CARRY [redacted]

DES PMO FORM [redacted] 1 7 1-9204

SIGNATURE OF DIRECTOR

LT01

SIGNATURE OF OFFICER

A DEPARTMENT OF THE ARMY POLICE OFFICER IS AUTHORIZED TO ENFORCE AND INVESTIGATE VIOLATIONS US ARMY REGULATIONS AND FEDERAL LAWS AND OTHER DUTIES IMPOSED UPON A POLICE OFFICER AS PER REGULATION OR LAW IN ACCORDANCE WITH TITLE 10 SECTION 1585, TITLE 18 SECTION 7&13 US CODE, MCM, AND UCMJ.

THESE CREDENTIALS ARE ISSUED FOR THE OFFICIAL USE OF THE HOLDER DESIGNATED HEREON. USE OR POSSESSION BY ANY OTHER INDIVIDUAL WILL MAKE THE OFFENDER LIABLE TO PENALTY 18 U.S.C 499, 506, AND 701.

[redacted]

RANK LIEUTENANT
HEIGHT [redacted]
WEIGHT
EYES
HAIR

DES PMO FORM 1 7 9204 [redacted]

DIRECTORATE OF EMERGENCY SERVICES
FGGM, MD 20755-5045
ISSUING AGENCY

IF FOUND RETURN TO DIRECTORATE OF EMERGENCY SERVICES, FORT GEORGE G. MEADE, MARYLAND 20755-5045. POSTAGE GUARANTEED.

[redacted]

MARYLAND [redacted] EXPIRES
DRIVER'S LICENSE
CLASS ENDORS. [redacted]
ZIP CODE ISSUE DATE
RESTR. [redacted] SEX TYPE DONOR

[redacted]

ENCL
1 G

Tab B

Army Regulation 190–11

Military Police

# Physical Security of Arms, Ammunition, and Explosives

Headquarters
Department of the Army
Washington, DC
12 February 1998

UNCLASSIFIED

# SUMMARY of CHANGE

AR 190-11
Physical Security of Arms, Ammunition, and Explosives

This revision-

- Requires review of DA Form 4604-R, Security Construction Statement, during physical security surveys and inspections and revalidation by engineer personnel every 5 years (para 2-2d).

- Requires close monitoring by all officers, noncommissioned officers, or civilian equivalents of control of ammunition and explosives during field training or range firing to eliminate most security problems (para 2-5f).

- Requires installation commanders providing logistical support to provide a copy of an unsatisfactory physical security survey or inspection concerning Reserve component and Reserve Officer Training Corps (ROTC) units, to include written comments to show which elements have received copies (para 2-6a(4)).

- Does not allow ROTC/Junior ROTC units, gun clubs, and activities under the responsibility of the Director of Civilian Marksmanship Program to possess or store Category I or Category II arms, ammunition, or explosives (AA&E) (para 2-7).

- Abolishes the requirement to provide copies of the results of AR 15-6 investigations to the Commander, U.S. Army Military Police Operations Agency (para 2-9c).

- Abolishes the requirement for appointment of and instructions for boards of officers and investigating officers (para 2-9c).

- Identifies additional personnel selection requirements for transporting Categories I, II, or classified AA&E (para 2-11).

- Adds a new DA Form 7281-R (Command Oriented Arms, Ammunition, and Explosives (AA&E) Security Screening and Evaluation Record) to aid in the screening process of AA&E assignments (para 2-11).

- Abolishes exemption for officer personnel from command developed security screening procedures before access to Categories I and II is authorized (para 2-11b).

- Requires formal agreements concerning physical security requirements for AA&E to be implemented by an appendix to a host tenant activity support agreement or by a letter of instruction (para 3-2c).

- Requires AA&E storage facilities that require intrusion detection systems (IDS) to be protected by at least two types of sensors, one of which must be a volumetric sensor (para 3-6a).

- Requires civilian contractor employees involved in the design, operation, and maintenance of IDS for AA&E facilities to possess a minimum security clearance of confidential (para 3-6h).

- Allows local for the use of electronic generation DA Form 5513-R (para 3-8a).

- Requires the recording of combinations to locks on vault doors or GSA-approved Class 5 or 6 security containers storing AA&E using the SF 700 (Security Container Information) (para 3-8b).

- Revises table 4-1 (para 4-2f).

- Incorporates the security requirements for AA&E at Army museums from AR 190-18, section III (para 4-13).

- Requires armed guards to be posted on Categories I and II AA&E facilities upon failure of IDS (para 5-2a(3)(a).

- Requires Categories III and IV bulk AA&E storage areas protected by IDS to be checked by a security patrol at irregular intervals not to exceed 48 hours (para 5-2b(2).

- Requires primary and backup communications at guard posts located at bulk AA&E storage facilities to be tested daily by supervisor personnel (para 5-7).

- Gives King Tut blocks equal priority for the protection of Categories I through IV AA&E (para 5-13).

- Requires weapons to be registered in the DOD Central Registry prior to shipment of abandoned and confiscated privately-owned firearms to Anniston Army Deport (para 6-7a).

- Adds/revises security guidance on: vessel movements of U.S.-owned AA&E to and from overseas and intra-theater movements (para 7-6c); small quantity shipments and organic and unit movements (para 7-9); foreign military sales movements (para 7-12); contract movements (7-13); commercial shipments at DOD installations and activities (para 7-14); and transportation of marksmanship weapons and ammunition (para 7-18).

- Prohibits personnel from carrying, moving, or storing Government AA&E in privately-owned vehicles either on or off installations (para 7-15).

- Table 7-1 has been redesignated as paragraph 7-19.

- Lifts the restriction on the use of containers on a flatcar shipment of Categories I and II AA&E, and revises security standards for AA&E shipment (para 7-19).

- Requires overseas installation commanders to send completed DA Forms 3056 to Director, Crime Records Center (CRC). Director, CRC, will be required to make lost, stolen, or recovered weapon entries into the NCIC from overseas commands (para 8-3c).

- Requires lost, stolen, or recovered weapons to be promptly entered in the DOD Central Registry (para 8-3f).

- Clarifies that blank ammunition, .22 caliber rimfire ammunition, and inert training ammunition is excluded from the requirements of this regulation (para B-1).

- Adds the AT-4 antitank weapon to Category I (missiles and rockets) AA&E (para B-2a(1)).

- Identifies the M16A2 rifle and the squad automatic weapon (SAW) as Category II arms (para B-2b(1)).

- Adds critical binary munitions components containing "DF" and "QL" as Category II ammunition and explosives (para B-2c(2)(d)).

- Revises physical security standards for commercial terminals (app C).

- Revises and renames appendix E to losses/overages list for AR 15-6 investigations (app E).

- Abolishes the semiannual reporting requirement (RCS CSPA-1645) Physical Security of Sensitive Conventional AA&E (app G).

- Moves AA&E facility criteria from chapter 4 to appendix G (para G-1).

- Adds extracted information from DOD 5100.76-M in-- a. New appendix H (replaces DODI 5220.30) and prescribes standards for safeguarding certain categories of sensitive AA&E in the custody of or being manufactured by DOD prime contractors and subcontractors. b. New appendix I, Enhanced Transportation Security Measures During Terrorist Threat Conditions.

- Authorizes exact replication of any DA or DD Forms prescribed in this regulation that are generated by the automated Military Police Management Information System in place of the official printed version of the form (app A, sec III).

Headquarters
Department of the Army
Washington, DC
12 February 1998

*Army Regulation 190–11

Effective 12 March 1998

Military Police

# Physical Security of Arms, Ammunition, and Explosives

Robert M. Walker
*Acting Secretary of the Army*

**History.** This publication was originally printed on 30 September 1993. This printing publishes Change 1.

**Summary.** Changes have been made throughout this regulation. Major changes include revision of policy governing security of Category I missiles; the frequency of security checks for all categories of AA&E; the addition of an appendix that contains guidesheets for operational checks of a intrusion detection system; the addition of an appendix that contains a guidesheet for AA&E; and the inclusion of the Army National Guard of the United States under the applicability of this regulation.

**Applicability.** This regulation applies to the Active Army, United States Army Reserve, Army National Guard of the United States, and contractor-owned, contractor-operated facilities. This regulation is mandatory for use by all major Army commands and for incorporation into those Department of Defense contracts where it is relevant. Appendix H is effective immediately for all new acquisitions. This regulation does not apply to privately-owned weapons in household goods shipments. This publication applies during partial and full mobilization.

**Proponent and exception authority.** The proponent of this regulation is the Deputy Chief of Staff for Operations and Plans. The Deputy Chief of Staff for Operations and Plans has the authority to approve exceptions to this regulation that are consistent with controlling law and regulation. The Deputy Chief of Staff for Operations and Plans may delegate this authority in writing to a division chief within the proponent agency in the grade of colonel or the civilian equivalent.

**Army management control process.** This regulation is subject to the requirements of AR 11–2. It contains internal control provisions but does not contain checklists for conducting internal control reviews. These checklists are contained in DA Circular 11–89–2.

**Supplementation.** Supplementation of this regulation is prohibited without prior approval of HQDA (DAMO–ODL), 400 ARMY PENTAGON, WASH DC 20310–0400.

**Interim changes.** Interim changes to this regulation are not official unless they are authenticated by the Administrative Assistant to the Secretary of the Army. Users will destroy interim changes on their expiration dates unless sooner superseded or rescinded.

**Suggested Improvements.** Users are invited to send comments and suggested improvements, through established command channels, on DA Form 2028 (Recommended Changes to Publications and Blank Forms) to HQDA (DAMO–ODL), 400 ARMY PENTAGON, WASH DC 20310–0400.

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**Contents** (Listed by paragraph and page number)

**Chapter 1**
**General Information,** *page 1*

*Section I*
*Introduction, page 1*
Purpose • 1–1, *page 1*
References • 1–2, *page 2*
Explanation of abbreviations and terms • 1–3, *page 2*

*Section II*
*Responsibilities, page 2*

*This regulation supersedes AR 190–11, 31 March 1986; and paragraphs 3, 4, 5, 10, 12, 14, 18, 20 through 26, and appendix B of AR 190–18, 1 April 1984.



UNCLASSIFIED

Contents—Continued

The Deputy Chief of Staff for Operations and Plans • 1–4, *page 2*
HQDA staff agencies, MACOMs, Army National Guard of the United States, and installation commanders • 1–5, *page 2*
Rescinded • 1–6, *page 2*
The Chief of Engineers • 1–7, *page 2*
The Commanding General, U.S. Army Materiel Command • 1–8, *page 2*
Commanding General, U.S. Army Criminal Investigation Command • 1–9, *page 2*
Commanders and custodians of AA&E • 1–10, *page 3*
Active Army installation commanders, Reserve Component commanders, and unit commanders • 1–11, *page 3*
Commanders or directors of activities, installation planning boards, and responsible or accountable officers • 1–12, *page 3*
Security of nonsensitive AA&E • 1–13, *page 3*
Transportation security • 1–14, *page 4*

**Chapter 2**
**Policy,** *page 4*
General • 2–1, *page 4*
Construction of facilities • 2–2, *page 4*
Priority lists • 2–3, *page 5*
Waivers and exceptions • 2–4, *page 5*
Security of AA&E during training, and aboard ships • 2–5, *page 6*
Inspections and audits • 2–6, *page 6*
Prohibition • 2–7, *page 7*
Requisition • 2–8, *page 7*
Investigations • 2–9, *page 7*
Training • 2–10, *page 8*
Personnel • 2–11, *page 8*

**Chapter 3**
**Physical Security Planning,** *page 11*
General • 3–1, *page 11*
Coordination • 3–2, *page 11*
Contingency plans • 3–3, *page 12*
Security threats • 3–4, *page 12*
Implementation of physical security planning • 3–5, *page 12*
Intrusion Detection Systems • 3–6, *page 13*
Security forces • 3–7, *page 14*
Key and lock controls • 3–8, *page 15*

**Chapter 4**
**Protection of Arms,** *page 16*
General • 4–1, *page 16*
Storage and supplemental controls • 4–2, *page 17*
Storage of classified weapon trainers • 4–3, *page 20*
Consolidated arms rooms • 4–4, *page 21*
privately-owned weapons and ammunition • 4–5, *page 21*
Weapons and ammunition for marksmanship matches and other special purposes • 4–6, *page 21*
Commercial weapons and ammunition • 4–7, *page 22*
Contract guard weapons and ammunition • 4–8, *page 22*
General officer weapons and ammunition • 4–9, *page 22*
U.S. Military Academy weapons • 4–10, *page 22*
Demilitarized weapons • 4–11, *page 22*
Foreign weapons and ammunition • 4–12, *page 22*
Museums Arms and Ammunition • 4–13, *page 23*
Arms parts • 4–14, *page 23*

Contents—Continued

Restricted area posting • 4–15, *page 23*
IDS signs • 4–16, *page 24*
Fences • 4–17, *page 24*
Security of tools and high–value items • 4–18, *page 24*
Access control • 4–19, *page 24*
Security of Class 5 storage containers • 4–20, *page 24*
Arming of unit arms rooms armorers • 4–21, *page 24*

**Chapter 5**
**Protection of Nonnuclear Missiles, Rockets, Ammunition and Explosives,** *page 24*
General • 5–1, *page 24*
Bulk storage areas • 5–2, *page 25*
Fences • 5–3, *page 25*
Security lighting • 5–4, *page 26*
Guard protection and surveillance • 5–5, *page 27*
Locks and keys • 5–6, *page 27*
Communications • 5–7, *page 27*
Protection of missiles, rockets, ammunition, and explosives at unit level • 5–8, *page 27*
Entry control • 5–9, *page 28*
Restricted areas • 5–10, *page 29*
IDS signs • 5–11, *page 29*
Storage of classified items • 5–12, *page 29*
Additional security measures for igloos and magazines • 5–13, *page 29*

**Chapter 6**
**Accountability, Disposition, Disposal, and Demilitarization,** *page 29*
Nonnuclear missiles and rockets (Category I) • 6–1, *page 29*
Arms • 6–2, *page 30*
Ammunition and explosives • 6–3, *page 31*
Inventory losses • 6–4, *page 31*
Inventory effectiveness review • 6–5, *page 31*
Disposal and demilitarization • 6–6, *page 31*
Disposal of abandoned and confiscated privately-owned firearms • 6–7, *page 32*

**Chapter 7**
**Transportation,** *page 32*
General • 7–1, *page 32*
Responsibilities relating to transportation • 7–2, *page 32*
Standards • 7–3, *page 33*
Special considerations for Category I items • 7–4, *page 34*
Physical security standards for sensitive AA&E • 7–5, *page 34*
Special considerations for water shipments • 7–6, *page 34*
Consideration for air movements • 7–7, *page 34*
Special consideration for small quantity shipments • 7–8, *page 34*
Organic and unit movements • 7–9, *page 34*
Commercial movements • 7–10, *page 34*
Overseas in–theater movements • 7–11, *page 34*
Foreign military sales (FMS) shipments • 7–12, *page 35*
Contract movements • 7–13, *page 35*
Security of commercial shipments at DOD installations and activities • 7–14, *page 35*
Movement of AA&E by unit or organization transportation • 7–15, *page 36*
Provost marshal and security office support • 7–16, *page 36*
Control of protective security seals • 7–17, *page 36*
Transportation of marksmanship weapons and ammunition • 7–18, *page 36*

Contents—Continued

Security standards for AA&E shipments • 7–19, *page 36*

Chapter 8
Reports, Investigative Aids, and Disposition of Records, *page 39*
General • 8–1, *page 39*
Incident reports to components • 8–2, *page 39*
Investigative aids • 8–3, *page 40*
Disposition of records • 8–4, *page 41*

Appendixes

A. References, *page 42*

B. Sensitive Arms, Ammunition, and Explosives (AA&E) Security Risk Categorization, *page 46*

C. Physical Security Standards for Commercial Terminals (Extracted from DOD 5100.76–M), *page 50*

D. Physical Security Standards for Military Terminals (Extracted from 5100.76–M), *page 51*

E. Losses/Overages List for AR 15–6 Investigations, *page 53*

F. Specification for Intrusion Detection System Signs, *page 55*

G. Criteria for Facilities Storing Sensitive AA&E, *page 56*

H. Physical Security Standards for DOD AA&E at contractor-owned, contractor-operated (COCO) Facilities (Extracted from DOD 5100.76–M), *page 58*

I. Enhanced Transportation Security Measures During Terrorist Threat Conditions (Extracted from DOD 5100.76–M), *page 65*

J. Arms, Ammunition, and Explosives Guidesheet, *page 67*

K. Joint–Serviees Interior Intrusion Detection System (J–SIIDS) Operational Checks, *page 70*

Table List

Table 4–1: Methods for rendering Small Arms inoperable, *page 19*
Table B–1: Decision Logic Formulas (DLFs), *page 47*
Table B–2: Risk Factors—Utility, *page 48*
Table B–3: Risk Factors—Casualty/Damage Effect, *page 48*
Table B–4: Risk Factors—Adaptability, *page 48*
Table B–5: Risk Factors—Portability, *page 49*
Table B–6: Computation of risk factor numerical values[1], *page 49*
Table C–1: Physical Security Standard for Commercial Terminals, *page 50*

Figure List

Figure 2–1: Sample of a completed DA Form 3056, *page 10*
Figure F–1: Sample Intrusion Detection System Sign, *page 55*

Glossary

Index

Reproducible Forms

# Chapter 1
# General Information

## Section I
## Introduction

### 1–1. Purpose

*a.* This regulation prescribes standards and criteria for the physical security of sensitive conventional arms, ammunition, and explosives (AA&E), including nonnuclear missiles and rockets, as set forth in appendix B, in the custody of any Department of the Army (DA) Component, or contractor and subcontractor. (See app H for AA&E physical security standards at contractor facilities.) This regulation also prescribes policy, procedures, and standards, and assigns responsibilities for the effective implementation and application of physical security of AA&E.

*b.* Although the standards and criteria in this regulation will provide adequate protection against loss or theft or AA&E at most DA activities, and Department of Defense (DOD) (DA) contractor activities, the threat or characteristics of a particular location may require increased measures subject to approval by the major Army commands (MACOMs) concerned. MACOMs will establish procedures to review the justification of military construction projects that exceed the criteria in this regulation. This regulation does not authorize methods or operations inconsistent with AR 385–64, paragraphs 1 through 12 and appendix A.

*c.* The provisions of this regulation apply to sensitive conventional arms, ammunition and explosives as follows:

(1) *Arms.* Weapons that will, or are designed to, expel a projectile or flame by the action of an explosive and the frame or receiver of such weapons and comparable foreign arms, U.S. prototype arms and illegally manufactured arms which are retained in the inventory for training, familiarization, and evaluation. This includes handguns, shoulder–fired weapons, light automatic weapons up to and including .50 caliber machine–guns, multibarrel machine–guns such as the 7.62mm M134, recoilless rifles up to and including 106mm, mortars up to and including 81mm, man–portable rocket launchers, flame–throwers, and individually operated weapons that are portable or can be fired without special mounts or firing devices and that have potential use in civil disturbances and are vulnerable to theft. Comparable foreign arms, U.S. prototype arms, and illegally manufactured weapons retained in the inventory for training, familiarization, and evaluation are also included.

(2) *Ammunition.* A device charged with explosives, propellants, pyrotechnics, initiating composition, riot control agents, chemical herbicides, smoke and flame for use in connection with defense or offense including demolition and having, in general, an individual or unit of issue, container, or package weight of 100 pounds or less. Included are rounds of 40mm and larger; conventional, guided missile, and rocket ammunition weighing 100 pounds or less per round; and 1,000 or more rounds of ammunition smaller than 40mm; and, other ammunition specified in appendix B. Ammunition excluded from the specified requirements of this regulation are the following:

*(a)* Devices charged with nuclear or biological agents;

*(b)* Devices charged with chemical agents, except for those specified in appendix B;

*(c)* Blank ammunition, .22 caliber rimfire ammunition, inert training ammunition;

*(d)* Artillery, tank, mortar ammunition 90mm and large, and naval gun ammunition 3 inches, 76mm, and larger. However, this ammunition requires Transportation Protective Service as set forth in chapter 7.

(3) *Explosives.* Any chemical compound, mixture, or device, the primary purpose of which is to function by explosion. The term includes, but is not limited to, individual land mines, demolition charges, blocks of explosives and other explosives consisting of 10 pounds or more. The scope of this regulation additionally includes and is limited to:

*(a)* Categorized explosives specified in appendix B.

*(b)* Uncategorized Class A and B explosives when being transported (see chap 7).

*d.* AA&E items covered by this regulation that are also classified will be stored and transported per AR 380–5, appendix H, AR 55–355, chapter 34, and this regulation. Where specific individual requirements differ between these regulations, the more stringent requirement will be followed.

*e.* MACOMs will prescribe physical security requirements for AA&E items outside the scope of this regulation. Consistent with operational and safety requirements and this regulation, physical security requirements for production and manufacturing operations at Government facilities will be prescribed by the Joint Ordnance Commanders' Group (JOCG).

*f.* The criteria in this regulation are intended for sites where AA&E are maintained on a permanent basis during daily peacetime conditions, and not for training, contingency sites or operations, such as wartime, force generations, exercises, or operational readiness inspections. For sites and operations not specifically covered in this regulation, MACOMs will establish requirements and procedures to provide protection for AA&E consistent with the philosophy of this regulation, when operationally and environmentally feasible. Upon declaration of war, commanders may prescribe procedures suspending specific physical security provisions of this regulation to account for local conditions, while ensuring maximum practical security for Government personnel and property. This authority is granted to installation, division, and separate brigade commanders and may be delegated to commanders in the grade of lieutenant colonel. Upon mobilization (prior to a declaration of war), this authority is granted to commander of MACOMs and

may not be further delegated. In the above circumstances (declaration of war or mobilization), suspension of transportation physical security requirements will be coordinated promptly with HQDA (DAMO–ODL and DALO–TSP) and with the Commander (CDR), Military Traffic Management Command (MTMC).

*g.* The Army's inventory of AA&E is a vital part of its readiness posture. Loss or theft of such material can foster fear in the public sector and create an image of the Army's inability to secure its assets. The degree of security to provide AA&E is contingent upon many variables. It is impractical, therefore, to prescribe definitive DA physical security standards to cover all anticipated conditions that could impose a threat to the security of the items to be protected. Minimum physical security standards are prescribed in this regulation. As the criminal or other type threats to these materials increase at the local level, security measures at that level may need to be more stringent than those prescribed in this regulation. Commander will notify Headquarters, Department of the Army (HQDA) immediately through commander channels local resources are inadequate to provide necessary protection.

### 1–2. References

Required and related publications and prescribed and related forms are listed in appendix A.

### 1–3. Explanation of abbreviations and terms

Abbreviations and special terms used in this regulation are explained in the consolidated glossary.

## Section II
## Responsibilities

### 1–4. The Deputy Chief of Staff for Operations and Plans

The Deputy Chief of Staff for Operations and Plans (DCSOPS) will develop policies, standards, and procedures on the physical security of sensitive conventional AA&E.

### 1–5. HQDA staff agencies, MACOMs, Army National Guard of the United States, and installation commanders

Heads of HQDA staff agencies, MACOMs, Army National Guard of the United States, and installation commanders will support the AA&E physical security program according to prescribed responsibilities in AR 190–13, paragraph 1–5 and this regulation.

*a.* All commanders will apply enough human resources and funds to A&E physical security programs at all levels.

*b.* MACOM commanders will identify resource needs in the planning, programming and budgeting system, and allocate necessary resources to support their AA&E physical security program. Installation commanders will ensure funds identified for physical security are used as intended.

### 1–6. Rescinded

### 1–7. The Chief of Engineers

The Chief of Engineers (COE) will ensure that construction plans for new or modified AA&E storage facilities meet the minimum standards prescribed by this regulation.

### 1–8. The Commanding General, U.S. Army Materiel Command

The Commanding General, U.S. Army Materiel Command (CG, AMC) will prescribe policies, procedures, and standards to physically secure AA&E manufacturing and production facilities and those AA&E under research, development or being tested and evaluated under DA jurisdiction. Implementing instructions issued by CG, AMC will be according to the philosophy and policies in this regulation. AMC, through tri–Service coordination, will use the Decision Logic Tables (see para B–3) and will determine the appropriate risk categories for AA&E items. Security requirements for conventional ammunition and explosives during production and manufacturing operations at Government–owned, contractor-operated (GOCO) facilities are prescribed by the JOCG (DOD 5160.65–M, chap 12). Security requirements for AA&E in the custody of or being manufactured at contractor-owned, contractor-operated (COCO) facilities are established in appendix H.

### 1–9. Commanding General, U.S. Army Criminal Investigation Command

The CG, U.S. Army Criminal Investigation Command (USACIDC) will—

*a.* Conduct preliminary investigation into losses of all Category I and II AA&E items, regardless of dollar value, to determine if a crime was committed.

*b.* Conduct preliminary investigation into losses of Category III and IV items meeting the quantities listed in appendix E, regardless of dollar value, to determine if a crime was committed.

*c.* Conduct investigations of actual or attempted break–ins or armed robberies of AA&E storage facilities.

*d.* Provide copies of USACIDC Serious/Sensitive Incident (SSI) reports which may be prepared pertaining to *a, b,* and *c* above to HQDA (DAMO–ODL–S), 400 ARMY PENTAGON, WASH DC 20310–0400.

*e.* If a crime was committed, conduct a complete investigation and provide HQDA (DAMO–ODL–S), upon request, copies of such investigation reports.

*f.* If needed, coordinate with the proper law enforcement activity (LEA), provost marshal office (PMO), or security office, to ensure assignment of a physical security specialist to the investigation.

*g.* Using the results of completed investigations, assist HQDA (DAMO–ODL) and the commander concerned in evaluating existing security measures and recommending corrective action to improve security of such items.

## 1–10. Commanders and custodians of AA&E

Commanders and custodians of AA&E will—

*a.* Comply with this regulation.

*b.* Ensure necessary measures are taken to safeguard AA&E at all times. This includes providing specific instructions on individual responsibility for AA&E during operational or field training conditions, care and maintenance, competitive marksmanship meet, and storage on, or when mounted on, vehicles and aircraft.

*c.* Ensure timely submission of serious incident reports (SIR) per AR 190–40, paragraph 4–9.

*d.* Report all losses (actual or suspected) or recoveries within 2 hours of initial detection to the proper law enforcement agencies.

*e.* Conduct prompt investigation of losses after a decision of the USACIDC that criminal acts were not involved.

*f.* Fix responsibility when negligence is determined and take proper corrective action to prevent further loss.

*g.* Publicize AA&E security and loss prevention through command information and unit training programs.

*h.* Plan, program, budget, and allocate resources for the implementation of required policies outlined in this regulation.

*i.* Ensure that AA&E storage facilities are checked, inventoried, and inspected as required by this regulation.

## 1–11. Active Army installation commanders, Reserve Component commanders, and unit commanders

Active Army installation commanders, Reserve Component (RC) commanders, and ROTC unit commanders will—

*a.* Coordinate physical security plans with local LEAs and supporting military intelligence (MI) and USACIDC elements.

*b.* Set up liaison at the local level with the agencies per chapter 3.

*c.* Ensure that agreements governing consolidated AA&E storage facilities and the storage of AA&E property of Federal, State, contractor agencies, and foreign government agencies contain definite assignment in writing of responsibility for the items stored.

*d.* Conduct unannounced inspections as often as deemed necessary by the commander concerned.

*e.* Ensure construction programming documents involving AA&E facilities have been coordinated with the responsible provost marshal or security officer.

## 1–12. Commanders or directors of activities, installation planning boards, and responsible or accountable officers

*a.* Commanders or directors of activities, and units on Active Army installations, or subinstallations, will coordinate physical security plans for standard operating procedures (SOPs) once a year with the installation PMO or Security Office. They will—

(1) Ensure their security procedures are current and in keeping with the command and HQDA physical security directives.

(2) Include provisions in security procedures for applying physical security measures for storage areas in keeping with the host commanders assessment.

*b.* Commanders or directors of tenant activities (located both on and off the installation) must identify their security requirements to the host installation. They will ensure funding provisions are considered in proper budget programs.

*c.* Installation planning boards will include a physical security representative from the LEA, PMO or Security Office as a voting member on all actions. The representatives will ensure that provisions of this regulation are considered and made a matter of record during the planning process.

*d.* This regulation does not relieve responsible or accountable officers of this responsibility to account for property.

*e.* Persons issued or holding AA&E are responsible for properly securing such property while it is charged or entrusted to their care.

## 1–13. Security of nonsensitive AA&E

AA&E that does not meet the criteria in this regulation for "sensitive" items must be safeguarded from pilferage, theft, and wrongful destruction when stored or deployed in the field. Although this regulation does not prescribe security criteria for these items, AR 190–13, paragraph 1–5, assigns commanders the responsibility to ensure reasonable security measures are taken to safeguard property and facilities that may be vulnerable to criminal acts or other

disruptive activities. Commanders and security personnel involvement is necessary to ensure that the security measures taken provide enough security based on an assessment of the threat and vulnerability of the items concerned. Such security measures can include use of fences, lighting, locks and key control, security patrols, and any other measures deemed suitable by the commander responsible for the security of the items involved.

### 1–14. Transportation security

Responsibilities pertaining to transportation security standards and procedures are discussed in paragraph 7–2 for: the Commander, Military Traffic Management Command (MTMC), (para 7–2*a* and *b*), overseas theater commanders (para 7–2*a*), the Military Airlift Command (MAC) (para 7–2*c*), and the Military Sealift Command (MSC) (para 7–2*d*).

## Chapter 2
## Policy

### 2–1. General

*a.* Systems should incorporate technology and equipment available within the Federal Government and the private sector to provide cost effective protection, automated accountability, and inventory control. Physical security equipment management policy is established in AR 190–13, chapter 4. Security criteria will be included in initial plans for research and development, as well as all new or modified construction projects.

*b.* To minimize the cost of physical security and inventory control, and to reduce theft vulnerability, the quantities of AA&E and the number of storage facilities for AA&E should be reduced. Storage should be consolidated to the maximum extent consistent with operational, safety, and training requirements.

(1) AA&E should be removed from designated storage areas as briefly as possible. The quantity to be removed should be as small as possible to support specific missions or projects. Storage areas should be as small as possible consistent with safety standards, security, and mission requirements.

(2) Further reduction of costs for protection and inventory control can be effected by grouping the consolidation of AA&E into smaller storage areas by assigned risk category, and providing the degree of physical security protection needed for that category. Priority attention will be given to demilitarization or disposal of obsolete and unserviceable AA&E to avoid unnecessary storage, security, and inventory–related costs.

(3) The provisions of this regulation are intended to provide adequate storage security for AA&E at most DA activities. There may be a few unusual activities, such as large depots or remote storage areas without existing electrical service, where not all criteria in this regulation can be directly applied in a cost effective manner. At these unusual or unique facilities, local conditions must be carefully evaluated, and the security system must be tailored to the local conditions, based on practicability and cost, rather than specific security requirements prescribed herein. In these instances, waivers or exceptions should conform to the requirements provided in paragraph 2–4.

### 2–2. Construction of facilities

*a.* The provisions of this regulation are mandatory for new construction of permanent land–based installations for storage of sensitive AA&E. Modification to existing facilities will be accomplished in accordance with the criteria set forth in this regulation.

*b.* The tearing down and rebuilding of facilities will not be undertaken unless the concerned MACOM has determined that existing security measures cannot be supplemented to provide the required degree of protection. When nonstandard structures or facilities provide equivalent or better protection, modifications will not be undertaken. Exceptions to this policy will be granted under paragraph 2–4.

*c.* Upgrading of existing storage structures must be consistent with approved plans for future development and new construction plans. The type, planned use, modification costs, and remaining economic life of storage structures must be considered. Additionally, in determining upgrade requirements, ammunition and explosives will be consolidated by risk category to the maximum extent consistent with operational, safety, and training requirements. Compensatory security measures will be established for AA&E storage structures that do not meet minimum construction standards. Definitive drawings and specifications for new construction, upgrade, or modification of AA&E storage structures will be coordinated with the engineer office, safety office, and LEA, PMO, or security police office to ensure safety and physical security requirements are met.

*d.* Qualified engineer personnel will verify the structure composition of AA&E storage facilities (for example, walls, ceilings, roofs, floors, and doors). Statements will be prepared on DA Form 4604–R (Security Construction Statement). Statements will indicate the highest construction category met for storage of AA&E, for example, Category I, II, III, or IV AA&E items and date of applicable regulation. (See para 2–4 for procedures when structural deficiencies exist.) The DA Form 4604–R will be affixed to the interior wall of each AA&E storage facility. The DA Form 4604–R will be locally reproduced on 8½–x 11–inch paper. A copy for reproduction purposes is located at the back of this publication. A blanket statement on DA Form 4604–R may be issued at an installation for all facilities, such as ammunition magazines, constructed according to the same specifications. Under these circumstances a copy of the DA

Form 4604–R need not be affixed to the interior wall of each individual storage structure, but must specifically identify the facilities by number and location, and be readily available for inspection. Security construction statements will be reviewed during physical security surveys and inspections. The statements will be revalidated by engineer personnel every 5 years.

*e.* Physical security personnel will monitor construction of new facilities and renovation of existing facilities. Engineer personnel will coordinate new construction and renovation projects with the local provost marshal or security officer. In addition to meeting construction standards, storage of AA&E will meet physical security criteria, such as Intrusion Detection System (IDS), locks and hasps, lighting, and security patrols, as necessary, for the particular category of AA&E involved.

## 2–3. Priority lists

The MACOMs will establish a priority list for meeting the security requirements. Requirements will be listed in priority sequence by category for planning, programming, and budgeting purposes. Priority of installation of IDS is as follows:

*a.* Facilities storing Category I items, when protection is inadequate. Those having the largest quantity will receive initial attention.

*b.* Facilities storing Category II items.

*c.* Facilities storing Category III items.

*d.* Facilities storing Category IV items.

*e.* Deviations from these priorities will be permitted only when MACOMs have determined that a local threat dictates these deviations.

## 2–4. Waivers and exceptions

Commanders are authorized 10 percent deviation from the physical security construction standards established by this regulation for existing facilities. Otherwise waivers and exceptions to the physical security requirements of this regulation must be granted by the DCSOPS or his or her delegated authority in accordance with the procedures established by HQDA (DAMO–ODL) under the following provisions:

*a.* Waiver and exceptions will be considered individually: blanket waivers and exceptions will not be authorized. Requests for waivers or exceptions applying to commercial carrier's transportation minimum security standards (chap 7), together with compensatory measures taken, will be forwarded through the Commander, Military Traffic Management Command, ATTN: MT–SS, 5611 Columbia Pike, Falls Church, VA 22041, to HQDA (DAMO–ODL–S), 400 ARMY PENTAGON, WASH DC 20310–0400.

*b.* Waivers normally may be granted for a period of 1 year and may be extended only after a review of the circumstances necessitating the extension. Waivers will not exceed 2 years when resource considerations clearly indicate a continued waiver requirement beyond the normal 1 year waiver period. Justification for such waivers will be required. Each extension will state first extension, second extension, and so forth.

*c.* Exceptions will be granted only when correction of a deficiency is not feasible or when the security afforded is equivalent to or better than that afforded under the standard criteria.

*d.* Requests for waivers and exceptions will contain compensatory measures in effect or recommended. Approvals for waivers and exceptions will specify required compensatory measures. Equivalent protection exceptions do not require compensatory measures.

*e.* Deficiencies that will be corrected within 60 days will not require a waiver or exception; however, compensatory measures will be taken during the interval.

*f.* Authority to grant waivers and exceptions constituting standards below those prescribed in this regulation must be approved by the DCSOPS or his or her designated authority. U.S. Army Reserve Command requests for waivers and exceptions will be submitted through command channels through the Commander, U.S. Forces Command, Fort McPherson, Georgia 30330–6000, to HQDA (DAMO–ODL–S), 400 ARMY PENTAGON, WASH DC 20310–0400.

*g.* Requests for physical security waivers or exceptions will be coordinated between the LEA, PMO, or security office of the installation or activity. When structural deficiencies exist, requests also will be coordinated with the supporting engineer.

*h.* A request for a physical security waiver or an exception will include—

(1) A statement of the problems or deficiencies that constitute standards below those cited in this regulation.

(2) Compensatory measures in effect at AA&E storage facilities to make up for noncompliance with required standards of protection.

(3) Reasons the unit, facility, or installation cannot comply with the requirements of this regulation.

(4) The commander's statement of corrective action taken or planned to correct the deficiencies for which the waiver or exception is required.

(5) Each successive command's recommendation.

*i.* The unit and the approving headquarters will retain on file the approved waiver or exception, including the documents listed in*c* above.

*j.* Exceptions will be regarded as generally permanent; however, they will be reviewed at least once every 2 years to determine if they need to be continued. The review will be conducted by the authority who approved the exception.

*k.* Exceptions previously granted under the criteria of the previous AR 190–11 remain valid under the provisions of this regulation. Such exceptions need not be resubmitted for approval. However, such exceptions will be reviewed as indicated in paragraph*j* above.

## 2–5. Security of AA&E during training, and aboard ships

Specific criteria and standards for protection of AA&E during training and in shipboard armories or otherwise on board ships will be developed by the MACOM concerned, based on the security philosophy in this regulation. AA&E deployed in the field for training or operational purposes will be secured at all times. The deploying commander will establish and enforce procedures for securing deployed AA&E based on an assessment of the threat, objectives, location, and duration of the deployment. The following guidelines apply:

*a.* AA&E will be under continuous positive control.

*b.* AA&E will not be left unattended or unsecured.

*c.* Persons charged with custody of AA&E will have the capability to sound the alarm if a forceful theft is attempted.

*d.* A response force will be available to protect the AA&E.

*e.* A system of supervisory checks will be established to ensure all personnel comply with security procedures. Supervisory checks of the AA&E holding area will be made to ensure the AA&E being guarded have not been tampered with.

*f.* Control of ammunition and explosives during field training or range firing will be monitored closely by all officers, noncommissioned officers (NCOs), or civilian equivalents. Upon completion of training, the area(s) will be policed and unused ammunition and explosives collected for turn–in. Personnel will be checked closely to ensure unused ammunition and explosives are not retained. Close supervision by officers, NCOs, or civilian equivalents can eliminate most security problems in the training area.

*g.* Selection of personnel to perform guard duties at AA&E holding areas will be closely monitored by commanders to ensure only responsible individuals are assigned duty.

## 2–6. Inspections and audits

Security measures including theft or loss reporting and inventory and accountability procedures for AA&E will be examined during inspections and audits. The status of existing waivers and exceptions will be examined for compliance and continuing necessity.

*a.* Physical security inspections will be conducted according to AR 190–13, paragraphs 2–11, on facilities in which AA&E governed by this regulation are stored. Additionally, conduct physical security surveys and inspections as follows:

(1) For new AA&E storage facilities, before and immediately after occupancy.

(2) On significant change in facility structure.

(3) After a forced entry or attempted forced entry with or without theft.

(4) When units have received an unsatisfactory rating on physical security survey/inspection, reinspection will be within 6 months. A copy of an unsatisfactory physical security survey or inspection concerning RC and ROTC units will be furnished the installation commander providing logistical report. The followup report will include written comments to show what elements have received copies.

*b.* Physical security inspections of AA&E deployed in the field for training and operations will be conducted to ensure these items are properly protected.

*c.* Results of physical security inspections and surveys will be briefed to the commander responsible for the security of the facility or area inspected.

*d.* Inventory, accountability, issue and turn–in procedures will be included in physical security inspections/surveys to ensure the procedures support the physical security program. AR 710–2, chapter 2, applies to supply operations below the wholesale level. AR 740–26, chapter 2, establishes physical inventory controls at the wholesale level. Chapter 4, this regulation, applies regarding accountability requirements for contractor owned and commercial arms and ammunition.

*e.* When custody of arms storage facilities is transferred between authorized persons, they will conduct a physical count of the weapons and ammunition stored therein, per requirements in AR 710–2, paragraphs 2–12 and 2–53; and DA Pam 710–2–1, paragraph 9–11. The inventory and change of custody will be conducted and recorded per AR 710–2, paragraphs 2–12 and 2–53; and DA Pam 710–2–1, paragraph 9–11.

## 2–7. Prohibition

*a.* Gun clubs and activities under the responsibility of the Director of Marksmanship are not authorized to possess or store Category I or Category II AA&E. The Army National Guard and reserves are not permitted permanently to store Category I AA&E. However, with prior HQDA (DAMO–ODL) approval, they are authorized to temporarily store (not to exceed 90 days) Category I AA&E at ammunition supply points for training of Army National Guard and reserve units. Additionally, Army National Guard and reserve units are authorized temporary custody (not to exceed 14 days) of Category I AA&E for training on military installations. In both instances, physical security measures in chapter 5 and paragraph 7–15*c* of this regulation must be followed.

*b.* Reserve Officers Training Corps (ROTC/JROTC) units are not authorized to possess or store Category I AA&E. ROTC units (with the exception of Norwich University, Virginia Military Institute, Texas A&M, the Citadel, and North Georgia College) and gun clubs are not authorized to permanently possess or store Category II AA&. ROTC units may retain temporary (overnight/weekend) custody of AA& for training purposes. This temporary custody will not exceed 72 hours. Physical security measures in chapter 4 will be adhered to.</subpara1>

*c.* ROTC units may use Category II weapons for familiarization training and field training exercises or marksmanship, on or off a military reservation. Active Army installations, RC facilities and National Guard units are encouraged to provide support to ROTC units when requested.

## 2–8. Requisition

HQDA (DALO–SMP–S) will establish procedures for item managers to ensure necessary requisition verification of AA&E items. Commanders will include instructions to ensure AA&E requisitions are authorized by designated personnel and released only to properly identified authorized personnel. The procedures will include positive steps for rejecting excess and unauthorized requisitions. (See AR 710–2, para 2–52, for policy on requisitioning.)

## 2–9. Investigations

A thorough investigation will be made of lost, stolen, or missing AA&E to determine the circumstances surrounding the loss or theft and to fix responsibility as necessary. Inventory and accountability losses will be investigated thoroughly. Before any loss can be attributed to any inventory or accountability discrepancy, it must be determined through investigation that the loss was not the result of theft or misappropriation, per AR 735–5, chapter 13, as appropriate.

*a. Guidance on actions to be taken.* Active Army and RC commanders, or their designated representatives, having direct responsibility for AA&E lost, stolen or missing or the receiving unit or agency will—

(1) Notify the supporting LEA, PM, or security office as soon as the incident is discovered. The notice will be as complete as possible but will not be delayed because of incomplete data. USAR will notify the PMO or LEA responsible for the geographical area. In CONUS, this notice will include the proper FBI field office having area jurisdiction. Civil authorities in overseas areas will be notified according to local policy.

(2) When sensitive AA&E are reported lost, a preliminary investigation will be conducted by the USACIDC to determine criminality before beginning any administrative action (see para 1–4).

(3) Start administrative action per AR 735–5, chapter 13, if the USACIDC investigation determines a crime was not committed. The report of survey or an equal procedures will not be used as a disciplinary or punitive measure. The use of this administrative procedure will not prevent recourse to disciplinary measures when proper. Therefore, the survey will not be used instead of a criminal investigation when one is warranted.

(4) Determine accountability for recovered property per AR 735–5, paragraphs 14–16 and 14–17. A person may be held responsible and be required to pay for a loss. If so, he or she will not be allowed to claim title or obtain ownership of the item if it is recovered.

(5) Consider relative investigative findings in violation of this or other applicable regulations. Take proper punitive action if events warrant.

(6) Request, through channels, that an AR 15–6 investigation be initiated for AA&E in appendix E. This may be used instead of a Report of Survey per AR 735–5, paragraph 13–2.

*b. Property overages.* Property overages will be handled in the same way as stated in *a* above.

*c. The investigation.* Facts must be presented by the requesting person. The installation, depot, or community commander may then direct that an investigation by initiated. The officer appointed to conduct the investigation will follow procedures per AR 15–6, chapters 3, 4, and 5. and this regulation.

*d. In–transit losses.* Consignees of AA&E shipments will report in–transit losses to the supporting LEA, PMO, or security office.

*e. Inventory adjustments.* Inventory losses or overages may be determined as administrative, computer, or other type accountability errors and not actual losses. This determination will be made only after investigative action has established the cause of the discrepancy. (In no case may a weapon, ammunition, or explosive loss or overage be attributed to inventory error unless the responsible agency, unit, or activity conducts an investigation that, beyond a doubt, excludes the possibility of theft or loss.) When such a decision has been made, DA Form 3056 (Report of Missing/Recovered Firearms, Ammunition and Explosives) will be submitted (fig 2–1). The form will explain—

(1) The rationale for such a decision.

(2) The type of inventory adjustment action taken.

(3) The name, grade, and duty position of the approval authority.

*f. Transportation losses.* Transportation officers, or their designated representatives, will inform the supporting LEA, PMO, or security office when claims or other data reflect the loss of AA&E from shipment or storage. This report will include household goods and losses of privately-owned weapons.

*g. Competitive marksmanship weapons.* Members of the Civilian Marksmanship Program will report the loss of AA&E to the local police or Federal Bureau of Investigation (FBI), and the director of the program.

*h. Criminal investigation reports.* The CG, USACIDC will provide HQDA (DAMO–ODL–S), upon request, copies of completed criminal investigation reports. The reports will describe the loss or theft of AA&E. Reports prepared by the FBI will be included as attachments or as received.

## 2–10. Training

*a.* Commanders responsible for AA&E will establish a training program for those personnel responsible for the accountability of these items. The training program will be designed to—

(1) Provide training in inventory and accountability procedures as outlined in applicable 700–series Army regulations.

(2) Fit the requirements of different groups of personnel responsible for accountability.

(3) Indoctrinate personnel in the principles, criteria, and procedures for accountability and inventory, including disciplinary actions against individuals responsible for violating security requirements as prescribed in this regulation.

*b.* Commanders will initiate an aggressive training program to ensure all unit personnel are aware of their responsibilities for the security and accountability of AA&E. A training program will also be established to ensure requirements of AR 190–56, chapter 4, are kept and to ensure continued proficiency of the guard force. As a minimum, this training will include—

(1) Care and use of weapons, to include qualification firing with assigned weapons within the past 12 months.

(2) Legal authority, responsibility, and jurisdiction of guards on duty, to include apprehension, search and seizure, and use of force.

(3) Physical fitness training.

(4) Guard orders, to include communications and duress procedures.

(5) Duties in the event of emergencies, such as alerts, fire, explosion, civil disturbance, intrusion, attempted seizure, or terrorist incident.

(6) Current criminal threat to AA&E.

(7) Crime prevention.

(8) Common forms of sabotage and espionage, to include current threat situation.

(9) Location of hazardous and vulnerable equipment and materiel, to include high security risk AA&E requiring special attention or more frequent security checks.

(10) Location of fire protection equipment, decontamination stations, electrical switches, and first aid facilities.

(11) Operation and monitoring of intrusion detection system.

(12) Additional training subjects are listed in AR 190–13, paragraph 2–5.

*c.* Commanders will take continuing action through annual update refresher briefings to ensure that all personnel are aware of their responsibilities for the control and safeguarding of AA&E.

## 2–11. Personnel

*a.* Commanders will be selective in assigning personnel to duties involving control of AA&E. Only personnel who are mature, stable, and have shown a willingness and capability to perform assigned tasks in a dependable manner will be assigned to duties which involve responsibility for the control, accountability, and shipment of AA&E. As part of this selection process, personnel assigned duties involved in the control, accountability, and shipment of AA&E will be screened and evaluated using DA Form 7281–R (Command Oriented Arms, Ammunition, and Explosives (AA&E) Security Screening and Evaluation Records). DA Form 7281–R may be locally reproduced on 8½– x 11–inch paper. A copy of this form for reproduction purposes is located in the back of this handbook. Completed forms will be retained on file within the command until the individual departs, or is relieved of his or her AA&E oriented duties. In addition, MACOMs will implement procedures to ensure the following:

(1) Any Government employee (civilian or military) or DA contractor (including commercial carrier) employee operating a vehicle or providing security to a vehicle transporting Category I, II, or classified AA&E will as a minimum have been the subject of a favorable National Agency Check (NAC) or Entrance National Agency Check (ENTNAC), per AR 380–67, paragraph 3–613, except as provided below.

(2) Officers of U.S. flag carriers will be licensed in accordance with U.S. Coast Guard requirements.

(3) Designated carrier employees providing Protection Security Service for the transportation of items classified

SECRET will possess a Government–issued SECRET clearance per AR 380–67, paragraph 3–613, and carrier issued identification.

(4) In situations or at locations where these requirements cannot reasonably be accomplished, a properly cleared escort will be provided to accompany the shipment and prevent unauthorized access. Procedures that address these concerns will be prepared by the cognizant security office and will include statements regarding two–person rule and other specific procedures, as appropriate.

*b.* Commanders will determine the reliability and trustworthiness of the following personnel before they are assigned duties involving control of AA&E:

(1) Personnel authorized unaccompanied access to arms, and Category I and II ammunition and explosives storage facilities.

(2) Personnel authorized to receive, store, or issue arms and Category I and II ammunition and explosives at such storage facilities.

(3) Personnel authorized to issue or control keys to AA&E storage facilities in (1) and (2) above.

*c.* Commanders will prohibit access to above personnel when doubt exists as to their reliability or trustworthiness. All personnel will be required to undergo a command oriented security screening or an equivalent foreign country check before access is authorized. The security screening check will be designed to provide the commander reasonable assurance that personnel with character traits that raise significant doubt as to their honesty or stability are not afforded access. At a minimum, the command oriented security screening will include:

(1) A personal interview of the individual conducted by his or her immediate commander or supervisor.

(2) A request for medical file check of active duty military personnel.

(3) A personnel records check.

(4) A records check of the provost marshal or security office.

(5) A records check of local civilian law enforcement agencies in the area of the person's residence if permitted by state or local laws.

*d.* Commanders may deny access to the above personnel when doubt exists as to their reliability or trustworthiness. The following disqualifying factors will be considered:

(1) Record of alcohol abuse.

(2) Record of unauthorized use, sale, or possession of drugs and narcotics.

(3) Record of mental instability or disorders.

(4) Record of judicial or nonjudicial punishment.

(5) Pattern of behavior or actions which are reasonably indicative of a contemptuous attitude toward the law.

(6) Any other character trait, or a record of conduct, or adverse information, which, in the commander's judgment, would be prejudicial to reliability or trustworthiness.

*e.* Continuing evaluation of all personnel is essential to the success of the AA&E security screening policy. All personnel involved in AA&E will be fully cognizant of their responsibilities to observe and report promptly to the commander any incident or condition which might result in temporary or permanent disqualification of such personnel. Security screening checks inc above will be repeated every 3 years.

**REPORT OF MISSING/RECOVERED FIREARMS, AMMUNITION AND EXPLOSIVES**
For use of this form, see AR 190-11; the proponent agency is ODCSOPS

REQUIREMENT CONTROL SYMBOL
JUST-1010

TO:
HQ, Department of the Army
ATTN: DAMO-ODL-S
4401 Ford Avenue
Alexandria, VA 22302-1432

FROM: (Complete identification and address, including ZIP Code)
Office of The Provost Marshal
101st Airborne Division
Fort Campbell, KY 42223

1. COMPONENT (Check one)
ACTIVE ARMY [X] 1 ARNG [ ] 2 USAR [ ] 3 ROTC [ ] 4 DCM [ ] 5

2. COMMAND (AR 680-29)
CODE [F] [C] NAME

3. ARMY LOCATION CODE (DA Pamphlets 525-12 or 13)
[2] [1] [1] [2] [8]

4. UNIT NAME AND LOCATION (Abbreviate 20 spaces)
Company C, 1st Bn, 327th Infantry
101st Airborne Division
Fort Campbell, KY 42223

5. DATE OF INCIDENT (Enter numbers)
YEAR [8] [3] MO [0] [5] DAY [1] [0]

6. TYPE OF ACTION (Check one)
LOSS [X] 1 RECOVERY [ ] 2
INVENTORY SHORTAGE [ ] 3 INVENTORY OVERAGE [ ] 4

7. SIR REPORT NUMBER (AR 190-40) IF APPROPRIATE
830010

8. FIREARMS, AMMUNITION OR EXPLOSIVE IDENTIFICATION

| QUANTITY | TYPE | CALIBER | MODEL | SERIAL/LOT NUMBER |
|---|---|---|---|---|
| 1 | Rifle | .22 | M513T | 7038945 |
| 1 | Machinegun | 7.62 | M60 | 233983 |
| 1 | Pistol | .45 | M1911A1 | 33567121 |
| 59 rds | Ammunition, BAll | .22 | Unknown | LOP-7-91-2 |
| 1 stick | Dynamite | - | MI | HEP-3-4 |
| 10 lbs | Composition C-4 | - | M5A1 | MA 2-39 |

9. WHERE DID LOSS OCCUR? (Check appropriate box)

| | | | |
|---|---|---|---|
| | a. TRAINING/FIELD EXERCISE | | f. MUSEUM |
| | b. IN-TRANSIT | X | g. ARMS ROOM |
| | c. CLEANING/MAINTENANCE | | h. DEPOT/WAREHOUSE |
| | d. RESIDENCE OR POV | | i. AMMUNITION HOLDING AREA |
| | e. GUARD DUTY | | j. OTHER |

10. HOW DID LOSS OCCUR? (Check appropriate box)

| | | | |
|---|---|---|---|
| | a. ROBBERY | | c. NEGLIGENCE |
| X | b. BREAKING AND ENTERING | | d. INVENTORY |

REMARKS
(Brief synopsis of incident to include, as a minimum, how and where the incident occured. Provide detailed information in SIR, AR 190-40, if applicable.)

11. NCIC NIC NUMBER
G318275690

DATE OF NCIC ENTRY (Enter numbers)
YEAR [8] [3] MO [0] [5] DAY [1] [1]

12. DA REPORT SEQ NO.

13. NAME AND TITLE OF REPORTING OFFICER
PAUL K. THOMPSON, JR., LTC, MPC
Provost Marshal

SIGNATURE OF REPORTING OFFICER

DA FORM JUN 83 3056 EDITION OF DEC 81 IS OBSOLETE.

Figure 2-1. Sample of a completed DA Form 3056

## Chapter 3
## Physical Security Planning

### 3–1. General

In assessing local requirements for protection, the following factors should be considered:

*a.* Threat assessment based on information furnished by local intelligence, criminal investigative, or law enforcement agencies.

*b.* Types of AA&E, other sensitive assets, property maintained and mission of the facility.

*c.* Location, size, and vulnerability of storage facilities.

*d.* Vulnerability of AA&E to theft and loss.

*e.* Geographic location within the installation and relative to surrounding population centers.

*f.* Availability and responsiveness of security forces.

*g.* Availability or existence of security enhancing systems, including:

(1) Perimeter barriers.

(2) Security lighting.

(3) Communication systems.

(4) Key and lock controls.

(5) Stringent construction criteria for storage areas and armories.

(6) Personnel and vehicular entry control.

(7) Security training programs.

(8) IDS (including closed circuit television (CCTV).

(9) Military Working Dogs.

(10) Security guard personnel.

### 3–2. Coordination

*a.* In developing a security plan, coordination and close liaison should be effected between the military commander and—

(1) Adjacent installations or units.

(2) Federal agencies.

(3) State and local agencies.

(4) Similar host country agencies.

*b.* To the extent permissible, such interaction should allow for an exchange of intelligence information on security measures being employed, contingence plans, and any other information to enhance local security.

*c.* On an installation, the host activity will assume responsibility for coordinating physical security efforts of all tenants, regardless of the DOD components represented, as outlined in the support agreements and the host activity security plan. Applicable provisions will be included in, or be an appendix to, the support agreement.

(1) Bilateral storage agreements will be used when—

*(a)* AA&E are stored on the installations or facilities of other U.S. or foreign government agencies or other DOD services.

*(b)* Consolidated storage facilities are used to store AA&E belonging to more than one unit or organization.

(2) A formal agreement will contain definite assignment of physical security responsibility for the items stored. The agreement will address—

*(a)* Maximum quantities to be stored.

*(b)* Physical safeguards to be used.

*(c)* Frequency of and the responsibility for physical inventories or reconciliation's.

*(d)* Reporting of losses for investigations.

*(e)* Key control procedures.

*(f)* Unit that has overall responsibility for the storage facility.

*(g)* Procedures for authorization and identification of individuals to receipt for physically taking custody of AA&E.

*(h)* Risk Categories of items to be stored.

*d.* The formal agreement concerning physical security requirements for AA&E can be implemented by an appendix to a host/tenant activity support agreement or by a Letter of Instruction (LOI).

*e.* The purpose of such coordination is protection in depth. Authority, jurisdiction, and responsibility must be set forth in a manner that ensures protection and avoids duplication of effort.

### 3–3. Contingency plans

In most instances it will be necessary to increase security for AA&E and other sensitive property, assets and facilities during periods of natural disasters, natural emergencies, or periods of increased threat from terrorist or criminal elements. Therefore, contingence plans should include provisions for increasing the physical security measures and procedures for storage areas based on the local commander's assessment of the situation. These provisions should be designed for early detection of an attempted intrusion, theft, or interruption of normal security conditions.

### 3–4. Security threats

*a.* The security plan will provide for the identification of local threats and should make full use of the investigative resources available in the geographic area to anticipate criminal activities that threaten the physical security of AA&E assets. At a minimum, liaison shall be established with the following agencies.

(1) Local Federal Bureau of Investigation field office.

(2) Local law enforcement agencies.

(3) Intelligence and investigative agencies of the Uniformed Services.

(4) Bureau of Alcohol, Tobacco, and Firearms field office.

(5) Host country agencies where applicable.

*b.* Installation plans shall address actions to counter thefts by employees. These actions include personnel screening (see para 2–12) and the monitoring to minimize opportunities for employee theft and to detect concealed shortages.

*c.* The USACIDC is designated as the single MACOM for receiving, analyzing, and disseminating data on the criminal threat to the security of the United States Army. The U.S. Army Intelligence and Security Command (INSCOM) will perform a similar function as related to terrorist, hostile intelligence, demonstrator, and hostile special operation threats.

*d.* Commanders responsible for storage of AA&E will—

(1) Coordinate with local USACIDC and Military Intelligence (MI) elements to receive current data on any threat to the security of these items. USACIDC and MI personnel shall conduct periodic visits with commanders or their designated representatives. These visits should provide updated threat analysis data based on observed vulnerabilities.

(2) Assess the local requirements for physical security protection.

(3) Incorporate into local security plans or SOPs, procedures for providing the following essential elements of criminal data to the nearest MP and USACIDC representatives as the data become available.

*(a)* Any intent to steal AA&E.

*(b)* Suspicious acts indicating that a storage area is being targeted by criminal elements.

*(c)* Alleged offers to buy or barter for AA&E.

*(d)* Losses of AA&E, including alleged inventory or administrative errors, together with the events surrounding individual losses.

### 3–5. Implementation of physical security planning

Commanders at each installation, unit or activity will—

*a.* Issue instructions regarding all phases of security operations pertinent to the installation, unit or activity. These instructions will be reviewed at least annually for relevance and currency.

*b.* Develop and implement an effective security awareness program based on current physical security plans.

*c.* Develop effective countermeasures to prevent or reduce the risk posed by potential threats.

(1) Countermeasures should be consistent with the current physical security plan and the requirements of Army physical security regulations and MACOM supplements.

(2) Physical security countermeasures consist of measures and procedures designed to reduce risk by—

*(a)* Providing means of alerting response forces to the presence of intruders as soon as possible.

*(b)* Providing means of delaying intruders long enough to prevent intruders from completing the purpose of the intrusion.

(3) Physical security measures and procedures are specified in Army regulations and MACOM supplements and include—

*(a)* Area patrols.

*(b)* Continuous surveillance.

*(c)* Security fences, doors, walls and locks.

*(d)* Security vaults.

*(e)* Security lighting.

*(f)* IDS.

*(g)* CCTV.

*(h)* Clear zones.

*(i)* Response forces.

*d.* Sensitive or critical items or equipment should be stored in inner zones of an installation. This may require inventory, segregation, and restorage, where practical by risk categories.

*e.* Security protection requirements for AA&E will be based on the highest category item stored in magazines or other structures.

## 3–6. Intrusion Detection Systems

The IDS is an essential part of the physical security system. IDS consists of the combination of electronic components, including sensors, control units, transmission lines, and monitoring units integrated to be capable of detecting one or more types of intrusion into an area protected by the system. IDS includes both interior and exterior systems. The system will report directly to an alarm monitoring station. The system will be an approved DOD standardized system or a MACOM approved commercial system.

*a.* IDS will include a central control station where alarms will sound and from which a response force can be dispatched. An alarm bell located only at the protected location is not acceptable. The IDS will be designed to cause an alarm to sound at the central control panel whenever the system is turned off or malfunctions. Some means of communication will be provided between the protected areas and the monitoring area to coordinate status changes. Telephone communication should be considered. On and off, access, and secure switches not located at a central control station will be located within the alarmed area. The response force should respond to an activated alarm as soon as possible, but in no case may arrival at the scene exceed 15 minutes. Facilities off military installations, will have a local alarm in addition to monitoring capability. Alarm circuitry that requires alarm signals to be cleared either by the central control station alarm monitor or by entering the protected area will be used. Use of alarm delay switches at RC facilities is discouraged. AA&E storage facilities (other than bulk storage facilities) that require IDS will be protected by at least two types of sensors, one of which is a volumetric sensor. Additional levels of protection, when practical, are encouraged (e.g., duress signaling components) and will be considered for Category I and II arms storage facilities.

*b.* Facilities having IDS will have signs prominently displayed announcing the presence of IDS. They will be affixed at eye level, when possible, on the exterior of each interior wall that contains an entrance to the protected area. They will be affixed on exterior walls only when the exterior wall contains an entrance to the protected area. Specifications for IDS signs are per appendix F.

*c.* IDS will include a protected, independent, backup power supply that will provide a minimum of 4 hours of uninterrupted power, or other duration as outlined in the site survey.

*d.* Where an IDS is used in civilian communities, arrangements will be made to connect alarms to civil police headquarters, private security companies, or a monitoring service from which immediate response can be directed in case of unauthorized entry.

(1) A commercial answering service is not authorized.

(2) Coordination is required with civil authorities to ensure a response force can be directed to respond immediately.

*e.* A daily log will be maintained of all alarms received, and at a minimum will include—

(1) The nature of the alarm; for example, intrusion system failure or nuisance alarm.

(2) The date and time the alarm was received.

(3) The location, and action taken in response to the alarm.

*f.* Logs will be maintained for a minimum of 90 days and will be reviewed periodically to identify, monitor, and correct IDS reliability problems.

(1) DA Form 4930–R (Alarm/Intrusion Detection Record), may be used to record alarms received. DA Form 4930–R will be locally reproduced on 8½– x 11–inch paper. A copy for reproduction purposes is located at the back of this handbook.

(2) Computer generated printout of alarms may be used as a substitute provided all required information has been included or supplemental information is included in a log.

(3) Serious or recurring problem areas will be described in writing and sent through command channels to CDR, U.S. Army Belvoir R&D Center, ATTN: AMCPM–PSE, Fort Belvoir, VA 22060–5606.

*g.* Transmission lines for the alarm circuits will have line supervision (connecting lines will be electrically supervised to detect evidence of tampering or malfunction and any visible lines must be inspected weekly) or two independent means of alarm signal transmission from the alarm area to the monitoring station must be provided. One of the two independent means of alarm signal transmission must be either a long–range radio or cellular telephone link. Two undedicated, hardwire telephone links are not acceptable. The dual transmission equipment must continuously monitor the integrity of both the telephone wire line and cellular or long range radio links. Upon loss of either communication path, the system must immediately initiate notification to the monitoring facility via the other communication link. Because of the criticality of the information to be transmitted, the dual transmission equipment must be able to seize control of the communication links, even if that link is already in use. Physical protection of both communication links is critical. Therefore, the hardware communication links is critical. Therefore, the hardware communications link will be enclosed in metallic conduit from the protected area to wherever the communication is made to the telephone network. Communications equipment, including cellular equipment, will be mounted in tamper protected enclosures. Communications equipment, including cellular antennas where possible, will be located within

the protected area. Additionally, a protected backup independent power source of 8 hours minimum duration will be provided. Telephone communication between a central control station and alarm zones to provide for controlled entry by authorized personnel should be considered as an adjunct to the IDS. Systems will be tested quarterly and a log maintained at least 1 year for recording all tests. Visible lines will be inspected on a regular basis.

*h.* Following requirements also apply:

(1) IDS will be considered for security classification if it meets the specific classifying criteria per AR 380–5, chapter 2 and appendix G. If classified, appropriate personnel security clearance must be obtained.

(2) Only authorized personnel should be allowed access to unclassified IDS installation wiring diagrams for a specific facility or location. This also applies to information on known, specific vulnerabilities or counter–measures affecting the IDS.

(3) Civilian employees whose duties involve the design, operation, or maintenance of IDS require completion of a favorable National Agency Check with written inquiries (NACI) prior to appointment to such noncritical–sensitive positions. Civilian contractor employees must possess a minimum security clearance of CONFIDENTIAL, granted in accordance with AR 380–67, paragraph 3–400.

(4) A check of the National Crime Information Center (NCIC) for installers and maintainers of unclassified IDS is a command decision. The decision will be based on—

*(a)* The sensitivity of the area to be protected.

*(b)* The need for quality control over personnel having access.

(5) All installers, maintainers, and operators of unclassified IDS will undergo a command–oriented security check. The security check should be made with the area provost marshal (PM) or other agencies that might have information on file bearing on the honesty or stability of the individual. Requirement for above command–oriented security checks should be based on local jurisdiction policies, the local threat and sensitivity, and vulnerability of the facility protected.

(6) All keys associated with IDS components will be safeguarded and controlled according to paragraph 3–8.

*(a)* Monthly Joint–Service Interior Detection System (J–SIIDS) operational checks to ensure activation of the sensors will be conducted utilizing appendix K. In addition, a visual inspection of components and conduit for evidence of tampering will be conducted during the monthly inspection. Commercial intrusion detection systems employing sensors equipped with a remote–test feature that activate the same sensing phenomenology as would an actual intruder do not require operational checks by unit personnel. Each zone component will be checked and tested by alarm maintenance personnel a minimum of every six months during preventive maintenance. Commercial intrusion detection systems that do not have a remote–test feature will be tested monthly utilizing the manufacturers operational test.

*(b)* Installation physical security inspectors will include a check of each IDS during any security inspection to verify the IDS is operating satisfactorily. Checks will include inspection of components and conduit for evidence of tampering. Checks will also be made of unit log entries and records regarding operation and inspection of IDS.

(7) Before accepting a newly installed IDS system for operation, an inspection will be conducted by qualified technical personnel to ensure the system meets all minimum acceptable standards. The statement of verification will be maintained in the using unit or organization files. DA Form 4604–R may be used to record the verification.

(8) Maintenance of IDS will be provided by personnel qualified in installation and repair of IDS. Such maintenance will be performed consistent with operational requirements to ensure continuous operation and reliability of each system in use.

(9) All intrusion detection equipment enclosures with removable covers will be equipped with tamper switches. The tamper detection will be continuously monitored whether the system is in the"secure" or the "access" mode of operation. Enclosures that are not routinely opened for maintenance purposes (such as pull boxes) shall be equipped with tamper switches.

## 3–7. Security forces

A security or guard patrol or unit personnel will periodically check facilities and areas used to store sensitive or critical items or equipment as prescribed herein and as dictated by a threat and vulnerability analysis. Checks will be conducted on an irregular basis during nonduty hours to avoid establishment of a pattern. Security checks will be made to ensure unauthorized personnel are not in the area and the structures are intact and have not been broken into. During periods of increased vigilance because of a threat situation, security patrols will physically inspect doors and locks on all storage structures in their area of responsibility. Selection of personnel to perform guard duties will be closely monitored by commanders to ensure only properly trained and reliable individuals are assigned duty. Supervisory checks will be conducted to ensure guard duties are being performed properly.

*a.* Security patrols may be conducted by military personnel; civilian security personnel, including contract personnel; U.S. Marshal Service; or State, local, or campus police.

*b.* DA–controlled security forces will be provided with adequate means of communication.

*c.* Security forces personnel (e.g., guards, security patrols, security reaction forces) may be armed with appropriate weapons and ammunition at the discretion of the commander concerned. If such personnel are armed, provisions of AR 190–14, chapters 2 and 4 apply.

*d.* Guard procedures will be reviewed at least annually and revised if necessary to provide greater application of

security measures, and will place special emphasis on guard post locations and guard orientation concerning duties to be performed.

*e.* Inspections and guard checks will be increased during nights, weekends, and holidays to provide for deterrence of violations and early detection of loss. These checks will be recorded and will consist of an inspection of the building or facility including all doors and windows. Records of these checks will be maintained in an active file for a minimum of 90 days, and then destroyed.

*f.* Law enforcement patrol plans will be coordinated and integrated with the guard plan or other security plans and programs to the maximum extent possible. When facilities are located in civilian communities, liaison will be established with local civil police agencies to ensure that periodic surveillance is conducted and that a coordination plan for security exits.

### 3–8. Key and lock controls

*a.* Only approved locks and locking devices (including hasps and chains) will be used. See the consolidated glossary for a list of DA–approved locks and hasps. All questions regarding the identity of approved commercial equivalent locks and locking devices (including hasps and chains) meeting Military Specifications will be addressed to the Naval Civil Engineering Laboratory (NCEL), Port Hueneme, CA. Personnel can obtain the most current version of the specifications by contacting the NCEL at DSN 360–5927 or (805) 982–5927. Keys will be signed out to authorized personnel, as needed, on a key control register. The DA Form 5513–R (Key Control Register and Inventory) is approved for use to meet the requirements of this regulation. DA Form 5513–R will be locally or electronically reproduced on 8½– x 11–inch paper. The electronically generated form must contain all data elements and follow exact format of the existing printed form. The form number of the electronically generated form will be shown as DA Form 5513–R–E and the date will be the same as the date of the current edition of the printed form. A copy for reproduction purposes is located at the back of this handbook. When not in use, the key control register will be kept in a locked container that does not contain or store classified material and to which access is controlled. Keys and combinations to locks for AA&E storage facilities, arms racks, IDS (operational or maintenance), or key containers will not be removed from the installation except to provide for protected storage elsewhere. Keys to locks securing key containers will be afforded physical protection equivalent to that provided by the key container itself. Keys to AA&E storage buildings, rooms, racks, containers, and IDS will be maintained separately from other keys, and accessible only to those individuals whose official duties require access to them. A current roster of these individuals will be kept within the unit, agency, or organization. The roster will be protected from public view. The roster will be signed by the designated official and contain the names of those individuals authorized to receive keys from the key custodian. (See *c* below). At no time will keys be in the custody of a person not listed on the roster. A key control register will be maintained at the unit level to ensure continuous accountability for keys, ensure positive control of keys, and establish responsibility for the custody of stored AA&E. Key control registers will contain printed name and signature of the individual receiving the key, date and hour of issuance, serial number or other identifying information of the key, printed name and signature of the person issuing the key, date and hour key was returned, and the printed name and signature of the individual receiving the returned key. Completed key control registers will be retained in files for a minimum of 90 days and then disposed of per established MACOM procedures.

*b.* Keys to AA&E storage buildings, rooms, racks, containers, and IDS may be secured together in the same key container. However, keys required for maintenance and repair of IDS, including keys to the control unit door and monitor cabinet, will be kept separate from other operational IDS keys and access permitted only to authorized maintenance personnel. Under no circumstances will IDS or AA&E keys or locks, or alternate keys or locks be placed in any security container that contains or stores classified material.

(1) When arms and ammunition are stored in the same areas, keys to those storage areas may be maintained together, but separately from other keys that do not pertain to AA&E storage. The number of keys will be held to the minimum essential. Keys may not be left unattended or unsecured at any time.

(2) When not attended or being used keys will be stored in containers of at least 20–gauge steel or material of equivalent strength, and equipped with GSA–approved low (secondary) security padlocks or GSA–approved built–in 3–position changeable combination locks, or in Class 5 or Class 6 GSA–approved, 3 position, changeable combination container that do not contain or store classified material. Combinations will be recorded on SF 700 (Security Container Information), sealed in the envelope provided, and stored in a container per AR 380–5, chapter 5. Keys and combinations to locks will be accounted for at all times. Key containers weighing less than 500 pounds will be fastened to the structure with bolts or chains equipped with secondary padlocks to preclude easy removal.

(3) In the event of lost, misplaced, or stolen keys, an investigation will be conducted immediately. The affected locks or cores to locks will be replaced immediately. Replacement or reserve locks, cores, and keys will be secured to preclude access by unauthorized individuals. The use of a master key system or multiple key system is prohibited.

*c.* A key and lock custodian, where duties include assuring proper handling of keys and locks, will be appointed in writing. Only the commander and the key custodian (or alternate, if appointed) will issue and receive keys to and from individuals on the key access roster (*a* above). Personnel listed on the roster may transfer custody, in writing, among themselves. The key and lock custodian's duties will also include procurement and receipt of keys and locks, and investigation of lost or stolen keys. The key and lock custodian will maintain a record to identify each key and lock

and combinations to locks used by the activity, including replacement or reserve keys and locks. The record will show the current location and custody of each key and lock. The key and lock custodian(s) will ensure that individuals who are designated to issue, receive, and account for keys in their absence, clearly understand local key control procedures. The key and lock custodian will maintain a key control register at all times to ensure continuous accountability for keys of locks used to secure AA&E.

*d.* Padlocks will be locked to the staple or hasp when the area of container is open to preclude theft, loss, or substitution of the lock.

*e.* Padlocks and their keys will be inventoried by serial number semiannually. Padlocks and keys which do not have a serial number will be given one. This number will be inscribed on the lock or key as appropriate. The inventory records will be retained in unit files for a minimum of 1 year and then disposed of per established MACOM procedures. A key and lock inventory will contain a record of keys, locks, key serial numbers, lock serial numbers, location, and the number of keys maintained for each lock. This record will be secured in the key depository.

*f.* When individuals are charged with the responsibility for safeguarding or otherwise having keys immediately available, they will sign for a sealed container of keys. A sealed container is a locked and sealed key container, or a sealed envelope (SF 700 per AR 380–5, paragraph 5–104) containing the key or combination to the key container. When the sealed container of keys is transferred from one individual to another, the unbroken seal is evidence that the keys have not been disturbed. The seal need not be broken for inventory of keys. However, evidence of tampering with a sealed container will require an inventory of the keys and such other action as may be required by the commander concerned. If the keys are not placed in a sealed container, an inventory of keys will be made by serial number or other identifying information of the key (e.g., stamped number on key). The inventory and change of custody will be recorded on the DA Form 5513–R. See paragraph 2–12, for requirements to determine reliability of personnel authorized to issue and control keys to arms and category I and II ammunition and explosives storage facilities.

*g.* Combinations to locks on vault doors or GSA approved Class 5 or Class 6 security containers will be changed annually or upon change of custodian, armorer, or other person having knowledge of the combination, or when the combination has been subject to possible compromise. Combinations will also be changed when a container is first put into service. The combination will be recorded using SF 700, sealed in the envelope provided, and stored in a container meeting storage requirements per AR 380–5, chapter 5. No other written record of the combination will be kept. Controls will be established to ensure that the envelopes containing combinations to locks or containers are not made available to unauthorized personnel.

*h.* Replacement of lock cylinders and broken keys for high security locks may be requested through normal supply channels. Requests will be coordinated through the key control custodian. MACOMs are designated as approval authorities for any deviation in key procurement procedures.

## Chapter 4
## Protection of Arms

### 4–1. General

This chapter prescribes the criteria and standards for the protection of arms in custody of DA Components, COE drawing DEF 141–90–04 depicts arms storage room construction meeting the criteria and standards prescribed by this regulation. Arms, including firearms in rod and gun club facilities, will be stored in an arms room, modular vault, or an arms storage building per the requirements of this chapter.

*a.* When storage in an arms storage room, modular vault, or building will impede training or operational requirements, arms may be stored or installed on the naval craft, vehicle, or aircraft to which assigned or in other configurations per this regulation and as specified by HQDA. Specific guidance issued by HQDA (DAMO–ODL) will be furnished the Deputy Under Secretary of Defense for Policy (DUSDP) within 90 days. Weapons stored or installed in tanks, vehicles, or aircraft will be protected as part of the overall system in which they are stored or installed.

(1) Commanders will establish appropriate security measures to ensure weapons stored or installed in tanks, vehicles, or aircraft are protected at all times, particularly when tanks, vehicles, or aircraft are unmanned. The following guidance applies:

*(a)* When not in use, tanks, vehicles, or aircraft containing weapons will be parked inside a secure motor pool or an aircraft park area. Level III security III security measures in AR 190–51, paragraphs 3–3 and 3–5, apply.

*(b)* When operational readiness permits, weapons mounted on tanks, vehicles, or aircraft that are accessible and easily removable will be dismounted and secured inside the locked tank, vehicle, or aircraft, or other secure location. Weapons that are dismounted and secured inside the locked tank, vehicle, or aircraft and weapons that remain installed on board, will be made inoperative by removal of barrels or other essential firing components. Such components will be secured in a locked metal container inside the tank, vehicle, or aircraft, or other secure location. The container will be secured to the tank, vehicle, aircraft, or other secure structure with bolts or chains equipped with secondary padlocks. Spare barrels may be stored inside a locked, totally enclosed armored combat vehicle when the other

essential firing components are secured in an arms storage room and the vehicle is parked inside a motor park which provides continuous surveillance by guards and Level III security measures per AR 190–51, paragraph 3–3 and 3–5.

*(c)* Weapon systems that are impractical to dismount, due to operational readiness or damage to the weapon system will be made inoperable by the removal of essential component or components. Such components will be secured as in (*b*) above. Electrical power may be considered an essential component on the 20MM and 30MM weapon systems.

*(d)* When electrical power is the only essential component removed from the weapons systems, ammunition for those weapons systems will not be stored on board the tank, vehicle, or aircraft. Level II security measures per AR 190–51, paragraph 3–3 and 3–5 apply.

(2) Large weapons (e.g., crew served weapons and mortar tubes) that cannot be secured in arms rooms, or other arms storage facilities, because of inadequate storage space, may be stored in a locked, totally enclosed armored vehicle. In such cases, security requirements in (1) above apply.

(3) Large weapons that cannot be secured in arms rooms, as stated above, may also be secured in other secure locations, such as a room made secure by compensatory measures. In such cases, protection and surveillance by guard or other personnel will be provided according to the risk category of the weapons involved. Such weapons will be rendered inoperable according to the requirements prescribed in (*b*) above.

(4) During maintenance support operations, weapon components may be stored in a storage facility meeting security requirements according to the risk category of the items involved.

(5) MACOM commanders may authorize storage of small quantities of Category IV arms in a GSA approved Class 5 security containers not storing classified documents or materials without IDS, security lighting, and security patrol requirements. MACOMs will decide the number to be stored on the basis of mission and operational requirements in conjunction with an assessment of vulnerability and threat conditions. Provisions of above apply only to small units (e.g., USACIDC detachment) that must store a small quantity of prescribed weapons for operational requirements.

*b.* Individuals issued, or in possession of arms, are responsible for security of this property while it is entrusted to their care.

(1) Each weapon issued for training, operations, or any other reasons will be carried on the person of the individual to whom issued at all times or it will be properly safeguarded and secured. Except during emergencies, weapons will not be entrusted to the custody of any other person except those responsible for the security of operational weapons. These persons will comply with issue and turn–in procedures. Local procedures will be established to secure and account for the weapons of personnel medically evacuated during training.

(2) During field exercises and training, pistols and revolvers issued to persons will be secured to the person by either a locally made lanyard or military issued field lanyards (NSN 8465–00–965–1705).

(3) Pistols or revolvers that lack a device to affix the lanyard will be secured by running the lanyard through the pistol/revolver trigger guard during field and training exercises when drawing the pistol/revolver is not contemplated. If drawing the pistol/revolver is contemplated, such pistols/revolvers are exempt from the lanyard requirements.

(4) Pistols and revolvers issued for operational purposes need not be secured by a lanyard except where specified in other regulations.

(5) Local commanders will prescribe specific accountability and security measured to prevent the loss of other weapons assigned to persons.

(6) USACIDC may authorize individuals to retain their assigned weapons in their private quarters if the necessity is dictated by operational requirements. In such instances, USACIDC will establish accountability safeguards and security measures.

## 4–2. Storage and supplemental controls

*a. Storage and supplemental controls.*

(1) New facilities built for storage of Category II arms will meet the facility criteria in appendix G.

(2) An existing facility in which Category II, III, and IV arms are stored together will meet the criteria for facilities storing Category II arms in appendix G unless the MACOM commander determines it to have equivalent or better security.

(3) Category II arms stored in arms storage buildings or rooms that do not meet or exceed the criteria for Category II arms may be stored in GSA approved Class 5 security containers not containing classified documents or materials, or in a safe–type steel file container not containing classified documents or materials, having a 3–position, dial–type, combination lock providing forced entry protection as approved by GSA (Federal Specification AA–F–363B, as amended) or in approved modular vaults not containing classified documents or materials with GSA approved Class 5 vault doors or GSA approved Class 5 armory doors. Modular vaults meeting Federal Specification AA–V–2737 may be used to meet this requirement. Vaults, containers and safes will be under 24 hour armed guard surveillance or protected by an approved IDS and the facility will be checked by a security patrol at least once every 8 hours.

(4) Category III and Category IV arms will be stored in facilities meeting or exceeding the criteria in appendix G.

(5) Categories III and IV arms that are stored in facilities that do not meet or exceed the criteria for Categories III and IV arms may be stored in a GSA approved Class 5 security container, not containing classified material or documents, or a safe–type steel file cabinet not containing classified material or providing forced entry protection as

approved by GSA (Federal Specification AA–F–363B, as amended). Containers weighing less than 500 pounds will be secured to the structure.

(6) Category IV arms that are stored in unmanned facilities not equipped with an IDS will be checked by a security or guard patrol at irregular intervals not to exceed 24 hours.

*b. Rescinded.*

*c. Arms racks and storage containers.*

(1) When not in use, arms will be stored in banded crates, metal containers, approved standard issue racks or locally fabricated arms racks, and secured in approved weapons storage facilities. Standard issue approved metal wall lockers or metal cabinets may be used. Crates or containers will be banded, locked, or sealed in a way that will prevent weapon removal without leaving visible signs of tampering. Screws or bolts used in assembling containers, lockers, or cabinets will be made secure to prevent disassembly.

(2) All arms racks or containers will be locked with approved secondary padlocks. In facilities that are not manned 24 hours a day, rifle racks and containers weighing less than 500 pounds will be fastened to the structure (or fastened together in groups totaling more than 500 pounds) with bolts or with chains equipped with secondary padlocks. Bolts used to secure racks will be spot welded, brazed, or peened to prevent easy removal. Chains used to secure racks (and containers) will be heavy duty hardened steel, welded, straight links steel, galvanized of at least 5/16–inch thickness, or of equivalent resistance to force required to cut or break a secondary padlock.

(3) Hinged locking bars for racks will have the hinge pins welded or otherwise secured to prevent easy removal. Locally fabricated racks will provide, at a minimum, security equivalent to standard issue racks. All racks will be so constructed as to prevent the removal of a weapon by disassembly. Locally fabricated arms racks will provide protection from forced entry equip to the M12 rack (M–16 rifle rack). Technical data package (TDP) sketches and assembly instructions for local fabrication of arms racks may be requested from CDR, U.S. Army Armament, ~~Munitions and Chemical Command, ATTN: AMSMC–MAG–SS, Rock Island, IL 61299–6000.~~ The local engineer will certify that locally fabricated arms racks are constructed according to TDP specifications and drawings. The engineer certification will serve as security verification for adequacy of such racks. The certification will be maintained on file in the location where such racks are used.

(4) When weapons are in transit, stored in depots or warehouses or held for contingencies, the weapons crates or containers need not be fastened to the structure. However, such crates or containers will be banded or locked and sealed in a way that will prevent weapon removal without leaving visible signs of tampering. The facilities and buildings in which these weapons are stored will meet the structure and other security requirements of this regulation. Arms being unpacked or packed for shipping, or in assembly–line configuration in a maintenance repair or rebuild facility, do not require storage in racks or containers. However, the facilities in which they are stored will meet the structure and other security requirements of this regulation.

*d. Security lighting.*

(1) Interior and exterior lighting will be provided for all arms storage buildings, buildings in which arms storage rooms are located, and arms storage rooms. The lighting will be sufficient to allow guards (or individuals responsible for maintaining surveillance) to see illegal acts such as forced entry, or the unauthorized removal of arms during hours of reduced visibility.

(2) Areas appropriate for lighting include entrances to buildings, corridors, and arms rooms. When an arms room is located inside a building, the entrance door to the arms room will be illuminated. Arms rooms that are located within another room (for example, supply room), do not require security lighting over the arms room door. When an arms room is located inside another secured room, the exterior door to that room will be illuminated.

(3) Security lighting will also be provided for motor pools, hangars, and outdoor parking areas for vehicles or aircraft that have weapons installed or stored on board.

(4) Switches for exterior lights will be installed so that they are not accessible to unauthorized individuals.

(5) Exterior lights will be covered with wire mesh screen, or equipped with vandal resistant lenses, that will prevent the lights from being broken by thrown objects.

*e. Doors, locks, and locking devices.*

(1) Except for GSA approved Class 5 steel vault doors with built–in, three position, changeable combination locks, doors used for access to arms storage rooms or structures will be locked with an approved high security locking device or high security padlock and hasp providing comparable protection to the locks. An approved high security shrouded hasp will be used to secure Category I and II AA&E storage facilities to enhance their security. Doors used for access to arms storage rooms will be locked with approved locks and hasps. On existing storage facilities equipped with double–door protection, high security padlocks and hasps will be used on the most secure door. Secondary padlocks will be used to secure the other door of the double–door concept. Other doors that cannot be secured from the inside with locking bars or dead bolts will be secured on the inside with approved secondary padlocks, e.g., issue window or portals. When high security hasps are installed, locking bars and T–pins should be left in place to aid in opening and closing doors and prevent any future misalignment of the hasps. Panic hardware, when required, will be installed to prevent opening the door by tampering from the outside. Panic hardware will meet safety, fire, and building codes and be approved by the Underwriters Laboratory or host country requirements as applicable.

(2) Key and lock controls will be established per paragraph 3–8.

(3) Facilities in which vehicles or aircraft are stored with sensitive items aboard will be secured by approved secondary padlocks. Aircraft will be secured with manufacturer–installed or approved modification work order door–locking devices when not in use. All hatches and other openings to track vehicles which cannot be secured from the inside will be secured from the outside with approved secondary padlocks.

*f. Additional controls.*

(1) *IDS for arms storage facilities.* Arms room storing Category II arms, GSA–approved Class 5 Weapons Storage Cabinets, and GSA approved security modular vaults will be provided with an approved IDS. Facilities without an operational IDS require constant surveillance by an armed guards for Category II arms while Category III and IV facilities require only constant surveillance. In the event that the arming of guards off a military installation is prohibited by State or territorial law, a request for exception to this requirement according to paragraph 2–4 is required. The exception will include the rationale and justification for not utilizing armed guards and the compensatory security measures taken.

(2) *Security patrols.*

*(a)* Facilities will be checked by a security patrol periodically as dictated by any threat and by the vulnerability of the facility. For Category II IDS protected facilities, the intervals between checks will not exceed 8 hours. For Category III and IV facilities, the intervals between checks will be once every 24 hours and once every 48 hours for IDS protected storage facilities.

*(b)* Facilities storing arms outside a military installation will be checked by a security patrol on an irregular basis at an interval not to exceed 24 hours.

(3) *Rendering weapons inoperable.* If the facility is not located on a military installation, weapon will be rendered inoperable by the method shown in table 4–1 under any of the conditions below:

*(a)* A facility does not meet structural criteria.

*(b)* A threat is received.

*(c)* An IDS is inoperative for a period of 24 hours or longer.

*(d)* During periods of annual field training, if arms are left in the facility.

*(e)* Decision of the commander having direct security responsibility for the facility.

(4) *Storing removed items.* The item(s) removed for the purpose of rendering a weapon inoperable will be tagged with the weapons serial number to ensure return to the same weapon and secured in a separate building. Etching of weapon's serial number on the removed parts is prohibited. The removed items will be stored in a locked container in a secure area away from the arms storage facility. If a secure area is not available for separate storage of these items, the container will be stored in the arms storage facility and secured to the structure with an approved lock and chain or equal methods when the container weighs less than 500 pounds.

**Table 4–1**
**Methods for rendering Small Arms inoperable**

| |
|---|
| **Weapon:** Carbine, Caliber .30 M1<br>**Method:** Remove bolt assembly |
| **Weapon:** Gun, Auto 25mm M242<br>**Method:** Remove bolt and track assembly |
| **Weapon:** Launcher, grenade 40mm M79<br>**Method:** Remove barrel assembly |
| **Weapon:** Launder, grenade 40mm M203<br>**Method:** Remove barrel assembly |
| **Weapon:** MG, Caliber .50 M2 series<br>**Method:** Remove bolt assembly |
| **Weapon:** MG, 7.62mm M60 series<br>**Method:** Remove breech block |
| **Weapon:** MG, 7.62mm M73 series<br>**Method:** Remove breech block |
| **Weapon:** MG, Caliber .50 M85<br>**Method:** Remove bolt assembly |
| **Weapon:** MG, 7.62mm M219<br>**Method:** Remove Breech block |

Table 4–1
Methods for rendering Small Arms inoperable—Continued

| |
|---|
| **Weapon:** MG, 7.62mm M240 series<br>**Method:** Remove bolt and operating rod assembly |
| **Weapon:** MG, 5.56mm 249<br>**Method:** Remove bolt and slide assembly |
| **Weapon:** MG, 40mm MK19 Mod 3<br>**Method:** Remove bolt assembly |
| **Weapon:** Pistol, semi–auto, Caliber .45 M1911A1<br>**Method:** Remove firing pin and spring. Leave stop installed to prevent damage of firing pin hold |
| **Weapon:** Pistol, semi–auto, Caliber .22<br>**Method:** Remove bolt or slide assembly |
| **Weapon:** Pistol, semi–auto, 9mm M9<br>**Method:** Remove firing pin assembly, recoil spring, and the spring guide from the spring assembly |
| **Weapon:** Rifle, Caliber .22—all types<br>**Method:** Remove bolt assembly |
| **Weapon:** Rifle, Caliber .30 M1 series<br>**Method:** Remove bolt assembly |
| **Weapon:** Rifle, 7.62mm M14 series<br>**Method:** Remove bolt assembly |
| **Weapon:** Rifle, 5.56mm, M16 series<br>**Method:** Remove firing pin |
| **Weapon:** Rifle, Caliber .30 M1918<br>**Method:** Remove firing pin series |
| **Weapon:** Shotgun, 12 gauge, riot type<br>**Method:** Remove barrel assembly |
| **Weapon:** Sub MG, Caliber .45 M1 series<br>**Method:** Remove bolt assembly |
| **Weapon:** Sub MG, Caliber .45 M3 series<br>**Method:** Remove bolt assembly |
| **Weapon:** Sub MG, 5.56mm M231<br>**Method:** Remove firing pin |
| **Weapon:** Recoilless rifle, 90mm M67<br>**Method:** Remove breech block |
| **Weapon:** Revolver, Colt<br>**Method:** Remove cylinder and crane assembly |
| **Weapon:** Revolver, Ruger<br>**Method:** Remove strut assembly |
| **Weapon:** Revolver, Smith and Wesson<br>**Method:** Remove cylinder and yoke assembly |

*g. RC weapons.* The Army policy of close cooperation between Active Army and RC activities is an essential element in eliminating the theft or loss of AA&E. At times, RC activities may need to use local Active Army facilities for the temporary storage of AA&E as the result of emergency situations; for example, during vehicle breakdown when transporting weapons, when an increased threat situation is forecast or present, and during rifle matches. Active Army facilities are authorized and encouraged to assist in temporarily securing RC items. However, the receiving unit will ensure the accountability (number and type items, including serial numbers) of those items accepted for storage. The above policy also applies between Reserve components as well as the temporary storage of Active Army stocks at Reserve storage facilities.

## 4–3. Storage of classified weapon trainers

Because of security classification, nuclear weapon trainers or other classified weapon trainers may be stored in separate locked containers, or wire cages, in arms storage facilities when alternate facilities are not available per AR 380–5, chapter 5. Commanders will prescribe supplementary measures and controls to prevent unauthorized access and ensure the items are accounted for at all times.

## 4–4. Consolidated arms rooms

Arms belonging to more than one unit or organization may be stored in the same arms room or arms storage facility. Arms will be identified by unit. One commander will be designated as having responsibility for the overall security of the consolidated storage facility. Access controls will be established to ensure protection of each unit's arms. Procedures will also be established to fix responsibility for issue, receipt, and physical accountability for arms, including ammunition, and all other sensitive items, stored in the consolidated storage facility, per AR 710–2, paragraph 2–12; and DA Pam 710–2–1, paragraph 9–11. Where feasible, unit arms will be separated by secondary padlocks. If this is done, each unit will maintain sensitive items. Units with small quantities of arms may use locked metal containers instead of separation by partitions. In all cases, one designated commander will continue to have responsibility for the overall security of the consolidated storage facility, including access to that facility. COE drawing DEF 33–33–18 depicts a consolidated arms storage building meeting this criteria. COE drawing STD 40–21–01 depicts expanded metal mesh security cage. Units will provide the commander responsible for the overall security of the consolidated storage facility. Procedures for such consolidated arrangements will be established in SOP of the consolidated storage facility, or in the SOP of the higher headquarters.

## 4–5. privately-owned weapons and ammunition

*a.* Commanders will ensure privately-owned arms and ammunition (including authorized war trophies) are protected on their installations and facilities. Based upon local requirements and availability of resources, Commanders may establish and maintain a system for the registration of privately owned arms on their installations. Commanders will—

(1) Secure arms and ammunition in the installation armory or unit arms rooms in approved locked containers separate from the military AA&E. Storage requirements in this regulation apply. Installation commanders may authorize storage of these items in other locations on military installations, provided they are properly secured.

(2) Account for and inventory arms and ammunition.

*(a)* A DA Form 3749 (Weapons Receipt) will be issued for each privately-owned weapon secured in the arms rooms.

*(b)* privately-owned weapons will be inventoried in conjunction with, and at the frequency of the inventory of Government weapons.

*(c)* Commanders will establish limits on the quantity and type of privately owned ammunition stored in the arms room, based upon availability of space and safety considerations.

(3) Post applicable local regulations and State and local law information on ownership, registration, and possession of weapons and ammunition on unit bulletin boards.

(4) Conduct inspections per AR 190–13, paragraph 2–8, and this regulation to ensure proper storage and control.

(5) Process unauthorized AA&E per AR 190–22, paragraph 3–4.

(6) Prohibit retention and storage of incendiary devices and explosives.

(7) Brief all newly assigned persons on this regulation and subordinate command guidance. All personnel will be made aware of changes.

*b.* Personnel keeping or storing privately owned arms and ammunition (including authorized war trophies) on military installation will—

(1) Comply with local regulations and local and State laws on ownership, possession, registration, off–post transport, and use.

(2) Store both arms and ammunition in the unit arms room or other locations authorized by the installation commander.

(3) Follow local security and safety regulations. Safeguard the unit issued DA Form 3749 for turn–in to the unit armorer when the weapon is withdrawn from the arms room.

(4) Withdraw privately-owned weapons and ammunition from the unit arms rooms only upon approval of the unit commander or the commander's authorized representative.

(5) Ship or store arms and ammunition as personal property, if authorized, per AR 55–355, paragraph 50–12. When loss occurs, notify the local provost marshal or security officer immediately.

(6) Comply with the National Firearms Act of 1968 when receiving or bringing arms into the United States. Automatic arms must be turned over to the Bureau of Alcohol, Tobacco and Firearms (BATF), or brought under Army control.

## 4–6. Weapons and ammunition for marksmanship matches and other special purposes

*a.* Weapons and ammunition for marksmanship matches and other purposes will be protected at all times.

*b.* When not in use, marksmanship weapons used in matches or ceremonies away from a military installation will be stored in authorized active, USAR, or ROTC arms rooms. Weapons and ammunition may be stored in a civilian police station under police control. If these facilities are not available, weapons and ammunition will be stored in locked containers or rooms attended at all times by at least one team member or designated person.

*c.* The storage of automatic weapons in other than an authorized arms room is prohibited.

*d.* Exceptions to *b* above for marksmanship weapons are authorized USAR and ROTC marksmanship personnel when firing as persons (away from their teams). Exception criteria are as follows:

(1) Authority to grant exceptions is delegated to MACOM commanders and heads of Army staff agencies commanding field operating agencies and activities. This authority may not be further delegated.

(2) Eligibility is limited to persons who are active members representing an ROTC region, a major USAR command, or higher–level team. Eligibility is limited only for a specified period of marksmanship participation. Weapons will be returned to the proper authorized arms rooms for storage upon completing the marksmanship match.

(3) Exceptions will be held to a minimum. Each written request for exception will include a statement that other secure facilities are not available. Each request will outline compensatory measures to be applied. If weapons are to be stored in private homes, the weapons will be secured in a locked, metal container. The container will not be prominently displayed. It will be secured to a firm structure in the home.

(4) Arms used during matches or practice away from the facility and not secured as in (3) above will be stored under *b* above.

## 4–7. Commercial weapons and ammunition

*a.* Commercial arms and ammunition in stock or maintained by nonappropriated fund activities and installation–approved private organization activities will be protected according to security and accountability procedures equal to those prescribed in this regulation for military arms and ammunition. Commanders will prescribe specific inventory accountability procedures to ensure protection of these items against theft or loss.

*b.* Commands will discontinue the sale or possession of weapons and ammunition by nonappropriated fund activities failing to comply with this regulation.

(1) During nonduty hours, commercial arms and ammunition will be stored in facilities meeting the requirements of this chapter. The storage area will be protected by a certified, approved IDS.

(2) When displayed, arms and ammunition will be under the surveillance of sales personnel. Arms and ammunition will be secured in such a way as to prevent loss or theft as follows:

*(a)* Ammunition equal to one day's estimated sales may be displayed in a locked showcase or security case or fixture. If possible, empty boxes will be displayed in the showcases and sales will be made from reserve stock.

*(b)* Gun and ammunition fixtures will be locked except when merchandise is presented to the customer for inspection.

## 4–8. Contract guard weapons and ammunition

*a.* Protection of contract guard weapons and ammunition not U.S. Government property is the responsibility of the contractor. If granted permission by the installation commander to store on military reservations, these items will be provided the same degree of protection against loss or theft as Army weapons and ammunition will be stored in arms storage facilities meeting the requirements of this regulation. In addition these weapons and ammunition will be accounted for at all times. These weapons and ammunition are not authorized to be stored in AA&E storage facilities containing Government weapons and ammunition.

*b.* Commanders will prescribe the specific accountability procedures for contract guard weapons and ammunition.

## 4–9. General officer weapons and ammunition

Small arms and ammunition issued to general officers are exempt from all provisions of this regulation except loss and investigations requirements. The items will be stored in a manner deemed appropriate by the general officer.

## 4–10. U.S. Military Academy weapons

U.S. Military Academy (USMA) weapons issued to each cadet are granted an exception to the storage security requirement in this chapter. The Superintendent, USMA, will set up proper security for cadet weapons to ensure weapons are safeguarded at all times.

## 4–11. Demilitarized weapons

Demilitarized weapons, although not classified as sensitive, will be secured as commanders may direct.

## 4–12. Foreign weapons and ammunition

*a.* Arms and ammunition of foreign origin in custody of the Army for intelligence, research, development, test, evaluation, or other purposes, will be controlled and safeguarded in the same way as that prescribed for U.S. military weapons and ammunition.

*b.* Provisions of AR 700–99, chapter 2, apply to captured enemy weapons and ammunition.

## 4–13. Museums Arms and Ammunition

*a. General.*

(1) Arms, 19th century or older and not requiring metallic cartridges are classified as museum artifacts and are excluded from the physical security requirements for storage of arms. Security requirements for these artifacts will be determined per AR 190–51, appendix B.

(2) All operable and inoperable arms not on display will be secured according to this regulation.

(3) Live ammunition will not be used for museum displays. Display ammunition, arming pins, caps, or other detonating devices will be rendered temporarily inoperable.

*b. Transportation.* Museum weapons in transit will be protected according to this regulation.

*c. Arms storage facilities.* The provisions of this regulation apply for the storage of museums arms and ammunition.

*d. Arms on display.*

(1) Ready–to–fire weapons containing self–primed metallic cartridges will be modified to make them temporarily inoperable. Removal of firing pins, internal mechanisms, or parts will satisfy this requirement; however, parts must be secured against pilferage. Modifications will not detract from the display value of the item. Under no conditions will any weapon be permanently altered by welding or cutting without written approval of the Chief of Military History.

(2) Weapons on display in exhibit or display cases will be secured to prevent their easy removal. Security measures will be as inconspicuous as possible so as not to detract from the aesthetic appearance of the display.

(3) Classified component parts will be removed before any nonnuclear missiles, rockets, or other AA&E are displayed.

*e. Accountability.* All museum weapons are subject to the following requirements:

(1) A current inventory by serial number will be maintained.

(2) All weapons, with or without serial numbers will be marked with a catalog number. Numbers should be easy to find, legible, and placed on the weapon in a position where they do not interfere with the display or study value of the weapon.

(3) Commanders should consider photographing unique museum items as an identification aid in case of theft. Color photographs often preserve a more complete and accurate record than black and white photographs. Negatives should be kept separate from the original photographs.

(4) A serial or catalog number list of weapons stored in banded or sealed containers will be fastened to the outside of each container. The contents will be authenticated with the signature of the curator or other responsible person. Banded containers will be examined quarterly for tampering and their contents inventoried annually. When seals are used, they will be controlled as stated in AR 190–51, appendix E.

(5) All museum weapons will be visibly inventoried, except weapons stored in banded containers as follows:

*(a)* Museum personnel will inventory weapons by physical count weekly, and serial or catalog number quarterly.

*(b)* A disinterested officer will conduct a semiannual inventory of all weapons except those stored in banded containers. The results of this inventory will be kept for 1 year.

(6) Inventory records will be kept on DA Form 2609 (Historical Property Catalog) according to AR 870–20, chapter 4. Inventory files will be maintained for at least 1 year.

*f. Small Arms Serialization Program.* All weapons with serial numbers will be registered with the DOD Central Registry according to AR 710–3, paragraph 4–11. A manual recording system should be used for those weapons that the Small Arms Serialization Program will not accept because they are foreign, have nonnumeric serial numbers, and so forth.

*g. Missing or recovered museum weapons.* Procedures for reporting missing or recovered weapons are contained in this regulation.

## 4–14. Arms parts

Major parts for arms, such as barrels and major subassemblies, will be afforded at least the same protection as Category IV arms. The frame or receiver of an arm constitutes a weapon and such parts, therefore, must be stored according to the correct category; for example, the receiver of a .30 caliber machine gun will be stored as a Category II weapon.

## 4–15. Restricted area posting

Areas where arms are stored will be designated and posted as restricted areas according to AR 190–13, paragraph 6–4. Posting will be visible at eye level when possible. It will include fire control measures, when required. In the areas where a predominant minority language is spoken and clear justification exists, local commanders may specify multilingual posting. In overseas commands where posting is authorized, areas will be posted in English and the host country language. International sign decals are contained in Military Specification MIL–M–43994A.

## 4–16. IDS signs

Arms storage facilities having IDS will have signs prominently displayed announcing the presence of IDS (see app F). They will be affixed at eye level, when possible, on the exterior of each interior wall that contains an entrance to the arms storage room, vault, or building. They will be affixed on exterior walls only when the exterior wall contains an entrance to the arms storage facility.

## 4–17. Fences

Arms storage buildings, bulk storage areas, and outside areas where vehicles and aircraft are routinely parked with weapons aboard may be surrounded with fencing when determined necessary by the commander concerned. Such determination will be made based on an assessment of local threats, vulnerabilities, and cost effectiveness. Fencing construction criteria is prescribed in paragraph 5–3.

## 4–18. Security of tools and high–value items

*a.* Tools such as hammers, bolt cutters, chisels, crowbars, hacksaws, cutting torches, and similar items which could be used to assist in gaining unauthorized access to an arms storage facility must not be readily accessible to intruders. Tools of this type should be removed from the vicinity of the arms storage facility or room. When an arms storage facility is the only security location available, such tools will be stored in a locked container within the facility. When the access door to an arms storage room is located within the unit supply room, tools will not be stored in the supply room.

*b.* When other secure storage facilities are reasonably available high–value items will not be stored in arms storage facilities. Such items include field glasses, compasses, watches, and highly valuable items subject to pilferage. In the absence of secure facilities, commanders may authorize (in writing) those sensitive items to be stored in arms storage facilities. Commanders are cautioned, however that each additional item of value stored in a weapons storage area increases the target potential to criminals.

## 4–19. Access control

*a.* Routine or unaccompanied access by enlisted and civilian personnel to arms storage facilities will be limited to the least practical number of responsible persons designated by the unit commander. The names and duty positions of these persons will be posted inside the arms room. These persons will be authorized unaccompanied access to the arms storage facilities only after they have satisfactorily undergone a command–developed background check that has been verified by a review of personnel records. (See para 2–12.) Unit officer personnel, with the unit commander's approval, should be permitted routine unaccompanied access. However, those officers authorized unaccompanied access will be designated in writing by the commander. The list will be posted as above.

*b.* In addition to the requirements in (*a*) above, a two–person rule may be established for access to arms storage facilities. At the option of the commander concerned, two authorized persons may be required to be present during any operation which affords access to these facilities. If the two–person rule is used, commanders should establish appropriate lock and key control procedures to preclude defeat of the two–person rule concept.

## 4–20. Security of Class 5 storage containers

*a.* Class 5 security containers authorized for use instead of arms rooms must be adequately protected. The following factors must be considered for each container:

(1) Its vulnerability when left unattended for extended periods of time.

(2) Vulnerability of the location where the container is placed.

(3) Accessibility and ease of removal of the container.

(4) The position where the container will be least vulnerable to unauthorized access by heavy lifting equipment (e.g., forklifts, dollies).

(5) The position from which unauthorized persons would find it extremely difficult to remove the container.

*b.* Positive overall security of the arms stored in the container will be achieve. Commanders will ensure that structure protection provided by the storage container is adequately increased by the physical security measures specified in this regulation.

## 4–21. Arming of unit arms rooms armorers

Depending on the local threat, environment, and location of unit arms rooms, (or other arms storage facilities), commanders concerned will determine the need to arm unit armorers (or other on duty personnel) during the performance of their duties to prevent the possible armed robbery or forcible theft of weapons and ammunition. If such personnel are armed, provisions of AR 190–14, paragraphs 2–2, 4–1, and 4–4, apply.

Tab C



DEPARTMENT OF THE ARMY
HEADQUARTERS, FORT GEORGE G. MEADE
Fort George G. Meade, Maryland 20755-5000

FGGM REGULATION
No. 190-13

21 May 2003

Military Police
Physical Security

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FOR THE COMMANDER:

JOHN W. IVES
Colonel, Military Intelligence
Commanding

DISTRIBUTION:

A, B
100-ANME-PMP

OFFICIAL:

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ANNETTE L. HOBBS
Deputy NCR DOIM
Fort George G. Meade

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**History:** This regulation supersedes FGGM Reg 190-4, 27 May 1992; FGGM Reg 190-5, 16 January 1992, FGGM Reg 190-11, 3 May 1985; and FGGM Reg 190-13, 3 May 1985. It contains instructional guidelines to establish policies, responsibilities, and procedures for the protection of US Government and personal property.

**Summary:** This regulation contains guidance, information, and reference material for an effective physical security program, requiring each commander and activity chief to ensure government and personal property are afforded the proper level of protection.

**Applicability:** This regulation applies to all individuals employed on, entering, residing on, or visiting Fort George G. Meade (FGGM). Penalties for violation of this regulation include the full range of statutory and regulatory sanctions for military and civilian personnel. These include, but are not limited to, court-martial, prosecution for trespassing, and being barred from the installation.

**Suggested Improvements:** The proponent of this regulation is the Provost Marshal's Office. Users are invited to send comments and suggested improvements on DA Form 2028 (Recommended Changes to Publications and Blank Forms), to the Provost Marshal's Office, ATTN: ANME-PMP, 6619 Mapes Road, Fort George G. Meade, MD 20755-5045.

**Supplementation/Interim Changes:** Supplementation of this regulation is prohibited. Interim changes to this regulation are not official unless they are authenticated by the Provost Marshal's Office.

CONTENTS (Listed by paragraph and page number)

**Chapter 1. Introduction**
1-1. Purpose ..... 3
1-2. General ..... 3
1-3. References ..... 3

**Chapter 2. Key and Lock Control**
2-1. Overview ..... 4
2-2. Responsibilities ..... 4

**Chapter 3. Prohibited Weapons/Items and Control of Privately-Owned Firearms and Ammunition**
3-1. Overview ..... 7
3-2. Responsibilities ..... 7
3-3. Prohibited Weapons/Items ..... 8
3-4. Control and Registration of Privately-Owned Firearms and Ammunition ..... 9
3-5. Confiscation and Disposition ..... 11
3-6. Punitive Action ..... 11

**Chapter 4. Operating Procedures for Commercial Intrusion Detection System (CIDS)**
4-1. Overview ..... 12
4-2 Responsibilities ..... 12

**Chapter 5. Physical Security for Money-Handling Facilities on FGGM**
5-1. Overview ..... 13
5-2. Responsibilities ..... 13
5-3. Policies and Procedures ..... 13

Appendixes

**Appendix A. Required Contents of Key and Lock Control System SOP** ..... 15

**Appendix B. Pilferable Items** ..... 16

**Appendix C. Standing Operating Procedures for Response to CIDS Alarm** ..... 17

**Appendix D. Inspection and Testing of the CIDS** ..... 18

**Appendix E. Blank Forms** ..... 19
DA Form 5513-R, Key Control Register and Inventory (Pages 1 and 2)
(Unnumbered) Key/Lock Inventory List
Sample - DA Form 2062, Hand Receipt/Annex Number
DA Form 4930-R, Alarm/Intrusion Detection Record
PMO Form 16-R-E, Semiannual Commercial Intrusion Detection System Inspection Checklist (Pages 1 and 2)

# Chapter 1

## Introduction

1-1. PURPOSE: To establish policies, responsibilities, and procedures for the protection of US Government and personal property. This regulation applies to all individuals employed on, entering, residing on, or visiting Fort George G. Meade (FGGM). Penalties for violation of this regulation include the full range of statutory and regulatory sanctions for military and civilian personnel. These include, but are not limited to, court-martial, prosecution for trespassing, and being barred from the installation.

1-2. GENERAL: An effective physical security program is a command function, requiring each commander and activity chief to ensure government and personal property are afforded the proper level of protection.

1-3. REFERENCES:

a. AR 190-11, Physical Security of Arms, Ammunition and Explosives.

b. AR 190-13, The Army Physical Security Program.

c. AR 190-14, Carrying of Firearms and Use of Force for Law Enforcement and Security Duties.

d. AR 190-16, Physical Security.

e. AR 190-22, Searches, Seizures and Disposition of Property.

f. AR 190-51, Security of Unclassified Army Property (Sensitive and Nonsensitive).

g. AR 710-2, Inventory Management Supply Policy Below the Wholesale Level.

h. DA PAM 190-51, Risk Analysis for Army Property.

i. DA PAM 710-2-1, Using Unit Supply (Manual Procedures).

j. DoD 4500.34R, Personal Property Traffic Management Regulation.

k. FM 3-19.30, Physical Security.

## Chapter 2

## Key and Lock Control

2-1. OVERVIEW: Commanders and activity chiefs are responsible to ensure keys affording access to the unit or facility are kept under strict control, and that keys are secured in a locked container or depository when not in use. This includes providing specific instructions pertaining to individual responsibility when in possession of keys to warehouse buildings, pilferable items, storage areas, supply rooms, administrative areas, and nonappropriated fund activities.

2-2. RESPONSIBILITIES: In addition to controls established in applicable regulations, the following requirements are established:

a. Installation Key Control Officer:

(1) The duties of the Installation Key Control Officer are performed by the Real Property Specialist in the DPW Master Planning Branch. His/her primary duties will be to establish and maintain an effective key/lock control system to ensure adequate procedures and accountability are in effect for maximum security of government property throughout the installation. This will be accomplished by the following procedures:

(a) Establish procedures and control of locking devices for the installation.

(b) Ensure each unit/activity appoints a Key Control Custodian.

(c) Maintain records of required inventories and inspections.

(d) Conduct investigations concerning lost or stolen keys.

(e) Maintain an installation key depository.

(2) The Installation Key Control Officer will be responsible for determining requirements, coordinating procurement, and keeping abreast of the availability of improved locking devices.

b. Unit Commanders and Activity Chiefs will:

(1) Ensure reasonable precautions are taken to safeguard all keys and padlocks issued or stored in their unit or activity.

(2) Ensure key and lock inventories of the complete key control system within their unit or activity are conducted at least semiannually as prescribed by Appendix D, AR 190-51. The DPW is responsible for locks, latches, and locking devices on doors, vaults, and other similar items that are an integral part of a building or structure. Locking devices will be installed or replaced only by qualified DPW/DOL locksmiths and then only with an approved work request. Installation of additional locks or replacement of current locks will be funded by the unit or activity.

(3) Maintain a record of all key/lock inventories in unit or activity files for a period of one year, and then destroy the records in accordance with applicable regulations.

(4) Appoint or designate in writing a representative to serve as the Key Control Custodian. Key Control Custodians will be designated for individual buildings, sections, shops, or areas that require a separate key control system.

(5) Plan, formulate, and coordinate all pertinent aspects of physical security to establish and maintain an effective key control system.

(6) Prepare as an annex to the unit or activity's Physical Security Plan, a written Standing Operating Procedure (SOP) which includes, as a minimum, those items listed in Appendix A of this regulation.

c. Unit or Activity Key Control Custodians:

(1) Will maintain records of inspections and inventories for a period of one year in unit or activity files, then destroy in accordance with applicable regulations.

(2) Will monitor physical security and key control measures by conducting an inventory of keys and locks at least semiannually, except for a specific need to inventory, i.e., lost keys, relief for criminal reasons, pilferage, or security violations. This does not apply to arms rooms, weapons storage areas, and ammunition supply points. (Refer to AR 190-11 for appropriate key control procedures for these areas.) Record the inventory on the back of the DA 5513-R, Key Control Register and Inventory. Inventory results must be retained in the activity files for a minimum period of one year. Personally-retained keys must be visually inventoried quarterly. See paragraph 2-2d(6) of this regulation for guidance on issuing and inventorying personally-retained keys.

(3) Will ensure all keys and locks have serial numbers. No further identifying information will be on the tag to which it is attached.

(4) The Provost Marshal's Office should be contacted for appropriate guidelines for utilizing a master key system in accordance with existing Army regulations. Requests for master keys or master key systems will be forwarded through the Provost Marshal's Office, ATTN: ANME-PMP (Physical Security Branch), to the Installation Key Control Officer for approval/disapproval. In a master key system, the following requirements must be met:

(a) All locks, lock cylinders (when appropriate), and keys in a master keyed system will be numbered with an unrelated number system. The words "US Government - Do Not Duplicate" should be imprinted on all master keys.

(b) Keys to padlocks used in the unit or activity will not be reproduced commercially.

(c) Approval for duplication of activity/unit keys must be given by the unit commander or activity chief.

d. Issuance and Control of Locks and Keys:

(1) Keys will be stored and locked in a 26-gauge steel General Services Administration (GSA)-approved or equivalent container when not in use.

(2) Keys to padlocks, desk-locking devices, key control depositories, vehicles, and office rooms will not be left unattended or unsecured in the locking device at any time.

(3) Wooden containers to secure unit and activity keys are strictly prohibited.

(4) Keys for commercial vehicles parked in motor pools will be secured in the unit or activity key depository.

(5) Keys to duty vehicles outside the confines of a protected area during duty and non-duty hours will be secured in a key depository or retained by the driver.

(6) Keys will not be issued for personal retention or removed from the installation or taken to individual quarters, unless authorized in writing by the unit commander or activity chief.

Personally-retained keys will be visually inventoried quarterly and results recorded on DA 5513-R, Key Control Register and Inventory, or on a memorandum signed by the individual conducting the inspection. Inventory results will be maintained in activity files for a minimum of one year, and then destroyed in accordance with regulatory requirements. This applies only to keys used to secure areas containing US Government property and equipment. This does not apply to family quarters, guesthouse, barracks/BEQ/BOQ rooms occupied by military or civilian personnel, or personal desk keys.

(7) Keys to warehouses, supply rooms, administrative offices, nonappropriated fund activities, and storage areas will be kept under stringent control.

(8) Key containers will be checked at the end of each shift or completion of the duty day and all keys must be accounted for at that time.

(9) Keys will be signed out to authorized personnel on a key control register. The DA Form 5513-R, Key Control Register and Inventory, is approved for use to meet the requirements of this regulation. All blocks on the DA Form 5513-R will be completed, to include key number, date and time issued, printed name and signature of person issuing the key, printed name and signature of person being issued the key, date and time turned in, and printed name and signature of person receiving the key when it is turned in. A DA Form 2062, Hand Receipt/Annex Number, may also be used to issue personally-retained keys. When not in use, the key control register or hand receipt will be kept in a locked container that does not contain or store classified material and to which access is controlled.

(10) A key and lock inventory list will be maintained, which includes the number of keys and locks, key and lock serial numbers, location of locks, the number of keys maintained for each lock, the number of keys on hand in the key depository, the number of keys issued, and individuals to whom the keys were issued.

(11) Only approved security padlocks and hasps or Intelligence Materiel Activity (IMA) approved locking devices are authorized for use in securing non-sensitive, unclassified Army supplies and equipment. New locking devices will not be locally purchased unless the Provost Marshal Office, Physical Security Branch, approves them for use.

(12) Activity keys will not be reproduced commercially.

## Chapter 3

## Prohibited Weapons/Items and Control of Privately-Owned Firearms and Ammunition

3-1. OVERVIEW: This regulation establishes responsibilities and procedures for control and registration of privately-owned firearms, ammunition, and explosives. This regulation does not prevent the wearing, carrying, transport, or use of any weapon by federal, state, or local law enforcement officials, military, or Department of Defense civilian personnel who are authorized or required to wear, carry, or transport such weapons as part of their official equipment in connection with their official duties, so long as the wearing, carrying, or transport of weapons by authorized personnel is not otherwise in violation of applicable federal laws or regulations.

3-2. RESPONSIBILITIES:

a. The Provost Marshal, Fort George G. Meade, is responsible for preparing and enforcing regulations pertaining to prohibited weapons or items and control and registration of privately-owned firearms, ammunition, and explosives.

(1) The Provost Marshal's Office (PMO) will conduct inspections in accordance with AR 190-11 and this regulation to ensure proper storage and control of privately-owned firearms, ammunition, and explosives.

(2) The PMO will process unauthorized weapons and items according to AR 190-11.

(3) The PMO will register privately-owned weapons in accordance with paragraph 3-4 of this regulation.

b. Unit Commanders will:

(1) Ensure necessary security measures are established to safeguard privately-owned firearms and ammunition under their control in accordance with AR 190-11, Chapter 5, and AR 710-2, Chapter 9.

(2) Conduct unannounced quarterly inspections of the unit arms room and barracks to ensure compliance with this regulation and maintain necessary records of such inspections.

(3) Ensure all personnel under their command or supervision are aware of, follow the requirements and provisions of this regulation, and ensure the provisions of this regulation are explained to all newly-assigned personnel, including personnel on temporary duty with the unit.

(4) Ensure all personnel comply with applicable federal, state, and local laws on acquisition, ownership, possession, registration, transportation, and use of firearms, weapons, and ammunition.

(5) Establish written procedures for safeguarding and controlling privately-owned firearms, ammunition, and other weapons stored in the unit arms room.

(6) Ensure key control is in accordance with paragraph 3-8, AR 190-11.

(7) Draw up a memorandum of understanding between commanders when one unit has the requirement to store privately-owned weapons in another unit commander's arms storage area. This agreement is to formalize accountability and control standards for the administration of joint use of the arms room. This agreement is intended to establish overall responsibility for the security of the arms room.

c. Military and civilian sponsors are responsible for ensuring their family members and guests comply with this regulation.

d. Representatives of the Contracting Office will ensure the provisions of this regulation are explained to all contractor personnel.

e. The Director of Public Works (DPW) will post new signs or modify current signs at all installation entrance points to notify individuals entering the installation of the provisions of this regulation.

3-3. PROHIBITED WEAPONS/ITEMS:

a. The following weapons or items are prohibited on FGGM:

(1) Switchblades (any knife having a blade which opens automatically by hand-pressure applied to a button or other device on the knife, or operated by inertia, gravity, or both), or lockable blade knives with a blade longer than 3 inches.

(2) Club-type weapons (i.e., blackjacks, sand clubs, metal knuckles).

(3) Homemade firearms.

(4) Blank cartridge pistols (unless being used for athletic events).

(5) Firearms not registered in accordance with this regulation, except as provided for in paragraph 3-4q, below.

(6) Fully automatic weapons.

(7) A weapon made from a rifle, if such modified weapon has an overall length of less than 26 inches or a barrel of less than 16 inches in length.

(8) Other firearms, from which a shot is discharged by an explosive, except a pistol or revolver.

(9) A muffler or silencer for any firearm applies to all mufflers and silencers, regardless of whether the weapon is authorized or prohibited on FGGM.

(10) Molotov cocktails, gasoline, or other flammable or combustible substances with a flash point of 200 degrees Fahrenheit or less contained in a glass or other breakable vessel.

(11) Any weapon, by whatever name, which propels or expels a gas or gas-producing material either by means of an explosive or compressed air.

(12) Explosives, incendiary or poison gas bombs, grenades, missiles, mines, or similar devices, or any rockets having a propellant charge of more than 4 ounces.

(13) Shooting weapons or blades that are particularly equipped to be collapsed, telescoped, or shortened; that are stripped beyond the normal extent for hunting or sports; or that are concealed in other devices (i.e., umbrellas, walking sticks, tubes, pens, key chains).

(14) Privately-owned ammunition in excess of 1,000 rounds.

(15) Gunpowder in excess of 2 pounds.

(16) Replicas and facsimiles of any of the above listed prohibited items intended to be used as weapons. (This does not include obvious plastic toys and cap guns.)

b. Personnel will not wear or carry, either openly or concealed, the following items when intended to be used as a weapon:

(1) Straight razors, razor blades, or weapons made from razor blades.

(2) Knives with blades longer than 3 inches.

(3) Ice picks, machetes, swords, or any similar weapon.

(4) Nunchakus (a device consisting of two pieces of wood, metal, plastic, or other like substance connected by any chain, rope, leather, or other flexible material not exceeding 24 inches in length).

(5) Clubs or any object that can be used as a club (i.e., pieces of wood, pipe, stones, or bricks).

(6) Any other dangerous or deadly weapons that can be readily used to inflict bodily harm.

(7) Personnel will not wear or carry firearms concealed upon or about their person, except as provided for in AR 190-14 and as authorized by the Provost Marshal, FGGM.

3-4. CONTROL AND REGISTRATION OF PRIVATELY-OWNED FIREARMS AND AMMUNITION:

a. The carrying and use of privately-owned firearms by Department of the Army military and civilian personnel while performing official duties is prohibited, except for persons taking part in competitive marksmanship activities and transporting competitive-type weapons for such activities. These persons must be authorized, on official orders, to carry privately-owned, competitive-type weapons.

b. Privately-owned firearms and ammunition will not be carried into or stored in any troop barracks or transient quarters. Such firearms and ammunition will be stored in the arms room of the unit to which the individual is assigned, attached, or on temporary duty. A DA Form 3749, Equipment Receipt, will be used for this purpose.

c. Privately-owned firearms and ammunition stored in unit arms rooms will be safeguarded in accordance with AR 190-11, Chapter 5.

d. Individuals will withdraw privately-owned weapons and ammunition from the unit arms room only upon prior approval of the unit commander or the commander's authorized representative.

e. Individuals will turn in a DA Form 3749, Equipment Receipt, to the unit armorer when the weapon is withdrawn from the arms room.

f. Personnel E5 and above residing in family housing, BEQs, or BOQs may store within their quarters legally acquired projectile weapons, registered firearms, ammunition, or knives with blades measuring longer than 3 inches. Firearms and projectile weapons stored in quarters will be unloaded and will be secured in a locked container (gun cabinet, lockable closet, gun case, etc.) or have a trigger-locking or action-blocking device on the weapon. Firearms and projectile weapons not stored in this manner will be stored in the unit's designated arms room. Up to 1,000

individual ammunition cartridges may be retained in assigned quarters. Ammunition will be stored separate from the container in which the weapon is stored. All reasonable precautions will be taken to prevent the theft or unauthorized use of firearms and ammunition. (This does not apply to knives attached to a plaque or in a frame used for decorative purposes, ceremonial swords, or knives used for food preparation, hunting, fishing, or camping-related activities.)

g. Personnel E4 and below residing in family housing and personnel residing in troop billets must store legally-acquired projectile weapons, registered firearms, ammunition, or knives with blades measuring longer than 3 inches in a designated arms room. (This does not apply to knives attached to a plaque or in a frame used for decorative purposes, ceremonial swords, or knives used for food preparation, hunting, fishing, or camping-related activities.)

h. Unloaded registered firearms may be transported when traveling to and from hunting areas, sport shooting events or bona fide repair shops. Firearms must be carried in an enclosed case or holster and/or be situated so as not to be available for immediate use.

i. Personnel will not carry, possess, or transport loaded firearms on the installation at any time, unless they are actively engaged in authorized hunting or sport shooting events within designated areas. Ammunition will be secured separately from the container in which the weapon is stored while in transport.

j. The shooting of bows and arrows on FGGM is allowed in authorized areas only.

k. Air rifles, air pistols, and BB guns, which use compressed air or gas as a propellant force, will only be used in areas authorized for normal hunting or target practice. These types of weapons, however, will not be used for hunting.

l. Individuals will ship or store arms and ammunition as personal property, if authorized, under provisions of DOD 4500.34R, Personal Property Traffic Management Regulation. When loss occurs, the Provost Marshal's Office will be notified immediately.

m. Individuals will comply with the National Firearms Act of 1968 when receiving or bringing arms into the United States. Automatic arms must be turned over to the Bureau of Alcohol, Tobacco and Firearms (BATF), or brought under Army control.

n. Personnel residing on FGGM will register their privately-owned firearms of all types, calibers, or gauges with the Weapons Registration Section, Provost Marshal's Office, FGGM, within 72 hours after their arrival at FGGM.

o. Proof of ownership is required for registration; however, firearms will not be taken to the Weapons Registration Section.

p. Registrants will notify the Weapons Registration Section immediately upon loss or theft of privately-owned firearms. Change in residence of registrant, location of firearm, or trade/sale of privately-owned firearms will be reported to the Weapons Registration Section within 72 hours of change.

q. Firearms legally brought onto the installation for use on an approved range, and only for the period of time the weapons are used on the range, and firearms carried by federal, state, county, or local law enforcement personnel in the performance of official law enforcement duties, are not required to be registered.

r. Personnel will comply with local and state laws concerning ownership, possession, registration, off-post transport, and use of privately-owned firearms.

s. Archery-type bows owned by personnel residing on FGGM need not be registered.

3-5. CONFISCATION AND DISPOSITION: Firearms, ammunition, and weapons found in violation of this regulation will be confiscated and turned over to the Provost Marshal's Office, FGGM, for disposition in accordance with AR 190-22, Searches, Seizures and Disposition of Property.

3-6. PUNITIVE ACTION: This chapter of this regulation is punitive in nature. Personnel subject to the Uniform Code of Military Justice (UCMJ) who fail to comply with the requirements of this chapter are subject to punishment under the UCMJ, as well as to adverse administrative action. Personnel not subject to the UCMJ who fail to comply with the provisions of this regulation are subject to adverse administrative action or criminal prosecution as authorized by applicable laws and regulations of the State of Maryland and the United States.

## Chapter 4

## Operating Procedures for Commercial Intrusion Detection System (CIDS)

4-1. OVERVIEW: To outline policy, prescribe procedures, and assign responsibilities for proper use of all Commercial Intrusion Detection Systems (CIDS) installed on FGGM. The CIDS are designed to detect the semi-skilled intruder who can be expected to attempt entry without sophisticated equipment and detailed planning and may work individually or as a member of a small group. These systems complement the unit protection plan; however, only by following proper physical security procedures and having a responsive reaction force can maximum security be achieved.

4-2. RESPONSIBILITIES:

a. The Provost Marshal is responsible for the monitoring of CIDS and responding to any alarms on FGGM (Appendix C of this regulation).

b. Unit Commanders/Activity Chiefs will:

(1) Maintain possession of the master code for the CIDS and be responsible for entering and deleting individuals from the system. Commanders/chiefs will be responsible for ensuring the master code is kept secure and transferred to the incoming commander/chief upon his/her reassignment/resignation.

(2) Ensure personnel operating CIDS are thoroughly familiar and trained in the proper operating procedures.

(3) Ensure only qualified maintenance personnel are authorized access to the system.

(4) Ensure DA Form 4930-R, Alarm/Intrusion Detection Record, is properly used for all systems installed in arms or ammunition storage areas. The DA Form 4930-R will be maintained in the unit files for one year.

(5) Ensure unit personnel do not attempt to service or tamper with any of the CIDS components.

(6) Provide the Provost Marshal's Office, Physical Security Branch, a current emergency notification roster of personnel to be contacted in case of an emergency. The roster will contain the names of at least three individuals and will include both home and duty phone numbers for each. The roster will also contain the name and duty phone number of a point of contact responsible for updating the roster. The roster will be updated annually or sooner if any changes occur. These rosters will be maintained as FOUO material.

## Chapter 5

## Physical Security for Money-Handling Facilities on FGGM

5-1. OVERVIEW: To prescribe procedures for safeguarding US Government funds by money-handling activities, except banks, on this installation. This regulation applies to all US Army FGGM staff activities and assigned or attached units.

5-2. RESPONSIBILITIES: Physical security of government funds is a command function. It requires each Commander/Activity Chief having responsibility for money-handling activities to become personally involved to ensure adequate security measures are in effect for the control of funds at all times. Army regulations pertinent to each activity prescribe security standards and measures for each specific type of money-handling activity. Commanders/Activity Chiefs should ensure compliance with appropriate regulations at all times and ensure activity physical security plans are integrated with Military Police activities as outlined in this regulation. The Physical Security Branch, Provost Marshal's Office, FGGM, will provide technical guidance upon request.

5-3. POLICIES AND PROCEDURES: In addition to internal controls set forth in applicable regulations, the following requirements are established:

a. Activities located on FGGM are not authorized to keep in excess of $500 in activity safes overnight without prior approval of the FGGM Installation Commander.

b. Money-handling activities desiring to maintain amounts in excess of $500 after normal operating hours (0730-1600) will request, in writing, for permission to retain such funds through their primary staff proponent to the FGGM Installation Commander. A copy of the last physical security inspection report, to include corrective actions taken on all deficiencies, will accompany the request. The Provost Marshal will make a determination as to the adequacy of physical security measures taken to safeguard funds. The Internal Review and Audit Compliance Office (IRAC) will determine the sufficiency and necessity of the amounts requested to be retained. Maximum coordination between the Provost Marshal and IRAC is required.

c. Funds in excess of those authorized for retention at each activity will be deposited in one of the installation banks or a depository of equal security. Activities that deposit funds during non-banking hours will use the night banking depository.

d. Every effort will be made by the Commander/Activity Chief to transport funds safely from operating activities to a secure depository, such as a banking facility during duty and non-duty hours. The following escort procedures are recommended:

(1) The Commander/Activity Chief shall routinely monitor deposit patterns.

(2) Deposit patterns will be changed accordingly; individuals should not make banking deposits at the same time daily.

(3) At no time will a single individual transport funds for a night deposit.

(4) In the event the activity is closing and a night deposit is required, the activity should request a Military Police escort. If an escort is not available, it is recommended a two-vehicle escort by the activity be used.

(5) A Military Police escort is required for any activity transporting funds in excess of $1,000. An escort will also be provided on a case-by-case basis to money-handling activity personnel requiring transport of funds amounting to less than $1,000, or when unusual circumstances exist, such as threat of robbery, that could result in danger to activity personnel.

e. Cash register procedures for commissary outlets and post exchange stores are as follows:

(1) The amount of cash in the change fund for each cash register will not exceed $300.

(2) Each cashier will receipt for either the cash register or the change fund.

(3) Cash register change funds will be kept in individual securable containers, such as lockable register trays or lockable zipper-secured canvas moneybags, and should be clearly marked with applicable register and drawer number.

f. It is recommended public funds be stored in a built-in fire resistant vault with at least a three-position dial-type combination lock door. When vaults or combination lock safes are not available or their use is impractical, fire resistant safes with a combination three-tumbler lock may be used when placed in a well-lighted area and secured to an immovable object. If any safe weighs less than 500 pounds when empty, the safe will be secured to a permanent fixture of the building with a secondary security padlock (NSN 5340-00-158-3805/3807 or NSN-5340-00-799-8016) and a hardened steel chain (NSN 4010-00-149-5583/5575). Safes will not be secured near a window. When safes are secured on the second floor of temporary buildings, the safe may be secured near an outer wall for additional support for the weight of the safe.

## Appendix A

### Required Contents of Key and Lock Control System Standing Operating Procedures (SOP)

The following items will be included, as a minimum, in the key and lock control system SOP:

a. The handling of keys in general to include:

(1) Location of key depositories.

(2) Roster of personnel authorized access to key depositories.

(3) Keys (by building, area, or cabinet number) to be turned in to each depository.

(4) Method of tagging keys for ready identification.

(5) Method of control for issue and receipt of keys to include maintenance of register and identification of personnel authorized possession of keys.

(6) Procedures for the semiannual key/lock inventories and quarterly personally-retained key inventories.

b. A description of locks, keys, and combinations and how these items are stored, issued, accounted for, controlled, and maintained at all times.

c. Investigation of lost keys and breaches of physical security.

d. Control, issue, and use of master keys within the unit/activity.

e. Locks by serial number and total quantity of locks and keys in the key control system.

f. Records of the location of each lock.

g. Records of the last semiannual key and lock inventory and quarterly personally-retained key inventory.

h. A record of personnel who have been issued keys, to include date of issue, signature of receipt of keys, and the number of keys not issued or signed out.

i. Combination padlocks or safe combinations will be changed at least annually, when a compromise is suspected, when put in use, or when a person having knowledge of the combination no longer requires access, i.e., PCS, change of duty. Combination changes may be made by qualified personnel within the unit or by qualified locksmiths.

j. Other controls as deemed necessary by the commander/activity chief based on the activity's mission.

## Appendix B

### Pilferable Items

The following is not an all-inclusive list of highly-pilferable items, but should be used as a guide for protection of government and personal property.

a. Aircraft engine equipment and parts.

b. Hand tools and shop equipment.

c. Firearms.

d. Ammunition and explosives.

e. Narcotics (includes all items under the controlled substance act).

f. Precious metals (gold, silver, platinum) and items lined with precious metals.

g. Individual clothing and equipment.

h. Office machines.

i. Photographic equipment and supplies.

j. Communications/electronic equipment and parts.

k. Vehicular accessories and parts.

l. Bolt cutters.

m. Computers and automation equipment.

n. Personal items in the workplace.

## Appendix C

### Standing Operating Procedures for Response to Commercial Intrusion Detection Systems (CIDS) Alarm

The following procedures will be used when an alarm is received from a CIDS location:

a. Alarm Monitor will notify the Military Police Desk Sergeant of alarm and give location.

b. Military Police patrols will be dispatched to the building where the alarm has been activated.

c. All entrances and exits will be blocked and no one will be allowed to enter or exit the building. This will be accomplished by one or more Military Police at each entrance, posting himself/herself as they arrive, or as instructed by the senior Military Police representative.

d. The senior Military Police representative will determine if a break-in or attempted break-in occurred. If there are no signs of a break-in, the MP Desk Sergeant will be informed and normal patrols resumed.

e. If a break-in has occurred or was attempted, the MP Desk Sergeant will be informed and all witnesses or suspects held until advised of what action to take by the MP Desk Sergeant. The MP Desk Sergeant will notify the appropriate investigating agency, i.e., CID, MPI.

f. If the Alarm Monitor cannot shut off the alarm or if the alarm sounds a second time within 1 hour, a unit representative will be required to come to the alarmed area, open it, and ensure penetration is not being attempted through an unobserved area. When it is determined penetration has not been attempted and the alarms are false, the Alarm Monitor will notify the Physical Security Branch for necessary repairs during duty hours or the contractor's service order section during non-duty hours. Interim security measures will be taken by the unit/activity by providing guards or roving patrols, if required, when the alarm is not functioning and the response to the alarm is terminated. Further MP response to a malfunctioning alarm is not required unless the unit is unable to provide security. MP patrols will then conduct an hourly check of the premises.

## Appendix D

### Inspection and Testing of the Commercial Intrusion Detection System (CIDS)

1. Inspection and testing of the CIDS will be accomplished by the contractor as follows:

a. The alarm system will be inspected and tested by trained technicians not less than semiannually for units/activities. Each operating unit will be tried to ensure an alarm will sound upon violation of the alarm system. All batteries will be tested under load to determine the expected useful life remaining in the cells.

b. All adjustments that are necessary to the equipment will be performed at this time. If such adjustments affect the sensitivity of the alarm system, this will be reported to the Physical Security Officer at the Provost Marshal's Office.

c. Should any test reveal a weakness in the degree of security provided by the system; any evidence found of tampering with the equipment or connecting lines, switches, antennas, microphones, transducers, grids, or other sensitive elements; and if any adjustments have been changed or any equipment or sensitive elements have been moved and removed, the Provost Marshal's Office, Physical Security Branch, will immediately be notified.

d. Upon completion of each semiannual inspection and service call, the Physical Security Officer at the Provost Marshal's Office, or his designated representative, will be provided copies of the contractor's service ticket, ADT Form 524-06 (or other applicable contractor's form), and PMO Form 16-R-E, Semiannual Commercial Intrusion Detection System Inspection Checklist. These forms will be maintained in the Physical Security Branch alarm files. Copies of these forms will be provided to the activity upon request.

e. All semiannual inspections or testing in any unit or activity will be performed between 0800 and 1630, Monday through Friday, or as prearranged with unit/activity personnel, excluding federal holidays.

f. The service technician will have in his possession a valid identification and personnel at the protected unit/activity will make an identification check. If questions arise, contact the Physical Security Branch at (301) 677-6768 for verification.

2. Activities will not test their alarm system by intentionally activating an alarm for the purpose of testing the response time of the Military Police. The following test procedures will be used:

a. Some systems may be tested by the activity by using the test feature integrated into the system. This test is accomplished while the alarm system is in access (open) status and does not activate an alarm at the monitoring station. Instructions for testing the alarm system in this manner are contained in the user's manual, which was furnished to the unit/activity at the time of installation.

b. Some older systems do not have the integrated test feature. These activities must follow instructions contained in paragraph 2c of this appendix for testing their systems.

c. If the unit/activity wants to perform an actual alarm test while the system is in secure (closed) status to see if the alarm is being received at the monitoring station, prior coordination must be made with the Military Police monitoring station. After the test, the activity can call the monitoring station to see if the alarm was received. In order to coordinate a test with the monitoring station, the unit/activity must furnish their system number as a form of identification.

## Appendix E

## Blank Forms

Included for reference are the following forms:

a. DA Form 5513-R, Key Control Register and Inventory (pages 1 and 2).

b. Unnumbered, Key/Lock Inventory List.

c. DA Form 2062, Hand Receipt/Annex Number.

d. DA Form 4930-R, Alarm/Intrusion Detection Record.

e. PMO Form 16-R-E, Semiannual Commercial Intrusion Detection System Inspection Checklist (pages 1 and 2).

Tab D

DEPARTMENT OF THE ARMY
HEADQUARTERS, FORT GEORGE G. MEADE
4551 LLEWELLYN AVENUE
FORT GEORGE G. MEADE, MD 20755-5000

REPLY TO
ATTENTION OF

ANME-JA

1 July 2003

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: Fort George G. Meade Policy Memorandum #190-11-1, Control and Registration of Privately-Owned Firearms and Ammunition

1. References:

a. AR 190-11, Physical Security of Arms, Ammunition, and Explosive, 12 February 1998.

b. DA Pamphlet 710-2-1, Using Unit Supply System (Manual Procedures), 31 December 1997.

c. Fort George G. Meade Regulation 190-5, Prohibited Weapons/Items and Control of Privately-Owned Firearms and Ammunition, 16 January 1992.

2. Purpose: This memorandum establishes responsibilities and procedures for control and registration of privately-owned firearms, ammunition, and explosives.

3. Scope: This policy applies to all individuals assigned to, stationed at, employed on, entering, residing on, or visiting Fort George G. Meade.

4. Responsibilities: Commanders and supervisors of all activities on the installation must ensure all personnel under their command or supervision are aware of and follow the requirements and proscriptions of this policy memorandum.

5. Policy: All persons entering, or otherwise on, the FGGM installation may possess privately-owned firearms, projectile weapons, ammunition, or knives, under the following conditions:

a. All personnel will comply with applicable federal, state, and local laws on acquisition, ownership, possession, registration, transportation, and use of firearms, weapons, and ammunition.

b. In accordance with paragraph 4-5, AR 190-11, Physical Security of Arms, Ammunition, and Explosives, firearms of all types, calibers, or gauges to be stored on FGGM must be registered at the FGGM Visitor Control Center (VCC) within 3 working days of arrival or acquisition of the firearm.

c. Firearms legally brought onto the installation for use on an approved range, and only for the period the weapons are used on the range, and firearms carried by federal, state, county, or

local law enforcement personnel in the performance of official law enforcement duties are not required to be registered on the installation.

d. Personnel E-5 and above residing in family housing, BEQs, or BOQs may store within their quarters legally acquired projectile weapons, registered firearms, ammunition, or knives with blades measuring longer than three inches. Firearms and projectile weapons stored in quarters will be unloaded and will be secured in a locked container (gun cabinet, lockable closet, gun case, etc.) or have a trigger-locking or action-blocking device on the weapon. Firearms and projectile weapons not stored in this manner will be stored in the unit's designated arms room. Up to 1,000 individual ammunition cartridges may be retained in assigned quarters. Ammunition will be stored separate from the container in which the weapon is stored. All reasonable precautions will be taken to prevent the theft or unauthorized use of firearms and ammunition.

e. Personnel E-4 and below residing in family housing and personnel residing in troop billets must store legally acquired projectile weapons, registered firearms, ammunition, or knives with blades measuring longer than three inches in a designated arms room. (This does not apply to knives attached to a plaque or in a frame used for decorative purposes, ceremonial swords, or knives used for food preparation, hunting, fishing, or camping-related activities.)

f. Personnel will not transport loaded firearms on the installation at any time. Ammunition will be secured separately from the container in which the weapon is stored while in transport.

g. Personnel transporting privately owned weapons on or off the installation will show proof of registration, PMO Form 83R-E, upon reentry to the installation.

6. Unit, Activity, and Partner Commanders' Responsibilities:

a. Ensure necessary security measures are established to safeguard privately-owned weapons and ammunition under their control in accordance with the provisions of AR 190-11, Chapter 5, and DA Pam 710-2-1, Chapter 9.

b. Conduct unannounced quarterly and barracks inspections of privately-owned weapons and ammunition and maintain a record of the inspections to ensure compliance with applicable regulatory requirements.

c. Establish written procedures for safeguarding and controlling privately-owned firearms, ammunition, and other weapons stored in the unit arms room.

d. A letter of understanding between Commanders must be drawn up between commanders when one unit has the requirement to store privately-owned weapons in another unit

commander's arms storage area. This agreement is to formalize the accountability and control standards for the administration of joint use of the arms room.

7. This policy memorandum is punitive. Personnel subject to the Uniform Code of Military Justice (UCMJ) who fail to comply with the requirements of this regulation are subject to punishment under the UCMJ, as well as to adverse administrative action. Personnel not subject to the UCMJ who fail to comply with the provisions of this regulation are subject to adverse administrative action or criminal prosecution as authorized by applicable laws and regulations of the United States.

JOHN W. IVES
Colonel, Military Intelligence
Commanding

DISTRIBUTION:
A, B

TAKE

# SWORN STATEMENT

For use of this form, see AR 190-45; the proponent agency is ODCSOPS

PRIVACY ACT STATEMENT

AUTHORITY: Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9397 dated November 22, 1943 (SSN).
PRINCIPAL PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately identified.
ROUTINE USES: Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval.
DISCLOSURE: Disclosure of your social security number is voluntary.

| 1. LOCATION | 2. DATE (YYYYMMD[redacted] | TIME [redacted] | FILE NUMBER |
|---|---|---|---|
| Fort Meade, MD, DES Buiding 6619 | 2005/07/2[redacted] | 1809 | |

| 5. LAST NAME, FIRST NAME, MIDDLE NAME | 6. SSN | 7. GRADE/STATUS |
|---|---|---|
| [redacted] | [redacted] | Deputy Chief, LE |

8. ORGANIZATION OR ADDRESS
DES

9.
[redacted], WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

Q. How long have you been Deputy Chief, Law Enforcement?
A. 18 Oct 04 is when I reported here.
Q. In your previous statement, you stated, "One of the problems at Fort Meade is that we have no locker room space in which to secure personal owned weapons. This issue becomes even greater as DA police become more proactive. What do you mean by this?
A. I think my statement was taken out of context when I spoke to [redacted]uring the last investigation, back in April/May. We talked about locker room space and storage of personal weapons. There is not a locker room for police officers to change clothes or store personal items. I did not mean personal weapons should be stored in a locker room locker, such as one that is used for clothing, I meant if officers are carrying weapons on the installation IAW regulations they have NO place to store them. As for the statement regarding proactive, civilian police officers are very proactive here. Often coming in contact (detaining, citations, etc) with individuals that are NOT affiliated with the Government. When an officer is off duty he or she may come in contact with one of these individuals that they have had a negative law enforcement contact with and may feel as though they need means to protect themselves and their family. This is where that answer originated from.
Q. What do you mean by "proactive?"
. Not sitting on their butts collecting a pay check. They are patrolling detecting crimes and incidents. They are not waiting for something to happen, often times they are trying to prevent it. The officers are out, making traffic stops, contact with people.
And how does this relate to personal owned weapon issue?
A. With them being proactive on the job will carry over to their personal lives. Because what they do on the duty affects their off duty lives. For instance, apprehending an individual for driving under the influence, impounding their vehicle can carry over if the officer runs into this individual at an off duty location. Now, because the officer is actually doing a good job protecting the installation, the officer who more than likely lives off post, may run into this offender off post. The personal weapon is an individual issue and could be an officer safety issue.
Q. Also within your previous statement, you said, "DA Police has a tendency to interact with the community more than their military counterparts, due to increased off-post opportunities and more longevity." What do you mean by this?
A. DA Police are not authorized to shop at the commissary, PX, or the post gas station unless they are retirees, reservists, some type of military affiliation. Most of us - DA police - are not. Therefore, most of us go to the civilian grocery stores, mingling in the community where they live and will most likely to run into an individual they have had a contact from the post.
Q. Are there any DAC police engaged in off post law enforcement?
A. NO
Q. What actions, if any were taken by the leadership at the DES to resolve what this locker room problem?
A. None at this time, there is NO room in the present building for a locker room, nor is there another building to support one
Q. Why would you need locker room space?
A. For officers to change clothes, from their uniforms.
Q. In your previous statement, you stated that "Maryland state law goes even further and specifically addresses DA police." Where is that? And please provide me an excerpt of it, too.
A. Maryland HB 506
Q. What are these "off-post opportunities?"
A. I don't recall why I said that at that time, after reading my statement two months later.
Q. How often do the DAC police frequent the firing range?
A. When required to qualify with the duty weapon and that's during the twice a year qualifications. And now we are starting to look at night firing and other law enforcement related firearms training.

| 10. EXHIBIT | 11. INITIALS OF PERSON MAKING STATEMENT | PAGE 1 OF 4 PAGES |
|---|---|---|
| | [redacted] | |

*TIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT _____ TAKEN AT _____ DATED _____*

*THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE BE INDICATED.*



ENCL 1 P

USE THIS PAGE IF NEEDED. IF THIS PAGE IS NOT NEEDED, PLEASE PROCEED TO FINAL PAGE OF THIS FORM.

STATEMENT OF [redacted] TAKEN AT Fort Meade DATED 2205/07/28

9. STATEMENT *(Continued)*

Q. Do you allow them to frequent the range on duty?
A. If they are working and have to qualify they go to the range while on duty. This is because we incur overtime for their qualifications. And we don't have the money to pay them overtime. Money is very scarce.
Q. At any time were the DAC police allowed to use their duty weapon at the range while off duty? If so, under whose authorization?
A. Officers that are on days off when required to qualify are placed on a paid overtime basis which puts them in a duty status. So to answer the question all officers that are qualifying are in a duty status
Q. Who did [redacted] supervise from Jan 04 - Dec 04?
A. I arrived in Oct of 04, he was the supervisor and training officer of all police officers until then.
Q. What is your relationship with [redacted]
A. [redacted] the department training officer. I have a working relationship with him.
Q. How well do you know him?
A. I rely on him for all training tasks. At times, he's in charge of special projects. Like right now, he has been placed in charge of National Night Out.
Q. Where you here first before his arrival?
A. No
Q. Do you know [redacted] owns a personal owned weapon? If so, type?
A. Yes he owns one. Based on the paperwork I was instructed to review it is a GLOCK
Q. How would you know if he carried it if it were in the holster?
A. I would not. I have enough trust in my officers that they will and are doing the right thing and unless I have cause I don't inspect weapons that are being carried. However I do know what a GLOCK looks like
Q. D[redacted] mention to you at any time th[redacted] had carried his personal owned weapon while on duty? If so, what did you do?
A. No at no time did [redacted] say anything to me regarding this
Q. How involved are you with the DAC police and their training program?
A. I review training weapons and spot check training. That is why there is a training OIC
Q. Have you ever attended one of their weapon qualifications?
A. Yes, I am required to qualify also
Q. Do you allow them to go to the range for familiarization?
A. Unfortunately I do not have the training ammo I need for this. It is needed though
Q. How do you obtain the additional rounds?
A. I acquire no additional rounds, there is barely enough ammo for training and mission. Since my arrival I have had to scrape to get ammo. The army has not done a lot to assist this program in that area
Q. Are DAC police covered under the Law Enforcement Officers Safety Act of 2004? If so, how?
A. yes, HR218
Q. What makes the DAC police qualified?
A. They are police officers, the series 0083 and OPM places them in this category
Q. Are you familiar with AR 190-56-old and update reg?
A. yes and the update is not in effect. It is still in draft form
Q. AR 190-56 prohibits DAC police with personal owned weapons. Why did you give them authorization to have personal owned weapons?
A. I have never given anyone authority to carry personal weapons on duty and never would. If this has been said the individual that has made that statement is a liar. I cannot prevent the ownership of a private weapon.
Q. Does the Provost Marshal know the DAC police are in violation of this regulation?
A. no one is violating this regulation and why would it be implied that there is and the PM is aware of it
Q. Do you and the DAC Police socialize after duty hours?
A. No. I couldn't tell you what my officers do off duty because I try to stay out of it.
Q. Do you know SG[redacted]
A. I met her here, but don't really know her.
Q. Have you heard [redacted] attended some of these get togethers? Who did you hear it from?
A. No. I don't know of her attending any of them or any of the officers attending the get togethers.
Q. Have you heard of any problems which involved [redacted]
A. No.
Q. Did you receive any performance counselings on Fel[redacted] when you became the Deputy Chief?
A. No.
Q. Did you give her any performance counselings after you arrived?
A. Yes. May I have copies of them?
Q. What is the training requirement for the DA police officers to work the road alone?
A. They go thru the FTO program and evaluated, signed off, take a written test, and then they are allowed to go out alone.

INITIALS OF PERSON MAKING STATEMENT [redacted]

USE THIS PAGE IF NEEDED. IF THIS PAGE IS NOT NEEDED, PLEASE PROCEED TO FINAL PAGE OF THIS FORM.

STATEMENT OF [redacted] TAKEN AT Fort Meade DATED 2205/07/28

9. STATEMENT *(Continued)*

Q. Would you have a copy of the FTO program? IF so, may I have it?
A. There is one in her training file. She finally tested out and passed the test and wind up working by herself.
Q. Have you ever taken the civilian supervisors course CPAC offers?
A. I have taken the civilian supervisory course that the Department of the Army gives at Fort Bliss; I've taken a civilian supervisory course that the Department of Agriculture gives; I took the basic supervisor course that the Department of the Navy gave; I've to the supervisory course thru the Federal Law Enforcement Center.
Q. Did M[redacted]eceive her evaluation appraisal before departing?
A. No. [redacted] was not under standards long enough to get an evaluation.
Q. What is the "standard?"
A. When I got here in October, none of the people were placed under initial performance standards. That was not done until the week of November 22 once I found this out. If I am not mistaken, [redacted] out on sick leave, she was not placed on standard until she returned. This did not give her enough time to be rated. Standards is 120 days before receiving an evaluation.
Q. Are any of your police officers certified to train as an FTO?
A. Certified by who?
Q. What makes them good enough to be an FTO?
A. These are my senior officers with previous experience in law enforcement, which later we developed a lead officer position, recruited for it, and filled it. The lead officer is that of a GS7. Those leads work with training, in order to train and certify the police officer. My program to train my officers is much more comprehensive than the MPs here and other Army installations I've worked at.
Q. How long is your program?
A. An initial 4 weeks, which could be shorter based on an officer's previous experiences, comprehension and their ability to complete final test out. It should be added one of the minimum job requirements to be considered as a GS6 police officer at Fort Meade is the individual would have had successfully completed 400 hours at an accredited police academy prior to applying for the DA police position on Fort Meade. This is a job requirement for us. And this is in the position description. Upon my arrival, I changed the position description to include this prerequisite 400 hour experience.
Q. Why then did it take [redacted] from May 27, graduating from Aberdeen academy to Dec 04 to complete the FTO program?
A. After reviewing her records, and my professional opinion, Offi[redacted]s very incompetent in the beginning (based on r packet). She came to me wanting feedback why she wasn't [redacted] I told her that after reviewing her packet, she s not ready. I placed her with [redacted] for two weeks. This was on 1 Nov 04. During this time, she performed terribly. I then placed her on a 8 week [redacted] rotating from days and evenings. She finally succeeded. It took a lot of tutoring.
Q. Do you fe[redacted] was overwhelmed with his responsibilities before your arrival? Why?
A. Yes. [redacted] was hired as a training officer. For what ever reason, he became the overall officer in charge of the program to include training, hiring, supply issues, and what else came along. He had no staff. Nothing. He was it. When I got here in October, he had pulled a couple of officers from the beginning to help him out with supply issues, training issues. Those types of things. At that time, they wer[redacted] and [redacted] as helping out helping out with the weapons [redacted] people an[redacted]se they had their finger on the pulse. Special interest should be noted that dur[redacted]s tenure in running the program during its infancy stages, he did not have a lot of guidance, resources were very scarce such as training ammunition, weapons, training assistance. Fort Meade's police department is still relatively new and operating from a working TDA. This means equipment such as weapons and training ammunition are difficult to obtain thru the normal Army channels.
Q. Please elaborate more on weapons and training ammunition.
A. Upon my arrival, the DA police were using belonging from 241st MP Detachment. A weapons order had been placed thru DOL; however, due to not being an authorized TDA, DA higher headquarters were holding this process up. In February/March 2005, we were informed that the 241st were going to turn in to include the ones we were using. First of all, as a quick fix, we borrowed weapons from National Security Agency. These were hand receipted to us. [redacted] had recently returned from Federal Firearms Instructor training at FLETC, Glynco, Georgia, where he had learned of a GSA weapons turn in program. During this time at FLETC, he spoke to instructors that gave him contact numbers in regards to this program. In April 2005, one of the firearms instructors at FLETC with the Internal Revenue Service (IRS) notified [redacted] that the IRS was turning in 3,500 9mm Sigs 228s nation-wide. These were the same types of weapons we were trying to obtain thru the Army channels. Contact was made with general services, weapons divisions in Colorado, who in turn instructed me how to go about obtaining these weapons. I in turn contacted the property book officer here at Fort Meade who was well aware of our weapon situation and informed her of the program and that we could pick up 150 weapons with magazines from the IRS, via GSA. The property book officer completed all of the required paperwork and on 6 May 05, these weapons were transferred to the Army. I want to add the previous order we were attempting to order thru the Army, 12guage shotguns, M4 carbines, and chemical masks, which I stated earlier, we could get them because we are not on an authorized TDA.
Q. Have you ever told your police officers they need to get/possess a personal weapon?
No.

INITIALS OF PERSON MAKING STATEMENT [redacted]

STATEMENT OF [redacted] TAKEN AT Fort Meade DATED 2005/07/28

9. STATEMENT *(Continued)*

Q. Do your officers know the difference between arrests and apprehend?
A. Yes, they do. I believe that when they use arrest, many times it's because of previous civilian law enforcement experience. Apprehend is of a military law enforcement term.
Q. Have you heard any of your DA police wanting to register their personal weapons?
A. yes. I had one of my officers registered and I signed the form.
Q. Do you know if the registration is now in COPS?
A. I do know. It is Offic[redacted]he problems here is that officers are asking why they have to register their weapons and all other weapons on the installation that belong to civilian law enforcement officers don't have to.
Q. do you know the answer to this?
A. Officially, no.
Q. Do you know if the DA police qualified on the firing range with 241st?
A. Not since I've been here.
Q. Is hollow point an approved Army training ammunition for DA police?
A. Hollow point can be considered a training ammunition because hollow point ammunition can be obtained thru TAMIS; however, we use hollow point ammunition because this was the only ammunition we can get to train because of not having a permanent TDA. Again, we are operating off of a working TDA, not an authorized TDA. It was obtained thru NSA with the knowledge of the DES[redacted] Hollow point ammunition is an ammunition in the Army system and can be obtain thru TAMIS. With the range here on Fort Meade, we can only fire on one range being lead base. Now, I have been told I have 12,000 rounds of 9mm ball ammunition in the TAMIS system for FY06. We are presently arranging range dates to accomplish our first FY06 qualificati[redacted]
Q. Regarding M[redacted] FTO packet, why is that there are so many unsigned copies by the FTO and her?
A. Most times, most of these were completed before my arrival. Offi[redacted] problems with her FTO be it more personal than professional. And FTO were changed in midstream. Some areas of the packet you will see areas not covered because during the course of her training, these types of incidence may not have occurred. There is a section on accident investigation. During the time with this FTO, there may not have been an accident for her to work. Also, some of these forms she may not have been available to sign due to absences. [redacted]s a very long history of not coming in to work, leaving work early and failing to complete task.
Q. [redacted] your knowledge, did he apply for a GS9 position and was not accepted?
A. [redacted]did apply for a GS9 position, made the certification, and was not chosen.
Q. Was he given another position?
A. [redacted]pplied for a GS7 position and was selected for a GS7. It is believed tha[redacted]elt as though he was selected for the GS7 in order to pacify him since he was not selected for the GS9 level. [redacted] not possess the qualifications compared to the other applicants at the GS9 level. He was not the best qualified. [redacted] prior employment with TSA, he alluded that he had problems with TSA. After we selected him for the GS7 and then discovered he filed an EEO based not being selected at the GS9 as a supervisor police officer, and alluding he had experience with TSA, I attempted to get his supervisory experience from TSA. TSA personnel department would not release any information on him.
Q. Do you have anything else to add?
A. No. ---------- [redacted] ----------

**AFFIDAVIT**

[redacted], HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 4. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

[redacted]
*(Signature of Person Making Statement)*

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 28 day of July, 2005 at

ORGANIZATION OR ADDRESS

*(Signature of Person Administering Oath)*

[redacted]
*(Typed Name of Person Administering Oath)*

ORGANIZATION OR ADDRESS

Art 136 (b)(4) UCMJ
*(Authority To Administer Oaths)*

OF PERSON MAKING STATEMENT

[redacted]

UNCLASSIFIED//FOR OFFICIAL USE ONLY//LAW ENFORCEMENT SENSITIVE

MARYLAND COORDINATION AND ANALYSIS CENTER
WATCH SECTION

# Intelligence Bulletin

Phone: 301-586-4603

Fax: 301-586-0025

*June 27, 2005*

*Number 453*

## B.O.L.O

### Threat Against Police Officers

On June 27, 2005, at approximately 1225 hrs., [redacted], stated that he was going to shoot a police officer. The Suspect is described as W/M, 5'6", 150 lbs., blue eyes, blonde hair, and a date of birth of [redacted] His last known address is [redacted].

The Suspect is upset because his weapons were confiscated, his vehicle was impounded, and he was detained at Fort George G. Meade on 6/26/05. Though the weapons were not returned to the Suspect, he received additional charges and was released.

Intelligence Bulletins are a service of the Maryland Coordination and Analysis Center. The content of this document is FOR OFFICIAL USE ONLY. Any request for disclosure of this document or the information contained herein should be referred to: Maryland Coordination and Analysis Center - Watch Section Commander at 301-586-4603.

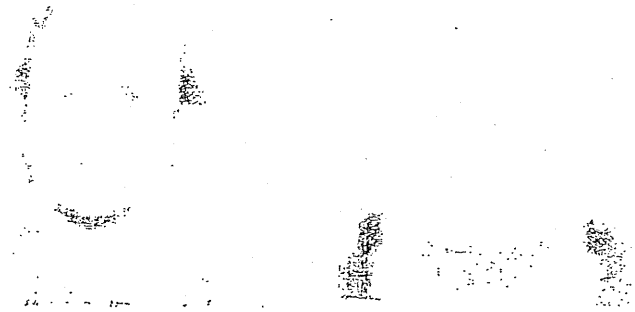
UNCLASSIFIED//FOR OFFICIAL USE ONLY//LAW ENFORCEMENT SENSITIVE

ENCL

# NSA Police Communications

## BOLO INFORMATIONAL BROADCAST

Click Image To View



| | |
|---|---|
| Initiation Time: 11:37 | Initiation Date: Tuesday, June 28, 2005 |
| Type Of Alert: Law Enforcement/Homeland Security Related Alert | |
| Reporting Agency: SOC | Method: |
| Person Reporting BOLO: SWO [redacted] | Phone Number: [redacted] |

**REASON FOR THE BOLO:**

| | |
|---|---|
| Any criminal/security activity involved? Yes | Reason/Charges: ***APPROACH WITH EXTREME CAUTION***Individual was arrested for DWI and carrying a concealed deadly weapon, by Ft. Meade, during his arrest he threatened to shoot a Ft Meade Police Officer, also has prior arrest for Carrying a concealed deadly weapon, request additional personnel and notify the Com Center immediately |
| Any there any weapons involved? Yes | Type: firearms, swords and knives |

**DESCRIPTION INFORMATION:**

| Person Involved Alias: | Physical Description | |
|---|---|---|
| Name: [redacted] | Race: white | Sex: M |
| Address: [redacted] | Hgt.: 5 08 | Wgt.: 140 |
| City: [redacted] | Hair: Blond | Eyes: Blue |
| State: [redacted] | Zip: 20720 | DOB: [redacted] Age: 38 |

**VEHICLE INFORMATION:**

| | |
|---|---|
| Vehicle Make/Model: [redacted] | Color: unk |
| Tag Number: [redacted] | State: MD |

Any Vehicle Damage/Markings: **00 Ford unk model, MD Reg [redacted] ***[redacted] unk model, MD reg [redacted] ***

This BOLO has been issued to: NSA Police, MSP augmentees

Tab F

# LAWMEN SUPPLY COMPANY, INC.

7477 Old Alexandria Ferry Road
Clinton, MD 20735
Phone: (301) 877-8884 • Fax: (301) 877-0914
VISIT US ON THE WEB AT
www.lawmensupply.com

Invoice Number
2496
Invoice Date
[redacted]
FED ID #55-0821 57:

"HISTORY"

[redacted]

SHIP TO

| OUR ORDER NO. | OUR ORDER NO. | SHIP DATE | SHIP VIA | TERMS |
|---|---|---|---|---|
| | | [redacted] | CUSTOMER PICK UP | C.O.D. CHECK |

| QUANTITY ERED | SHIPPED | B/O | ITEM NUMBER | DESCRIPTION | UNIT PRICE | UNITS | AMO |
|---|---|---|---|---|---|---|---|
| | | 1 | 420102BK-R | BLACKHAWK CQC HOLSTER DETACH SLIDE G17, 19, 26 | 56.95 | EA | 56.! |
| | | 1 | 17000 | HOGUE RUBBER GRIP SLEEV UNIVERSAL | 5.95 | EA | 5.! |
| | | 1 | PI23502 | GLOCK G-23 .40CALIBER FIXED SIGHT 4.0"BBL | 349.00 | EA | 349.0 |
| | Serial #'s | | CLA102US MF91323 | | | | |
| | | 1 | | GLOCK 23 13RD MAGAZINE ONLY | 12.00 | EA | 12.0 |

THANK YOU FOR YOUR BUSINESS!
MASTERCARD $ 445.10

| | |
|---|---|
| Sub Total | 423.90 |
| Tax | 21.20 |
| Freight | .00 |
| INVOICE TOTAL | 445.10 |

**REMIT PAYMENT TO:**
LAWMEN SUPPLY COMPANY, INC.
7477 Old Alexandria Ferry Road, Clinton, MD 20735

ENCL

DEPARTMENT OF THE TREASURY
BUREAU OF ALCOHOL, TOBACCO AND FIREARMS

OMB NO. 1512-0

# FIREARMS TRANSACTION RECORD PART I - OVER-THE-COUNTER

Transferor's Transaction Serial Number: 2004-23

WARNING: You may not receive a firearm if prohibited by Federal or State Law. The information you provide will be used to determine whether you are prohibited under law from receiving a firearm.
Prepare in original only. All entries must be in ink. Read the Important Notices, Instructions and Definitions on this form.

Section A - Must Be Completed Personally By Transferee (Buyer)

1. Transferee's Full Name (Last, First, Middle) [redacted]

2. Residence Address (No., Street, City, County, State, ZIP Code; cannot be a post office box) [redacted]

3. Place of Birth (City, State or foreign country) [redacted]

4. Height [redacted] ft
Weight [redacted]

5. [X] Male
[ ] Female

6. Birth Date
Month [redacted] Day [redacted] Year [redacted]

7. Social Security Number (Optional, but will help prevent misidentification.) [redacted]

8. Race (Ethnicity) (Check one or more boxes)

[ ] American Indian or Alaska Native
[ ] Black or African American
[ ] Native Hawaiian or Other Pacific Islander
[ ] Hispanic or Latino
[ ] Asian
[X] White

9. What is your State of residence (if any)? Maryland (See Definition 5. If you are not a citizen of the United States, you have State of residence only if you have resided in a State for at least 90 days prior to the date of this sale.)

10. What is your country of citizenship? (List more than one, if applicable.) United States

11. If you are not a citizen of the United States, what is your INS-issued alien number or admission number? N/A

Certification Of Transferee

12. Answer questions 12a through 12l by writing "yes" or "no" in the boxes to the right of the questions.

| | |
|---|---|
| a. Are you the actual buyer of the firearm(s) listed on this form? **Warning: You are not the actual buyer if you are acquiring the firearm(s) on behalf of another person. If you are not the actual buyer, the dealer cannot transfer the firearm(s) to you.** (See Important Notice 1 for actual buyer definition and examples.) | Yes |
| b. Are you under indictment or information in any court for a felony, or any other crime, for which the judge could imprison you for more than one year? (An information is a formal accusation of a crime by a prosecutor. See Definition 3.) | NO |
| c. Have you been convicted in any court of a felony, or any other crime, for which the judge could have imprisoned you for more than one year, even if you received a shorter sentence including probation? (See Important Notice 6, Exception 1.) | NO |
| d. Are you a fugitive from justice? | NO |
| e. Are you an unlawful user of, or addicted to, marijuana, or any depressant, stimulant, or narcotic drug, or any other controlled substance? | NO |
| f. Have you ever been adjudicated mentally defective (which includes having been adjudicated incompetent to manage your own affairs) or have you ever been committed to a mental institution? | NO |
| g. Have you been discharged from the Armed Forces under dishonorable conditions? | NO |
| h. Are you subject to a court order restraining you from harassing, stalking, or threatening your child or an intimate partner or child of such partner? (See Important Notice 7.) | NO |
| i. Have you been convicted in any court of a misdemeanor crime of domestic violence? (See Important Notice 6, Exception 1 and Definition 4.) | NO |
| j. Have you ever renounced your United States citizenship? | NO |
| k. Are you an alien illegally in the United States? | NO |
| l. Are you a nonimmigrant alien? (See Definition 6.) | NO |

13. If you are a nonimmigrant alien, do you fall within any of the exceptions set forth in Important Notice 6, Exception 2?
Yes [ ] No [ ] Not applicable [X] (If "yes," the licensee must complete question 18c.)

I certify that the above answers are true and correct. I understand that answering "yes" to question 12a when I am not the actual buyer of the firearm is a crime punishable as a felony. I understand that a person who answers "yes" to any of the questions 12b through 12k is prohibited from purchasing or receiving a firearm. I understand that a person who answers "yes" to question 13. I also understand that making any false oral or written statement, or exhibiting any false or misrepresented identification with respect to this transaction, is a crime punishable as a felony. I further understand that the repetitive purchase of firearms for the purpose of resale for livelihood and profit without a Federal firearms license is a violation of law. (See Important Notice 8.)

14. Transferee's Signature [redacted]

15. Date [redacted]

4473 (5300.9) PART I (10-2001) PREVIOUS EDITIONS ARE OBSOLETE

ENCL

## Section B - Must Be Completed By Transferor (Seller)

16. Type of firearm(s) to be transferred:

[X] Handgun [ ] Long Gun [ ] Both

17. Location of sale if at a gun show. *(See Instruction to Transferor* _____ *(city, state)*

18a. Type of Identification *(e.g., driver's license or other valid government- issued photo identification.)*: [redacted]

Number on Identification: [redacted]

Expiration Date of Identification *(if any)* [redacted] *(See Instruction to Transferor 1.)*

18b. **Aliens only:** Types and dates of additional required identification *(e.g., utility bills or lease agreements. See Instruction to Transferor 2.)*

N/A

18c. **Nonimmigrant aliens only:** Type of documentation showing an exception to the nonimmigrant alien prohibition *(e.g., hunting license/permit; waiver. See Instruction to Transferor 3.)*

N/A

**Question 19, 20, or 21 Must Be Completed Prior To The Transfer Of The Firearm(s)** *(See Instructions to Transferor 5-7.)*

19a. The transferee's identifying information in Section A of this form was transmitted to NICS or the appropriate state agency on N/A *(Date)*.

19b. The NICS or state transaction number *(if provided)* was: N/A

19c. The reponse initially provided by NICS or the appropriate state agency was:

[ ] Proceed [ ] Denied [ ] Delayed

19d. If initial NICS or state response was "Delayed," the following response wa received from NICS or the appropriate state agency on _____ *(Date)*

[ ] Proceed [ ] Denied [ ] No resolution was provided within 3 busines days.

19e. The name and Brady identification number of the NICS examiner *(if provided)* N/A / _____ *(name)* *(number)* *(optional)*

20. [ ] No NICS check was required because the transfer involved only NFA firearm(s). *(See Instruction to Transferor 7.)* N/A

21. [ ] No NICS check was required because the buyer has a valid permit which qualifies as an exemption to NICS *(See Instruction to Transferc 7.)* L.E. LETTER

State Permit Type: N/A Date of Issuance: _____

Expiration Date *(if any)*: _____ Permit Number: _____

## Section C

If the transfer of the firearm(s) takes place on a different day from the date that the transferee signed Section A, the transferee must complete Sectior C immediately prior to the transfer of the firearm(s). *(See Instruction to Transferee 3 & Instruction to Transferor 8.)*

**I certify that the answers I provided to the questions in Section A of this form are still true and correct.**

22. Transferee's Signature

23. Date

## Section D

| 24. Manufacturer and/or Importer | 25. Model | 26. Serial Number | 27. Type *(pistol, revolver, rifle, shotgun, etc.)* | 28. Caliber or Gauge |
|---|---|---|---|---|
| Glock, Inc. | 623 | CLA102US | Pistol | .40 |
| P.O. Box 369 | | | | |
| Smyrna, GA 30081 | | | | |

**Complete ATF F 3310.4 for Multiple Purchases Of Handguns** *(See Instruction to Transferor 11.)*

29. Trade/corporate name and address of transferor *(Hand stamp may be used.)*

LAWMEN SUPPLY CO., INC.
7477 OLD ALEXANDRIA FERRY RD.
CLINTON, MD 20735

30. Federal Firearms License Number *(Hand stamp may be used.)*

8.52.033.01.7H.01219

On the basis of (1) the statements in Section A; (2) my verification of identity noted in question 18a and my verification again at the time of transfer *(if the transfer does not occur on the same day the verification was noted in question 18a)*; and (3) the information in the current State Laws and Published Ordinances, it is my belief that it is not unlawful for me to sell, deliver, transport, or otherwise dispose of the firearm(s) listed on this form to the person identified in Section A.

**The Person Actually Transferring The Firearm(s) Must Complete Questions 31-34.**

31. Transferor's Name *(Please print.)* [redacted]

32. Transferor's Signature [redacted]

33. Transferor's Title SALESMAN

34. Date Transfer is completed [redacted]

Government Printing Office: 2004—304-380/73104

UNITED STATES OF AMERICA

*DEPARTMENT OF THE ARMY*

[redacted]

IS A

POLICE LIEUTENANT

WHOSE SIGNATURE AND PHOTOGRAPH APPEAR HEREON HAS BEEN APPOINTED UNDER TITLE 5, US CODE AS A POLICE OFFICER AND IS AUTHORIZED IN ACCORDANCE WITH TITLE 10 SECTION 1585 [redacted]
TITLE 18 SECTION 7&13 US CODE TO CARRY [redacted]

DES PMO FORM [redacted] 9204

SIGNATURE OF DIRECTOR

LT01

SIGNATURE OF OFFICER

---

A DEPARTMENT OF THE ARMY POLICE OFFICER IS AUTHORIZED TO ENFORCE AND INVESTIGATE VIOLATIONS US ARMY REGULATIONS AND FEDERAL LAWS AND OTHER DUTIES IMPOSED UPON A POLICE OFFICER AS PER REGULATION OR LAW IN ACCORDANCE WITH TITLE 10 SECTION 1585, TITLE 18 SECTION 7&13 US CODE, MCM, AND UCMJ.

THESE CREDENTIALS ARE ISSUED FOR THE OFFICIAL USE OF THE HOLDER DESIGNATED HEREON. USE OR POSSESSION BY ANY OTHER INDIVIDUAL WILL MAKE THE OFFENDER LIABLE TO PENALTY 18 U.S.C 499, 506, AND 701.

[redacted]

RANK LIEUTENANT
HEIGHT [redacted]
WEIGHT [redacted]
EYES [redacted]
HAIR [redacted]

DES PMO FORM [redacted] 9204

DIRECTORATE OF EMERGENCY SERVICES
FGGM, MD 20755-5045
ISSUING AGENCY

LT01

IF FOUND RETURN TO DIRECTORATE OF EMERGENCY SERVICES, FORT GEORGE G. MEADE, MARYLAND 20755-5045. POSTAGE GUARANTEED.

---

[redacted]

MARYLAND EXPIRES [redacted]

DRIVER'S LICENSE

CLASS ENDORS IDENTIFICATION NO.
C [redacted]

BIRTH DATE SP CODE ISSUE DATE
[redacted]

RESTR. HEIGHT HEIGHT SEX TYPE DONOR
[redacted]

[redacted]

ENCL

Update Registrant - FT MEADE, MD

ID Type (Select type) SSN

SSN [redacted] Last Name [redacted] First Name [redacted] Middle Name [redacted]

Registrant | Vehicle | Weapon | Barrings | Violations | Bicycle | Pets | Revocations | Images

Personal Info

Driver License # [redacted] Driver License State MARYLAND Category R Civilian Grade/Rank MR. Birth Date [redacted] ETS Date 2007/05/02

Component Gender Male Height (ft/in) 5 09 Weight(lb) 185 Eye Color BLUE Hair Color BROWN Marital Status Married Race White Ethnicity NOT OF

Sponsor Info

ID Type SSN Last Name First Name Registrant Relation to Sponsor Organization

Home Address

Address [redacted] City [redacted] State [redacted] Zip [redacted] Country UNITED STATES

Unit Address

UIC / Organization Unit Address DES Installation FT MEADE, MD

City FORT MEADE State MARYLAND Zip 20755 Country UNITED STATES Unit Phone [redacted]

Totals

Vehicles:2 Weapons:0 Barrings:0 Violations:0 Bicycles:0 Pets:0 Revocations:0 Images:1

Pass | View | Delete | Save | Close

ENCL

1 J

Vehicle View [redacted]

**Registration Information**

Registration Date: [redacted]

Radio Frequency ID:

**Decal Information**

Decal No: [redacted]

Decal Expiration Date: [redacted]

**Vehicle Information**

VIN: [redacted]

Vehicle Year: [redacted]

Vehicle Make: [redacted]

Vehicle Model: [redacted]

Body Style: [redacted]

Vehicle Color: [redacted]

Signature Date: [redacted]

Vehicle Status: [redacted]

**License Information**

Tag Num/State: [redacted]MD

Tag Year: [redacted]

**Insurance Information**

State Emissions: NO

Requirement: YES

Company Name: [redacted]

Policy [redacted]

Expiration Date: [redacted]

**Additional Notes**

Print Close

Tab G

# SWORN STATEMENT

For use of this form, see AR 190-45; the proponent agency is ODCSOPS

PRIVACY ACT STATEMENT

AUTHORITY: Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9397 dated November 22, 1943 (SSN).

PRINCIPAL PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately identified.

ROUTINE USES: Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval.

DISCLOSURE: Disclosure of your social security number is voluntary.

| 1. LOCATION | 2. DATE (YYYYMMDD) | 3. TIME | 4. FILE NUMBER |
|---|---|---|---|
| BLDG 1251, FGGM, MD 20755 | 2005/04/20 | 1100HRS | |

| 5. LAST NAME, FIRST NAME, MIDDLE NAME | 6. SSN | 7. GRADE/STATUS |
|---|---|---|
| [redacted] | [redacted] | GS CIV |

8. ORGANIZATION OR ADDRESS
5115TH TSU, FGGM, MD 20755

9.
[redacted], WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

This statement is made fo[redacted]r a 15-6 investigatio[redacted]l a probationary GS-9 supervisory police officer of the fort Meade DA Police department.

[redacted]as acting as the range OIC of a range at FGGM this happened during the spring or summer of 2004. On this range 15-20 civilian members of the DA police where firing M9 9mm pistols that where drawn from the arms room of the 241st MP Company for official qualification to carry the weapons on duty.

The ammuniti[redacted]sued out to fire was not military. The ammunition was of civilian manufacture and had hollow point bullets. The ammunition was issued from assorted card board boxes and was mixed with .45 caliber ammunition. Some but not all of the ammunition was rated +P or +P+ a variety of ammunition that creates a higher chamber pressure then normal civilian ammunition and a much greater chamber pressure then military 9mm M882 ball ammunition. This ammunition may exceed the recommend chamber pressure form the M9 9mm and M11 9mm army pistol. Some of the ammunition was corroded with a green patina of tarnished brass showing. I asked why we were using this ammunition and was told b[redacted]at was all he could get, I do not know where the ammunition was acquired.

The normal procedure for military ammunition issue is to draw it from the ASP (ammo supply point), and transported in a government vehicle that is properly placarded for the transport of HazMat (EXPLOSIVE 1.4) and is keep separate from any weapons. The ammunition th[redacted]ued out was transported in a marked police vehicle with weapons. The following is the text of the FM in relation to a[redacted]. FM 3-23.35 (FM 23-35) 1-3. AMMUNITION M9 and M11 pistols use several different types of 9-mm ammunition. Soldiers should use only authorized ammunition that is manufactured to US and NATO specifications. a. Type and Characteristics. The specific type ammunition (Figure 1-5) and its characteristics are as follows: (1) Cartridge, 9-mm ball, M882 with/without cannelure). (2) Cartridge, 9-mm dummy, M917. WARNING do not fire heavily corroded or dented cartridges, cartridges with loose bullets, or any other rounds detected as defective through visual inspection.

Other officers who where present Officer[redacted] Offic[redacted]g, Officer[redacted]on and Officer [redacted]gton. I also reported these observations to my military supervisors [redacted] SGT [redacted] and SGT [redacted] I do not know if any action was taken.

[redacted] carries a privately owned weapon, a Glock semi auto pistol, with privately ammunition while he is performing his official duties the Fort Meade Military installation. I was able to identify this weapon by its distinctive shape and the fact that it was holstered on his hip in a plastic holster that was molded to the exact shape of the weapon.

I have personally seen him do this on multiple occasions in October 2004 the most recent being the 29th of October 2004. These are the dates I wrote in my calendar that I sa[redacted]aring a personally owned Glock pistol while on duty: 21 Sep 2004, 5 Oct. 2004, 15 Oct. 2004, 20 Oct. 2004, 25 Oct. 2004, 27 Oct. 2004, and 29 Oct. 2004 The location of these observations where the FGGM DES (MP Station) and the DA Police operations building on 6th Armored Cavalry Rd FGGM, M[redacted]he acting chief of police was present at least 3 times I witnessed it and did not correct it.

STATEMENT CONTINUED ON PAGE 2

| 10. EXHIBIT | 11. INITIALS OF PERSON MAKING STATEMENT | PAGE 1 OF 3 PAGES |
|---|---|---|
| | [redacted] | |

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF _____ TAKEN AT _____ DATED _____

BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE BE INDICATED.

USE THIS PAGE IF NEEDED. IF THIS PAGE IS NOT NEEDED, PLEASE PROCEED TO FINAL PAGE OF THIS FORM.

STATEMENT OF [redacted] TAKEN AT BLGD 1251 DATED 2005/04/20

STATEMENT *(Continued)*

This is a direct violation of AR 190-56 the Army Civilian Police and Security Guard Program section 6-3. The regulation states: Weapons, ammunition, and security equipment a. Army civilian police and security guards will be provided with the weapons, ammunition, and security equipment needed to perform their assigned duties. Privately-owned (individually - owned) equipment, except for uniform items, will not be permitted. b. The use of privately-owned firearms and or ammunition by federally employed Army civilian police and security guards is strictly prohibited.

Other officers who observed this violation Office[redacted] Office[redacted] Of[redacted] and C[redacted] [redacted]. I also reported these observations to my military supervisors SS[redacted] SGT[redacted] SGT[redacted] and SGT [redacted] do not know if any action was taken. ///END OF STATEMENT///
///NOTHING FOLLOWS///

INITIALS OF PERSON MAKING STATEMENT [redacted]

STATEMENT OF [redacted] TAKEN AT BLDG 1251 DATED 2005/04/20

9. STATEMENT *(Continued)*

**AFFIDAVIT**

[redacted], HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 3. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

*(Signature of Person Making Statement)*

WITNESSES:

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 20 day of April 2005

at [redacted]

[redacted] *(Signature of Person Administering Oath)*

[redacted] *(Typed Name of Person Administering Oath)*

Art 136 (b)(4) UCMJ *(Authority To Administer Oaths)*

INITIALS OF PERSON MAKING STATEMENT [redacted]

Tab H

DEPARTMENT OF THE ARMY
HEADQUARTERS, FORT GEORGE G. MEADE
DIRECTORATE OF EMERGENCY SERVICES
6619 MAPES ROAD
FORT GEORGE G. MEADE, MARYLAND 20755-5045

REPLY TO
ATTENTION OF:

ANME-ES

29 October 2004

MEMORANDUM FO[redacted] Police Officer GS-0083-06, US Army Garrison Fort Meade, PMO, Physical Security, 6619 Mapes Road, Fort George G. Meade, Maryland 20755-5045

SUBJECT: Discharge During Probationary Period

1. This letter is to notify you that you will be discharged from your position of Police Officer, GS-0083-06, effective 2 November 2004, for failure to demonstrate successful performance.

2. The reasons in support of this decision are as follows:

a. On 21 September 2004 at or around 3:30 pm you responded to a call in the housing area located at 8479 6th Armored Cav, Fort Meade. After the call, you approached a neighbor. Ms. [redacted] who was painting outside her house. [redacted] small son also happened to be outside in his underwear. The child was outside for 3-5 minutes. You informed her that she would be charged with neglect if she did not take him inside. Before she had a chance to take him inside, you spoke to her in a low yell with a very rude tone, telling her once you started the paperwork she could talk to a federal judge about it. She then took her child inside and her husband came out to speak to you because she was upset with being threatened with neglect and you had spoken to her very condescendingly. [redacted] then dressed her child and returned outside to find out why you had spoken to her in such a rude manner when all you had to do was inform her of such a law and ask her to correct it. You informed her that you ordered her to take her son in and she didn't do it. You informed her if you saw her child outside in a diaper you would pull over and charge her with neglect. She asked you for a phone number to your supervisor and you informed her that you did not have one. After 10 minutes of trying to get a name and number you told her to call the MP Desk and that no one was in charge of you. You informed her the reason you approached her in the first place was because you saw a violation and you had to correct it and that you happened to be on a domestic violence call and saw her son. You called her an idiot and said not only would your child not be outside in its underwear; but also your child would not be barefoot. You told her to get in her house before you took her to jail and she told you no that she pays rent and can be outside; you walked away.

3. As a Federal Service employee, you have the responsibility to observe a high standard of ethical conduct. I find your abuse of authority and bad judgment were unethical and show little regard for integrity. I have no faith in your reliability or judgment. As a police officer you have a higher standard of ethics to maintain. The entire situation was unprofessional to include disclosing the nature of your business.

ANME-ES

29 October 2004

SUBJECT: Discharge During Probationary Period

4. The probationary period serves as the final step in the examining process. During this period the employee's conduct, general traits and performance are evaluated to determine whether or not the person is found in actual practice to be lacking in fitness and the capacity to acquire fitness for government service. Your failure to demonstrate safe, successful performance adversely impacts on the mission of this organization and the efficiency of the service. Therefore, it is my decision that you will be discharged from your position and the Federal service during your probationary period.

5. You may appeal this discharge to the Merit Systems Protection Board (MSPB) if you believe the discharge is based on discrimination due to marital status or partisan political affiliation. You must initiate this appeal no later than thirty (30) calendar days after the effective date of this action. Filing of petitions for appeal may be made by personal delivery during normal business hours or by mail, or by facsimile, to the address or facsimile number listed below. Enclosed is copy of the MSPB regulation governing appeals, and the appropriate form to be used should you desire to file an appeal.

Regional Director
Merit Systems Protection Board
Philadelphia Regional Office
2nd & Chestnut Streets, Room 501
Philadelphia, PA 19106-2987

6. You may contact the Civilian Personnel Advisory Center, Fort George G. Meade, Maryland, for assistance in explaining these appeal rights. To make an appointment, telep[redacted]

[redacted]

Supervisor

Tab I

# SWORN STATEMENT

For use of this form, see AR 190-45; the proponent agency is ODCSOPS

**PRIVACY ACT STATEMENT**

| | |
|---|---|
| AUTHORITY: | Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9397 dated November 22, 1943 *(SSN)*. |
| PRINCIPAL PURPOSE: | To provide commanders and law enforcement officials with means by which information may be accurately identified. |
| ROUTINE USES: | Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval. |
| DISCLOSURE: | Disclosure of your social security number is voluntary. |

| 1. LOCATION | 2. DATE *(YYYYMMDD)* | 3. TIME | 4. FILE NUMBER |
|---|---|---|---|
| Building 4215C Roberts Ave., Ft. Meade, MD 20755 | 2005/05/09 | 1545 | |

| 5. LAST NAME, FIRST NAME, MIDDLE NAME | 6. SSN | 7. GRADE/STATUS |
|---|---|---|
| [redacted] | | |

8. ORGANIZATION OR ADDRESS
HQ Cmd Battalion

9.
I, [redacted], WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

Q: It was suggested to me that you may have witnessed a policeman here at Fort Meade, specifi[redacted]rying a personal weapon in the vicinity of the MP station and the DA police operations building on diverse occasions between 21 September and 29 October. (21 Sep, 5 Oct, 15 Oct, 20 Oct, 25 Oct, 27 Oct, and 29 Oct, 2005. Did you witness a police officer carrying a POW at these locations during this time period?
A: I can't remember the dates, but I did see him a handful of times carrying a POW. But I don't know if he was on duty or off duty. He may have been in transit. It was in a smaller holster.
Q: How many times is a handful?
A: I have no idea.
Q: Describe the weapon you saw and where you saw him carrying it.
A: In the DA operations building, building 8479, I saw him carrying a version of a Glock. I did not see him carry a POW in building 6619, the police station.
Q: What time of day did you see lieutenan[redacted]rying a privately owned weapon?
A: I don't know. I think it was around 1000-1100.

Q: It was suggested that you may have witnessed a policeman here at Fort Meade, specifically [redacted] using unauthorized ammunition, specifically privately owned hollow point rounds, while on duty and specifically at a range here at Fort Meade. Did you ever witness policeman here at Fort Meade using personal ammunition while on duty or at a range here at Fort Meade?
A: No -- We did have a range, and the rounds were borrowed from NSA.
Q: Are there any other witnesses to him carrying a POW?
A: Yes -- just about anyone who ever worked in the area. Any DA police, MPs, or guards.

Q: What is your background? I worked at Fort Meade from Sep 2002 to March 2005. [redacted] was my coworker for a while, but not my rater.
Q: If an officer were to bring a weapon on post, where would he secure it while he worked?
A: It is rather common practice, but I can only speak for myself. I have a secure box in my vehicle, it is called a "cop box" in a POV.
Q: Were POWS registered at the VCC?
A: It was put out informally, through word of mouth to register on post.
Q: Is there anything you would like to add?
A: No.
/----------nothing follows ----------/

| 10. EXHIBIT | 11. INITIALS OF PERSON MAKING STATEMENT | PAGE 1 OF 2 PAGES |
|---|---|---|
| | | |

*ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF _____ TAKEN AT _____ DATED _____*

*THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE BE INDICATED.*

STATEMENT OF [redacted] TAKEN AT Fort Meade DATED 2005/05/09

9. STATEMENT *(Continued)*

**AFFIDAVIT**

I, [redacted], HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 2. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

Telephonic interview / Officer transferred /

*(Signature of Person Making Statement)*

WITNESSES:

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 9 day of May, 2005

at [redacted]

[redacted] *(Signature of Person Administering Oath)*

[redacted] *(Typed Name of Person Administering Oath)*

Art 136(b)(4) UCMJ *(Authority To Administer Oaths)*

INITIALS OF PERSON MAKING STATEMENT

Tab J

DEPARTMENT OF THE ARMY
HEADQUARTERS, FORT GEORGE G. MEADE
4551 LLEWELLYN AVENUE
FORT GEORGE G. MEADE, MARYLAND 20755-5000

REPLY TO
ATTENTION OF:

IMNE-MEA-ES

10 June 2005

MEMORANDUM FOR: NSA Police Department, Attn: Chief o[redacted] 9800 Savage Road, Suite 6602, Fort Meade, Maryland 20755

SUBJECT: Assistance with Training/Qualification Ammunition for the Fort Meade Police Department.

1. The Fort Meade Police Department is requesting the assistance from the NSA Police Department in providing critically needed 9mm ammunition. This training ammunition will be used for the purpose of qualifying present officers on the newly assigned M11 9mm semi-automatic pistols, ultimately ensuring that the Police Department stays within the guidelines established in the Regulation (DA PAM 350-38).

2. Currently the Police Department is in the building phase and has just received weapons from the Office of Inspector General to be placed on the MTOE. This will allow us to order ammunition through the Army's Ammunition System (TAMIS). Due to the fact that we have just received these weapons the system has not had a chance to "catch up" for us and has cut us short of critically needed qualification ammunition.

3. As stated above, the Fort Meade Police Department would greatly appreciate your in providing 9000 rounds of 9mm ammunition for the use of semi-annual qualification. Once again we thank you for your assistance and we continue to look forward to building and maintaining a cohesive relationship between our departments in the future.

4. Any questions in reference to this memo are to be directed to [redacted] at [redacted]

[redacted]

Approved - [redacted] 9 Jun 05

ENCL

SECURITY CLASSIFICATION

# PROPERTY ACCOUNTING HAND RECEIPT

*Classification - U=Unclassified, C=Confidential, S=Secret, TS=Top Secret

| USER'S NAME | SID | ORG | ROOM | PHONE | ITEM RETURNED TO PROPERTY OFFICER. USER IS RELEASED FRO RESPONSIBILITY. |
|---|---|---|---|---|---|
| DES - FMPD Trng Lt [redacted] Approved by [redacted], via VOCO at Col Ives | | FMPD | | 7-7464 | |

| NSA BARCODE NO. | EQUIP. TYPE (IE, PC, W STA., LAPTOP) | MODEL | SERIAL NUMBER | MFG | *CLASSIFICATION | COMMENTS | DATE | PO SIGNATURE |
|---|---|---|---|---|---|---|---|---|
| | Ammunition | | | | | | | |

1a. -grain Federal 9mm. Luger Hydra-Shok JHP Officer turn-in Ammo.

This ammunition is being distributed for training purposes only. To be fired and expended on Range #8 for training and qualification of Department of Army Police officers.

This request was approved through [redacted] N.S.A. Police Deputy Chief.

## RESPONSIBILITY STATEMENT

I acknowledge receipt of the equipment listed above. I understand that the equipment is the property of the National Security Agency (NSA) and the United States Government and must be returned to the above organizatio upon reassignment, retirement, resignation, or termination. I also understand that NSA may require the return of the above equipment at any time and I agree to return it promptly upon demand. I agree not to transfer any o the above equipment to a vendor, other organization, or other individual without first consulting with the Division Property Accounting Officer. In accordance with the procedures set forth in the NSA/CSS RMM 111-5, I understand that I may be found financially liable for loss, damage or destruction of equipment from my gross negligence, willful misconduct or deliberate unauthorized use.

| GNATURE | USER | DATE | |
|---|---|---|---|
| | X [redacted] | | X 06-10-05 |
| | PROPERTY OFFICE [redacted] | | 06-10-05 |

14A OCT 2004 (created by whwagne)

SECURITY CLASSIFICATION

ENCL 4 H

05/18/05 12:50 PAX

003

HAND RECEIPT

DATE: 08/10/2004

| NOMENCLATURE | QUANTITY | SERIAL NUMBER |
|---|---|---|
| 124 gr. Federal 9MM Luger Hydra-shok JHP Officer yearly turn-in ammunition | 8,824 | total rounds |
| This ammunition is being distributed to the U.S. Dept. of Army Police, per their request for support purposes. This will assist the D.A. Police in their training and enable them to stand ready to protect and defend the base. | | |
| Approval for this support was given by D/Chief, Special Activities [redacted] Police. | | |
| total = | 8,824 | |

Employee distributing material: Ofc. Mike M [redacted]

ISSUED TO

| NAME | | ROOM: OPTIME | SECTION: |
|---|---|---|---|
| [redacted] | | | 124 ST MP / DA Police |

I CERTIFY THAT I HAVE RECEIVED THE ABOVE LISTED ITEM AND HOLD MYSELF RESPONSIBLE FOR THE SAME.

SIGNATURE [redacted]

FORM A3488 REIN SEP 84

NEH 7548-FM-001-3544

U.S.G.P.O. 1984-305-184

ENCL 2 5

# SWORN STATEMENT

For use of this form, see AR 190-45; the proponent agency is ODCSOPS

PRIVACY ACT STATEMENT

AUTHORITY: Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9397 dated November 22, 1943 (SSN).
PRINCIPAL PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately
ROUTINE USES: Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval.
DISCLOSURE: Disclosure of your social security number is voluntary.

| 1. LOCATION | 2. DATE (YYYYMMDD) | 3. TIME | 4. FILE NUMBER |
|---|---|---|---|
| Ft. Benning, GA 31905 | 20050805 | 1535 | |

| 5. LAST NAME, FIRST NAME, MIDDLE NAME | 6. SSN | 7. GRADE/STATUS |
|---|---|---|
| [redacted] | [redacted] | E6 |

8. ORGANIZATION OR ADDRESS
608 Ord Co. / Fire Dept.

9.
I, [redacted], WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

I was Assigned to the 241st MP Det. From May 03 - until Nov. 04. I worked Directly for The Company Headquarters from Aug 03 - until Oct 04. My Duties at The company were: Training NCO, Retention NCO, Safety OFC., Fire Marshal, Environmental Rep, Energy Conservation NCO, Dental Readiness NCO, and AER Rep. I Remember Receiving The ammunition identified as well as the other ammunition stated as excess ammunition By [redacted] Operations Mngr./CDR. The ammunition was used for Range Qualification for the 241st MP Company, 100% Qualification Directed By the commander. The Quantity of Rounds were not Requested, I was informed what Quantity was Available to Be expended to Be able to Qualify or Requalify or Soldiers of the 241st MP Company. For most of the time I worked as the Training NCO the ammunition System was messed up, then when 'R UIC changed, From one UIC to another, we were not in the System and unable Receive Ammunition. Our UIC was not in the system for the Post Ammo Manager, was familiar that the Rounds signed for were 9mm and were used for Qualification Rounds on a Scheduled Range under the control of the NSA Police and its staff. After Receiving the ammunition, it was stored in the company's vault #2 were another ammunition was stored, the Rounds were properly transferred to the company using the Hand Receipt. Provided By the NSA Police. Copies were then Given to the Post Ammunition Manager. I Have not Requested ammunition for the DA Police for Ft. Meade. During my tenure as the training NCO I Do Recall a few of the DA Police Shooting on our Range at first, But that was when there were only about Four or Five Personnel. I Do not Know who or why they were Directed to shoot on our Range. As stated Before, there was no Formal Request for Ammo from the 241st MP to NSA Range control. The ammunition was marked as excess ammo and was able to be used to shoot and qualify, other than turn it in and not be able to use it. Seldom did we Have to use ammunition from NSA. The ammunition was not directly Requested from NSA. The Rounds Received from NSA were use and able to Be used to Help Qualify Personnel doing the same security and law enforcement Duties within the same military Facility. I Do Know [redacted], she worked as the company's PAC NCO and then was assigned to the Rand for Patrol Duties. I Have Never Been to "The Bar of Baltimore" and Do not Know where it is. I Do not Recall any incident Between [redacted] I Do not maintain contact wi[redacted] at this time, I Have never seen or Heard o[redacted] carrying a/his personal weapon on duty.

10. EXHIBIT

11. INITIALS OF PERSON MAKING STATEMENT [redacted]



IONAL PAGES MUST CONTAIN THE HEADING "STATEMENT _____ TAKEN AT _____ DATED _____

THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE ... MUST BE BE INDICATED.



ENCL 2

STATEMENT OF [redacted] TAKEN AT Ft Benning, GA DATED 20050805

9. STATEMENT (Continued)

I Do not know who else might have [redacted] weare his personal weapon on duty. I Do not know what type of weapon [redacted] was. /// — End of statement — ///

AFFIDAVIT

I, [redacted], HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 2. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

[redacted]
(Signature of Person Making Statement)

WITNESSES:

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 5 day of Aug, 2005 at Ft. Benning, GA 31905

(Signature of Person Administering Oath)

(Typed Name of Person Administering Oath)

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT [redacted]

USE THIS PAGE IF NEEDED. IF THIS PAGE IS NOT NEEDED, PLEASE PROCEED TO FINAL PAGE OF THIS FORM.

STATEMENT O[redacted] TAKEN AT Fort Meade, MD DATED 2005/07/27

9. STATEMENT *(Continued)*

Q. Do you know if you have a training ammunition shortage? If so, how long has this been a problem?
A. Yes, we have a shortage of training ammunition and as far as I can determine, this has been a problem since the inception of the DACP.
Q. What have you done about this issue? Who did you express your concerns to?
A. As I stated before, I spoke with the installation ammo manager in Jan or Feb 05 about the ammo issue but could not resolve the issue.
Q. As the Chief, Law Enforcement, are you required to qualify on a handgun?
A. I am required to qualify with a handgun.
Q. When did you last qualify since you were not here in Sep or Oct 04?
A. I have not qualified since coming here in January 2005. When we had a range in April, I was on leave. We had two ranges since I've been here and I was leave both times.
Q. Where do you store training rounds for your DAC police?
A. When we had training rounds, we stored them in the 241st arms room. However I don't believe we have any training ammo at this time.
Q. Is the company commander aware of these rounds?
A. I'm not sure; but I wouldn't think the 241st Det Commander would have visibility on DACP training ammo.
Q. How do the DAC police transport the ammunition to the range?
A. In a military vehicle, non tactical
Q. Would you know what is the maximum number of rounds you may store in 241st arms room?
A. No.
Q. Would you know who inspected the Sep/Oct ammunition, ensuring it was safe and proper?
A. I wouldn't know this since I was not here.
Q. Did you properly forecast its training requirements and did it properly and timely submit its ammunition authorizations?
A. I have no knowledge of this
Q. Did you know if you complied with all Army regulations in transferring the ammunition?
A. From what I know about the transfer of ammo that has occurred, I don't believe any regulations were violated.
Did you properly add the transferred ammunition to its inventory?
The only ammo I'm aware of that we currently have on hand is our operational ammo and it is on the inventory.
Was the transferred ammunition "non-standard?"
The only ammo I'm aware of is standard ammo.
Q. If so, did the proper authority approval the use of the ammunition?
A. I have no knowledge of this.
Q. Was any of the transferred ammunition corroded, dented or tinged with green patina?
A. I have no knowledge of this.
Q. Who inspected the ammunition to ensure it was safe prior to use on the training range?
A I have no knowledge of this.
Q. Where do your DAC police go to qualify/familiarize their weapons?
A. We use the NSA range.
Q. The range is owned by Dept of Interior and ran by NSA. What are the policies and rules when occupying the range?
A. We follow the same rules and procedures on this range as we would use on any Army range.
Q. Do Army rules apply?
A. We follow Army rules when conducting range qualifications.
Q. Can hollow point be fired on the range?
A. Yes
Q. Have you heard of your DAC police firing hollow point?
A. I was not in this organization at the time but I was told that hollow point rounds were fired on one of the ranges.
Q. Do you know if the DAC police were carrying personal owned weapons while on duty at any time?
A. I have no knowledge of any DACP carrying a privately owned weapon on duty or any other time. I am aware that at one time before my arriv[redacted] alleged to have carried his weapon while on duty but I don't believe this allegation was substantiated.
Q. Have you heard of any DAC police bringing personal owned weapons on post?
A. The only thing I've actually heard is about the incident wit[redacted] occurred before my arrival at Ft. Meade. Again, that was because of the investigation. They know
Q. Since you knew of this prohibition, why would DAC police carry their personal owned weapon?
A. I really don't know why any DACP would want to bring their privately owned weapon on the installation, except for maybe personal safety on their way to and from work. As I stated before, the only officer I've heard that may have brought his POW onto the installation[redacted]

INITIALS OF PERSON MAKING STATEMENT [redacted]

Tab K

MEMORANDUM FOR RECORD

SUBJECT: Office Visit with [redacted] Director of Resource Management

On 28 July 2005 at approximately 1030 hours, I went to visit the resource management office with the intent to talk to the budget analyst and manpower people regarding the Directorate of Emergency Services (DES). As a courtesy, I spoke t[redacted]who is the Director of Resource Management. He told me that the budget analyst is presently unavailable, but he could answer all of my questions.

He informed me that DES has 22 authorized Department of the Army Civilian (DAC) Police positions on the TDA. However, reflected on their working TDA are 64 funded positions. For FY05, these positions have been funded and that they are allowed to hire up to that amount. For FY04, the DES was authorized to hire up 55. I asked him if knew what the final DAC police personnel number is supposed to be and he said no. [redacted]tated that he never received a copy of the DES concept plan before the Provost Marshal's Office transitioned into the DES; however he knew that a couple of years ago, the MDW[redacted]r Mission Commander received the DES concept plan and [redacted]was there. COL [redacted] now gone, [redacted]said. Mr. [redacted]ther stated that he recalls hearing the Force Protection/ACP requirement figure to be 128. However, this number does not reflect the law enforcement requirement. With the Schedule 75, the 128 requirement was divided in half and that was his thought of how the DES received the funded authorization of 64. I asked if the DES made any efforts to place this figure onto their TDA and he said it would not matter because it would not get approved.

I asked if the FY05 TDA reflects the requirement for DAC positions and he said no. I also asked him if there were any efforts in place where the DES had or have attempted to get them on the books and he again said no. He did mention that the TDA positions will be reflected on the working TDA. [redacted]tated that the "working TDA mirrors the TDA with the exception of changes to grade, title, renaming of branches/divisions."

I asked him that if the working TDA reflects only 64, then why is that a member of the DES believes he can hire somewhere in the mid 70s? [redacted]tated that this has been an ongoing problem with DES and that they know they have enough money for the 64. Further[redacted]s wanted to know who mentioned the 70 number and quickly mentioned [redacted]. He stated [redacted]ad been briefed on numerous occasions of how many DAC police he can hire.

[redacted]stated that 241st Military Police Detachment has both MTOE and TDA. With the military to civilian conversion, 30 positions will be converted to

MFR

SUBJECT: Office Visit with [redacted] Director of Resource Management

Civilians. Of which, 16 should be DAC police. Summing the two numbers, I asked why would the DES think they can hire in their 70s and not get to the specific number of 80? [redacted] tated he did not know.

Regressing back to the topic of the TDA, I asked [redacted] hat if his manpower section will never input the actual number of DAC police authorized to hire on the books, then how does will the DES get the required amount of ammunition needed to train since ammunition forecast is based on the actual TDA? He stated he did not know. I asked that if the books were to only reflect the 22, then will the equipment TDA reflect the same number for weapons? He stated that it should.

I changed subjects and spoke about the overtime costs. I asked if there were any cost savings since the DES police department changed from three shifts to two, going to a 12 hour shifts [redacted] ted that he heard they received approval by the installation commander, [redacted] work 12 hour shift, but he did not know when this was to occur.

MEMORANDUM FOR RECORD

SUBJECT: Office Visit with [redacted]

On 28 July 2005 at 1126 hours, I spoke to [redacted] who works for the DRM, Manpower office. I asked her how would an agency on post put personnel on the TDA. She advised me that she could not put people on the TDA unless she received approval to submit the request because Fort Meade has a personnel cap for the TDA. She further explained that even though she knows many agencies have more people that what they are authorized, they are placed on what they call the working TDA. This document is approved by the Installation Commander, who authorized the agencies to hire personnel, who are called over hires, as long as funds are available.

We spoke specifically on the Directorate of Emergency Services. She stated that they are authorized 21 DA police officers on the TDA. They have received approval to hire up to 64 for this fiscal year as long as funds are available. Ms [redacted] that if the agency submitted their request to place these personnel number on their TDA, it would be disapproved. Again, the installation can not exceed their approved authorized amount on the TDA.

# SWORN STATEMENT

For use of this form, see AR 190-45; the proponent agency is ODCSOPS

PRIVACY ACT STATEMENT

AUTHORITY: Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9397 dated November 22, 1943 *(SSN)*.

PRINCIPAL PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately identified.

ROUTINE USES: Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval.

DISCLOSURE: Disclosure of your social security number is voluntary.

| 1. LOCATION | 2. DATE *(YYYYMMDD)* | 3. TIME | FILE NUMBER |
|---|---|---|---|
| Fort Meade, DES Building, Building 6619 | 2005/07/2[redacted] | 1553[redacted] | |

| 5. LAST NAME, FIRST NAME, MIDDLE NAME | 6. SSN | 7. GRADE/STATUS |
|---|---|---|
| [redacted] | [redacted] | Dep DES |

8. ORGANIZATION OR ADDRESS
DES

9. [redacted], WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

At approximately 1330, 24JUL05 [redacted] identified herself and indicated that she was here at Fort Meade under the provisions of Army Regulation 15-6 to investigate the circumstances surrounding allegations made in a complaint to the Office of Special Counsel regarding conditions at the Directorate of Emergency Services (DES) and procedures followed by personnel assigned to the DES.

[redacted] showe[redacted] copy of her appointment memorandum which clearly spelled out the purpose of the investigation and the scope of the officer's investigative power.

Although it did not impact on him as a civilian-employee, he did not the absence of any information concerning the "Wiengarten Rule" in her appointment memorandum.

[redacted] went ahead and introduced himself and told the investigating officer (IO) that he was a former member of the Metropolitan Police Department in the District of Columbia and retired from the U.S. Army. He has well over three decades of progressive experience in government service as an administrator and manager, in large, complex, diverse federal departments (Department of the Army, Department of Justice, and Department of Homeland Security) where he has been actively engaged with security and enforcement operations in a variety of multi-cultural environments throughout the United States, Europe, Asia, and the Middle East.

[redacted] rned his advanced level board certification while assigned to the Department of Homeland Security in Atla as the District Security & Safety Officer. He is an active member of the American College of Forensic Examiners International and also the American Society for Industrial Security. Throughout his career, he has participated in a variety of professional development courses which have enhanced and added to his skill sets within the Security, Safety, and Emergency Management field.

[redacted] o told the IO that The Directorate of Emergency Services (DES) supports a major installation and the Fort George G. Meade (FGGM) community by providing quality police, physical security, fire and emergency services as a part of a force protection effort to maintain a safe & secure environment on a large federal campus.

Fort George G. Meade is a 5,415-acre federal campus and the fourth largest DoD installation by workforce population (serving an estimated 230,000 service members, retirees, family members, civilian employees, and contractors) as well as the largest intelligence center and joint service installation in CONUS, with over 500 buildings (at least 61 of those are priority one critical security sites) and 3,000 residential units.

Some of the additional responsibilities for DES include, Armed Force Disciplinary Control Board, Civil Liaison, AWOL / deserter apprehension, Physical Security Council, and Serious Incident Reporting for the following areas: Pennsylvania (57 counties), Maryland (21 counties), West Virginia (53 counties), Virginia (2 counties) and all of Delaware.

Fire and Emergency Services coverage include, Fort Meade and civilian communities IAW established mutual-aid agreements.

What follows is the response to the Investigating Officer's questions [redacted] Deputy Director of Emergency Services, Fort George G. Meade (FGGM), Maryland 20755:

Q. What is the time period you have served as the Deputy Director of Emergency Services?
A. November 2004 to present -- I was detailed to the position o/a 17NOV04. Prior to that, I served as the Chief, Physical Security Division.
Q. Understanding that "DES" is new, what was the actual date you started working for PMO?
A. I entered on duty here at FGGM in November of 2003, having accepted a reassignment from the Department of Homeland Security where I was the District Security & Safety Program Manager, Federal Protective Service, in Atlanta, GA.

| 10. EXHIBIT | 11. INITIALS OF PERSON MAKING STATEMENT | PAGE 1 OF 12 PAGES |
|---|---|---|
| | [redacted] | |

*ITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF* _____ *TAKEN AT* _____ *DATED* _____

*THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE BE INDICATED.*



ENCL

USE THIS PAGE IF NEEDED. IF THIS PAGE IS NOT NEEDED, PLEASE PROCEED TO FINAL PAGE OF THIS FORM.

STATEMENT OF [redacted] TAKEN AT DES/Fort Meade DATED 2005/07/25

9. STATEMENT *(Continued)*

Q. As the Deputy Director of Emergency Services, what is your job description?

A. The actual PD has not yet been approved by IMA (Installation Management Agency) and/or NERO (North-East Regional Office, IMA). A request was submitted by the Director (then [redacted] MAR05 to establish the Deputy Director of Emergency Services position, which would provide the necessary management oversight for the internal, day-to-day operations of an ever-growing Directorate. The position will also provide institutional knowledge and aid in the development of long-range Directorate mission support plans, projects and programs which are in sync with the installation's strategic plans; ensuring the functional and administrative programs are in line with broad program objectives and policies established at the Installation, MACOM, and IMA levels.

In the position, I'm expected to serve as a full deputy to the Director of Emergency Services (DES) who is responsible for all programs on the installation related to Law Enforcement, Physical Security, Fire and Emergency Services in support of the FGGM community and the area off the installation as defined in AR 5-9.

Concentrate efforts on the internal, day-to-day operations, and share fully in the management oversight of the DES. Define day-to-day strategies, sets goals and priorities to accomplish projects, tasks and activities associated with mission accomplishment, and budget formulation based on general guidance provided by the Director.

Perform the wide range of human resource management functions such as developing work plans, performance evaluation criteria, evaluating employee performance, interviewing candidates, hear and resolve complaints, take appropriate disciplinary and corrective actions, approve and schedule leave assuring adequate staff is on duty during required duty hours; advise employees on career development and support EEO goals, policies, plans, and programs.

Historically -

* The Provost Marshal (authorized by the 241st MP Detachment MTOE, UIC: WCZEAA, Para No# : 102, Line: 01 - Law and Order Operations Officer.) is a LTC/05 billet on Fort Meade and has been subject to turnover on an annual basis. Since CY-2001, there has been four Provosts Marshal and the outgoing PM is scheduled to PCS in late August 2005. This constant shifting of leadership has a detrimental effect on the organization and its personnel.
* The Provost Marshal is authorized an Assistant Operations Officer, Major/O4 under this same document. However, both positions are subject to deployments. Furthermore, it is understood that the Assistant L&O Operations Officer position will not be regularly filled due to the Military Police Corps commitments to fight the Global War on Terrorism.
* The Provost Marshal Office was reorganized into the Directorate of Emergency Services on 1FEB04, and the L Standard Garrison Organization (SGO) template was used to task organize Law Enforcement, Physical Security, Fire and Emergency Services into one Directorate.
* The Provost Marshal was appointed as the Director of the organization and an economical approach ensured that the restructuring did not cost IMA additional positions. However, the effort needed to manage (C4) the various moving parts of a substantially larger organization that provides Police (Law Enforcement), Physical Security, Fire and Emergency Services along with sustained anti-terrorism and force protection operations on a daily basis require a more robust management structure than what was provided by the much smaller, legacy Provost Marshal Office (PMO) staff.

Q. Do you recall when the DAC police started on FT Meade?

A. They had already started when I first entered on duty at Fort Meade in November 2003; however, there were only a few DACP officers on station.

Q. Did they fully replace the MPs?

A. No, and that isn't the goal or objective as stated by OPMG. There will always be a mix of military police soldiers, DA civilian police, and contract security guards involved in the Force Protection / Force Structure mix. Soldiers, civilian-employees, and contractors are partners in the DES Force Protection efforts.

Q. How many DAC police do you account for on your books as of right now?

A. In the first part of July 2005 [redacted] rted that we had 52 at a DES Team Meeting; however a more accurate number (current as of today) can be obtained from either the DES Administrative Office [redacted] Police C[redacted]

Q. Is that what you are authorized to have under the DES?

A. We currently have overhire authority. Our end-state is projected to be in the mid-70's. What with the Mil2Civ conversions and adjustment being made to the force structure, along with pending guidance on the exact force mix and how many contract security guards we will have available during option year 3, that number seems to be fluid (or at least hard for us to get our arms around at the installation level).

Q. Would you have any documentation supporting this? If so, please provide them to me.

A. While we can provide copies of the MTDA and the WTDA [redacted] these and I will get them for you) along with our own DES task organization (personnel assignments) matrix, we can't give you an actual document that clearly states what our end-state will be since they (MDW and IMA) are still trying to figure out what the actual force mix should be in terms of percentage of MP soldiers, DACP Officers, and Contract Security Guards.

INITIALS OF PERSON MAKING STATEMENT [redacted]

USE THIS PAGE IF NEEDED. IF THIS PAGE IS NOT NEEDED, PLEASE PROCEED TO FINAL PAGE OF THIS FORM.

STATEMENT OF [redacted] TAKEN AT DES/Fort Meade DATED 2005/07/25

9. STATEMENT *(Continued)*

Q. Are they presently on the TDA? If not, how do you account for them?

A. Some of the positions will be reflected on the Installation MTDA, some are over-hire authorization and shown on the WTDA, and some are on the MTDA for the 241st MP Detachment (which is a MDW asset versus IMA). We have produced a document that combines all three onto one MS Excel Document in an attempt to make it a little easier for DES management to task organize and see who is doing what (without having to look at three different documents). The DES Administrative Officer (Ms. Herron) will give you the various documents mentioned in my response.

FYI -- The Directorate is task organized into four functional areas, which are:

" DES Management, Operations, Administration, and Mission Support
" Law Enforcement (Police) Division (LED)
" Fire and Emergency Services Division (FES)
" Physical Security Division (PSD)

DES management, operations, administration and mission support:

(1) Personnel assigned
(a) Director of Emergency Services / Installation Provost Marsh[redacted]
(b) Deputy Director of Emergency Services / DPM[redacted]
(c) DES Operations Officer / L&O Officer (Majo[redacted]parting in AUG05)
(d) DES Assistant Operations Office[redacted] the 241st)
(e) DES NCOIC / Provost Sergean[redacted]
(f) DES Secretary [redacted]
(g) DES Operations Sergeant / Force Protection NC[redacted]
(h) DES Administrative Officer & Mission Support Specialist [redacted]
(i) Positions will be filled in accordance with appropriate MTOE/TDA/WTDA authorizations
(2) Responsibility
(a) Exercise Command & Control -- Direct, lead, supervise and coordinate activities and services provided by the Directorate
(b) Maintain Situational Awareness
(c) Monitor Directorate Operations
(d) Provide sound stewardship of resources and asset management
(e) Ensure efficient use of assigned facilities and infrastructure dedicated to DES operations
(f) Support mission readiness and executiong) Directorate Operations and tasking control & Tracking
(h) Maintain DES Calendar
(i) Administrative Support
(j) Logistical Support
(k) Information Tech Support
(l) Facility Mgmt & Maintenance
(m) Budget Analysis, Development, Control and Oversight
(n) Vehicle Mgmt & Maintenance
(o) Directorate Inspection Program / Internal Reviews, Audits, Investigations
(p) Liaison Activities

The Law Enforcement (Police) Division (LED):

(1) Personnel assigned --
(a) Chief of Police
(b) Deputy Police Chief
(c) Police Administrative Operations Captain
(d) LED Mission Support Specialist
(e) Legal Assistant
(f) Communications Operators (911 Dispatchers
(g) Police Admin Clerks
(h) Watch Commanders
(i) Desk Sergeants
(j) Patrol Supervisors
(k) DA Civilian Police Officers / Military Police Soldiers
(l) Training Officer
(m) Asst Training Officer
(n) Traffic Control & Enforcement OIC
(o) Traffic Control & Enforcement Officers / Traffic Accident Investigators
(p) Investigation OIC / MPI NCOIC
(q) DACP Detectives / Military Police Investigators
DACP Dog Handlers and/or Military Working Dog Handlers
Positions will be filled in accordance with appropriate MTOE/TDA/WTDA authorizations

INITIALS OF PERSON MAKING STATEMENT [redacted]

USE THIS PAGE IF NEEDED. IF THIS PAGE IS NOT NEEDED, PLEASE PROCEED TO FINAL PAGE OF THIS FORM.

STATEMENT OF [redacted] TAKEN AT DES/Fort Meade DATED 2005/07/25

[redacted]

9. STATEMENT *(Continued)*

(2) Responsibility --
(a) Police Response Command / Incident Management
(b) Patrol Operations
(c) Traffic Enforcement
(d) Investigations
(e) Civilian Liaison
(f) Special Reaction Team
(g) Watch Desk Operations
(h) MWD / K9 Team
(i) Evidence Room
(j) Police Reporting / SIR
(k) Police / Criminal Intel
(l) Contingency Mission Support
(m) AT/FP task execution
(n) Homeland Defense task execution
(o) Armed Force Disciplinary Control Board

The Physical Security Division (PSD):
(1) Personnel assigned --
(a) Physical Security Division Chief
(b) PSD Mission Support Specialist
(c) Senior Physical Security Specialists / Inspectors
(d) Physical Security Specialists / Inspectors
(e) IDS/ESS System Administrator / Monitor
(f) Security Guard Force Leaders (Contract)
(g) Security Guards (Contract)
(h) Positions will be filled in accordance with appropriate authorization documents

(2) PSD is responsible to Perform Physical Security (PS) and Access Control Functions - Manage and Administer the Installation Physical Security Program (integrate with OPSEC and Force Protection as an equal partner to AT, LE, and FES), which includes these critical PS tasks -

o Access Control Point and equipment management, along with COTR / QA for Guard Contract.
o Manage & Control VCC/IACO Operations along with vehicle and weapons registration.
o IDS/ESS Management, Administration, Design, and Technical Review along with COR / QA for contract support vendor(s).
o Installation-wide PS Equipment Management, Technical Review, and Testing.
o Physical Security Council Administration (and conduct periodic meetings / working group sessions).
o PS Work Order Coordination (between client units and DPW along with cost analysis).
o Conduct & Report PS related Inspections, Surveys, Reviews, Audits, and Investigations.
o Conduct & Report Compliance Assistance; Site Visits, Crime Prevention, and Train-the-Trainer Support.
o Construction Project (MILCON) Security Review & Consultation (life-of-the-project support).

The Fire and Emergency Services Division (FES):
(1) Personnel assigned
(a) Fire Chief
(b) Deputy Fire Chief
(c) FES Mission Support Specialist
(d) Special Operations & Training Chief
(e) Fire Prevention & Code Enforcement Specialists
(f) Shift Chiefs
(g) Captains
(h) Driver / Operators
(i) Firefighters
(j) Positions will be filled in accordance with appropriate authorization documents
(2) FES is responsible for:
(a) Fire & Emergency Response Command / Incident Management
(b) Fire Prevention and Protection Training
(c) Fire Alarm Maintenance Requests
(d) Fire Suppression and other emergency responses - Shifts
(e) HAZMAT Teams
(f) Technical Rescues
CBR/CPORNE Teams
EMT (by default of KACC)

INITIALS OF PERSON MAKING STATEMENT [redacted]

9. STATEMENT *(Continued)*

(i) Code Enforcement Inspections
(j) Public Fire Education
(k) Construction Project MILCON Review

e. The Directorate maintains an updated organizational chart that is available to all Directorate employees (a copy was given to the Investigating Officer).

f. Job descriptions of each position within the Directorate, including civilian employees, are maintained by the DES Administrative Officer and are accessible to all employees upon request.

g. During regular day-to-day operations, Directorate employees will follow the normal command protocol procedures. Operating under the direct command of their assigned Directorate supervisory, employees will follow the chain of command established within the Directorate's rank structure.

FYI -- Rank Structure Within the Directorate:
Director of Emergency Services
I ---------- Provost Sergeant
Deputy Director
I ---------- DES Operations, Admin,
I and Mission Support
I
Division Chiefs

| | | |
|---|---|---|
| Police Chief | Fire Chief | Physical Security Chief |
| Deputy Police Chief | Deputy Fire Chief | Senior PSI / Specialists |
| Watch Commanders | Shift Chiefs | CSG Project Manager |
| Patrol Supervisors | Fire Captains | VCC Supervisor |
| DA or Military Police or | Fire Fighters | Civilian employees |
| Civilian Employees | | Contractors |

Q. Do you have records reflecting the first DAC Police hired? If so, please provide copies of them to me.
A. I don't have these documents; however, I'm sure that the CPAC can help you find these records. I'll ask Ms. Herron, our administrative officer to check with her contacts @ CPAC.
Q. What is the DAC Police work schedule? Do the DAC police have fixed shifts or do the rotate? If they rotate thru each shift, when do they rotate?
A. Those questions are best answered by the Law Enforcement Division Chief and the Deputy Police Chief who are responsible for the day-to-day operations of the Law Enforcement (Police) Division within the Directorate.
FYI -- Management of the Directorate's Functional Areas
a. Each of the Directorate's four major Divisions, or function areas (DES Operations, Law Enforcement, Physical Security, Fire and Emergency Services) is under the direct command of one person (Division Chief).
b. Each Division Chief within the Directorate is responsible for the management of his or her division. Division Chiefs are encouraged to delegate responsibility to the appropriate employees. Supervisory personnel are accountable for the activities of employees under their immediate control. Employees will be given appropriate authority to carry out their assigned responsibilities. Employees who believe that their authority is not commensurate with their responsibility shall consult with their supervisor. (11.3.1, 11.3.2)
c. As part of the annual budgeting process, Division Chiefs will prepare written budget recommendations for their Division. They will also keep track of funds expended in support of Division operations. Division Chiefs will provide their budget reports to the Deputy Director on a quarterly basis. Division Chiefs will be good stewards of public funds / resources.
d. Employees will be held accountable for their work through regular supervision, training and annual evaluation. Employees will be accountable to only one supervisor at any given time as indicated by their rating scheme or chain of command structure. (11.2.1)
Q. Who kept their duty schedule?
A. Deputy Police [redacted] and he assisted by DACP [redacted] and the DES Watch Commanders.
Q. Who at the management level responds to issues brought up by the union?
A. Assuming they are presented by the union directly to the police chief and/or the fire chief, then it would be handled by DACP or the FES management officials (Police Chief and his Deputy or the Fire Chief and his Deputy). If it were presented directly to DES management, we would listen take good notes and then allow the Division Chiefs to address and resolve the issues with the appropriate personnel involved. LMR (labor management relations) specialists at CPAC would be consulted at every stage of the process, and DES management would be expected to be kept informed.

USE THIS PAGE IF NEEDED. IF THIS PAGE IS NOT NEEDED, PLEASE PROCEED TO FINAL PAGE OF THIS FORM.

STATEMENT OF [redacted] TAKEN AT DES/Fort Meade DATED 2005/07/25

[redacted]

9. STATEMENT *(Continued)*

Q. Do you have a copy of an agreement with the local union representing the police officers? If so, may I have a copy of it?
A. As I understand the situation, we do not yet have a final agreement at this time, since it is still being negotiated. The Installation does have an agreement with the AFGE and the firefighters are represented by their own union. Once the agreement between the FOP and the installation is completed and signed, we (DES) will be dealing with three different unions representing Police, Fire, and Mission Support employees. The Director, CPAC [redacted] can give you the details concerning our negotiations with the FOP. [redacted] our Administrative Officer can print a copy of the installations' agreement with the AFGE (or perhaps it would be easier to send it to you via email in a digital medium).
Q. Who are in the individuals who are union representatives?
A. I know Offic[redacted] the primary representative for the police officers. [redacted] was. Deputy Police [redacted] can give you a list of the officers who will be representing the officers with the union local.
Q. When do you have your DES meetings?
A. We have numerous meetings for a variety of reasons both at the Directorate level and at the Installation level. The DES Team Meeting is conducted every Tuesday @ 1330. We also have a Director's Azimuth Meeting every Monday morning (to get the week started in the right direction with an understanding of the Director's goals, intent, and priorities for the week) - Hooah!
Q. Who attends the weekly DES Team Meeting?
A. The Director [redacted], myself (DDES), the Division Chiefs (Police, Fire, and Physical Security), DES Operations, DES Administrative Officer (Budget & Personnel), DES Information Management Officer, and the Contract Security Guard Project Manager. The meeting always begins with a Safety First Minute presented by the DES Safety Officer.
FYI - The Police Chief conducts a Blotter Brief every morning with the DES Watch Commander, Police [redacted] his Branch Chiefs, and the Captain of the Security Guard Force.
The Police Chief also conducts his own weekly Police Station Team Meeting every Tuesday in the AM. The Fire Chief and the Physical Security Division Chief conduct similar meetings within their Divisions too.
Q. Who is your CPAC advisor?
A. The DES Administrative Officer (Budget & Personnel) speaks to a variety of people at CPAC to address HRD issues / concerns / problems / questions. Generally, LMR stuff is handled [redacted] and/or [redacted]; Employee hiring / recruitment actions are handled [redacted] a[redacted]s the Deputy my go-to-person is our Administrative Officer [redacted]) however, if it is a more complicated issue I go direct t[redacted]he CPAC Director.
Q. Going back to the beginning of the DAC Police, where did the handguns come from to support this new requirement?
A. Well that is an interesting question and as you know I wasn't the Deputy or even at FGGM when the DACP program was first started; however, from what I have learned or heard -

- The DACP Officers were originally issued weapons that belonged to the MP Detachment (weapons on their MTOE).
- As the number of DACP Officers increased, then this arrangement became problematic.
- There is not document that specifically authorizes weapons for the DACP force.

Deputy [redacted] worked what has been an extremely frustrating acquisition action from the moment he entered on duty here at FGGM. He can best describe what an agonizing exercise it was to obtain the weapons needed to support his ever-growing DACP force.
From what I can tell, HQDA was not fully prepared for the rapid growth of the DACP force CONUS-wide and documents, guidance, and instructions needed to authorize weapons, ammunition, and equipment was not really in place to facilitate the acquisition process -- DACP managers on-the-ground and their partners at the installation level (DOL, DOC, HHB S4 staff members) had to be extremely creative to get DACP officers the resources they needed, while doing right things right, in the absence of clear directions and guidance from higher headquarters at either IMA, MDW, and or HQDA. I'm sure the action officers involved can show you their email traffic requesting information, approval, et al.
Q. Was there one official handgun per DAC police?
A. Although Deputy [redacted] can better answer this question (as far as I know) DACP officers were issued their own duty weapon. While I've been the Deputy, I have not heard of DACP officers having to "share" a weapon. And, had I heard that this was the case, I would have taken action immediately, to ensure each DACP officer was assigned his (or her) own duty weapon, that they received the required training (AR 190-56), and were qualified to use their assigned weapon. Like I said, I don't know that this was a problem.
Q. What type of handgun was issued at the beginning?
A. They used the same type of weapon being issued to the MP soldiers by the 241st MP Detachment. Now they have their own weapons which are somewhat different. Deputy Police [redacted] give you the details and explain how and where those weapons were obtained - another very long story that shows how dedicated he and his Chief are in supporting our DACP officers.
Q. Who does the ammunition forecasting for your organization?
A. It is a collective task involving Law Enforcement Division management, the DACP training officer, and the DACP armorer.

INITIALS OF PERSON MAKING STATEMENT [redacted]

USE THIS PAGE IF NEEDED. IF THIS PAGE IS NOT NEEDED, PLEASE PROCEED TO FINAL PAGE OF THIS FORM.

STATEMENT OF [redacted] TAKEN AT DES/Fort Meade DATED 2005/07/25

[redacted]

9. STATEMENT *(Continued)*

Q. What is the process for the ammunition forecasting?

A. Well with a normal unit / activity that has its authorization documents in place, the system would revolve around TAMIS, the use of STRAC, and the TM/FM for the weapon involved. As any unit, the number of DACP Officers authorized X the number of rounds for the qualification course X the number of time required to qualify (per AR 190-56) - that's the process in its most simplistic form and obviously there is more to the process. Again, this has been a most difficult and frustrating action to work for the managers / supervisors involved. Deputy Police C[redacted]nd Police Chi[redacted] tell you what they have done to get the ammunition needed so our DACP officers can qualify with their assigned weapons. Ask them about the overtime problems / issues too! The short end of it, or bottom line up front, like everyone else in DoD we are extremely short of resources.

FYI - All questions concerning the storage, transport, inspection, and forecasting of training ammunition should be directed to the Police Chief, his Deputy, the DACP Training Officer, and the DACP Armorer. Deputy C[redacted]ntered on-duty after the weapons range event that Officer Daley made his allegations about.

Q. Please provide me a list of those who attended a basic police officer training course

A. I will have Deputy [redacted]ovide you with that list.

Q. As the Deputy Director of Emergency Services (DDES), are you required to qualify on a handgun?

A. If and when my PD is formally approved by IMA and/or NERO, I suppose I will as that PD (Factor 8) states that annual weapons qualification with the 9mm pistol and annual chemical defense equipment training is required. Currently I am detailed (and I'm not even sure how official that is, but I serve where I can best support the organization and installation). The PD I actually fall under (Supervisory Physical Security Specialist, GS-0080, does not call for me to be armed). When that becomes a condition of my employment, then I will go out and qualify. As a retired soldier with 30-years experience, weapons qualification will not be a problem; however, at this time that is not a priority that I should be concerned with as the Deputy Director.

Q. Is the Detachment Commander aware of these rounds?

A. I assume you are talking about the rounds placed in question by Offic[redacted] allegation. Since I was not the Deputy Director or directly involved during the timeframe mentioned in office[redacted] allegations, that would be question best directed to [redacted]e Provost Sergeant who essentially supervised (and rated) the DACP officers [redacted] (241st MP Detachment Commander), and then to her Battalion Comma[redacted]

Q. Would you know who inspected the Sep/Oct ammunition, ensuring it was safe and proper?

A. No, I was not the Deputy Director during the timeframe of weapons qualification range operation in question. As the Physi[redacted] Security Division Chief during that timeframe, that was not in my lane.

Q. Did you properly forecast its training requirements and did it properly and timely submit its ammunition authorizations?

A. I was not involved with this process during the timeframe mentioned i[redacted]s allegations. Currently, it is hard to forecast training ammunition when the authorization documents for the DACP positions on-hand don't sufficiently allow for that function.

Q. Did you know if you complied with all Army regulations in transferring the ammunition? [redacted]

A. I wasn't involved in transferring the ammunition during the timeframe mentioned in Office[redacted] allegations.

Q. Was any of the transferred ammunition corroded, dented or tinged with green patina?

A. I can't answer that question since I was not involved with that action during the timeframe mentioned in O[redacted] allegations.

Q. Who inspected the ammunition to ensure it was safe prior to use on the training range?

A. I can't answer that question since I was not involved with that action during the timeframe mentioned in Offic[redacted] allegations. Apparently during the period mentioned in Offic[redacted] allegations of wrongdoing, the ammunition in question was issued by SG[redacted] from HHB (L[redacted] Battalion).

Q. Where do your DAC police go to qualify/familiarize their weapons?

A. The range owned by Dept of Interior and ran by NSA.

Q. What are the policies and rules when occupying the range?

A. It is my understanding that the DACP training staff follows the US Army requirements.

Q. Can hollow point be fired on the range?

A. From what I understand, that is correct since it is DoD issued ammunition.

Q. Have you heard of your DAC police firing hollow point?

A. Yes, only for training.

Q. Do you know if the DAC police were carrying personal owned weapons while on duty at any time?

A. No, not to my knowledge.

Q. Have you heard of DAC police bringing personal owned weapons on post?

A. Yes.

Q. Since you knew of this prohibition, why would DAC police carry their personal owned weapon?

A. Your question assumes that DACP officers may NOT bring personal weapons on post. That is not the understanding I have after reading the findings written in the AR 15-6 conducted by the Headquarter & Headquarters Battalion Commander (LTC[redacted]

INITIALS OF PERSON MAKING STATEMENT [redacted]

USE THIS PAGE IF NEEDED. IF THIS PAGE IS NOT NEEDED, PLEASE PROCEED TO FINAL PAGE OF THIS FORM.

STATEMENT OF [redacted] TAKEN AT DES/Fort Meade DATED 2005/07/25

[redacted]

9. STATEMENT *(Continued)*

Q. Where would the DAC police store it if they were able to bring it on post before assumption of duty?
A. Well, they must secure it in the unit / activity arms room per Para 4-5a, AR 190-11 or the Installation Commander may authorize storage in other locations provided they are properly secured [Para 4-5a(1), AR 190-11] It is my understanding that the Police Chief has developed an SOP to cover this and to meet the IC's intent as it was explained by both the IG and the SJA when they discussed this matter with [redacted] was the Director of Emergency Services at the time the AR 15-6 findings / recommendations were approved by the IC (Colonel Ives).
Q. Would you know if any of the DAC police were authorized to carry concealed weapons?
A. The DACP Detective, who is allowed to carry a concealed weapon only when he is actually on duty. The GS-1811-11 Criminal Investigator also carries a concealed weapon.
Q. Do you know of any of your DAC police to include yourself if they have a concealed permit to carry their personal owned weapons?
A. I am not a sworn DACP police officer and I do not own a personal weapon nor have I been issued a duty weapon. I am not so sure that in my position (DES management and administrator) that I would actually need a weapon to perform my duties - If it gets so bad on post that I have to start "strap on a weapon," then I think we have some real problems here on post.
Q. Is there a need to have a separate locker room for these personal owned weapons?
A. When stored in the Arms Room, privately owned weapons must be stored in approved locked containers separate from the military (government owned) AA&E.
Q. What would be the reason to carry a personal owned weapon onto post?
A. Well, I am told [and the Post IG (along with others in staff leadership positions) was a big advocate for this] the reason would be so police officers could protect themselves when traveling to and from duty at Fort Meade as allowed by the Law Enforcement Safety Act of 2004 (HR-218).
Q. Why would they need it off post? What is the threat?
A. Personally, I don't see a threat directed at off-duty DACP officers who follow AR 190-56 and do not present themselves as police officers off the installation. Their risk is no more (or less) than the average citizen; however, my viewpoint is not shared by everyone - But more important than what I think or feel about this - HQDA (OPMG) and IMA should issue some very clear guidance about we are to implement / follow HR-218 (that way the Installation can develop it's policies based on HQDA & HQIMA policy guidance). If it was published, no one pointed this out in the AR 15-6 findings / recommendations and we certainly have not received constructive notice.
Q. Are there sensing sessions with the DAC Police?
A. Yes, DES management conducts sensing sessions with all of its employees (Police, Fire, Physical Security and Mission Support).
Q. When was the last one?
A. During the April-May timeframe [redacted] nducted a series of sensing sessio[redacted] his calendar and can tell you the exact dates. During a 25MAY05 session with the DACP officers, the representative presented the Major with 42 separate items for discussion.
Q. Was a topic on personal owned weapons?
A. Interesting, but no it was not one of the items listed; however, this has been mentioned previously by the DACP officers and a whole lot about HR-218 and the new AR 190-56 can be found on [redacted] personal web page http://mysite.verizon.net/k9ofcbtkunkel/id21.html [Remember he is also the unofficial union steward or at least there representative at the negotiations with the union local (FOP) for an agreement].
Q. How familiar are you with [redacted]
A. I've seen him working here at DES.
Q. This past Friday, you mentioned that you have 30 years in the service. At any time did you know Lt. [redacted] Dep C[redacted] and L[redacted]
A. I know Chief (retired C[redacted] by reputation and have gotten to know him very well here at DES. He is an excellent partner with DES management and an effective Division Chief. He and his D[redacted] make an outstanding leadership team - they have done a lot to get the DACP program back on track - Hooah! I've knowi[redacted] while on-station here at Fort Meade.
Q. Would you know what type of personal owned weapon [redacted]vns?
A. No
Q. Would you recognize a Glock if you saw it?
A. Upon a close examination, but from a distance, probably not at first glance.
Q. Please look at the pictures. Are you familiar of the single photo?
A. Yes. It is M9.
Q. What about the other photo?
A. Glocks because of the squared off back. Had it been in the holster as in the original 15-6, I probably could not tell without my glasses for distance.

INITIALS OF PERSON MAKING STATEMENT [redacted]

USE THIS PAGE IF NEEDED. IF THIS PAGE IS NOT NEEDED, PLEASE PROCEED TO FINAL PAGE OF THIS FORM.

STATEMENT OF [redacted] TAKEN AT DES/Fort Meade DATED 2005/07/25

[redacted]

9. STATEMENT *(Continued)*

Q. Would you know if a person was carrying a Glock in the holster?
A. Upon a close examination, but from a distance, probably not at first glance.
Now, if you look closely at the M9, it has a lanyard loop visible at the base of the handgrip whereas the M11 doesn't [see also FM 3-23.35 (Chapter 1)].
Q. How involved are you with the DAC police and their training program?
A. I understand what is spelled out in AR 190-56, specifically Chapter 4. I have worked with the Police Chief, his Deputy Chief and the Physical Security Division Chief to ensure we were prepared for a comprehensive inspection by the MDW-PMO staff. We were rated "green" in both MP soldier and DACP officer certification. Aside from working on building the Directorate's Annual Training Plan for FY06, my only involvement is to make sure each of our Division Chiefs develop their Annual Training Plan. Once I get the DRAFT, I will cross-walk each to ensure they cover training requirements and we will also cross-walk individual development plans with the Annual Training Plan / DES Calendar.
Q. Have you ever attended one of their weapon qualifications?
A. No, currently my schedule has not allowed for this. I'm not making excuses, but as you know we have staff shortages at the Directorate level. Until a few weeks ago, I was having to perform AO duties along with my own - there is only so much that can be done in a 40-hour work-week (and even then I'm taking work home with me) - We've had to ration our time and that is what we have a Police Chief, Deputy Police Chief, Police Captain, and Training Officer for. The Directo[redacted]ited the training site (as I understand it) when they conducted a qualification range a few weeks ago. Of course you know that I was not the Deputy when the weapons qualification range exercise was conducted during the timeframe mentioned in Office[redacted] allegations of wrongdoing.
Q. Do you know if during these two times they had different rounds than the standard 9mm?
A. During the most recent weapons qualification exercise, they (DACP) used the ammunition provided by the NSA. I was not the Deputy when the weapons qualification range exercise was conducted during the timeframe mentioned in Office[redacted] allegations of wrongdoing.
Q. Have you ever hear[redacted], "when in uniform doing details or police duties." Referring to carrying personal owned weapons. If so, what do you think he meant by that?
A. I have not heard him use that phrase - it might be better to ask him.
Q. How can DAC police arrest when their authority is to apprehend?
A. Well much as been written about that and you can find an interesting article on the same webpage that speaks to the HR-218 issue by going to www.policemag.com/topic.asp?TOPIC_ID=899
Also, along these same lines, I've asked SJA for clarification on the DACP status; for example:
Is the term "Federal Police Officer" correct when viewed in the context of AR 190-56 or is the term "Department of the Army (DA) Civilian Police Officer" a more legally correct term (title) to be used?
In terms of "Federal Law Enforcement Officer," -
" Have those issues that were raised in Purcell Brook et al (appellant) versus DoD (agency), US Merit System Protection Board (Docket No. NY-0831-97-0181-I-2, dated 29APR99) been resolved?
" Do the DA civilian police meet the definition of LEO as specified at 5 USC 8331 (20) or 5 CFR 831.904(a) (1)? Does the definition of a LEO as found in Bingaman v. Department of the Treasury, 127 F. 3d 1431, 1436 (Fed. Cir. 1997) apply to DACP Officers in this instance?
I notice in the GEG for police and security guard positions in series GS-0083/GS-0085 (TS-87 dated April 1988) the term "Police Officer in Federal Service" is used throughout the text of the document (not Federal Police Officer or Federal Law Enforcement Officer).
Perhaps these issues were addressed in the Law Enforcement Officers Equity Acts (not sure if that was ever passed)?
Would I be correct in my understanding that DACP officers get their authority based on the Installation Commander's authority and jurisdiction found in DoD Directive 5200.8, 25APR91, Security of DoD Installations and Resources, and 50 USC 797, along with Section 21 of the Internal Security Act of 1950 which requires the FGGM installation commander to take reasonably necessary and lawful measures to maintain law and order and protect installation personnel and property?
Finally, if Federal Protective Service police officers are appointed under 40 USC 318, then the authority to appoint DA civilian police officers (and their authority to perform law enforcement and security duties as spelled out in Chapter 5, AR 190-56) is granted by Title (what), Sections (what), of the U.S. Code (or did I answer my own question in the paragraph above?
From what I read, it is pretty clear that DACP Officer may "apprehend..." (Para 5-2a, AR 190-56)
The new DRAFT AR 190-56 should make it even clearer whenever it is published:
a. Department of the Army civilian police and security guards performing law enforcement and security duties authorized by the installation commander, may apprehend any persons found on the installation for offenses committed on post that are felonies, breaches of the peace, or otherwise a threat to property or welfare.
b. Civilian police and security guard personnel, while on duty at an installation, are considered part of the Department of the Army, and are therefore subject to the restrictions on aid to civilian law enforcement imposed by section 1385, title 18, United States Code, commonly known as the Posse Comitatus Act. Accordingly, any proposed aid to civilian law enforcement must be reviewed by the servicing SJA.

INITIALS OF PERSON MAKING STATEMENT [redacted]

USE THIS PAGE IF NEEDED. IF THIS PAGE IS NOT NEEDED, PLEASE PROCEED TO FINAL PAGE OF THIS FORM.

STATEMENT OF [redacted] TAKEN AT DES/Fort Meade DATED 2005/07/25

[redacted]

9. STATEMENT *(Continued)*

c. Local supervisory personnel may conduct annual retraining, to include first-line supervisors so long as the Provost Marshal/CLEO has approved such retraining and performance testing is applied to required training tasks. The individual conducting the training and testing and recorded on individual training records will document successful completion of specific retraining tasks.

d. Army civilian police and Army security guards authority and jurisdiction to perform law enforcement tasks on their installation are valid while performing these duties during their normal work hours only. An on-post apprehension conducted by Army civilian police in an off-duty status is a detention by a private citizen. This also pertains to carrying Army weapons while off-duty. Army civilian police and security guards will not carry Army weapons while off-duty. For the purpose of this regulation, on duty can mean the carrying of the weapon to and from a weapons training area. Army weapons are not permitted for carrying on a stand-by basis. Army civilian police or security guards while on duty will not carry privately owned weapons. The carrying of privately-owned weapons on post by off-duty Army civilian police and security guards will be in accordance with policy established by the installation commander for soldiers, family members and other US Government civilian employees. Local and state laws govern carrying of privately owned weapons while off-post.

Note: Since we have a new Installation Commander, we also need to have him, in conjunction with the SJA and DES and the Police Chief document their specific delegation of authority for Army civilian police and security guards within their respective jurisdiction .

Collective delegations may be made by functional groupings (i.e., police officers, Job Series 0083; Guards, Job Series 0085) or by Position Title (e.g. Desk Officer, Lead Police Officer, Police Officer, Guard, Lead Guard, etc). In addition, procedures must be established to ensure each police officer and guard acknowledges in writing, a clear understanding of his or her authority and jurisdiction. Written instructions will be reviewed at least once a year and updated, if necessary.

Because of potential conflicts of interest and Posse Comitatus Act problems, DACP Officers will not be deputized nor granted any additional authority and jurisdiction than given by the installation commander as specified in AR 190-56, and cited above in this statement while on duty.

Q. How often have the DAC police gone out to arrest drug offenders?

A. I do not like the word "arrest" because military police Soldiers and DAC police officers only have the authority to apprehend. AR 190-56 is very clear of this. During the 1st and 2nd Quarters, FY05, we (DES) only handled 19 drug related crimes on-pos The Police Chief and Police Admin can give you more details; however, six cases were in Zone 1, two cases were in Zone 2, f cases were in Zone 3, four cases in Zone 4, and three cases were in Zone 5. We have copies of the "Zone" map to show you.

Q. Do you allow your patrols to go outside the fence line onto these roads?

A. The installation has some interesting areas (some which appear to be outside the fence, when in fact they are actually on federal property) -- DES management, DACP leadership, and SJA also noticed our DACP Officers and MP Soldier were having a hard time determining jurisdiction. A map was developed and given to the patrol. We (DES) can provide you with a copy of the map.

Q. Do they need to patrol these roads?

A. The answer is yes, only those areas off post that belongs to the installation.

Q. What is the drug problem on the installation?

A. Of the 19 cases mentioned above, the police chief can break that down further.

Q. What is the installation's policy or regulation on registering personal owned weapons?

A. The policy can be found in FGGM Regulation 190-13, Physical Security, dated 21MAY03 and FGGM Policy 190-11-1, Control and Registration of Privately-owned Firearms and Ammunition, dated 1JUL03 (These are also found at various tabs in LTC Bell's AR 15-6 ROI).

Q. What about those who do not live on post?

A. I tend to agree with LTC [redacted] findings that the Post Regulation and the Post Policy published in 2003 do not sufficiently cover the new realities presented by HR-218 and everything that goes along with that Act. If HQDA or HQIMA agree that DACP Officers are covered under HR-218, then (as I suggested earlier when this issue was first surfaced) SJA needs to help us write something a little more clear, based on clear guidance from HQDA (OPMG) and IMA. This certainly beats trying to apply a 2003 regulation / policy to the implementation of an Act signed into law 20JAN04 (much like trying to fit a square peg into a round hole; but, it can be done - it's just won't be neat and pretty). The Regulation(s) and Policies need to be updated to reflect the new realities and new requirements at HQDA, IMA, MDW, and finally at the Installation level. Asking a subordinate element to craft a policy or regulation without clear guidance from higher just doesn't seem to make a whole lot of sense to this old soldier.

Q. Did you know of this last year?

A. Last year, about this time, I was very actively involved with Physical Security Division related tasks / projects / actions and working those PSD issues in my lane.

Q. Have you received or heard of anyone complaining that they can not register their personal owned weapons at the visitor control center?

A. No, and I ran the VCC as the Physical Security Division Chief. I have over-sight for the VCC now as the Deputy Director. However, I did read about the complaint in the AR 15-6 report written by LTC [redacted]. I suspect that perhaps the VCC staff member is unclear about the requirements in the context of HR-218. Chief [redacted] his Deputy, myself, and the VCC supervisor can rk through the process and resolve any problems (as they present themselves).

INITIALS OF PERSON MAKING STATEMENT [redacted]

USE THIS PAGE IF NEEDED. IF THIS PAGE IS NOT NEEDED, PLEASE PROCEED TO FINAL PAGE OF THIS FORM.

STATEMENT OF [redacted] TAKEN AT DES/Fort Meade DATED 2005/07/25

[redacted]

9. STATEMENT *(Continued)*

Q. Do you have a SWAT team?
A. No, DES does not.
Q. Do you have a SRT team?
A. No, DES does not
Q. What about last year?
A. No, not to my knowledge - Perhaps, someone was reflecting on their TTI (tactical something instruction) training sessions which was contracted by the 241st MP Detachment and funded by the HHB.
Q. Regarding DAC police and overtime. Do you get involved in their overtime?
A. Yes, we have been very concerned about OT. The Police Chief and his Deputy took active steps to control it to the degree possible, while still doing right things right. We (DES) are operating under some severe resource constraints (as are a lot of other organizations within DoD).
Q. Is it common to have a volunteer (overtime) DAC police to work without his/her weapon?
A. I would never put a DAC police out on the road without a weapon.
Q. Are you familiar [redacted]
A. Yes.
Q. To what extent? .
A. She filed a variety of complaints with EEO and others, if memory serves me correctly.
Q. Do know if she encountered problems with another DAC police?
A. She claims to have encountered several problems. This case was investigated and resolved.
Q. Have you heard those problems by someone else?
A. By the time I got here as the Deputy DES, I was informed it was an EEO case.
Q. Do you know if your DAC police have get-togethers off duty?
A. No.
Q. Are you part of the ammunition forecast?
A. No. However, if it were something we had to purchase, then yes.
Q. How many DAC Police do you have on your TDA? And Working TDA?
A. Working TDA is 64, funded; my TDA is authorized 21. Presently I have 51 on payroll with three on military leave. 241st TDA reflects 6 which are on DAC police program. With the Mil2Civ conversion, 16 are DAC police and 5 are dispatchers, not sworn officers. Out of my daily requirements of 113, 64 are contract security guards. The rest of that is your mix of MPs and DAC police.
Q. You mentioned previously, 'Our end-state is projected to be in the mid-70's" Where did that figure come from?
A. When I first come into this job, I heard that our end state was projected to be in the mid-70's. I don't have the documentation to support this.
Q. Does your training office [redacted] ow of your funded DAC police numbers?
A. Probably not. I think I know where you are going with this question. Funded at 64 is not an authorized document. Right now, we are going around begging for ammunition.
Q. What have you done to get the 64 DAC police on your TDA?
A. That is a question best answered b [redacted] who is the DRM for the Installation, since they are the proponant for the Garrison's TDA.
Q. Has anyone brought to your attention of any issues involving a DAC police and SC [redacted]
A. No.

---------- nothing follows ----------

[redacted]

INITIALS OF PERSON MAKING STATEMENT [redacted]

STATEMENT OF [redacted] TAKEN AT DES/Fort Meade DATED 2005/07/25

9. STATEMENT *(Continued)*

[redacted]

**AFFIDAVIT**

[redacted], HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 12. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

[redacted]
*(Signature of Person Making Statement)*

WITNESSES:

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 25 day of July 2005, at Fort Meade, MD

[redacted]
*(Signature of Person Administering Oath)*

[redacted]
*(Typed Name of Person Administering Oath)*

ART 136 (b)(4) UCMJ
*(Authority To Administer Oaths)*

INITIALS OF PERSON MAKING STATEMENT [redacted]

# SWORN STATEMENT

For use of this form, see AR 190-45; the proponent agency is ODCSOPS

PRIVACY ACT STATEMENT

AUTHORITY: Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9397 dated November 22, 1943 *(SSN)*.
PRINCIPAL PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately
ROUTINE USES: Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval.
DISCLOSURE: Disclosure of your social security number is voluntary.

| 1. LOCATION | 2. DATE *(YYYYMMDD)* | 3. TIME | 4. FILE NUMBER |
|---|---|---|---|
| Fort Meade, MD, DES Building 6619. | [redacted] 2005/07/27 | [redacted]30 | |

| 5. LAST NAME, FIRST NAME, MIDDLE NAME | 6. SSN | 7. GRADE/STATUS |
|---|---|---|
| [redacted] | [redacted] | Chief, Law Enforcemetn |

8. ORGANIZATION OR ADDRESS
DES, Fort Meade, MD

9.
[redacted], WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

Q. What is the time period you are Chief, Law Enforcement?
A. I reported to Ft. Meade and assumed duties as the Chief of the Law enforcement Division on 9 Jan 05.
Q. Understanding that "DES" is new, what was the actual date you started working for PMO?
A. 9 Jan 05
Q. As the Chief, Law Enforcement, what is your job description?
A. I serve as the Chief , Law Enforcement Division, responsible for managing, planning and coordinating all law enforcement operations within the Ft. Meade area of jurisdiction.
Q. Do you recall when the DAC police started on FT Meade?
A. I'm not sure exactly when the first DAC started working here at Ft. Meade but I believe it was sometime in the spring of 2004
Q. Did they fully replace the MPs?
A. No, there is still a mix of DAC and DACP here at Ft. Meade
Q. How many DAC police do you account for on your books as of right now?
A. We currently have 51 DACP assigned to the DES.
. Is that what you are authorized to have under the DES?
. Our current authorization is 79 DACP; however, from my understanding, the TDA is still a working TDA and is not yet ermanent. This authorization includes 16 positions from the military to civilian conversions that are on the 241st MP Det TDA.
Q. Would you have any documentation supporting this? If so, please provide them to me.
A. I don't have a copy of the current TDA but I believe Deputy Chief Frank has it.
Q. Are they presently on the TDA? If not, how do you account for them?
A. The positions are on the working TDA and 241st TDA.
Q. Do you have records reflecting the first DAC Police hired? If so, please provide copies of them to me.
A. I don't have any records of the first DACP hired.
Q. What is the DAC Police work schedule? Do the DAC police have fixed shifts or do the rotate? If they rotate thru each shift, when do they rotate?
A. The DACP are currently on fixed 12hr shifts.
Q. Who kept their duty schedule?
A. The Watch Commanders for each shift maintains the schedule for their shift. Deputy Chief Frank has copies of the most current schedules.
Q. Who at the management level responds to issues brought up by the union?
A. That would depend on the type of complaint. Most issues brought up by union reps since I've been here have been handled by me. I haven't had any formal complaints since I've been here. Most of the concerns I've had to address involved procedures and things that officers wanted changed to improve working conditions.
Q. Would you have a copy of the DAC Police union handbook? If so, may I have a copy of it?
A. I don't have a copy of the union handbook.
Q. Who are in the individuals who are union representatives?
A. The current union reps are [redacted]nd Offic[redacted]
Q. When do you have your law enforcement meetings?
A. I have meetings scheduled for the law enforcement division every Tuesday morning at 0930.
Q. Who attends?
A. . The meetings are attended by the Deputy Chief, Training Officer, Admin CPT, Traffic OIC, Investigations OIC, LE Admin Assistant, Watch Commander and myself.

| 10. EXHIBIT | 11. INITIALS OF PERSON MAKING STATEMENT | PAGE 1 OF 7 PAGES |
|---|---|---|
| | [redacted] | |

*ITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT _____ TAKEN AT _____ DATED _____*

*THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE BE INDICATED.*



ENCL

USE THIS PAGE IF NEEDED. IF THIS PAGE IS NOT NEEDED, PLEASE PROCEED TO FINAL PAGE OF THIS FORM.

STATEMENT OF [redacted] TAKEN AT Fort Meade, MD DATED 2005/07/27

9. STATEMENT *(Continued)*

Q. Who is your CPAC advisor?
A. [redacted]
Q. Going back to the beginning of the DAC Police, where did the handguns come from to support this new requirement?
A. I believe we initially used the weapons the 241st MP Det had on hand.
Q. Was there one official handgun per DAC police?
A. Yes, each officer was and is assigned a weapon.
Q. What type of handgun was issued at the beginning?
A. We initially used Berettas that were on the 241st TDA.
Q. Understanding that the DAC Police requirements increased and the authorizations increased as well, did the equipment, specifically handguns, increased, too? If so, where did they come from?
A. As stated before; all our weapons initially came from the 241st and as our DACP numbers increased we were allowed to use more of their unassigned weapons.
Q. I understand that the DAC police now have Sig Sauer handguns. When did this take place? Why? How many do you have?
A. I don't know the exact date, but it was approximately a month ago. The reason is because we didn't have any weapons of our own. 241st had to turn in their excess weapons and we knew we had to get weapons. We tried to get them thru the TDA. Because we are not on the approved TDA, we went thru the GSA. We have 150. We acquired our current Sig Sauer handguns.
Q. Where did they come from?
A. We received the Sig Sauer handguns from the IRS, through the General Services Administration (GSA)
Q. Going back to the personnel TDA, why so many Sig Sauer?
A. Our initial projection was that we would have 128 DACP assigned. Since we don't have a permanent TDA and the IRS was turning in the 150 handguns, we signed for all of them so if our final numbers did increase, we would already have enough weapons on hand.
Q. Since you just recently got them in a month or so ago, what type of weapon did you have before?
A. Prior to acquiring the Sig Sauers we were using the 241st Berettas, M9.
Q. How many handguns have the DAC Police used since their evolution? Why?
A. I have no historical knowledge of this; I do know that we used the Berettas from the 241st and now we're using the Sig Sauers.
Q. Who does the ammunition forecasting for your organization?
A. Since we don't have a permanent TDA we haven't been able to forecast ammo.
Q. What is the process for the ammunition forecasting?
A. The process is for the DACP training officer to forecast ammo for training and weapons qualifications; however we have been able to do this because we don't have a permanent TDA.
Q. What was the time frame when 241st did the forecasting for the PMO?
A. I don't think the 241st ever forecasted ammo for the DACP; I believe they only forecast ammo for their soldiers.
Q. Will the installation forecast ammunition without the TDA requirement?
A. I don't believe they will without a permanent TDA. I remember talking with the ammunition manager (can't remember the name) shortly after I arrived in Jan or Feb 05 and was not able to resolve the issue of how we could get ammo to qualify with.
Q. Given that you have the DAC police on hand, how do you go about getting the ammunition?
A. All the ammo we've received so far has come from the NSA as far as I know.
Q. When the DAC police attend the police academy at Aberdeen, does the DES/PMO provide them with their handguns?
A. No, the weapons they use at the academy are provided to them by the academy.
Q. If you provided them their handguns for the academy, do they qualify there?
A. They qualify with the weapons provided to them by the academy.
Q. Out of the number you presently have, referring to DAC police, how many attended the academy?
A. Not exactly sure; some DACP came to us with an already accredited academy. We currently have six DACP attending the APG academy and are scheduling the remaining officers for future classes. Prior to my arrival some officers were also sent to the academies at FLETC and a Veterans Administration academy.
Q. Who determines the waiver?
A. We don't really give a waiver; we determine whether an individual has already attended an approved academy and if not he/she will be scheduled for one in the future. The training officer reviews their records and qualifications to determine their qualifications.
Q. Please provide me a list of those who attended.
A. I don't have this list but it can be obtained from the training officer (Lt [redacted]
Q. Is the agency responsible to provide ammunition for their DAC police who attends the academy?
A. No
Q. If you don't provide their weapons for the academy, do they qualify and/or familiarize with their duty weapons when they return?
A. Most or all are qualified with their individual weapons before attending the academy. When they go to the academy, they qualify there, too.

INITIALS OF PERSON MAKING STATEMENT [redacted]

USE THIS PAGE IF NEEDED. IF THIS PAGE IS NOT NEEDED, PLEASE PROCEED TO FINAL PAGE OF THIS FORM.

STATEMENT OF [redacted] TAKEN AT Fort Meade, MD DATED 2005/07/27

9. STATEMENT *(Continued)*

Q. Where would the DAC police store it if they were able to bring it on post before assumption of duty?
A. There are currently no provisions for DACP to store their privately owned weapons on post. I know that at one point when the IG and SJA were involved in the investigation involving LT [redacted] t was suggested that we provide lock boxes so that those officers who chose to bring their weapons on post when reporting for duty, would have a place to secure them until they completed their tour of duty.
Q. Would you know if any of the DAC police were authorized to carry concealed weapons?
A. I know we have not authorized anyone except our investigators/detectives to carry concealed weapons for duty. I'm not sure if any DACP have concealed carry permits for off post during their own time.
Q. Do you know of any of your DAC police to include yourself if they have a concealed permit to carry their personal owned weapons?
A. I don't have a concealed carry permit and am not aware of any other officers that may have one.
Q. Is there a need to have a separate locker room for these personal owned weapons?
A. If it is determined that DACP will be allowed to bring their privately owned weapons onto the installation, there will be a requirement to provide a place for them to store the weapons while on duty.
Q. What would be the reason to carry a personal owned weapon onto post?
A. I don't see a need to carry a privately owned weapon on post. I don't foresee a threat on post.
Q. Why would they need it off post? What is the threat?
A. I'm not aware of any specific threat; however, I know some officers have stated their concerns about having a privately owned weapon for their personal safety to and from work.
Q. Are there sensing sessions with the DAC Police?
A. Yes, we conduct sensing sessions with the DACP.
Q. When was the last one?
A. I'm not sure of the exact date, but the last sensing session was conducted by MAJ [redacted] and myself approximately one month ago.
Q. Was a topic on personal owned weapons?
. I cannot recall
How familiar are you with Lt [redacted]?
I met LT [redacted] when I arrived here at Ft. Meade, he is the DACP training officer.
. This past Friday, you mentioned that you have 30 years in the service. At any time did you know Lt [redacted], Dep Chief [redacted] and Lt [redacted]?
A. I never met any of these individuals prior to my arrival at Ft. Meade.
Q. Would you know what type of personal owned weapon Mr [redacted] owns?
A. No I don't.
Q. Would you recognize a Glock if you saw it?
A. I've seen a Glock before but I'm not sure if I'd recognize one or not.
Q. Please look at the pictures. Are you familiar of the single photo?
A. Yes, it's a picture of a Beretta which we previously carried.
Q. What about the other photo?
A. I believe it is a Glock.
Q. Would you know if a person was carrying a Glock in the holster?
A. I don't recall seeing a Glock holster, so I probably wouldn't know one if I saw it.
Q. How involved are you with the DAC police and their training program?
A. I occasionally go down and watch some of the training for the new officers; I'm not involved in conducting any of the training.
Q. Have you ever attended one of their weapon qualifications?
A. No, I have not; I believe at least two ranges have been conducted since I've been here but I was unable to attend due to my being on leave or otherwise committed.
Q. When was this?
A. NA
Q. Do you know if during these two times they had different rounds than the standard 9mm?
A. I'm not sure what type rounds were used at these ranges.
Q. Do you permit them to go to the range for familiarization only?
A. I don't know of any ranges we've conducted strictly for familiarization.
Q. How does your organization obtain the additional rounds?
A. As far as I know, all the rounds we've used for qualification have come from NSA.
Q. Have you ever heard MAJ [redacted] say, "when in uniform doing details or police duties." Referring to carrying personal owned weapons. If so, what do you think he meant by that?
No, I've never heard MAJ [redacted] say anything like that.

INITIALS OF PERSON MAKING STATEMENT [redacted]

USE THIS PAGE IF NEEDED. IF THIS PAGE IS NOT NEEDED, PLEASE PROCEED TO FINAL PAGE OF THIS FORM.

STATEMENT OF [redacted] TAKEN AT Fort Meade, MD DATED 2005/07/27

9. STATEMENT *(Continued)*

Q. How can DAC police arrest when their authority is to apprehend?
A. DACP do not arrest, we apprehend and detain. Since I've been here I've heard several officers use the term arrest and I correct them on each occasion. I think it's more of a training issue than anything else. I believe all the officers know the difference between arrest and apprehend and they know we only have the authority to apprehend, not arrest.
Q. Who taught these classes?
A. Our classes on authority and jurisdiction are taught by SJA. This is also taught at the academy at APG; I'm not sure about the other academies.
Q. How often had the DAC police gone out to arrest drug offenders?
A. As I stated before, we don't arrest anyone. As far as apprehending drug offenders; the only drug related apprehensions I'm aware of were either the result of traffic stops or force protection measures at the gates, where drugs were detected during the course of the traffic stop or gate inspection. Drug suppression teams are ran by CID not DACP.
Q. Do you allow your patrols to go outside the fence line onto these roads?
A. We don't allow our patrols to go anywhere outside of the Ft. Meade jurisdiction. We do have three major highways that are outside the fence line but within the Ft. Meade area of jurisdiction, and some of our patrols (mostly traffic units) do run radar on these roads up to our jurisdictional boundaries.
Q. Do they need to patrol these roads?
A. Yes, we do need to patrol these roads because they are in our area of jurisdiction. As I previously stated it's mostly for traffic enforcement. I've also relayed to my subordinate supervisors that I want our main enforcement effort to be inside the fence line, concentrating on the housing areas and areas where we have increased crime.
Q. What is the drug problem on the installation?
A I'm not aware of any specific drug problem on the installation. For the most part, marijuana and drug paraphernalia are the problems. Since I've been here, drugs have been on a decline according to previous statistics on Fort Meade.
Q. What is the installation's policy or regulation on registering personal owned weapons?
A. The installation policy really only addresses the procedures for personnel living on post to register their weapons.
Q. What about those who do not live on post?
A. As far as I recall the installation policy does not address registration of privately owned weapons for individuals not residing post.
Did you know of this last year?
I was not at Ft. Meade last year.
Q. Have you received or heard of anyone complaining that they can not register their personal owned weapons at the visitor control center?
A. I have no personal knowledge of this. No officer has come to me with this information.
Q. Do you have a SWAT team?
A. No
Q. Do you have a SRT team?
A. No
Q. What about last year?
A. No, as far as I know Ft. Meade has never had an SRT or SWAT team
Q. Regarding DAC police and overtime. Do you get involved in their overtime?
A. Yes, I do.
Q. Is it common to have a volunteer (overtime) DAC police to work without his/her weapon?
A. No, none of the DACP should be working without their weapon. I do recall a union rep brought to my attention there was a DACP without his weapon on a gate. I spoke to Dep Chief [redacted] and he had heard about this before, addressed it with the watch commander. He took care of the problem. It is required our personnel to have weapons on the gate.
Q. What if there wasn't a shortage, could a DAC police still volunteer?
A. We don't allow any overtime unless it's required to fill shortages in order to meet minimum requirements or for special missions which cannot be performed with the personnel we have on shift.
Q. Are you familiar with [redacted]?
A. She was here for a short while after I arrived
Q. To what extent?
A. She was one on my DACP
Q. Do know if she encountered problems with another DAC police?
A. I don't know the extent of her problems with other officers but I know there were some complaints prior to my arrival.
Q. Have you heard of any other complaints regarding any of the DAC police? If so, what were they?
A. There are always some kind of complaints that have to be dealt with; however I haven't received any formal complaints since I've been here. Most of the issues I've delt with involved perceived officer safety issues or uniform issues, raised by the union reps. I'm not aware of any other complaints like those involving [redacted]

INITIALS OF PERSON MAKING STATEMENT [redacted]

USE THIS PAGE IF NEEDED. IF THIS PAGE IS NOT NEEDED, PLEASE PROCEED TO FINAL PAGE OF THIS FORM.

STATEMENT OF [redacted] TAKEN AT Fort Meade, MD DATED 2005/07/27

9. STATEMENT *(Continued)*

Q. Do you know if your DAC police have get togethers off duty?
A. I have no knowledge of this.
Q. How frequent?
A. Unknown
Q. Are you familiar with Club Baltimore?
A. No I am not.
Q. What kind of establishment is it?
A. Unknown
Q. Do you have anything else to add?
A. No
Q. Regarding the 12 hour shifts, when did you start this? And why?
A. We started the 12 hour shifts on 26 May or 26 June. I can't recall. We started it basically (1) personnel requirements-giving us the ability to train the officers, doing collective training. Prior to doing this, we conducted a survey with the officers, and they agreed. W e briefed the installation commander, providing an information paper. He approved it. The second reason is for morale. Some of the officers never got a weekend off. This allows them every other weekend off.
Q. Does Aberdeen authorize those attending the academy to bring their personal owned weapons?
A. No.
Q. Regarding weapons on the gate, is it required to have a weapon while on gate 8, in the trailer?
A. Yes.
Q. Have you heard of any complaints or issues involving SGT [redacted]
A. No.
Q. Regarding Ms [redacted] how would you describe her work performance?
A. From the time I got here, she was here for a few months more. I have gotten complaints that she would take a lot of sick leave and not coming into work sometimes. At one point, she came to see me regarding her issues that had been going on for some time. She stated that her sick leave was because of the pressures she had been under. I don't really recall her specific issues. It was fter her supervisor and Deputy Chie [redacted] proposed an action on her. I wanted to get her story. Based on that conversation, I ose not to sustain their action and stopped it.
Q. Who was her supervisor?
A. I don't know. I was just learning who people were since I was just coming in.
Q. Regarding the personal owned weapon, why would DAC police determine it be a personal safety commuting to and from work?
A. A lot of them wear their uniform to and from work. A lot of them feel as is they can be targeted because when someone sees them in uniform, all they see is a law enforcement uniform. In other cases, some of them have FOP tags on their cars and that identifies them as law enforcement, too.
Q. Do you have wall lockers for each DAC police?
A. No. That is one of our plans in getting them lockers. We are very limited. It is a union proposal.
Q. Is there any DES law enforcement policy that may stipulate that your DAC police must come to work in their duty uniform shirt and depart from work in their duty shirt?
A. No. It does say that they must be ready to go to work at a specific time. Not all of the DACP come into work with their duty shirt. Some take off their shirts when they leave.
Q. Regarding overtime, are you saving money?
A. Yes. We have less call outs for those calling in sick for weekends. We don't have to call people in to fill those voids.

---------- nothing follows ----------

INITIALS OF PERSON MAKING STATEMENT [redacted]

STATEMENT OF [redacted] TAKEN AT Fort Meade, MD DATED 2005/07/27

9. STATEMENT *(Continued)*

AFFIDAVIT

I, [redacted], HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 6. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INTERFERENCE.

[redacted]
*(Signature of Person Making Statement)*

WITNESSES:

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 26 day of July, 2005 at [redacted]

[redacted]
*(Typed Name of Person Administering Oath)*

[redacted] LTC, MP, Investigating Officer

ART 136 (b)(4)
*(Authority To Administer Oaths)*

INITIALS OF PERSON MAKING STATEMENT [redacted]

Tab h

27 July 2005

MEMORANDUM FOR RECORD

SUBJECT: Telephonic conversation with [redacted], IMA Ammunition Manager

On 27 July 2005, at approximately 1700 hours, I contacted Mr. [redacted], IMA Ammunition Manager at telephone number 703-602-1846, regarding the information he provided to LTC [redacted], the previous 15-6 investigating officer. Mr. [redacted] stated he will not submit training ammunition requisition without authorization. He stated that he knew that DES had approximately 20 authorized on the TDA and 64 on the working TDA. Therefore, the training ammunition would not have been enough.

Mr. [redacted] stated that the 9mm hollow point ammunition that DES DA police used last year was an approved suitable substitution for the 9mm ball ammunition. He stated he told this to LTC [redacted] as part of her investigation earlier this year. **However, as of May 2005, this same ammunition—jacketed hollow point—is not an approved substitution for 9mm ball for security forces for training purposes.** (see attached)

Mr. [redacted] informed me of the Joint Munitions Command website where a list of substitutability / interchangeability munitions are provided.
www.osc.army.mil/sm/sub.htm

[redacted]
LTC, MP
Investigating Officer

Tab M

DEPARTMENT OF THE ARMY
HEADQUARTERS, FORT GEORGE G. MEADE
4551 LLEWELLYN AVENUE
FORT GEORGE G. MEADE, MARYLAND 20755-5000

REPLY TO
ATTENTION OF:

IMNE-MEA-ES

10 June 2005

MEMORANDUM FOR: NSA Police Department, Attn: Chief of Police [redacted] 9800 Savage Road, Suite 6602, Fort Meade, Maryland 20755

SUBJECT: Assistance with Training/Qualification Ammunition for the Fort Meade Police Department.

1. The Fort Meade Police Department is requesting the assistance from the NSA Police Department in providing critically needed 9mm ammunition. This training ammunition will be used for the purpose of qualifying present officers on the newly assigned M11 9mm semi-automatic pistols, ultimately ensuring that the Police Department stays within the guidelines established in the Regulation (DA PAM 350-38).

2. Currently the Police Department is in the building phase and has just received weapons from the Office of Inspector General to be placed on the MTOE. This will allow us to order ammunition through the Army's Ammunition System (TAMIS). Due to the fact that we have just received these weapons the system has not had a chance to "catch up" for us and has cut us short of critically needed qualification ammunition.

3. As stated above, the Fort Meade Police Department would greatly appreciate your in providing 9000 rounds of 9mm ammunition for the use of semi-annual qualification. Once again we thank you for your assistance and we continue to look forward to building and maintaining a cohesive relationship between our departments in the future.

4. Any questions in reference to this memo are to be directed to COP [redacted] at [redacted] or Lt [redacted] at [redacted]

[redacted]
Major, Military Police
Director of Emergency Services

[redacted] 9 Jun 05

ENCL

SECURITY CLASSIFICATION

# PROPERTY ACCOUNTING HAND RECEIPT

*Classification - U=Unclassified, C=Confidential, S=Secret, TS=Top Secret

| USER'S NAME | SID | ORG | ROOM | PHONE | ITEM RETURNED TO PROPERTY OFFICER. USER IS RELEASED FROM RESPONSIBILITY. |
|---|---|---|---|---|---|
| DES-FMPD Trng Lt [redacted] Approved by MAJ [redacted], via VOCO at [redacted] | | FMPD | | 7-7464 | |

| NSA BARCODE NO. | EQUIP. TYPE (IE, PC, W STA., LAPTOP) | MODEL | SERIAL NUMBER | MFG | *CLASSIFICATION | COMMENTS | DATE | PO SIGNATURE |
|---|---|---|---|---|---|---|---|---|
| | Ammunition | | | | | | | |
| 10,-grain Federal 9mm. Luger Hydra-Shok JHP Officer turn-in Ammo. | | | | | | | | |
| This ammunition is being distributed for training purposes only. To be fired and expended on Range #8 for training and qualification of Department of Army Police officers. This request was approved through Col. [redacted] N.S.A. Police Deputy Chief. | | | | | | | | |

## RESPONSIBILITY STATEMENT

I acknowledge receipt of the equipment listed above. I understand that the equipment is the property of the National Security Agency (NSA) and the United States Government and must be returned to the above organization upon reassignment, retirement, resignation, or termination. I also understand that NSA may require the return of the above equipment at any time and I agree to return it promptly upon demand. I agree not to transfer any of the above equipment to a vendor, other organization, or other individual without first consulting with the Division Property Accounting Officer. In accordance with the procedures set forth in the NSA/CSS RMM 111-5, I understand that I may be found financially liable for loss, damage or destruction of equipment from my gross negligence, willful misconduct or deliberate unauthorized use.

| | | | |
|---|---|---|---|
| GNATURE | USER X [redacted] | DATE | X 06-10-05 |
| | PROPERTY OFFICER [redacted] | | 06-10-05 |

14A OCT 2004 (created by whwagne)

SECURITY CLASSIFICATION

Page 4 of 4

05/18/05 12:58 FAX

003

## HAND RECEIPT

DATE: 09/10/2004

| NOMENCLATURE | QUANTITY | SERIAL NUMBER |
|---|---|---|
| 124 gr. Federal 9MM Luger Hydra-shok JHP | 8,824 | total rounds |
| Officer yearly turn-in ammunition | | |
| This ammunition is being distributed to the U.S. Dept. of Army Police, per their request for support purposes. This will assist the D.A. Police in their training and enable them to stand ready to protect and defend the base. | | |
| Approval for this support was given by D/Chief, Special Activities, [redacted], NSA Police. | | |
| total = | 8,824 | |

Employee distributing material: Ofc. Mike M [redacted]

ISSUED TO

| NAME | | ROOM: | SECTION: |
|---|---|---|---|
| [redacted] | | DPTMS | [illegible] |

I CERTIFY THAT I HAVE RECEIVED THE ABOVE LISTED ITEM AND HOLD MYSELF RESPONSIBLE FOR THE SAME.

SIGNATURE [redacted]

FORM A2450 REIN SEP 84

NSN 7540-FM-001-3514

U.S.G.P.O.: 1994-[illegible]

ENCL 2 5

# SWORN STATEMENT

For use of this form, see AR 190-45; the proponent agency is ODCSOPS

PRIVACY ACT STATEMENT

UTHORITY: Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9397 dated November 22, 1943 (SSN).
RINCIPAL PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately
ROUTINE USES: Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval.
DISCLOSURE: Disclosure of your social security number is voluntary.

| 1. LOCATION | 2. DATE (YYYYMMDD) | 3. TIME | 4. FILE NUMBER |
|---|---|---|---|
| Ft. Benning, GA 31905 | 20050805 | 1535 | |

| 5. LAST NAME, FIRST NAME, MIDDLE NAME | 6. SSN | 7. GRADE/STATUS |
|---|---|---|
| [redacted] | [redacted] | E6 |

8. ORGANIZATION OR ADDRESS
608 ord Co. / Fire Dept.

9.
I, [redacted], WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

I was assigned to the 241ST MP Det. From May 03 - until Nov. 04. I worked Directly for the Company Headquarters from Aug 03 - until Oct 04. My Duties at the Company were: Training NCO, Retention NCO, Safety Ofc., Fire Marshal, Environmental Rep, Energy Conservation NCO, Dental Readiness NCO, and AER Rep. I Remember Receiving the ammunition identified as well as the other ammunition stated as excess ammunition by SGT [redacted], Range Operations Mngr./CDR. The ammunition was used for Range Qualification for the 241ST MP Company, 100% qualification directed by the Commander. The quantity of rounds were not requested, I was informed what quantity was available to be expended to be able to qualify or requalify soldiers of the 241ST MP Company. For most of the time I worked as the Training NCO the ammunition system was messed up, then when 'R UIC changed, from one UIC to another, we were not in the system and unable receive ammunition. Our UIC was not in the system for the Post Ammo Manager, was familiar that the rounds signed for were 9mm and were used for qualification rounds on a scheduled range under the control of the NSA Police and its staff. After receiving the ammunition, it was stored in the company's vault #2 were all other ammunition was stored. The rounds were properly transferred to the company using the Hand Receipt. Provided by the NSA Police. Copies were then given to the Post Ammunition Manager. I have not requested ammunition for the DA Police for Ft. Meade. During my tenure as the Training NCO I do recall a few of the DA Police shooting on our range at first, but that was when there were only about four or five personnel. I do not know who or why they were directed to shoot on our range. As stated before, there was no formal request for ammo from the 241ST MP to NSA Range Control. The ammunition was marked as excess ammo and was able to be used to shoot and qualify, other than turn it in and not be able to use it. Seldom did we have to use ammunition from NSA. The ammunition was not directly requested from NSA. The rounds received from NSA were use and able to be used to help qualify personnel doing the same security and law enforcement duties within the same military facility. I do know SGT [redacted] she worked as the company's PAC NCO and then was assigned to the Road for Patrol Duties. I have never been to "the Bar of Baltimore" and do not know where it is. I do not recall any incident between [redacted] do not maintain contact with Lewis at this time. I have never seen or heard of [redacted] wearing a/his personal weapon on duty.

| EXHIBIT | 11. INITIALS OF PERSON MAKING STATEMENT | PAGE 1 OF 2 PAGES |
|---|---|---|
| | [redacted] | |

IONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF _____ TAKEN AT _____ DATED _____

THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE ... MUST BE BE INDICATED.

ENCL

STATEMENT OF [redacted] TAKEN AT Ft Benning, GA DATED 20050805

9. STATEMENT (Continued)

I Do not know who else might have seen [redacted] wear his personal weapon on duty. I Do not know what type of weapon [redacted] was. /// — End of statement — ///

AFFIDAVIT

I, [redacted], HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 2. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

[redacted]

(Signature of Person Making Statement)

WITNESSES:

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 5 day of Aug, 2005 at Ft. Benning, GA 31905

(Signature of Person Administering Oath)

(Typed Name of Person Administering Oath)

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT [redacted]

Tab N

# SWORN STATEMENT

For use of this form, see AR 190-45; the proponent agency is ODCSOPS

PRIVACY ACT STATEMENT

AUTHORITY: Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9397 dated November 22, 1943 (SSN).
PRINCIPAL PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately
ROUTINE USES: Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval.
DISCLOSURE: Disclosure of your social security number is voluntary.

| 1. LOCATION | 2. DATE (YYYYMMDD) | 3. TIME | 4. FILE NUMBER |
|---|---|---|---|
| United States Army Garrison, Fort Meade, MD | 2005/08/04 | 1400 Hrs. | |

| 5. LAST NAME, FIRST NAME, MIDDLE NAME | 6. SSN | 7. GRADE/STATUS |
|---|---|---|
| [redacted] | | GS-11 |

8. ORGANIZATION OR ADDRESS
NSA Police, Range Control

9.

I, [redacted], WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

During the first week of September, 2004, Lt. [redacted] Department of the Army Police came to the National Security Agency Police Range Control building requesting ammunition and firing range support. He stated that since his department was newly formed they did not have access to any ammunition supplies to train his officers for range qualifications. He further stated that to order any ammunition through the Army's Training Ammuniton Supply System (TAMIS) was a slow process and could take up to a year to acquire ammunition. He stated that he could not get his officer's firearms qualified and put on post to protect the base, without our assistance.

I informed Lt. [redacted] that I had approximately 9000 rounds of 9mm Luger, Federal Premium, 124 grain Hysra-Shok, Jacketed Hollow Point, officer turn-in ammunition available and showed it to him. I asked him if that would be ok for him to use to qualify his officers. He stated, "Yes, the ammunition would be ok." I explained to Lt. [redacted] that we have a Standard Operating Procedure requiring our Police Officers to turn in their duty ammunition after annual firearms training qualifications and replenish it with new stock. Lt. [redacted] was informed that the firearms instructors inspect all ammunition when it is turned in, to make sure that all rounds are safe. The Firearms Instuctors then bring the ammunition to Range Control and the Range Control Officer inspects the ammunition again and secures it in our ammunition safes. This ammunition is utilized by our Emergency Response Team (ERT) to train with.

I stated to Lt. [redacted] that I would need a signed letter from him on official letterhead explaining his situation and why he needed the ammunition. I then informed him that when I received his request in writing, I would send it up through my chain of command for consideration and approval.

The ammunition request was granted by [redacted] Deputy Chief of Special Activities, NSA Police. Sgt [redacted] 241st MP's, signed for and picked up 8,824 rounds of the 9mm, HydraShok ammuntion on 09/10/2004.

NOTHING Follows — [redacted]

| 10. EXHIBIT | 11. INITIALS OF PERSON MAKING STATEMENT | PAGE 1 OF 2 PAGES |
|---|---|---|
| | [redacted] | |

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT _____ TAKEN AT _____ DATED _____

THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE BE INDICATED.

STATEMENT OF [redacted] TAKEN AT OSJA, FGGM DATED 08/05/2005

9. STATEMENT (Continued)

NO THING FOLLOWS

[redacted]

AFFIDAVIT

I, [redacted], HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE _____. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

[redacted]
(Signature of Person Making Statement)

WITNESSED BY

[redacted]
SJA, Fort Meade
Maryland 20755-5030
ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 5th day of AUGUST, 2005
at [redacted]
(Signature of Person Administering Oath)

[redacted] CPT, JA
(Typed Name of Person Administering Oath)

10 USC. § 936b
(Authority To Administer Oaths)

ORGANIZATION OR ADDRESS

INITIALS OF PERSON MAKING STATEMENT [redacted]

# PRIVACY ACT ADVISEMENT

AUTHORITY: TITLE 10, UNITED STATES CODE, SECTION 3013

PRINCIPAL PURPOSE: To investigate the circumstances surrounding allegations made in a complaint to the Office of Special Counsel regarding conditions in the Fort Meade Provost Marshal's Office and procedures followed by personnel assigned to the Provost Marshal's Office.

ROUTINE USES: Any information provided can be disclosed to members of the Department of Defense who have a need for this information in the performance of their official duties. It may also be disclosed to agencies outside the Department of Defense who have a law enforcement security function, should they have a need for such information.

EFFECT OF NOT PROVIDING INFORMATION: Disclosure is mandatory, unless you are reasonable suspected of having committed an offense and you are being questioned about the offense. If you are not suspected of committing an offense, failure to provide the information could subject you to disciplinary or adverse action under appropriate Army or civilian personnel regulations. If you are reasonable suspected of committing an offense, the investigating officer will advise you of your rights, and there will be no adverse consequences for not furnishing the requested information (except that the commander will not otherwise have the benefit of the information you could have provided when making his determination in this matter).

[redacted]
Signature

[redacted]
Printed Name

08/05/2005
Date

Tab 8

DEPARTMENT OF THE ARMY
OFFICE OF THE
DEPUTY CHIEF OF STAFF FOR OPERATION AND PLANS
400 ARMY PENTAGON
WASHINGTON DC 20310-0400

DAMO-RQ

18 MAR 2002

MEMORANDUM FOR

HEADQUARTERS, DEPARTMENT OF THE ARMY, OFFICE OF THE DEPUTY CHIEF OF STAFF, G-4, ATTN: DALO-SMA, 500 ARMY PENTAGON, WASHINGTON, DC 20310-0500

HEADQUARTERS, DEPARTMENT OF THE ARMY, OFFICE OF THE ASSISTANT SECRETARY OF THE ARMY (ACQUISITION, LOGISTICS, AND TECHNOLOGY), ATTN: SAAL-ZL, SUITE 11300 PRESIDENTAL TOWERS, 2511 JEFFERSON DAVIS HIGHWAY, ARLINGTON, VA 22202

SUBJECT: Procurement of 9mm Jacketed Hollow-Point (JHP) Ammunition

1. The US Army Criminal Investigation Command (USACIDC) and the US Army Military Police School (USAMPS) have requested procurement of 9mm hollow point ammunition for use in law enforcement activities. The authority to use this ammunition was granted to USACIDC personnel by the Office of the Deputy Chief of Staff (ODCS), G-3 on 10 Nov 98 (enclosure 1). On 24 Apr 00, the same authority was provided to Installation Commanders in the Continental US, Hawaii, Alaska, and US territories (enclosure 2).

2. Procurement of 9mm hollow point ammunition has been delayed by two misconceptions: (a) that there is no valid requirement document; and (b) that the current 9 mm cartridge is a Navy munition that requires further testing by the Army to establish that it is safe for Army personnel to use.

3. According to Army Regulation (AR) 71-9 (paragraph 3-2, e (1) (f)), no Army requirement document is necessary to procure an item that has been purchased by another Service under that Service's requirements documentation process. Enclosure 3 is the Navy product specification used to produce the 9mm cartridge and enclosure 4 is the active Navy stock catalog information on the cartridge. It is available under DOD Identification Code A260; stock number 1305-01-357-8488.

4. Enclosure 5 addresses the safety issue for Army personnel using this cartridge. The Weapon System Explosives Safety Review Board (WSESRB) of the Naval Sea Systems Command reviewed the results of the 9mm hollow point test program and concluded that the round was acceptable for Service use. Their process is just as rigorous as the Army's testing program. Therefore, there is no valid reason for the Army to conduct additional tests on this cartridge.

Printed on Recycled Paper

DAMO-RQ
SUBJECT: Procurement of 9mm Jacketed Hollow-Point Ammunition

5. Approval is granted for Army procurement and use of cartridge, caliber 9mm, jacketed hollow-point, National Stock Number 1305-01-357-8488. Restrictions on its use are detailed in enclosures 1 and 2. These restrictions will be referenced in the Materiel Release documentation.

6. The Product Specification (enclosure 3) and the WSESRB data package (enclosure 5) have been removed from the memoranda provided to CF addressees. They are available upon request. The ODCS, G-3 staff point of contact is Mr. [redacted] COMM [redacted], DSN [redacted], email: [redacted]

5 Encls

PHILIP R. KENSINGER, JR.
Major General, GS
Assistant Deputy Chief of Staff, G-3

CF (minus enclosures 3 and 5):
COMMANDER, US ARMY MATERIEL COMMAND, ATTN: AMCPE-F/AMCAM, 5001 EISENHOWER AVENUE, ALEXANDRIA, VA 22333-0001
COMMANDER, US ARMY TRAINING AND DOCTRINE COMMAND, ATTN: ATBO-J (SGM MOISANT), 5B NORTHGATE ROAD, FORT MONROE, VA 23651-1048
COMMANDER, US ARMY FORCES COMMAND, ATTN: AFPM, 1777 HARDEE AVENUE, SW, FORT MCPHERSON, GA 30330-1062
COMMANDER, US ARMY PACIFIC, ATTN: APPM, FORT SHAFTER, HI 96858-5100
COMMANDER, US ARMY CRIMINAL INVESTIGATION COMMAND, ATTN: CISP-LO, 6010 6TH STREET, FORT BELVOIR, VA 22060-5506
COMMANDER, US ARMY MEDICAL COMMAND, ATTN: MCOP, 2050 WORTH ROAD STE 7, FORT SAM HOUSTON, TX 78234-6007
COMMANDER, US ARMY MILITARY DISTRICT OF WASHINGTON, ATTN: ANPM, 103 THIRD AVENUE, FORT LESLEY J. MENAIR, WASHINGTON, DC 20319-5058
COMMANDANT, US ARMY MILITARY POLICE SCHOOL, ATTN: ATZT-CDM, FORT LEONARD WOOD, MO 65473-5000
OFFICE OF THE PROGRAM MANAGER FOR SMALL ARMS, ATTN: MR. ERRANTE, BLDG 151, PICATINNY ARSENAL, DOVER, NJ 07806-5000

# REPRINT OF ORIGINAL MESSAGE

01 02 101358Z NOV 98 RR UUUU AT ZYUW
NO

DA WASHINGTON DC//DAMO-ODL//
SUPT WEST POINT NY//MAPM//
CMDT USAMPS FT MCCLELLAN AL//ATZN-PM-Z//
AIG 7406

UNCLAS

SUBJ: UTILIZATION OF HOLLOW POINT AMMUNITION

UNCLAS
PLEASE PASS TO INSTALLATION PROVOST MARSHAL OFFICES
REF ARMY REGULATION (AR) 190-14, CARRYING OF FIREARMS AND USE OF FORCE FOR LAW ENFORCEMENT AND SECURITY DUTIES, 12 MAR 93

1. ARMY LAW ENFORCEMENT POSSESSION OR USE OF HOLLOW POINT AMMUNITION IS NOT AUTHORIZED WITH THE EXCEPTION OF U.S. ARMY CRIMINAL INVESTIGATION COMMAND (USACIDC) PROTECTIVE SERVICE UNIT MISSIONS IN THE UNITED STATES AND ITS TERRITORIES. PROVISIONS OF REFERENCE ARMY REGULATION ASSIGN POLICY RESPONSIBILITY TO DAMO-ODL FOR THE USE OF DEADLY FORCE. DAMO-ODL HAS RECEIVED INQUIRIES CONCERNING THE USE OF HOLLOW POINT AMMUNITION BY MILITARY POLICE PERSONNEL IN THE PERFORMANCE OF LAW ENFORCEMENT DUTIES IN A NONCOMBAT ENVIRONMENT. THIS RESPONSE HAS BEEN PREPARED FOLLOWING DAMO-ODL COORDINATION WITH THE OFFICE OF THE JUDGE ADVOCATE GENERAL (OTJAG) AND ARMY GENERAL COUNSEL.

2. OTJAG ADVISED THAT WHILE THE UNITED STATES IS NOT A PARTY TO ANY TREATY PROHIBITING MILITARY USE OF HOLLOW POINT AMMUNITION, IN PRACTICE IT HAS FOLLOWED AN 1899 TREATY PROHIBITING MILITARY HOLLOW POINT USE UNLESS THERE IS AN OVERRIDING MILITARY REQUIREMENT FOR ITS USE. AS OTHER NATIONS ARE PARTY TO THIS 1899 TREATY, AND THE GENERAL PRACTICE OF NATIONS HAS BEEN TO AVOID ITS COMBAT USE, THERE EXISTS A NECESSITY TO TIGHTLY CONTROL HOLLOW POINT AMMUNITION ISSUED TO MILITARY LAW ENFORCEMENT PERSONNEL FOR PEACETIME LAW ENFORCEMENT TO PREVENT ITS UNAUTHORIZED POSSESSION OR USE IN COMBAT. ITS UNAUTHORIZED POSSESSION OR USE IN COMBAT COULD LEAD TO SERIOUS DIPLOMATIC REPERCUSSIONS FOR THE UNITED STATES AND POSSIBLE CRIMINAL LIABILITY FOR AN INDIVIDUAL CAPTURED WITH IT.

3. WHILE THERE IS NO LEGAL PROHIBITION ON HOLLOW POINT USE FOR DOMESTIC LAW ENFORCEMENT USE, PARTICULARLY WITHIN CONUS, PRIMARY CONSIDERATION MUST BE GIVEN TO RISKS ASSOCIATED WITH HOLLOW POINT USE IN DAY-TO-DAY LAW ENFORCEMENT SITUATIONS WITHIN THE ARMY. IN PARTICULAR, THERE ARE SIGNIFICANT TRAINING AND LOGISTICAL ISSUES ASSOCIATED WITH ATTEMPTING TO USE AND CONTROL

# REPRINT OF ORIGINAL MESSAGE

02 02 101358Z NOV 98 RR UUUU AT ZYUW

TWO TYPES OF AMMUNITION (HOLLOW POINT AND FULL-METAL JACKETED AMMUNITION).

4. REVIEW OF SERIOUS INCIDENT REPORTS AND INSTANCES WHERE ARMY LAW ENFORCEMENT PERSONNEL HAVE DISCHARGED THEIR WEAPONS SHOWS NO INCIDENT WHERE THE USE OF HOLLOW POINT AMMUNITION WAS REQUIRED. WHILE HOLLOW POINT AMMUNITION USE MAY OFFER CERTAIN ADVANTAGES IN EXECUTION OF THE LAW ENFORCEMENT MISSION, THOSE ADVANTAGES DO NOT OUTWEIGH THE BURDEN OF CONTROL REQUIREMENTS AND RISKS ASSOCIATED WITH ITS ISSUANCE WITHIN THE MILITARY. FOR THESE REASONS, HOLLOW POINT AMMUNITION POSSESSION OR USE IS NOT AUTHORIZED.

5. POINT OF CONTACT IS MR. [redacted], DSN [redacted], COMM [redacted]

# REPRINT OF ORIGINAL MESSAGE

RAAUZYUW RUEADWD1223 1151828-UUUU—RUEANBA
ZNR UUUUU
R 241425Z APR 00
FM DA WASHINGTON DC//DAMO-ODL//
TO RUERGAH/SUPT USMA WEST POINT NY//MAPM//
RUERNUA/CMDT USAMPS FT LEONARD WOOD MO//ATZN-MP//
AIG 7406
BT
UNCLAS

SUBJ: AUTHORITY TO USE HOLLOW POINT AMMUNITION FOR LAW ENFORCEMENT

PASS TO PROVOST MARSHALS
REF A. DAMO-ODL MSG 101358Z NOV 98
REF B. AR 190-14, CARRYING OF FIREARMS AND USE OF FORCE FOR LAW ENFORCEMENT AND SECURITY DUTIES, 12 MAR 93

1. REF A PROVIDED GUIDANCE ON THE USE OF HOLLOW POINT AMMUNITION. THE GUIDANCE LIMITED THE USE OF SUCH AMMUNITION TO THE U.S. ARMY CRIMINAL INVESTIGATION COMMAND (USACIDC) PROTECTIVE SERVICE UNITS. THIS MESSAGE AUTHORIZES INSTALLATION COMMANDERS WITHIN THE CONTINENTAL UNITED STATES, HAWAII, ALASKA, AND UNITED STATES TERRITORIES APPROVAL AUTHORITY TO USE HOLLOW POINT AMMUNITION FOR LAW ENFORCEMENT PURPOSES. IT IS EMPHASIZED THAT THE APPROVAL IS AT THE INSTALLATION COMMAND LEVEL. COMMANDER, USACIDC IS THE APPROVAL AUTHORITY FOR LAW ENFORCEMENT PERSONNEL ASSIGNED TO THE USACIDC. USE OF HOLLOW POINT BULLETS OUTSIDE THE CONTINENTAL UNITED STATES AND IN COMBAT CONDITIONS IS STILL PROHIBITED.

2. AFFECTED PROVOST MARSHALS MAY INITIATE REQUESTS TO THEIR INSTALLATION COMMANDERS CITING THE PROVISIONS OF REF B ON CONDITIONS FOR CARRYING FIREARMS (PARA 2-5), PROCEDURES FOR USE OF FORCE (PARA 3-1), AND DEADLY FORCE (PARA 3-2). AS PART OF THE APPROVAL PROCESS, INSTALLATION PROVOST MARSHALS MUST ENSURE THAT PERSONNEL ARE TRAINED AND QUALIFIED ON THE USE OF FIREARMS, HOLLOW POINT BULLETS, AND ARE AWARE OF THE GENERAL PROVISIONS OF AR 190-14. FUNDING FOR THE CHANGE TO HOLLOW POINT AMMUNITION IS A LOCAL INITIATIVE AND NO ADDITIONAL FUNDS WILL BE PROVIDED. PROVOST MARSHALS MUST ENSURE THAT PERSONNEL TRAVELING TO AREAS WHERE HOLLOW POINT AMMUNITION IS NOT AUTHORIZED ARE ISSUED BALL AMMUNITION. PERSONNEL WILL NOT BE ISSUED BOTH TYPES OF AMMUNITION AT THE SAME TIME.

3. POINT OF CONTACT IS MR. [redacted], DSN [redacted], COMM [redacted]

BT

FNCL2

Active Navy Stock Catalog Information

NALC: A260

NSN: 1305 01 3578488

COG: 2T

UNIT OF ISSUE:EA

SECURITY CLASS: 4

ITEM WEIGHT: 0.030

DEMIL CODE:G

HAZARD CLASS: 1.4 S

ITEM CUBE: 0.001

MCC: K

MINIMUM FRAGMENT DISTANCE:0 FEET

FIUL WEIGHT: 3040.000

PRICE: 0.24

FIUL CUBE: 37.502

STORAGE COMPATIBILITY GROUP: S

STORAGE NET EXPLOSIVE WEIGHT: 0.000700

QUANTITY DISTANCE CLASS: 0014

PRODUCTION NEXT EXPLOSIVE WEIGHT: 0.000000

JULIAN DATE THIS RECORD WAS LAST CHANGED IN CAIMS:

99208

NOMENCLATURE:

CARTRIDGE,9 MILLIMETER, SUBSONIC,147 GRAIN JACKETED HOLLOW POINT,F/SUBMACHINE GUN USE,(HIGHER VELOCITY THAN 1305-01-333-3929)SHIPPED 1000 EA.IN M2A1 MTL BX;2 MTL BXS PER WIREBND BX(2000 RDS EA);36 WRBND BXS PER WOOD PALLET BOX,(72000 RDS EACH)

REFERENCE NUMBER 1: 5355727

REFERENCE NUMBER 2: 9362802A

REFERENCE NUMBER 3: MIL-C-50D

REFERENCE NUMBER 4: MIL-L-13783C

REFERENCE NUMBER 5: QQ-L-171E

Tab P

# SWORN STATEMENT

For use of this form, see AR 190-45; the proponent agency is OOCSOPS

PRIVACY ACT STATEMENT

AUTHORITY: Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9397 dated November 22, 1943 *(SSN)*.
PRINCIPAL PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately identified.
ROUTINE USES: Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval.
DISCLOSURE: Disclosure of your social security number is voluntary.

| 1. LOCATION | 2. DATE *(YYYYMMDD)* | 3. TIME | 4. FILE NUMBER |
|---|---|---|---|
| Fort Meade, MD, DES 6619 Building | 2005/07/26[redacted] | 2315 | |

| 5. LAST NAME, FIRST NAME, MIDDLE NAME | 6. SSN | 7. GRADE/STATUS |
|---|---|---|
| [redacted] | [redacted] | DAC Police Officer |

8. ORGANIZATION OR ADDRESS
DES

9.
[redacted], WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

Q. Are you an Army retiree or at any time employed by the Defense? If employed by the Defense, which service?
A. Not retired. I am reserve component, USAR. Unit 3-318th MP OSUT
Q. When start working for DES/PMO?
A. August 16, 2004. I have been here since 2002. I was an active duty MP with 241st, and served as their arms room NCOIC.
Q. What position were you hired to do and what did you actually do upon working for DES/PMO?
A. I was hired as a patrol officer, 0083. After I started working here, I went to FLETC. I went to school for Firearms instructor training program. I am now the firearms instructor. I also have armor school thru the army.
Q. What duties do you perform?
A. I am the OIC of the arms room, firearms instructor and patrol officer.
Q. When you attended the DAC police academy, what types of handgun were used?
A. No. I am going in September to Aberdeen. I already had MP school.
Q. Have you ever requested additional training ammunition for either 241st or DES?
A. No.
Q. I have you ever forecasting the training ammunition for DES?
A. I have been present in the discussion for the training ammunition, but never with the documentation. I told [redacted] or [redacted] of our requirements.
Q. Has the DAC police ever qualified with the 241st on the ranges that since you've been here in 2002?
A. The only training we did together is tactical training internatonal.
Q. How many weapons-M9-do you recall was in the 241st arms room?
A. I believe 148.
Q. Why would so many?
A. In 1998 or 1999, the HHC consolidated their weapons with 241st. That arms room is a consolidated arms room. After I did research on it, I found paperwork that showed me, which weapons belonged to whom. IN 2001 or 2002, the 241st became a MTOE and received more M9. Off hand, maybe 40 to 50. When I was there, I had all that paper work to a T. A child could find it. Now, who knows?
Q. Do you own a personal owned weapon? Type?
A. Yes. Glock, G19.
Q. Have you brought that weapon on post?
A. Yes.
Q. Do you still bring that weapon on post?
A. No. Not after all this. We were told to register them at the VCC.
Q. Are you a federal police officer?
A. Yes. Sworn.
Q. Do you have a concealed weapons permit?
A. According to HR 218, it states any sworn police officer can carry a weapon.
Q. When did you purchase your Glock? Have you ever purchased or possessed other handguns? If so, what were they?
A. Oct or Nov of last year. No, I have not purchased or possessed others. I am not a Rambo or Dirty Harry.
Q. When you entered the installation, transporting your POW, did you ever inform the security guards that you have a weapon?

A. When I came thru the gates, yes. At no time did I ever carry my weapon hot.
Q. Did you have the magazine in the weapon?
A. When I come on post, I put the magazine in the glove box and place the weapon in a secured container, secured to the floor. [redacted]

| 10. EXHIBIT | 11. INITIALS OF PERSON MAKING STATEMENT | PAGE 1 OF 4 PAGES |
|---|---|---|
| | [redacted] | |

*ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF _____ TAKEN AT _____ DATED _____*

*THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE BE INDICATED.*



ENCL

USE THIS PAGE IF NEEDED. IF THIS PAGE IS NOT NEEDED, PLEASE PROCEED TO FINAL PAGE OF THIS FORM.

STATEMENT OF [redacted] TAKEN AT Fort Meade, MD [redacted] DATED 2005/07/26 [redacted]

9. STATEMENT *(Continued)*

Q. With the above question, did you ever show your weapon registration?
A. Yes.
Q. Have you ever registered your POW on the installation? If so, when?
A. yes. Right after I bought it. November timeframe.
Q. Have you ever used or worn your privately owned weapon on duty?
A. No..
Q. What is/were the perceived threat for you as DAC police officer on duty?
A. Just that we have so many civilians living on post here. Anyone can come on post here. The pizza person can deliver here. From the high school, you can walk on post. All you need is a driver's license, registration and proof of insurance; they can get on this post.
Q. What about off post? What is the threat to you as a DAC police officer?
A. Knowing I've apprehended persons that live off post; know that I have FOP tag that says I am a police officer; any personnel that I have gone to court for will know my face. I consider these as threat to me in general. There are so many different things.
Q. Are you listed in the telephone book?
A. No. I do not have a house phone. I have a cell phone.
Q. Have you ever worn any personal items on the official duty belt? If so, what and why?
A. No. All standard issue to me.
Q. Have you ever seen [redacted] with non-standard issue holster on his duty belt?
A. I have never seen [redacted] with a duty belt. The only time I've seen him was on the range and he used mine or another officers. The only time I've seen him with a weapon is at the PMO and he had his pancake issued holster.
Q. Are you familiar with the Federal regulations of bringing privately owned weapon on to the installation? If yes, please elaborate the Federal regulations.
A. I don't have the detail. All I know that if you bring a fire arm on post you have to be a police officer, accredited police agency, such as DEA, CIA.
Q. Are you familiar with the Army regulations of bringing privately owned weapon on to the installation? If yes, please elaborate the Army regulations..
A. If you are military member, it will store in the arms room. It has to be signed in and out by the commander. This applies to all ranks.
Q. Are you familiar with the installation's regulations and policies of bringing privately owned weapon on to the installation? If yes, please elaborate the installation's regulations and policies
A. As long as it is registered at the VCC.
Q. What is the frequency DAC police are to qualify annually and how many rounds they are to qualify with?
A. They qualify semi annually. Per rounds per person, with qualification, 50 rounds; with familiarization 10.
Q. Where are you getting semi annual qualification?
A. Army regulation states twice a year.
Q. How many weapons are assigned to the DAC police?
A. Currently right now, 150 Sig Sauer P228, 9mm
Q. Why do you have so many?
A. We had fluxuations in our numbers. We had 20 then we went to 40. We have 50 or 60 officers. By October, we are to have 82 officers. From here on out, if our number change due to the increase of personnel grown on post, or if the weapon does down, I have back up weapons to issue out to the officers. Chief [redacted] handled it. Property book did sign it from the IRS. It was [redacted] and Ms [redacted] from installation property book holder.
Q. Have you attended the installation's range safety course? When?
A. Yes, 040901.
Q. What type of rounds have you used on the qualification ranges from Jan 04 to present?
A. Ball and hollow point.
Q. Do you recall them mentioning the type of rounds approved on the range?
A. Yes. As long you are on range 8, you can use lead and any other ranges, you can use green ammo.
Q. What is the procedure in transporting ammunition?
A. One person armed with weapon; ammunition in a box, container, fire extinguisher; blanket covering it; no placards.
Q. Did you run the range Sep/Oct 04?
A. If there was a range, I am sure I was. I don't remember right off hand if there was a range at that time.
Q. Is hollowpoint ammunition approved by the Army?
A. It is in the Army requisition. However, only certain units are authorized to use it for operational load. It does not say anything for training.
Q. What regulation covers type of rounds needed to qualify?
A. I would have to get back with you on that. I don't know.
Q. Why use hollowpoint to qualify here?
A. We don't have to use it, but if that is the only type available and we need to qualify, then that is what we will have to use.

INITIALS OF PERSON MAKING STATEMENT [redacted]

USE THIS PAGE IF NEEDED. IF THIS PAGE IS NOT NEEDED, PLEASE PROCEED TO FINAL PAGE OF THIS FORM.

STATEMENT OF [redacted] TAKEN AT Fort Meade, MD[redacted] DATED 2005/07/26[redacted]

9. STATEMENT *(Continued)*

Q. Have you ever requested ammunition from NSA before? If so, did you ever specify the type?
A. Not from me. We have received rounds from them before. So have the 241st since 3 years ago. I can remember since 2002 that after 9/11 no one had rounds but NSA. The Army was sending their ammunition supply to Iraq. We would get a reduced amount. For instance, if you asked for 10000 for the entire you, you may get 2000.
Q. Have you or other DAC police ever fired POWs on the range while conducting a weapons qualification? If so, when?
A. No.
Q. Have you ever used personal ammo on the range?
A. No.
Q. Does range control allow POWs on the range?
A. They do as long as you fill out their form on type of weapon, caliber, number of rounds expended.
Q. Do you know[redacted]
A. Yes.
Q. How long?
A. I guess when she started to the time she left. I do not know those dates.
Q. Have you ever heard Ms[redacted]say that she was sexually harassed? If not, by her, then by whom?
A. All I know there was an investigation on her.
Q. Did you know Mr.[redacted]before he was hired?
A. No.
Q. What was Mr.[redacted]s work performance like?
A. The worst I've seen in my life on professionalism and on interpersonal communication skills. He could not have a normal conversation about anything or he would complain about the Fort Meade police department.
Q. Did you have disagreements with him? Or he with you?
A. I didn't talk to him enough to disagree with him.
Q. Were there public displays of disagreements of him with others?
A. He would talk to a lot of officers, trying to debate certain subjects on how the police department should be run.
Q. Why do you think he did that?
A. Honestly, I don't think he's right in the head. I just came back from Germany and he and I were in the same unit for annual training. From majors, captains, they said that he was not right in the head. MAJ[redacted] LTC[redacted] COL[redacted]are all reservist of the 5115 unit. I am not sure which unit. It is over by rout 175.
Q. Why was his employment terminated?
A. No officially. I heard rumors of things that he has done.
Q. Do you and the DAC Police socialize after duty hours?
A. I live with one of them: Officer[redacted] One other officer, we were MPs together at Fort Meade. Officer[redacted]
Q. Do you know SGT[redacted]
A. Yes.
Q. How long?
A. Since she got here and then she got out. I have been the longest. She might have gotten here end of 2003 or first of 2004. She came as a specialist then made her sergeant.
Q. Have you heard if SGT[redacted]attended some of these get together with other DAC police? Who did you hear it from?
A. No. I have seen at a bar with other MPs. I don't remember the club in Baltimore.
Q. Have you heard of any problems which involved SGT[redacted]and Mr.[redacted]
A. No.
Q. Is she married?
A. Yes, her husband is at Aberdeen police officer.
Q. What GS level did you start at?
A . GS 6
Q. Have you ever been a FTO for[redacted]
A. No
Q. how long does it take to get the police officer roadable?
A. It depends the officer accelerates in the learning process. IF they can adapt quickly in learning the road; take in the information. I have seen[redacted]work the road and she has asked me questions. I know she should have known the answers. I noticed that she was never aware of her surroundings while patrolling. I noticed she would be talking on her phone.
Q. Anything else you would like to add?
A. No.

---------- nothing follows ----------

[redacted]

INITIALS OF PERSON MAKING STATEMENT [redacted]

# SWORN STATEMENT

*For use of this form, see AR 190-45; the proponent agency is ODCSOPS*

**PRIVACY ACT STATEMENT**

| | |
|---|---|
| AUTHORITY: | Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9397 dated November 22, 1943 (SSN). |
| PRINCIPAL PURPOSE: | To provide commanders and law enforcement officials with means by which information may be accurately |
| ROUTINE USES: | Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval. |
| DISCLOSURE: | Disclosure of your social security number is voluntary. |

| 1. LOCATION | 2. DATE (YYYYMMDD) | 3. TIME | 4. FILE NUMBER |
|---|---|---|---|
| United States Army Garrison, Fort Meade, MD | 2005/08/04 | 1400 Hrs. | |

| 5. LAST NAME, FIRST NAME, MIDDLE NAME | 6. SSN | 7. GRADE/STATUS |
|---|---|---|
| [redacted] | [redacted] | GS-11 |

8. ORGANIZATION OR ADDRESS
NSA Police, Range Control

9.
I, [redacted], WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

During the first week of September, 2004, Lt. [redacted] Department of the Army Police came to the National Security Agency Police Range Control building requesting ammunition and firing range support. He stated that since his department was newly formed they did not have access to any ammunition supplies to train his officers for range qualifications. He further stated that to order any ammunition through the Army's Training Ammuniton Supply System (TAMIS) was a slow process and could take up to a year to acquire ammunition. He stated that he could not get his officer's firearms qualified and put on post to protect the base, without our assistance.

I informed Lt. [redacted] that I had approximately 9000 rounds of 9mm Luger, Federal Premium, 124 grain Hysra-Shok, Jacketed Hollow Point, officer turn-in ammunition available and showed it to him. I asked him if that would be ok for him to use to qualify his officers. He stated, "Yes, the ammunition would be ok." I explained to Lt. [redacted] that we have a Standard Operating Procedure requiring our Police Officers to turn in their duty ammunition after annual firearms training qualifications and replenish it with new stock. Lt. [redacted] was informed that the firearms instructors inspect all ammunition when it is turned in, to make sure that all rounds are safe. The Firearms Instuctors then bring the ammunition to Range Control and the Range Control Officer inspects the ammunition again and secures it in our ammunition safes. This ammunition is utilized by our Emergency Response Team (ERT) to train with.

I stated to Lt. [redacted] that I would need a signed letter from him on official letterhead explaining his situation and why he needed the ammunition. I then informed him that when I received his request in writing, I would send it up through my chain of command for consideration and approval.

The ammunition request was granted by [redacted], Deputy Chief of Special Activities, NSA Police. Sgt. [redacted] 241st MP's, signed for and picked up 8,824 rounds of the 9mm, HydraShok ammuntion on 09/10/2004.

NOTHING FOLLOWS — [redacted]

| 10. EXHIBIT | 11. INITIALS OF PERSON MAKING STATEMENT | PAGE 1 OF 2 PAGES |
|---|---|---|
| | [redacted] | |

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT _____ TAKEN AT _____ DATED _____

THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE BE INDICATED.

STATEMENT OF [redacted] TAKEN AT OSJA, FGGM DATED 08/05/2005

9. STATEMENT (Continued)

No Thing Follows

[redacted]

AFFIDAVIT

I, [redacted], HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE _____. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

[redacted]
(Signature of Person Making Statement)

WITNESSED BY

[redacted]
SJA, Fort Meade
Maryland 20755-5030
ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 5th day of August, 2005 at

[redacted]
(Signature of Person Administering Oath)

[redacted] JA
(Typed Name of Person Administering Oath)

10 USC. 936b a
(Authority To Administer Oaths)

ORGANIZATION OR ADDRESS

INITIALS OF PERSON MAKING STATEMENT [redacted]

# PRIVACY ACT ADVISEMENT

AUTHORITY: TITLE 10, UNITED STATES CODE, SECTION 3013

PRINCIPAL PURPOSE: To investigate the circumstances surrounding allegations made in a complaint to the Office of Special Counsel regarding conditions in the Fort Meade Provost Marshal's Office and procedures followed by personnel assigned to the Provost Marshal's Office.

ROUTINE USES: Any information provided can be disclosed to members of the Department of Defense who have a need for this information in the performance of their official duties. It may also be disclosed to agencies outside the Department of Defense who have a law enforcement security function, should they have a need for such information.

EFFECT OF NOT PROVIDING INFORMATION: Disclosure is mandatory, unless you are reasonable suspected of having committed an offense and you are being questioned about the offense. If you are not suspected of committing an offense, failure to provide the information could subject you to disciplinary or adverse action under appropriate Army or civilian personnel regulations. If you are reasonable suspected of committing an offense, the investigating officer will advise you of your rights, and there will be no adverse consequences for not furnishing the requested information (except that the commander will not otherwise have the benefit of the information you could have provided when making his determination in this matter).

[redacted]
Signature

[redacted]
Printed Name

08/05/2005
Date

05/18/05 12:50 FAX

003

## HAND RECEIPT

DATE: 03/10/2004

| NOMENCLATURE | QUANTITY | SERIAL NUMBER |
|---|---|---|
| 124 gr. Federal 9MM Luger Hydra-shok JHP Officer yearly turn-in ammunition | 8,824 | total rounds |
| This ammunition is being distributed to the U.S. Dept. of Army Police, per their request for support purposes. This will assist the D.A. Police in their training and enable them to stand ready to protect and defend the base. | | |
| Approval for this support was given by D/Chief, Special Activities [redacted] NSA Police. | | |
| total = | 8,824 | |

Employee distributing material: Ofc. Mike M[redacted]

ISSUED TO

| NAME | | ROOM: | SECTION: |
|---|---|---|---|
| SGT [redacted] | | OPTIMS | 124 gr MP/DA Police |

I CERTIFY THAT I HAVE RECEIVED THE ABOVE LISTED ITEM AND HOLD MYSELF RESPONSIBLE FOR THE SAME.

SIGNATURE [redacted]

FORM A2480 REV 1 SEP 84

NSN 7540-FM-001-3544

U.S.G.P.O.: 1984-305-[illegible]

ENCL 25

MTOE Modification table of Organization & Equipment TAB R

# SWORN STATEMENT

For use of this form, see AR 190-45; the proponent agency is ODCSOPS

PRIVACY ACT STATEMENT

AUTHORITY: Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9397 dated November 22, 1943 (SSN).

PRINCIPAL PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately identified.

ROUTINE USES: Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval.

DISCLOSURE: Disclosure of your social security number is voluntary.

| 1. LOCATION | 2. DATE (YYYYMMDD) | 3. TIME | 4. FILE NUMBER |
|---|---|---|---|
| Garrison Headquarters | 2005/07/22 [redacted] | 1630 | |

| 5. LAST NAME, FIRST NAME, MIDDLE NAME | 6. SSN | 7. GRADE/STATUS |
|---|---|---|
| [redacted] | | MAJ |

8. ORGANIZATION OR ADDRESS
HQ Cmd Battalion

9.
I, [redacted], WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

Q. When was the time period you were DES/PM?
A. June 2004-15 July 2005
Q. According to your previous statement, you have been with DES/PMO for 13-14 months. What was the actual date you started working for PMO?
A. I was assigned as the Deputy Provost Marshal on 1 DEC 2003.
Q. Do you recall when the DAC police started on FT Meade?
A. I don't know the exact starting period for the DACP on FGGM. The program was started prior to my arrival; I believe the DACP were started during LTC [redacted] tenure as the Provost Marshal.
Q. Did they fully replace the MPs?
A. No. The DACP were never intended to fully replace the MPs.
Q. Are they on the TDA?
A. I cannot tell you for sure; during FY04 and through most of FY05 the DACP have been hired as overhires.
Q. How many DAC police do you account on your books?
A. Currently, I believe we are at 52. I may be off by one or two. These personnel are hired against the FGGM-USAG TDA. Additionally, the 241st MP Det now has DACP authorizations on its TDA. During FY05 the 241st MP Det has experienced a mil to civ conversion. The conversion earmarked 30 MP authorizations for conversion. However, due to limited FY05 funding, the 241st is only authorized to recruit for 21 of the 30 positions.
Q. Do the DAC police have fixed shifts or do the rotate?
A. Originally, the DAC Police had rotating shifts. This changed during June 2005, after we obtained approval from the FGGM command group to switch to fixed 12 hour shifts.
Q. Before this approval, how often did they rotate?
A. I can't say specifically. We kept them on 40 hours a week schedules.
Q. Who kept their duty schedule?
A. As to my knowledge, it was Lt [redacted] He was hired as the training officer but I detailed him to the operations officer position for approximately six months. When Deputy Chief [redacted] came on board, he took over the scheduling duties. He's the actual operations officer.
Q. Do you have one official handgun per DAC police?
A. We do now. We did not initially. Less than 6 months ago, the DAC Police hand receipted from the 241st MP Det. However, recently we were able to obtain over one hundred weapons from GAO due to an IRS equipment turn in. These weapons were laterally transferred to the installation and placed on the DES hand receipt. The DACP conducted weapons qualification in June for these weapons.
Q. What took place before these weapons arrived?
A. The DACP used weapons from 241st MP Det, berrettas. The 241st had about 120 weapons. Since the unit was drawing down, the company commander wanted to turn-in equipment that did not support the detachment's reduced manning authorizations. Additionally, the Company Commander and Headquarters Battalion Commander were given information at a USR brief at MDW, that the DAC Police should not use MTOE weapons. It was later determined this information was incorrect. However, this issue provided a greater impetus for acquiring dedicated weapons for the DACP.

[redacted]

| 10. EXHIBIT | 11. INITIALS OF PERSON MAKING STATEMENT | PAGE 1 OF 5 PAGES |
|---|---|---|
| | [redacted] | |

DITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF _____ TAKEN AT _____ DATED _____

THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE BE INDICATED.



ENCL

USE THIS PAGE IF NEEDED. IF THIS PAGE IS NOT NEEDED, PLEASE PROCEED TO FINAL PAGE OF THIS FORM.

STATEMENT OF [redacted] TAKEN AT 1630 DATED 2005/07/22

9. STATEMENT *(Continued)*

Q. Digress a bit, how many DAC police were initially hired?
A. As for as I know, the PMO originally had 2 DAC police on over hire. These slots may have been assimilated on to the TDA, I'm not sure. When I came on board in December 2003, we had approximately 6 DACP. Prior to my arrival, LTC [redacted] briefed MDW on the plan on DAC police. This was approved. Based upon the initial plan the PMO was to hire 30 officers. And as funding became available the remaining officers would be recruited. The hiring figure for FY04 was later revised to 60 officers based on the availability of funding. Part of the DACP hiring was to replace the Operation Noble Eagle forces, National Guard forces that were manning the installation access control points. This unit left in the June-July 2004 time frame and was replaced by contract security guards.
Q. Who does the ammunition forecasting for your organization?
A. Last year it was done by the 241st MP Det training NCO. Currently, we have Lt [redacted] as the training officer for DAC Police forecasting requirements.
Q. What was the time frame when 241st did the forecasting for the PMO?
A. They were doing the forecasting thru FY05. Lt [redacted] provided the numbers during FY04 for FY05.
Q. Will the installation forecast ammunition without the TDA requirement?
A. I am not sure if they ever did that or not.
Q. Given that you have the DAC police on hand, how do you go about getting the ammunition?
A. Lt [redacted] submits the requirements to the company. They use TAMIS, submitting to the installation. This was how it was done in FY04. During FY05, ammunition became an issue for DAC police. 241st were not allocated enough ammunition for DAC police. Due to a previous relationship established by the 241st with the NSA, we were able to obtain additional ammo.
Q. Did you program enough ammunition for their initial qualification?
A. That was in the forecast submitted in FY04. We found out later, I am not totally clear on this issue, that the 241st could not program the ammunition in FY05 for the DACP. So initially, yes, we programmed the ammunition, but the allocations were never approved. This was not learned until after the FY had begun.
Q. Back in Sep/Oct 04, what was the number of DAC police you had on the books?
A. Probably around 28, maybe closer to 30.
Q. If you have 30 DAC police, why get approximately 9,000 rounds to qualify back in Sep/Oct 04?
A. I am not really sure on this. We had problems getting ammunition. We were projecting 60 DAC police for FY05. I did not know we were given this amount.
Q. Is the company commander aware of these rounds?
A. I do not know.
Q. Would you know how was it transported?
A. From NSA to here... Personally, no. I was not in the process of transporting ammunition.
Q. Where was it stored?
A. I believe it was stored in 241st arms room.
Q. When was the firing of these rounds?
A. I don't remember the exact range dates. We usually run a range once a month for new hires and annual requalifications.
Q. Would you know what is the maximum number of rounds you may store in 241st arms room?
A. That's something I would have known a few years ago; but right off hand, I do not know.
Q. Why would you have known a few years ago?
A. Because at that time, I was more into the details of company level operations.
Q. Would you know who inspected the Sep/Oct ammunition, ensuring it was safe and proper?
A. I do not know for sure, but I trusted my leaders at that level to perform what was needed..
Q. Did you properly forecast its training requirements and did it properly and timely submit its ammunition authorizations?
A. To the best of my knowledge yes. I believe we learned later it was not done properly.
Q. Did you know if you complied with all Army regulations in transferring the ammunition?
A. I don't know, but it was my belief that we were in compliance with the ARs for ammunition handling and accountability.
Q. Did you properly add the transferred ammunition to its inventory?
A. . I'm not sure. I'm not the hand receipt holder for the DES. Additionally, I'm not sure if the ammunition obtained from NSA was laterally transferred or only sub-hand receipted. But I'm under the assumption the ammunition was added to the inventory for the 241st arms room..
Q. Was the transferred ammunition "non-standard?"
A. I didn't know it was hollow point and I was not aware it was non standard. I was briefed we were to receive ammo from NSA and that it met our standards-Department of the Army standards. Actual receiving procedures.. I did not cover that information. Normally, they would coordinate with 241st.
Q. Who is this "they?"
A. Lt [redacted] and MSG [redacted]
Q. If so, did the proper authority approval the use of the ammunition?
A. I don't remember being told it was non standard [redacted]

INITIALS OF PERSON MAKING STATEMENT [redacted]

USE THIS PAGE IF NEEDED. IF THIS PAGE IS NOT NEEDED, PLEASE PROCEED TO FINAL PAGE OF THIS FORM.

STATEMENT OF [redacted] TAKEN AT 1630 DATED 2005/07/22

9. STATEMENT *(Continued)*

Q. Was any of the transferred ammunition corroded, dented or tinged with green patina?
A. I never saw the ammunition.
Q. Who inspected the ammunition to ensure it was safe prior to use on the training range?
A. I assume it was the range OIC and/or range safety officer inspected the rounds. Additionally, the armorer on the range would have been in a position to inspect the rounds. Most of my earlier ranges were ran by Lt[redacted]
Q. Where do your DAC police go to qualify/familiarize their weapons?
A. We have a range here at Fort Meade. The range complex was given to the Dept of Interior as a result of the 1990 BRAC. DOI allows NSA to control the ranges.
Q. The range is owned by Dept of Interior and ran by NSA. What are the policies and rules when occupying the range?
A. I do not know. I have not been thru the range brief here at Meade.
Q. Do Army rules apply?
A. I don't know for sure, but pretty positive yes. That's the way our ranges are run.
Q. Can hollow point be fired on the range?
A. Like I said, I haven't gone thru the course. I am only guessing, but I think the answer is yes.
Q. Have you heard of your DAC police firing hollow point?
A. Only after this investigation started.
Q. Do you know if the DAC police were carrying POWs while on duty at any time?
A. To the best of my knowledge no. That's something I would not allow.
Q. Have you heard of DAC police bringing POWs on post?
A. Not until the allegations was made by Mr[redacted] Last summer, when congress passed HR 218, I obtained a legal opinion by SJA, Fort Meade, the bill did not grant our DAC police or other law enforcement officers the authority to carry concealed POWs on the installation. This was called the Law Enforcement Officers Safety Act. I gave copies of this legal opinion to NSA, due to the number of police officers they employ. I gave it to MSG[redacted] to distribute to DAC police.
Q. Since you knew of this prohibition, why would DAC police carry their POW?
A. They can still carry their POW onto post, but must follow proper procedures to store it on post.
Q. Where would the DAC police store it if they were able to bring it on post before assumption of duty?
A. That was the issue that was brought out in the previous investigation. The assumption was made that they would transport them and follow established guidance which directs the separation of ammunition and the weapon within the vehicle. Preferably in lock boxes within the trunk and glove compartment. Routinely my access control personnel deny access to the installation when personnel have unregistered weapons.
Q. Would you know if any of the DAC police were authorized to carry concealed weapons?
A. I have two civilian investigators: Detective[redacted] and Investigator[redacted] who are permitted carry concealed GOWs as a function of their position descriptions.
Q. What about the concealed permit to carry their POWs?
A. I don't know about that.
Q. Is there a need to have a separate locker room for these POWs?
A. Due to safety and the threat of theft, I think a separate storage area should be allotted. Its definitely safer than storing weapons in vehicles. Otherwise, the DAC Police should be authorized to bring POWs on the installation.
Q. What would be the reason to carry a POW onto post?
A. I personally don't believe the DAC Police need to carry a POW on post. However, some officers have told me they need the weapons off post.
Q. Why would they need it off post? What is the threat?
A. I don't feel the threat is that high; However, during my sensing sessions, the DAC police stated that they needed the POWs due to the threat of reprisals from individuals they arrested on post. Basically, the officers have stated it is a personal safety concern.
Q. When did you have these sensing sessions?
A. The last one was back in June 2005. The one prior was probably fall 2004.
Q. Would you know what type of POW Mr.[redacted]wns?
A. Only by the statements I read in the previous investigation. It's a Glock. However I have never seen it.
Q. Would you recognize a Glock if you saw it?
A. I believe so.
Q. Please look at the pictures. Are you familiar of the single photo?
A. I believe that is the standard Army weapon, Berretta.
Q. What about the other photo?
A. I believe it to be a Glock. I am not a weapons guy. I really don't know. I do know that the two weapons look different.

[redacted]

INITIALS OF PERSON MAKING STATEMENT [redacted]

9. STATEMENT *(Continued)*

Q. Would you know if a person was carrying a Glock in the holster?
A. If only if I could see the carrying handle. I would say yes.
Q. How involved are you with the DAC police and their training program?
A. As the DES and Provost Marshal I provide the supervision, command oversight and guidance for the program. The DAC Police leadership brief me on their training plans. As for their certification training, I would be briefed on their training for approval and assist them in getting the necessary resources if needed. I also had a weekly meeting, which gave them the opportunity to brief me on the training and any issues that needed my involvement. And, periodically, I would observe their training.
Q. Have you ever attended one of their weapon qualifications?
A. Yes, but it has been a while.
Q. When was this?
A. I went to a couple. Summer of 04 and one in 05. I usually talked to the OIC and discussed training and unit morale with the officers.
Q. Do you know if during these two times they had different rounds than the standard 9mm?
A. It never crossed my mind that they would have different rounds.
Q. Do you permit them to go to the range for familiarization only?
A. That's dependant upon what the training officer and chief determined. I would assume that ammunition would be available. I did not establish a formal policy.
Q. How do your organization obtain the additional rounds?
A. They would get it thru the ammunition channels or NSA.
Q. An individual stated that you believe that DAC police should at all times "when in uniform doing details or police duties." Referring to carrying POWs. Is this a true statement?
A. No. I have never made that statement.
Q. And what does this really mean?
A. This would be in contradiction to AR 190-56. Additionally, it would mean that I allowed an armed force on an installation I am charged to protect. As I stated, I personally do not want DAC Police bringing POWs on the installation. However, if its determined that the DAC Police have a legitimate reason for transporting POWs off the installation, as an employer and the installation's SME on force protection, I would prefer the weapons were stored in a safe and secure manner.
Q. How can DAC police arrest when their authority is to apprehend?
A. They do not actually arrest. They detain or apprehend. Sometimes, they mistake their authority if they say the wrong thing. We continually conduct training on their police authorities.
Q. Who taught these classes?
A. Either done by the training officer and periodically, it would be an SJA lawyer. The MP company does the same thing as part of their certification.
Q. How often had the DAC police gone out to arrest drug offenders?
A. If they had drug offenders, it was probably at the ACPs or out on traffic stops. Fort Meade has three roads around the post, which have concurrent jurisdiction.
Q. Do you allow your patrols to go outside the boundary onto these roads?
A. They don't need to. The roads are on Fort Meade property, but outside the perimeter fence line. I should also state that some portions of the installation does not have a perimeter fence line.
Q. Do they need to patrol these roads?
A. Periodically as a force protection measure and to respond to traffic accidents or other incidents. I do encourage the local police force to patrol these areas, too.
Q. What is the drug problem on the installation?
A. It is not very high. Primarily our CDS concern is possession. It has been at least a year since I've heard of the possibility of a distributor on the post. However, there are seven schools here on post and all are operated by the county. So the students come from the installation and surrounding counties. The schools all belong to Anne Arundel County.
Q. What is the installation's policy or regulation on registering POWs?
A. If you stay on post, all weapons must be registered.
Q. What about those who do not live on post?
A. They need to register their weapons, too.
Q. Did you know of this last year?
A. Yes. This has been Fort Meade policy. It is also written in the supplement in the Fort Meade physical security. I believe its FGGM Reg190-11.
Q. Have you received or heard of anyone complaining that they can not register their POWs at the visitor control center?
A. No. Unless it was a junior soldier requesting an exception to policy to maintain weapons in his quarters on post.

[redacted]

STATEMENT OF [redacted] TAKEN AT 1630 DATED 2005/07/22

9. STATEMENT *(Continued)*

Q. Do you have a SWAT team?
A. No.
Q. Do you have a SRT team?
A. Not a dedicated team at the present.
Q. What about last year?
A. No. Haven't had one since I've been here.
Q. Regarding DAC police and overtime. Do you get involved in their overtime?
A. I do get involved and have established policy on O/T usage. However, I do not sign officer time cards. Their supervisors perform that task.
Q. Is it common to have a volunteer (overtime) DAC police to work without his/her weapon?
A. No. That person would be out of uniform. That person would normally be filling in for a shortage of personnel.
Q. What if there wasn't a shortage, could a DAC police still volunteer?
A. No.
Q. Are you familiar with [redacted]
A. Somewhat.
Q. To what extent?
A. Initially, she had training issues while in the field officer training program. This was briefed to me by LT [redacted] and later by Deputy Chie[redacted] She was also one of a group of DAC police hired back in the January 2004 timeframe. During this period I was the Deputy and worked with MSG [redacted] on DAC Police issues.
Q. Do know if she encountered problems with another DAC police?
A. She alleged in her EO complaint that she did.
Q. Do you have anything else to add?
A. No. [redacted]
xxxxxxx[redacted]xxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxnothing followsxxxxxxxxxxxxxxxxxxx

Tab S

# SWORN STATEMENT

For use of this form, see AR 190-45; the proponent agency is ODCSOPS

PRIVACY ACT STATEMENT

AUTHORITY: Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9397 dated November 22, 1943 (SSN).
PRINCIPAL PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately identified.
ROUTINE USES: Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval.
DISCLOSURE: Disclosure of your social security number is voluntary.

| 1. LOCATION | 2. DATE (YYYYMMDD) | TIME | 4. FILE NUMBER |
|---|---|---|---|
| Fort Meade, MD, DES Buiding 6619 | 2005/07/28 [redacted] | 1809 | |
| 5. LAST NAME, FIRST NAME, MIDDLE NAME | 6. SSN | | 7. GRADE/STATUS |
| [redacted] | [redacted] | | Deputy Chief, LE |

8. ORGANIZATION OR ADDRESS
DES

9.
[redacted], WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

Q. How long have you been Deputy Chief, Law Enforcement?
A. 18 Oct 04 is when I reported here.
Q. In your previous statement, you stated, "One of the problems at Fort Meade is that we have no locker room space in which to secure personal owned weapons. This issue becomes even greater as DA police become more proactive. What do you mean by this?
A. I think my statement was taken out of context when I spoke to LTC [redacted] during the last investigation, back in April/May. We talked about locker room space and storage of personal weapons. There is not a locker room for police officers to change clothes or store personal items. I did not mean personal weapons should be stored in a locker room locker, such as one that is used for clothing, I meant if officers are carrying weapons on the installation IAW regulations they have NO place to store them. As for the statement regarding proactive, civilian police officers are very proactive here. Often coming in contact (detaining, citations, etc) with individuals that are NOT affiliated with the Government. When an officer is off duty he or she may come in contact with one of these individuals that they have had a negative law enforcement contact with and may feel as though they need means to protect themselves and their family. This is where that answer originated from.
Q. What do you mean by "proactive?"
A. Not sitting on their butts collecting a pay check. They are patrolling detecting crimes and incidents. They are not waiting for something to happen, often times they are trying to prevent it. The officers are out, making traffic stops, contact with people.
Q. And how does this relate to personal owned weapon issue?
A. With them being proactive on the job will carry over to their personal lives. Because what they do on the duty affects their off duty lives. For instance, apprehending an individual for driving under the influence, impounding their vehicle can carry over if the officer runs into this individual at an off duty location. Now, because the officer is actually doing a good job protecting the installation, the officer who more than likely lives off post, may run into this offender off post. The personal weapon is an individual issue and could be an officer safety issue.
Q. Also within your previous statement, you said, "DA Police has a tendency to interact with the community more than their military counterparts, due to increased off-post opportunities and more longevity." What do you mean by this?
A. DA Police are not authorized to shop at the commissary, PX, or the post gas station unless they are retirees, reservists, some type of military affiliation. Most of us - DA police - are not. Therefore, most of us go to the civilian grocery stores, mingling in the community where they live and will most likely to run into an individual they have had a contact from the post.
Q. Are there any DAC police engaged in off post law enforcement?
A. NO
Q. What actions, if any were taken by the leadership at the DES to resolve what this locker room problem?
A. None at this time, there is NO room in the present building for a locker room, nor is there another building to support one
Q. Why would you need locker room space?
A. For officers to change clothes, from their uniforms.
Q. In your previous statement, you stated that "Maryland state law goes even further and specifically addresses DA police." Where is that? And please provide me an excerpt of it, too.
A. Maryland HB 506
Q. What are these "off-post opportunities?"
A. I don't recall why I said that at that time, after reading my statement two months later.
Q. How often do the DAC police frequent the firing range?
A. When required to qualify with the duty weapon and that's during the twice a year qualifications. And now we are starting to look at night firing and other law enforcement related firearms training.

| EXHIBIT | 11. INITIALS OF PERSON MAKING STATEMENT | PAGE 1 OF 4 PAGES |
|---|---|---|
| | [redacted] | |

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT _____ TAKEN AT _____ DATED _____

THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE BE INDICATED.

DA FORM 2823, DEC 1998

USE THIS PAGE IF NEEDED. IF THIS PAGE IS NOT NEEDED, PLEASE PROCEED TO FINAL PAGE OF THIS FORM.

STATEMENT OF [redacted] TAKEN AT Fort Meade DATED 2205/07/28

9. STATEMENT *(Continued)*

Q. Do you allow them to frequent the range on duty?
A. If they are working and have to qualify they go to the range while on duty. This is because we incur overtime for their qualifications. And we don't have the money to pay them overtime. Money is very scarce.
Q. At any time were the DAC police allowed to use their duty weapon at the range while off duty? If so, under whose authorization?
A. Officers that are on days off when required to qualify are placed on a paid overtime basis which puts them in a duty status. So to answer the question all officers that are qualifying are in a duty status
Q. Who did Lt [redacted] supervise from Jan 04 - Dec 04?
A. I arrived in Oct of 04; he was the supervisor and training officer of all police officers until then.
Q. What is your relationship with Lt. [redacted]
A. [redacted] is the department training officer. I have a working relationship with him.
Q. How well do you know him?
A. I rely on him for all training tasks. At times, he's in charge of special projects. Like right now, he has been placed in charge of National Night Out.
Q. Where you here first before his arrival?
A. No
Q. Do you know if L[redacted] owns a personal owned weapon? If so, type?
A. Yes he owns one. Based on the paperwork I was instructed to review it is a GLOCK
Q. How would you know if he carried it if it were in the holster?
A. I would not. I have enough trust in my officers that they will and are doing the right thing and unless I have cause I don't inspect weapons that are being carried. However I do know what a GLOCK looks like
Q. Did [redacted] mention to you at any time that Lt Russell had carried his personal owned weapon while on duty? If so, what did you do?
A. No at no time did [redacted] say anything to me regarding this
Q. How involved are you with the DAC police and their training program?
A. I review training weapons and spot check training. That is why there is a training OIC
Q. Have you ever attended one of their weapon qualifications?
A. Yes, I am required to qualify also
Q. Do you allow them to go to the range for familiarization?
A. Unfortunately I do not have the training ammo I need for this. It is needed though
Q. How do you obtain the additional rounds?
A. I acquire no additional rounds, there is barely enough ammo for training and mission. Since my arrival I have had to scrape to get ammo. The army has not done a lot to assist this program in that area
Q. Are DAC police covered under the Law Enforcement Officers Safety Act of 2004? If so, how?
A. yes, HR218
Q. What makes the DAC police qualified?
A. They are police officers, the series 0083 and OPM places them in this category
Q. Are you familiar with AR 190-56-old and update reg?
A. yes and the update is not in effect. It is still in draft form
Q. AR 190-56 prohibits DAC police with personal owned weapons. Why did you give them authorization to have personal owned weapons?
A. I have never given anyone authority to carry personal weapons on duty and never would. If this has been said the individual that has made that statement is a liar. I cannot prevent the ownership of a private weapon.
Q. Does the Provost Marshal know the DAC police are in violation of this regulation?
A. no one is violating this regulation and why would it be implied that there is and the PM is aware of it
Q. Do you and the DAC Police socialize after duty hours?
A. No. I couldn't tell you what my officers do off duty because I try to stay out of it.
Q. Do you know SGT [redacted]
A. I met her here, but don't really know her.
Q. Have you heard if SGT [redacted] attended some of these get togethers? Who did you hear it from?
A. No. I don't know of her attending any of them or any of the officers attending the get togethers.
Q. Have you heard of any problems which involved SGT [redacted]
A. No.
Q. Did you receive any performance counselings on [redacted] when you became the Deputy Chief?
A. No.
Q. Did you give her any performance counselings after you arrived?
Yes. May I have copies of them?
What is the training requirement for the DA police officers to work the road alone?
They go thru the FTO program and evaluated, signed off, take a written test, and then they are allowed to go out alone.

INITIALS OF PERSON MAKING STATEMENT [redacted]

USE THIS PAGE IF NEEDED. IF THIS PAGE IS NOT NEEDED, PLEASE PROCEED TO FINAL PAGE OF THIS FORM.

STATEMENT OF [redacted] TAKEN AT Fort Meade DATED 2205/07/28

9. STATEMENT *(Continued)*

Q. Would you have a copy of the FTO program? IF so, may I have it?
A. There is one in her training file. She finally tested out and passed the test and wind up working by herself.
Q. Have you ever taken the civilian supervisors course CPAC offers?
A. I have taken the civilian supervisory course that the Department of the Army gives at Fort Bliss; I've taken a civilian supervisory course that the Department of Agriculture gives; I took the basic supervisor course that the Department of the Navy gave; I've to the supervisory course thru the Federal Law Enforcement Center.
Q. Did Ms. [redacted] receive her evaluation appraisal before departing?
A. No. [redacted] was not under standards long enough to get an evaluation.
Q. What is the "standard?"
A. When I got here in October, none of the people were placed under initial performance standards. That was not done until the week of November 22 once I found this out. If I am not mistaken, with [redacted] being out on sick leave, she was not placed on standard until she returned. This did not give her enough time to be rated. Standards is 120 days before receiving an evaluation.
Q. Are any of your police officers certified to train as an FTO?
A. Certified by who?
Q. What makes them good enough to be an FTO?
A. These are my senior officers with previous experience in law enforcement, which later we developed a lead officer position, recruited for it, and filled it. The lead officer is that of a GS7. Those leads work with training, in order to train and certify the police officer. My program to train my officers is much more comprehensive than the MPs here and other Army installations I've worked at.
Q. How long is your program?
A. An initial 4 weeks, which could be shorter based on an officer's previous experiences, comprehension and their ability to complete final test out. It should be added one of the minimum job requirements to be considered as a GS6 police officer at Fort Meade is the individual would have had successfully completed 400 hours at an accredited police academy prior to applying for the DA police position on Fort Meade. This is a job requirement for us. And this is in the position description. Upon my arrival, I changed the position description to include this prerequisite 400 hour experience.
Q. Why then did it take Ms. [redacted] from May 27, graduating from Aberdeen academy to Dec 04 to complete the FTO program?
A. After reviewing her records, and my professional opinion, Officer [redacted] was very incompetent in the beginning (based on her packet). She came to me wanting feedback why she wasn't working by herself. I told her that after reviewing her packet, she was not ready. I placed her with Corporal [redacted] for two weeks. This was on 1 Nov 04. During this time, she performed terribly. I then placed her on a 8 week schedule, rotating from days and evenings. She finally succeeded. It took a lot of tutoring.
Q. Do you feel Lt [redacted] was overwhelmed with his responsibilities before your arrival? Why?
A. Yes. Lt [redacted] was hired as a training officer. For what ever reason, he became the overall officer in charge of the program to include training, hiring, supply issues, and what else came along. He had no staff. Nothing. He was it. When I got here in October, he had pulled a couple of officers from the beginning to help him out with supply issues, training issues. Those types of things. At that time, they were Officer [redacted], Corporal [redacted] and Officer [redacted] Officer [redacted] was helping out helping out with the weapons and sort of did those type of things as a goffer. When I got here, I relied on those same three people and Lt [redacted] because they had their finger on the pulse. Special interest should be noted that during Lt [redacted] tenure in running the program during its infancy stages, he did not have a lot of guidance, resources were very scarce such as training ammunition, weapons, training assistance. Fort Meade's police department is still relatively new and operating from a working TDA. This means equipment such as weapons and training ammunition are difficult to obtain thru the normal Army channels.
Q. Please elaborate more on weapons and training ammunition.
A. Upon my arrival, the DA police were using belonging from 241st MP Detachment. A weapons order had been placed thru DOL; however, due to not being an authorized TDA, DA higher headquarters were holding this process up. In February/March 2005, we were informed that the 241st were going to turn in to include the ones we were using. First of all, as a quick fix, we borrowed weapons from National Security Agency. These were hand receipted to us. Officer [redacted] had recently returned from Federal Firearms Instructor training at FLETC, Glynco, Georgia, where he had learned of a GSA weapons turn in program. During this time at FLETC, he spoke to instructors that gave him contact numbers in regards to this program. In April 2005, one of the firearms instructors at FLETC with the Internal Revenue Service (IRS) notified Officer [redacted] that the IRS was turning in 3,500 9mm Sigs 228s nation-wide. These were the same types of weapons we were trying to obtain thru the Army channels. Contact was made with general services, weapons divisions in Colorado, who in turn instructed me how to go about obtaining these weapons. I in turn contacted the property book officer here at Fort Meade who was well aware of our weapon situation and informed her of the program and that we could pick up 150 weapons with magazines from the IRS, via GSA. The property book officer completed all of the required paperwork and on 6 May 05, these weapons were transferred to the Army. I want to add the previous order we were attempting to order thru the Army, 12guage shotguns, M4 carbines, and chemical masks, which I stated earlier, we could get them because we are not on an authorized TDA.
Q. Have you ever told your police officers they need to get/possess a personal weapon?
A. No.

INITIALS OF PERSON MAKING STATEMENT [redacted]

STATEMENT OF [redacted] TAKEN AT Fort Meade DATED 2005/07/28

9. STATEMENT *(Continued)*

Q. Do your officers know the difference between arrests and apprehend?
A. Yes, they do. I believe that when they use arrest, many times it's because of previous civilian law enforcement experience. Apprehend is of a military law enforcement term.
Q. Have you heard any of your DA police wanting to register their personal weapons?
A. yes. I had one of my officers registered and I signed the form.
Q. Do you know if the registration is now in COPS?
A. I do know. It is Officer [redacted] The problems here is that officers are asking why they have to register their weapons and all other weapons on the installation that belong to civilian law enforcement officers don't have to.
Q. do you know the answer to this?
A. Officially, no.
Q. Do you know if the DA police qualified on the firing range with 241st?
A. Not since I've been here.
Q. Is hollow point an approved Army training ammunition for DA police?
A. Hollow point can be considered a training ammunition because hollow point ammunition can be obtained thru TAMIS; however, we use hollow point ammunition because this was the only ammunition we can get to train because of not having a permanent TDA. Again, we are operating off of a working TDA, not an authorized TDA. It was obtained thru NSA with the knowledge of the DES, MAJ [redacted] Hollow point ammunition is an ammunition in the Army system and can be obtain thru TAMIS. With the range here on Fort Meade, we can only fire on one range being lead base. Now, I have been told I have 12,000 rounds of 9mm ball ammunition in the TAMIS system for FY06. We are presently arranging range dates to accomplish our first FY06 qualifications.
Q. Regarding Ms [redacted] FTO packet, why is that there are so many unsigned copies by the FTO and her?
A. Most times, most of these were completed before my arrival. Officer [redacted] had problems with her FTO be it more personal than professional. And FTO were changed in midstream. Some areas of the packet you will see areas not covered because during the course of her training, these types of incidence may not have occurred. There is a section on accident investigation. During the time with this FTO, there may not have been an accident for her to work. Also, some of these forms she may not have been available to sign due to absences. Officer [redacted] has a very long history of not coming in to work, leaving work early and failing to complete task.
Q. Office [redacted] .To your knowledge, did he apply for a GS9 position and was not accepted?
A. Officer [redacted] did apply for a GS9 position, made the certification, and was not chosen.
Was he given another position?
Officer [redacted] applied for a GS7 position and was selected for a GS7. It is believed that Officer [redacted] felt as though he was selected for the GS7 in order to pacify him since he was not selected for the GS9 level. Officer [redacted] did not possess the qualifications compared to the other applicants at the GS9 level. He was not the best qualified. I know that his prior employment with TSA, he alluded that he had problems with TSA. After we selected him for the GS7 and then discovered he filed an EEO based not being selected at the GS9 as a supervisor police officer, and alluding he had experience with TSA, I attempted to get his supervisory experience from TSA. TSA personnel department would not release any information on him.
Q. Do you have anything else to add?
A. No. ---------- nothi [redacted] ----------

AFFIDAVIT

I [redacted], HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 4. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

[redacted]
*(Signature of Person Making Statement)*

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 28 day of July, 2005 at

ORGANIZATION OR ADDRESS

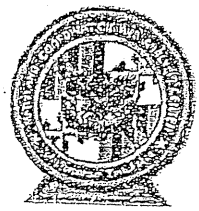
*(Signature of Person Administering Oath)*

[redacted] LTC, MP, Investigating Officer
*(Typed Name of Person Administering Oath)*

.NIZATION OR ADDRESS

Art 136 (b)(4) UCMJ
*(Authority To Administer Oaths)*

INITIALS OF PERSON MAKING STATEMENT [redacted]



MARYLAND COORDINATION AND ANALYSIS CENTER
WATCH SECTION

# Intelligence Bulletin

Phone: 301-586-4603

Fax: 301-586-0025

*June 27, 2005*

*Number 453*

## B.O.L.O

### Threat Against Police Officers

On June 27, 2005, at approximately 1225 hrs., [redacted], stated that he was going to shoot a police officer. The Suspect is described as W/M, 5'6", 150 lbs., blue eyes, blonde hair, and a date of birth of 02/07/67. His last known address is [redacted]

The Suspect is upset because his weapons were confiscated, his vehicle was impounded, and he was detained at Fort George G. Meade on 6/26/05. Though the weapons were not returned to the Suspect, he received additional charges and was released.

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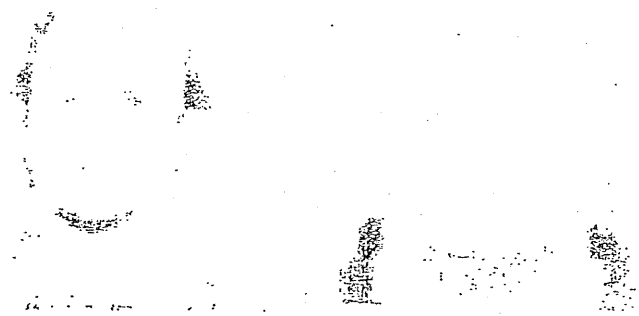
# NSA Police Communications

## BOLO INFORMATIONAL BROADCAST

Click Image To View



| | | |
|---|---|---|
| Initiation Time: 11:37 | Initiation Date: Tuesday, June 28, 2005 | |
| Type Of Alert: Law Enforcement/Homeland Security Related Alert | | |
| Reporting Agency: SOC | | Method: |
| Person Reporting BOLO: SWO[redacted] | | Phone Number: [redacted] |

**REASON FOR THE BOLO:**

| | |
|---|---|
| Any criminal/security activity involved? Yes | Reason/Charges: ***APPROACH WITH EXTREME CAUTION***Individual was arrested for DWI and carrying a concealed deadly weapon, by Ft. Meade, during his arrest he threatened to shoot a Ft Meade Police Officer, also has prior arrest for Carrying a concealed deadly weapon, request additional personnel and notify the Com Center immediately |
| Any there any weapons involved? Yes | Type: firearms, swords and knives |

**DESCRIPTION INFORMATION:**

| **Person Involved** Alias: | **Physical Description** | |
|---|---|---|
| Name: [redacted] | Race: white | Sex: M |
| Address: [redacted] | Hgt.: 5 08 | Wgt.: 140 |
| City: [redacted] | Hair: Blond | Eyes: Blue |
| State: [redacted] | Zip: [redacted] | DOB: 2/7/1967 Age: 38 |

**VEHICLE INFORMATION:**

| | |
|---|---|
| Vehicle Make/Model: [redacted] | Color: unk |
| Tag Number: [redacted] | State: MD |

Any Vehicle Damage/Markings: **00 Ford unk model, MD Reg [redacted]** [redacted] model, MD reg [redacted]***

This BOLO has been issued to: NSA Police, MSP augmentees

http://baltimore.citysearch.com/profile/35479380#editorialreview

Tab T

Fort Benning | Search | New! | 0 blocked | Check | Look for Map | AutoFill

# BAR Baltimore

34 Market Pl
Baltimore, MD 21202-4008 VIEW MAP
(410) 385-2992

## Editorial Profile

A dance-on-the-tables, pour-the-tequila-down-your-throat destination for the ...
Read More

Website | Send to a Friend | Find a date | Evite your Friends

## Bar/Club Info

**Atmospheres:**
- After Hours
- DJ - Disco
- 21 & Over
- Singles
- Bars

**Own this business?**
» Enhance or edit your listing

**See something wrong?**
» Suggest a correction

## Things to do nearby:

34 Market Pl
Baltimore, MD 21202-4008

- Restaurants
- Hotels
- Bars
- Movie Theaters
- Department Stores

## Citysearch Editorial Profile -- By Alison Embrey

A dance-on-the-tables, pour-the-tequila-down-your-throat destination for the collegiate crowd.

**Editorial Rating: Average**

**The Scene**
Standing true to its motto "No Theme, No Attitude. Just BAR," this chain disco is basically a frat boy's fantasy. With beer tubs, shot girls and multiple bars manned by muscle-laden bartenders, the alcohol flows generally at a discounted rate. Expect to see a lineup of drunken young ladies shakin' what their mama gave 'em as the staff dishes out free drinks and encourages body shots.

**The Draw**
Men will be asked to keep their shirts tucked in, but decorum isn't a major concern overall as the debauched revelry continues into the wee morning hours. Those uninhibited female gyrators who come to take free shots and dance saucily (generally with other girls) on top of the bar are quite an attraction for the young gents. Shy fellows simply stare at the TVs, which broadcast live images of dancers working up a sweat in sister cities like Atlanta, Charlotte and Chicago.

*Editorial content is independent of paid advertisers. Any expenses are paid for by Citysearch.*

Tab U

# SWORN STATEMENT

For use of this form, see AR 190-45; the proponent agency is ODCSOPS

PRIVACY ACT STATEMENT

AUTHORITY: Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9397 dated November 22, 1943 (SSN).
PRINCIPAL PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately identified.
ROUTINE USES: Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval.
DISCLOSURE: Disclosure of your social security number is voluntary.

| 1. LOCATION | 2. DATE (YYYYMMDD) | 3. TIME | 4. FILE NUMBER |
|---|---|---|---|
| FORT BLISS, TX | 20050728 [redacted] | 1411 [redacted] | |

| 5. LAST NAME, FIRST NAME, MIDDLE NAME | 6. SSN | 7. GRADE/STATUS |
|---|---|---|
| [redacted] | [redacted] | |

8. ORGANIZATION OR ADDRESS
DES / RCC

9.
I, [redacted], WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

Q. HOW LONG HAVE YOU BEEN WORKING AT THE RCC?
A. SEP 2003

Q. HAVE YOU EVER DENIED ANYONE FROM REGISTERING THEIR WEAPON IF THEY RESIDE OFF POST?

A. YES. THIS INDIVIDUAL I HAD SPOKEN TO ADMITTED THAT HE DID NOT LIVE ON POST. THIS HAPPENED FEB/MAR 2005 THIS YEAR. I DO NOT KNOW THIS INDIVIDUAL.

Q. WOULD YOU DENY ANYONE FROM REGISTERING THEIR WEAPON IF THEY LIVE OFF POST?
A. YES I WOULD BECAUSE OF THE POST POLICY - THEY DON'T RESIDE ON POST.

Q. BACK TO THIS INDIVIDUAL, DO YOU KNOW IF HE WORKS FOR DES?
A. NO. I DO NOT KNOW.

Q DO YOU HAVE ELSE TO ADD?
A. NO [redacted]

NOTHING FOLLOWS

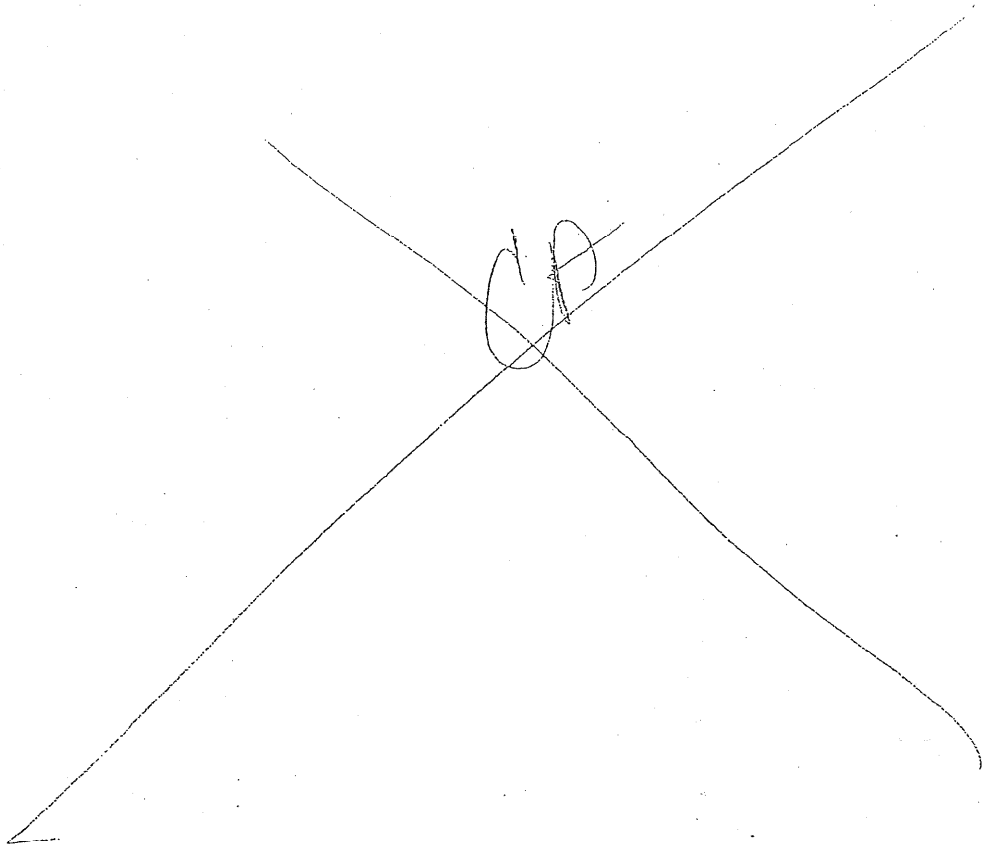
| 10. EXHIBIT | 11. INITIALS OF PERSON MAKING STATEMENT | PAGE 1 OF 2 PAGES |
|---|---|---|
| | [redacted] | |

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF _____ TAKEN AT _____ DATED _____

THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE BE INDICATED

STATEMENT OF [redacted] TAKEN AT FT MEADE, MD DATED 20050728

9. STATEMENT *(Continued)*



**AFFIDAVIT**

I, [redacted], HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE [redacted] I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

[redacted]

*(Signature of Person Making Statement)*

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 28 day of JULY, 2005

at

ORGANIZATION OR ADDRESS

*(Signature of Person Administering Oath)*

[redacted] TC, MP, 10

*(Typed Name of Person Administering Oath)*

ORGANIZATION OR ADDRESS

ART 136 (b)(4) UCMJ

*(Authority To Administer Oaths)*

INITIALS OF PERSON MAKING STATEMENT [redacted]

[redacted] Location: Fort Meade, Md. [redacted] Date: 20050726 [redacted] Time 2006 hours Tab V

Name: [redacted]

The statement below is a sworn statement in accordance to Title 10 USC Seciton 301 Section 2951; E.O. 9397 dated November 22, 1943 .

Ms. [redacted] a former Fort Meade employee now employed as a policewoman with the Naval District Washington.

Q. Did you report to Lt. [redacted] that you were being sexually harassed? When?
A. Yes. It was right after a training session we had on domestic violence. I went over there right after lunch time. I really don't remember the actual date. It is in my notes. I went over there at lunch time to ask him about my training. I was told by my FTO Officer [redacted] that I would be released the next week, working solo. But during the class in front of MPs and Officers, Officer [redacted] told me [redacted] "did you see the schedule?" And I said "yes." He said your new trainer is Officer [redacted] I was very upset. This indicated that I still working with a FTO. He did it in front of the classmates so I waited until lunch and I went over there, wanting to talk to L[redacted] I told Lt [redacted] ow Office [redacted] humiliated me in front of the class, and that I signed off on all of the paperwork that Office [redacted] filled out.. Lt [redacted] stated that he never received the training packet on me, the same day I made the complaint. Lt [redacted] went to get Officer [redacted] while I waited in Lt [redacted] s office. Lt [redacted] sked Officer [redacted] where the paper work was and Office [redacted] tated he still had my paperwork and he then began to stumble telling Lt [redacted] saying I needed to go thru another trainer. After this discussion, I brought up the fact that during the FTO with Officer [redacted] I put up with his comments of him talking about his 12 inch penis, and how much he enjoyed oral sex, and how much he enjoyed having a female sit on his face. Lt [redacted] confronted Officer [redacted] on this and Officer [redacted] didn't deny it. He said he did say those things. Then Officer [redacted] stated I said things, too. I really got upset because I know I did not say anything for him to make such comments. I am married to a minister, mother of three children. When I asked him to say just one thing of what I had said, he could not say one thing. Not one. Lt [redacted] said "that's not good." And shook his head, repeating himself. After about a month, I noticed nothing was done with Office [redacted] I then went to EEO.
Q. Why did you talk to L[redacted] of this problem?
A. Because I signed all of my FTO which was filled out by Office [redacted] They had Office [redacted] comments. I passed. All of my training I went thru with Officer [redacted] I passed and I had to initial my training, excluding three. At that time, L[redacted] was the head supervisor of our department. All of our pay problem and issues went to him.
Q. Was he your supervisor?
A. Yes. He was everyone's supervisor. At that time, they didn't hire any chief or supervisors.
Q. Do you know what measures or actions did Lt. [redacted] take in response to the reported allegations of sexual harassment?

[redacted]

TABW EXCL 3A

A. He had another meeting with me with now Lt [redacted] present. They both questioned me again about the complaint. This was a few days after I made the first complaint. They wanted more details of my complaint because when I mentioned this during the first complaint, I stormed out, very upset. Nothing else happened. Every one liked [redacted] and people began to whisper and talk. I felt I was not accepted at all.

Q. In your statement, "There were money problems and a lot of talk that Lt. [redacted] was negligent and not taking care of his people. There were issues between [policeman [redacted] and [redacted]. That is why [redacted] was fired."

A. [redacted] was like the union shop steward for us and he spoke his mind. When things were not right, he would go to the supervisor. The comment with money problems was when we were at the academy. We didn't get our TDY money for lodging. Though we had our salary, we still had to maintain paying the bills for the family at home. We were struggling. This was the pay problem. Though L[redacted] was doing the deputy chief job, he was also the training officer. He was to fill out the necessary paperwork for all of us attending the academy. When he came to visit at week 7, he introduced himself and wanted us to tell him our issues. Lack of TDY pay was brought up then. I went thru the academy March 29, graduating May 27. Officer [redacted] who attended the academy with me was very upset, too. He wanted to know why [redacted] didn't send in the paperwork.

Q. When did you get your TDY settlement?

A. We finally got it after we all graduated. It was about two weeks. That was the issue with [redacted] told [redacted] that he could not pay his hotel bill and that he had two children. The officers chipped in to help him because his light bill got cut off and other miscellaneous.

Q. What did Lt [redacted] do with [redacted]

A. The new chief came in and Lt [redacted] and Lt [redacted] began to relay the bad seeds of the department. One was me, one was S[redacted] and one was Officer [redacted]. The deputy chief, I think on the second day he started to work, fired Officer [redacted]

Q. How do you know?

A. When we got to work, the rumor was tha[redacted] had gotten fired and had to be escorted off of the installation. And that the Deputy Chief had fired him.

Q. When you attended the weapon qualification ranges, what type of rounds were used?

A. 9mm Barretta rounds. There were two different type of rounds. One with a silver tip and the other was gold. I am not real sure of make or type.

Q. Were you or the personnel who attended the police academy every received the government credit card?

A. No. We filled out the documents to get one, but I never received one.

Q. Is there anything you would like to add?

A. Yes. When I settled with EEO in April/May 2005, I was told I didn't have a sexual harassment case by Ms [redacted] (EEO officer) and her manager, whom I never met

before said that Lt [redacted] and Officer [redacted] both denied my allegation. She said Lt [redacted] never admitted that I ever made a complaint and that Officer [redacted] said he never said those things. That was when I knew the two men planned. They said that I was making all this up because I was failing my training. I know I would not put anyone elses job in jeopardy to save myself. The EEO manager stated that I should be happy because I had a new job.

Q. Did you keep copies of your training records?

A. EEO kept copies of my training records. MSG [redacted] saw my training records, excluding the three areas which were upcoming training. He saw that I passed. Now, I don't know what is now on my training sheets since EEO has them, but I know that MSG [redacted] saw I passed because he recommended I go to evening shift to get the necessary training for the next two weeks. I did this for two weeks with Officer [redacted] Officer [redacted] showed concern and wanted me to stick in there. After doing the training for two weeks, I found out that Officer [redacted] did not have any paperwork observing my performance. He wasn't issued any paperwork. He told me I passed my training. Then he went to a meeting with MSG [redacted] and Lt [redacted] Officer [redacted] told me a week after that meeting that they said that he didn't document my training. They told him that he would never be a good FTO. He said he told them that I passed. For about a month, I rode with some else, excluding from doing any police work at all. Deputy Chief arrived. When he met with me, he threatened me that if I didn't pass the entire program in two months, I would be terminated. I told him about my sexual harassment case and the reasons why I called in so much because of stress, and doctor's orders to be off work. I told him about the unfair training I received, being that I was not passed by the FTOs on purpose. I said that I felt that I was being discriminated. I was the only female out of 45 men. He said the only thing he was concerned about was my sick leave and gave me a memorandum for sick leave restriction. His attitude was like I was a problem to the department and that he didn't care what I said to him. He then assigned me to Officer [redacted] Again, this happened after I filed the EO case. Officer [redacted] and Officer [redacted] are very close friends, friendship that goes back to the military. I didn't feel comfortable with Officer [redacted] because during the radar training course back in September 2004, Officer [redacted] was the instructor. After we took the exam, he called me back to the class room in the presence of Officer [redacted] (MP), who assisted Officer [redacted] on the grading of the test and class instruction, he stated I failed the radar course. He then said that he made another test for me, meaning he was going to force me to pass. When he passed out the test with the scores, he gave me my original one back, not the forged one he filled out. My original test showed I failed. This was on a Friday. The next day, I called Lt [redacted] that I would be running behind time, and would be about 20 minutes late for the evening shift. I asked if he knew that I failed the radar course. He said I didn't and he noticed that some of my right answers were marked wrong and that I made an 85. I began to yell and scream on the phone, he told me to calm down. Back to the FTO training, I passed. Officer [redacted] passed me after the

full two months. The FTO training should have been for 4 weeks. I also had Officer [redacted] I had to switch from shift to shift to work with both of them. This was never done to anyone else. The only criticism I received was from Officer [redacted]nd he stated my driving was "erratic." [redacted] gave me good performance. He is an officer with integrity. He tells the truth, he's honest. I felt comfortable with him. He was with me at the academy.

Q. Are the FTO certified to train?

A. No.

Q. What makes them "FTO"?

A. The department called them FTO because of their seniority. They should have been certified.

Q. Was there a standard to the subjects being taught?

A. No. There was nothing in writing, no FTO SOP. What I had was an officer watching what I did, making his observations. May I ask a question, is there anything I can do to appeal? I know I still have a case. My case wasn't settled in good terms.

Q. Back to your EEO, did you go back to your advisor, providing her with updates?

A. Yes. Before I went to the Navy Yard, I spoke to her, informing her of what else I knew regarding that Lt [redacted] as well as Corporal [redacted] did in fact know that I complained to Lt [redacted] of the sexual harassment case. I don't recall when I went to see her, but EO has a sign in book at the desk. It must have been end of January, early February. What EEO did do for about once a month since my complaint, they started to have sexual harassment classes for the police department. The officers were angry every time they got to attend the class. Ms [redacted] was the very one who taught the class. When I went to see her, I do not recall her taking any notes to what I had to say. One time, she wanted me to read what she was going to send up to her manager. In her document, she misspelled Officer [redacted] mixed up the Officers names such as the officer who took me out to the woods (this is another situation of unfair treatment) and a few others.

Q. Please tell me about this other unfair treatment.

A. This is with Officer [redacted] He was my FTO on the night shift after my first week after the academy, on a Wednesday. We went to Burba Lake, parked under the parking light and told me to "come on." I didn't know what I was going to do or where we were going. It was about 3 am and I could hear the animals, foxes running at fast speed. Officer [redacted] was walking at a very fast pace around the perimeter of the lake. I had to jog to keep up. I was afraid that I would trip. It was very dark. He did not talk to me, didn't tell me why we were going around the lake. It must have taken us 15-20 minutes to go around the lake. When we got back to the patrol car, I asked him if this was one of our procedures. Because if I am own my own, I don't want to do this I told him. He said that I wouldn't because he's an infantryman and he just do it because he lives off of wild life that is why he does it. I began to question other officers who

Location: Fort Meade, Md. [redacted] Date: 20050726 [redacted] Time 2006 hours

Name: [redacted]

attended the academy if they had to do this. They said no. I even asked if they had Officer [redacted] and if he took them around the lake and they said no.

Q. Is there anything else?

A. That's basically it. This is the last thing: before going on the two month training with Officers [redacted] nd [redacted] Deputy Chief assigned me to train with Corporal [redacted] Remember, Corporal [redacted] was with L[redacted] a couple of days later I made my complaint to Lt [redacted] Deputy Chief assigned to train Corporal [redacted] for two weeks. Corporal [redacted] never told me if I did wrong or right. I was very confident and pleased at how I handled all assignment in his presence. At the end of the two weeks, other officers asked Corporal [redacted] how I did. He told them she did well. They told me "don't worry about this one. Corporal [redacted] said you did well." Monday morning, I was called to the Deputy Chief office where Corporal [redacted] was present. I asked Corporal [redacted] f I passed. Did I fail. The only thing he said was "we are thru. I am not with you anymore" in front of the Deputy Chief. That was supposed to be the end of training and I would have been fired. But the Deputy chief gave me another chance. That is when the two months of training came up wit[redacted] and [redacted] I had Officer [redacted] or two weeks; then two weeks with Corporal [redacted] then the other two officers for 8 weeks. Please remember, I graduated from the academy on 27 May. I finally received the FTO completion on 17 February 2005. I transferred to the Navy Yard on 19 February. I never received a negative counseling on my performance. The only thing I received was the memorandum on my sick leave.

I, [redacted] on, have read or have had read to me this statement which begins on page one and ends on page 3. I fully understand the contents of the entire statement made by me. The statement is true. I have initialed all corrections and have initialed the bottom of each page containing the statement. I have made this statement freely without the hope of benefit or reward, without threat of punishment, and without coercion, unlawful influence or unlawful inducement.

[redacted]

(Signature of Person Making Statement)

Subscribed and sworn to before me, a person authorized by law administer oaths, this 26 July 2005 at Fort Meade, Maryland.

[redacted]

Signature of Person Administrating Oath

[redacted], LTC, MP, Investigating Officer

Art 136 (b)(4)

# SWORN STATEMENT

For use of this form, see AR 190-45; the proponent agency is ODCSOPS

PRIVACY ACT STATEMENT

AUTHORITY: Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9397 dated November 22, 1943 (SSN).
RINCIPAL: To provide commanders and law enforcement officials with means by which information may be accurately identified.
OUTINE USES: Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval.
ISCLOSURE: Disclosure of your social security number is voluntary.

| 1. LOCATION | 2. DATE (YYYYMMDD) | 3. TIME | FILE NUMBER |
|---|---|---|---|
| Fort Meade, MD Building 8479 | 2005/07/26 [redacted] | 1241 [redacted] | |

| 5. LAST NAME, FIRST NAME, MIDDLE NAME | 6. SSN | 7. GRADE/STATUS |
|---|---|---|
| [redacted] | [redacted] | DACP Training Officer |

8. ORGANIZATION OR ADDRESS
DES

9.
I, [redacted], WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

Q. Are you an Army retiree or at any time employed by the Defense? If employed by the Defense, which service?
A. I was employed by the Army as a Military Policeman from Mar94 to Oct03, almost 10 years of service. I reentered Federal Civilian Service in May04
Q. When start working for DES/PMO, Fort Meade?
A. I started working for the PMO in Jul00 until Oct03 with the Army (I held positions of Senior Desk Sergeant, Platoon Sergeant, Training NCO and Operations Sergeant). In May04 I started back at the Ft Meade PMO as a Training Officer for the Ft Meade Police Department.
Q. What position were you hired to do and what did you actually do upon working for DES/PMO as a civilian?
A. I was actually hired as the Training Officer for the Police Department. On 11 July 2004 I was detailed to the GS-11 Deputy Chiefs position.
Q. How long did you work as Deputy Chief and when did you return to your assigned duty?
A. I worked as the Detailed Chief for 3 months and returned to my Training Officer position in the middle of October 2004 when Deputy Chief Frank arrived.
Q. What is your duty position?
I am the Training Officer of the Ft Meade Police Department; I have a copy of my Position Description that is provided.
When you attended the DAC police academy, what types of handgun were used?
I was promised to attend the next academy when the Deputy Chief arrived and have not attended one to this date. MSG [redacted] Maj [redacted] (My Rater and Senior) informed me that my MP School training was sufficient until they could afford to send me due to the lack of supervision.
Q. What equipment were you issued to perform the duties as DAC police?
A. I was not issued equipment, I personally wrote contracts to equip the DA Force with all the equipment that they have today. Even though I am not the contracting officer I wrote ALL of the contracts that have been written for the DA Police force to date. When we got all of the equipment on board I was issued all of the duty gear that every officer gets.
Q. As the DES training officer, what is your duty uniform?
A. There was no prescribed uniform when I came on board, I did not even know that I was a Lieutenant until I conducted research, nothing was laid in place when I arrived. I tried to get information from all of the DA Police departments in the area as to what they were wearing and nobody had a clue, AR190-56 and AR670-10 listed uniforms that were not even made anymore and no one was following this. I tried to place the officers in uniforms that represented our closest unit, Aberdeen Police Academy.
Q. Do you conduct patrolling as a DAC training officer?
A. I have been out in the cars on ride alongs with the officers; I have also been here for special events (4th of July festivities).
Q. Why carry a duty handgun if you are the DAC police training officer?
A. Even though I am the training officer, I am still a Police Officer and when I was out in the Community of Ft Meade because I am in the uniform I wear a Vest and a Pistol Belt or my side holster in case I may have to respond to an emergency.
Q. According to your previous statement, you purchased a Glock in Oct 04. Have you ever purchased or possessed other handguns? If so, what were they?
A. No, I have not purchased any other handguns or possessed any other Handguns besides my Glock and the Governments issued M9.
Q. Have you ever brought your Glock onto post since purchasing it in Oct 04? If so, why?
A. Yes, I am required to come to work fully dressed in my uniform, there are people out there who do not like police and will wait for an opportunity to hurt a Police Officer who may have dealt with them previously. Because I was always at the Police Station and I always seen these criminals I carried my sidearm off post for Personal Protection.

| 10. EXHIBIT | 11. INITIALS OF PERSON MAKING STATEMENT | PAGE 1 OF 7 PAGES |
|---|---|---|
| | [redacted] | |

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT _____ TAKEN AT _____ DATED _____

THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE BE INDICATED.



ENCL

USE THIS PAGE IF NEEDED. IF THIS PAGE IS NOT NEEDED, PLEASE PROCEED TO FINAL PAGE OF THIS FORM.

STATEMENT OF [redacted] TAKEN AT Fort Meade, MD DATED 2005/07/26

STATEMENT *(Continued)*

Q. If you purchased or owned other handguns before the Glock, did you ever bring it/them onto post?
A. No, I did not own any other weapons besides them.
Q. When you entered the installation, transporting your POW, did you ever inform the security guards that you have a weapon?
A. No I did not inform them, I had my weapon stored in two separate locked areas of my vehicle. If I would have been inspected I would have informed them then.
Q. With the above question, did you ever show your weapon registration?
A. Post policy 190-11 stated that you did not have to register your weapon if you are a Federal Police Officer.
Q. Have you ever registered your POW on the installation? If so, when?
A. No, after I was informed and counseled for the allegations I stopped carrying my POW and now keep it locked at my house, I also get changed at work because I do not want to be in uniform Off post without protection.
Q. Does the Glock or any of the other weapons you mentioned look, feel, fit the same as the Army M9, Barretta?
A. Both are Black on color, the M9 is longer than the Glock by about an inch.
Q. Did you bring your POW with you today? If so, I would like to see it.
A. No, as stated before I stopped bringing my POW onto the installation when these allegations came up, I did have it during the IG investigation in which I invited IG LTC down to my vehicle to see how I had it stored.
Q. Have you ever used or wear your privately owned weapon on duty or off duty while on the installation? If so, what were the types of weapons and why?
A. I did have my leather holster that belongs to my Glock on a few times but I have never wore my Glock in an Official Duty capacity.
Q. What is/were the perceived threat?
A. Yes, there are against police officers here all the time, most recently there was a gentleman arrested that vowed to kill a Ft Meade Police Officer. This is a serious threat, something that I worry about when the Army has not taken any steps to ensure that there Civilian Police Officers are protected while off duty. All of the Civilian Police get the impression that when they are off duty there is little or no concern about a DACP. At the time I purchased my Glock, the HR218 and hearing the horror stories were the reasons why I purchased it.
Q. Are you listed in the telephone book?
A. Yes, I am listed in the telephone book, you can also get my name address and directions to my house off of Google.
Q. Have you ever worn any personal items on the official duty belt? If so, what and why?
A. Yes, my personal leather holster. If I were in my office I may have had my Black leather holster on a few times, but it never fired my personal weapon. After I purchased my weapon, I obtained authorization to carry a concealed weapon by providing proof my police credentials and filled out an ATF form at Lawman Police Supply in Clinton, Maryland. This allowed me to carry my personal weapon when I came to work during off duty status.
Q. Who authorized you to change your duty uniform?
A. Though I have the issued holster, my personal holster was left on the duty belt because at times I did not sign out my duty weapon. There was never a uniform standard published anywhere which allowed me to leave my personal holster on the duty belt. My duty gear consisted of a belt and holster.
Q. If not, ask about the holster and request to see his pistol belt.
A. I have shown the holster and the pistol belt to you.
Q. What type of holster do you use to carry your weapon?
A. I have a black leather CQC holster that will fit my Glock and I have a Nylon Holster that I have worn for my M9, that is a universal holster.
Q. With your personal holster, would the Army issue weapon, 9mm Barretta, fit it?
A. I am sure that it would fit it but I have never had my M9 in there. I would not want to damage my holster. When I signed out my duty weapon, I would always have my Nylon Holster on my side.
Q. Where do you store your POW when on post?
A. It has remained locked in my car (When I owned my Pontiac Grand Prix (Gun locked in the Glovebox (Keyed lock) and rounds locked in the center console of my car (Keyed lock also).
Q. Are you familiar with the Federal regulations of bringing privately owned weapon on to the installation? If yes, please elaborate the Federal regulations.
A. No, I am not. I am familiar with the Post Policy and was never told by the command that we could not bring our weapons onto the Post.
Q. Are you familiar with the Army regulations of bringing privately owned weapon on to the installation? If yes, please elaborate the Army regulations.
A. Not familiar enough to recite any references in the AR. I now know that they want your weapons registered (This pertains to Military) but there is no specific guidance in the reg as to what civilians do or are suppose to do.
Q. Are you familiar with the installation's regulations and policies of bringing privately owned weapon on to the installation? If yes, please elaborate the installation's regulations and policies
A. I am familiar with the Post policy and had my weapon separated in accordance with it, I have also been told by the IG and the Ft Meade SJA to either register my weapon or do not carry it on post and I have corrected this.

INITIALS OF PERSON MAKING STATEMENT [redacted]

USE THIS PAGE IF NEEDED. IF THIS PAGE IS NOT NEEDED, PLEASE PROCEED TO FINAL PAGE OF THIS FORM.

STATEMENT OF [redacted] TAKEN AT Fort Meade, MD DATED 2005/07/26

STATEMENT *(Continued)*

Q. When you commute to and from work, how do you transport your POW and personal rounds when driving your POV?
A. When I was outside the installation I would carry my weapon on my side when I was in uniform. I do not carry it at all now and have not since January.
Q. Do you own a concealed weapons permit to carry a POW? If so, why?
A. Yes, my weapon is registered with the ATF and it is also in the NCIC database.
Q. Have you ever worn your POW into the work buildings when on post? If so, why? Did any one know?
A. No, I have never worn my POW into a work building on Post.
Q. AR 190-11 specifically states that POW will be stored in the armsroom or other place authorized by the commander when you bring it on the installation. Did you receive any authorization be it verbal or written by the commander?
A. We do not have a company commander and the regulation does not give guidance on civilian law enforcement to my knowledge and I was never given guidance on this from the command as it was never an issue, I have made suggestions in the past for us to store our weapons in the company arms room to the command and it was never an issue that was moved on.
Q. Where do you store your weapon while on duty?
A. It was stored in my vehicle (POW), my government weapon is kept in the Armsroom until I need to draw it.
Q. As the DAC training officer, are you responsible for tracking the DAC Police weapons qualification?
A. Yes I have tracked weapons qualification, AR190-56 is very vague in the whole training area so I went with the STRAC manual in the MPFQC and the Alternate Pistol Qual Course. Twice a year, even the MP School house could not give guidance on this as they were in the process of fixing this, and still are today. Different Installations do different things with their DACP, there is no single piece of guidance to follow off of.
Q. What is the frequency they are to qualify annually and how many rounds they are to qualify with?
A. They qualify twice a year according to that and they fire 60 rounds each, 10 for familiarization and 50 for qualification. According to what we had in place.
Q. When do you submit your ammunition forecast and to whom do you submit it to?
A. We never could submit an ammunition forecast because we did not have weapons on the books, our weapons were the MP weapons and what they had forcasted was what we used, we also used Hollowpoint ammunition that they received from NSA Police to use for qualification because we did not have any ammo to fire and the Police Officer needed to be qualified.
Would you have copies of any ammunition forecast and requests from FY03, FY04, and FY05?
do not have any paperwork for any of those dates. We are currently working on TAMIS to correct the ammunition shortfall, if 'o not have weapons on the books we cannot order ammo, we were told this buy everyone. They stated that the MP Company o order it against their weapons. Ms. [redacted] rom DPTMS (7-2622) and Ms. [redacted] 7-2060) can verify this statement, this has been a constant battle and no one has been willing to support us getting weapons, At the DA level they stated that they wanted to send down a team for a manpower study. This was back in November of 2004 and they have still not arrived. DC [redacted] ll have more information on this.
Q. In order to forecast the ammunition, what was the number of personnel did you use?
A. The number changes daily, we have had no exact number as to who we could hire, the number was 30 then it went to 68, then 128, then 89. There has been no specific layout of steps to stand the department up, like I stated before no post is the same and few are willing to share their plan. It was basically a fend for yourself type setup.
Q. How many weapons are assigned to the DAC police?
A. I am not sure as to how many weapons we have assigned to the department. I know that we have 51 personnel assigned. DC Frank will have more information on this.
Q. IF the number of personnel is different from the number of weapons, why is there a difference?
A. There are more weapons than personnel because we still have to hire officers, we just received these weapons from GSA and had received more so that we can assign a weapon to an officer when he arrives.
Q. When did you first notice there was an ammunition shortfall in FY04 and FY05?
A. They MP Company noticed it in the middle of the year; we could not get ammo any other way because of the war effort.
Q. Who did you inform and what did they do?
A. This was not my lane, I did inform the DES command that the MP Company was out of ammunition and that we had to qualify the officers so we received government ammunition from NSA to fire on their ranges only. MA [redacted] d MSG [redacted] were talking to the MP Company since we were borrowing the company's weapons.
Q. Do you combine the DAC police weapon qualification range with the military police or any other agencies?
A. When I got here in May they were shooting with the MPs, they never have shot with us since then.
Q. If so, then how do you account for the ammunition expended?
A. I am unaware of any account on our part, NSA has a list that they used to account for it on their end, they just wanted us to dispose of it properly.
Q. How often do you have weapons qualification?
A. Every 6 months, twice a year.
Q. Why so frequent?
A 'here is not a standard for the DA Police, AR 190-56 is still not out so I did the best I could and tried to have people qualified in ac 'ance with the STRAC manual.

INITIALS OF PERSON MAKING STATEMENT [redacted]

USE THIS PAGE IF NEEDED. IF THIS PAGE IS NOT NEEDED, PLEASE PROCEED TO FINAL PAGE OF THIS FORM.

STATEMENT OF [redacted] TAKEN AT Fort Meade, MD DATED 2005/07/26

STATEMENT *(Continued)*

Where do the DAC police qualify their weapons? On post or off?
A. They qualified them out at Range 8, NSA Ranges. We have never fired a weapon off Post.
Q. Have you attended the installation's range safety course?
A. Yes I have been Range Safety officer certified with NSA since Aug of 2000, revalidating every year, with the exception I was gone for 8 months (working for John Hopkins).
Q. What type of rounds have you used on the qualification ranges from Jan 04 to present?
A. We could only get NSA ammunition, either from the MP Company or from NSA. This is the hollowpoint ammo.
Q. Do you recall them mentioning the type of rounds approved on the range?
A. They gave us the ammunition they are approved for fire on Range 8, this is the only "lead" range left.
Q. What was your procedure in getting the ammunition for the Sep/Oct 04 range?
A. We still had no ammunition and the MP Company did not order any for the rest of the weapons, mainly the ones that we were utilizing, I went through the command to get approval to obtain ammo via letter from NSA because we still had no weapons on our books.
Q. What is the procedure in transporting ammunition?
A. At our range, the ammunition is location at the range control. We pick it up in our Government vehicle and weapons. We don't put placards on the vehicle because the ammunition amount being provided does not meet the required weight amount.
Q. Are you familiar with the different type of ammunition?
A. Yes I am familiar with the different types of ammunition
Q. Did range control ever inspect your rounds?
A. Yes, they issued them to us.
Q. Did you request nearly 9,000 rounds of ammunition back in Sep/Oct 04?
A. No, I did not request this amount of rounds. The maximum number of rounds I ever requested was for a few officers who needed to qualify. Unfortunately, I do not have that memorandum requesting those ammunition.
Q. Why request so many?
A. I did not request it. I think it was the company who did it. Had I done so, the right amount of ammunition I would have requested would have been for approximately 34 officers assigned. 9000 would have been too many.
Q. At the time when SGT [redacted] picked up the ammunition, did you inspect the rounds? If so, did you know at that time it was wpoint?
A. At that time, I don't think we used the ammunition the company picked up. The ammunition we used was the NSA ammunition. I MAJ [redacted] could talk to the company commander regarding our qualification. I don't think we used the ammunition that the any signed for. Officer [redacted] would be the person to talk to you on this. Unfortunately he's in Germany at this time doing reserve duty. The range we had back in Sep04 and Oct04 did have hollowpoint, but I was not aware there was a problem with that, it is Government ammunition going through a Government weapon, Hollowpoints are even in the Army's Ammunition Supply system, and the Joint Munitions Command was going to issue us some if we could not get anything done through TAMIS because of the War effort.
Q. Did you transport the entire amount to the range back in Sep/Oct 04? If so, why? If not, how much did you transport?
A. I am not sure how much we transported, my Firearms Instructor who is also HAZMAT qualified transported the ammunition to the Range. He is also Range qualified, his name is Officer [redacted].
Q. Did you know at the time of the weapon qualification that you had hollowpoint?
A. Yes
Q. Did range control inspect on this particular day?
A. Yes
Q. Is hollowpoint ammunition approved by the Army?
A. Yes it is in the Army Ammunition system, I have not found a regulation though all of the 15-6s and IG complaints that this has been through.
Q. If you don't know, then why use it?
A. Police Officers would have sit here unqualified, then the Army would have wanted to know why we hired so many to just sit here and perform other duties. It was my job to adapt and overcome the situation to accomplish the mission, I did nothing wrong but insure that the officers were qualified with their assigned weapons so they could perform the mission, everything was done with Safety in mind.
Q. During the Sep/Oct 04 weapon qualification, at any time did any of the DAC police bring to your attention the type of ammunition? If so, who? And what did you do?
A. No one brought anything to my attention, there were only a few people out there, I have provided a schedule of personnel who had to fire.
Q. Have you ever requested ammunition from NSA before? If so, did you ever specify the type?
A. The MP Company got ammunition from them, so I requested through the command to obtain some so that we could qualify.
Q. Have you or other DAC police ever fired POWs on the range while conducting a weapons qualification? If so, when?
A. Not to my knowledge, we were never authorized by the NSA Police to fire POWs out there so I never authorized it.

NI. OF PERSON MAKING STATEMENT [redacted]

USE THIS PAGE IF NEEDED. IF THIS PAGE IS NOT NEEDED, PLEASE PROCEED TO FINAL PAGE OF THIS FORM.

STATEMENT OF [redacted] TAKEN AT Fort Meade, MD DATED 2005/07/26

STATEMENT *(Continued)*

Q. What type of ammunition were used? Personal or official?
A. I am not aware of any other ammunition being used out there besides the NSA Ammo and the government weapons I was not at this Range that long.
Q. Does range control allow POWs on the range?
A. I am not sure if they do or not.
Q. How many rounds are you issued when on duty?
A. The officers are issued 45, I only took 15 when I drew my weapon because there was a shortage of ammo.
Q. Have you ever used your own personal rounds while on duty?
A. No I have never used, I could not use them anyway they are a different caliber (40cal. not 9mm)
Q. Are you familiar with AR 190-56 and the updated version?
A. I am familiar with the old version, the new version has been under revision for about a year now and they still have not completed it, it was suppose to be done in June of this year.
Q. Are you aware of the prohibitions of using POWs by DAC police?
A. The old did not state that we could not carry off duty, the new does state that and I have not since I was informed by IG in January.
Q. Do you feel that some of the DAC police are comfortable in telling you if they encounter problems?
A. Yes, everyone in the Department knows that I am the type of person that is approachable no matter what the situation. They all know that I am looking out for their best interest.
Q. Do you know [redacted]
A. Yes I knew Ms. [redacted] she use to work here, she is with the NDW Police now she left in I believe January.
Q. How long?
A. 7 to 8 months
Q. How would you describe your relationship with her on duty and off?
A. I had a professional working relationship with her, she knew that I was always looking out for her. I did this for everyone. She would mention that she had problems with certain FTOs and lessons. I had to exhaust all of the FTO we had to train her. I had no interaction with her outside of work.
Q. Did M[redacted] report to you that she was being sexually harassed? If not, have you heard of this situation?
A. Yes she did, I immediately called MSG [redacted] (Provost Sergeant) and reported it to him. I asked her if she wanted to go to [redacted] and she said no. I even spoke to Officer [redacted] about this allegation and he told me it was not true. I attempted to solve this at [redacted]west level, and I did report this to my supervisor. Prior to her telling me she was sexually harassed, the conversation she and I had was based on her performance during the FTO program and why she was not making it. Deputy Chief [redacted] has the entire packet on this, too. This was reported after she was told that she was not going to pass the Field Training Officer Program that we have in place because she was not proficient in some areas, she reported that her FTO (Officer [redacted] has said some things to her. There was an investigation on this to by the EO/EEO office in which she recanted her statement saying that she was just angry. Officer [redacted] was cleared of any wrong doing.
Q. Who did you hear it from?
A. She personally came and told me.
Q. If so, what measures or actions did you take in response to the reported allegations of sexual harassment?
A. I took immediate action by calling MSG [redacted] and calling in the FTO concerned, I told Officer [redacted] that this was unacceptable behavior and would not be tolerated in the workplace, I also informed Officer [redacted] go to the EO/EEO office and file an official complaint.
Q. Do you consider your actions adequate and appropriate?
A. Yes, I had talked to her to try to solve it on the lowest level; I informed the command of the situation and told her to follow up with EO/EEO if she felt that this was not adequate. She never told me that my actions to this were insufficient. She has told be me before that she was happy that I was here. But when it came to her performance, she would get defensive. She has a great personality, very easy to get along with. But the moment I would talk to her about her performance, she would get defensive.
Q. Do you know if she told the situation to anyone else?
A. I know that she told the situation to the EO/EEO office, I am unsure of anyone else.
Q. Who was hired first: you or [redacted]
A. Mr [redacted] was hired first, I believe that he was brought on board around March.
Q. Did you know Mr. [redacted] before he was hired?
A. No I did not.
Q. What was Mr [redacted] work performance like?
A. He did what was asked of him, not without complaint though, he always had an issue with something and always tried to undermine the command by telling the officers not to listen to us. I would have officers come back and tell me this. I also have proof of emails sent to other officer undermining what the command was trying to accomplish here.
Q. Have you ever given performance counseling on [redacted] If so, why and date of counseling.
A. No because it was unknown if I could counsel the officers under the Detail (CPAC). The first counseling that I gave was to Walt [redacted] and that was at the end of July of 2004 but that was still unclear.

INITIALS OF PERSON MAKING STATEMENT [redacted]

USE THIS PAGE IF NEEDED. IF THIS PAGE IS NOT NEEDED, PLEASE PROCEED TO FINAL PAGE OF THIS FORM.

STATEMENT OF [redacted] TAKEN AT Fort Meade, MD DATED 2005/07/26

STATEMENT *(Continued)*

Q. Did you have disagreements with him? Or he with you?
A. I had talks with him with Officer [redacted] present informing him that he must do union activities on Union time, he would constantly try to talk union business during work hours.
Q. Were there public displays of disagreements?
A. No there were none between us in Public, he used to badmouth me to the officers when I was not around, a few of them did. Mainly because they felt that they should have had my job, they felt that they were more qualified than me. SGT [redacted] and Officer [redacted] knew of this badmouthing. Officer [redacted] overheard this, too. He's on reserve duty at this time.
Q. Who witnessed them?
A. We had a Union discussion with Officer [redacted] present (Officer [redacted] was the one responsible for starting the FOP at Ft Meade) [redacted] was telling everyone that they were represented by FOP6F when in fact there was nothing in place on this, we had discussed this and I informed him that everyone was covered under AFGE until the FOP was voted in to the organization, Officer [redacted] agreed with me.
Q. Why was his employment terminated?
A. I do not know. I was not working as the deputy chief at that time. He was terminated by Deputy Chief [redacted] I had nothing to do with that.
Q. Why not conduct a performance improvement program (PIP)?
A. I have no idea of what was done with him, once Deputy Chief took over I was told that I was now Labor and could not get into Management issues.
Q. Do you know Mr [redacted] submitted an IG complaint last year about you?
A. Yes and I actually have a copy of this with the determination, I was counseled on this. The IG's report stated that they substantiated that I brought my personal weapon on post and that I did not carry it on official duties. Mr [redacted] has made several allegations on personnel in the department and has made statements to Officer [redacted] that he was coming back and he was bringing 3 heads with him, she verified this and I reported it to the command. I also have statements from concerned officers that he was attempting to set me up. My Question is if Mr [redacted] would have seen me doing something wrong he would have reported it then, this is the type of person that he is. If he was terminated in November, why did it take him 2 months to report allegations, why did he not report them right then.
Q. Do you and the DAC Police socialize after duty hours?
A. No I do not socialize with any of the DA Police after hours.
Q. If so, how frequent?
A.
Q. Do you know SGT [redacted]
A. I do know her and know that she works for the MP Company, never talked to her much though.
Q. How long?
A. I know she has been here for a while but I have only talked to her maybe a dozen times, most of which her telling me that her husband wanted a job here.
Q. Have you heard if SGT [redacted] attended some of these get togethers? Who did you hear it from?
A. No I have not heard this.
Q. Have you heard of any problems which involved SGT [redacted]
A. No I have not.
Q. IF so, what actions did you take?
A. N/A
Q. How would you describe your neighborhood where you lived in Oct 04?
A. There was section 8 housing at the beginning of it. Overall safe.
Q. You stated that "people out there who do not like police and will wait for an opportunity to hurt a Police Officer who may have dealt with them previously" What facts do you have that supports your statement?
A. Though this is recent, this is a supportable fact. It was a bolo that was put out that this individual would kill a Fort Meade police officer. I do not have anything from before, but we do deal with high drug offenses in our concurrent jurisdiction. Right outside of our gates, we have gang activities. We have MS 13, too. NSA has protective measures for the their police department and their whole agency. For instance [redacted] Where as we do.
Q. do you have the FOP sticker on your car?
A. No. Even though I am a member, I do not even have FOP on my plates.
Q. do you have a locker to store your clothing?
A. No.
Q. When did the FT Meade start issuing DAC Police credentials?
A. They were issued before I started working here.
Q. Do you have any comments you would like to make?
A. I would like to provide to you the email documentation I have with [redacted] of the times I attempted to order the weapons. I fully understand how difficult it is to get training ammunition without weapons on official documentation. We are hiring police officers and the logistics chain is broken. Getting ammunition and weapons are so difficult here.

INITIALS OF PERSON MAKING STATEMENT [redacted]

STATEMENT OF [redacted] TAKEN AT Fort Meade, MD DATED 2005/07/26

9. STATEMENT *(Continued)*

Q. When you receive a new officer, does that person qualify before going to Aberdeen, qualify at Aberdeen?

yes. However, at this time, we are limited on who needs to attend the academy based on funding. If they have attended a prior demy, then they will go at a later time versus those who have never attended an academy before, be it prior military police ning, too.

Q. In your opinion, why would Mr [redacted] make problems for you?

A. I don't know. I think if it were someone in my seat, then he would go after that person. He wasn't happy with deputy chief or Corporal [redacted] ther. If you were to talk to Office [redacted] he made a comment to me that he perceived tha [redacted] would have gone after deputy chief [redacted] if he weren't too high. I hate to say it was personal, but I really don't know.

----------NOTHING FOLLOWS ----------

AFFIDAVIT

I, [redacted], HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 7. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

[redacted]

*(Signature of Person Making Statement)*

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 26 day of July, 2005 at

ORGANIZATION OR ADDRESS

*(Signature of Person Administering Oath)*

[redacted] LTC, MP, Investigating Officer

*(Typed Name of Person Administering Oath)*

ORGANIZATION OR ADDRESS

*(Authority To Administer Oaths)*

INITIALS OF PERSON MAKING STATEMENT [redacted]

From: [redacted] <[redacted]@us.army.mil>
To: [redacted] <[redacted]@comcast.net>
Cc: [redacted]@hotmail.com>
Subject: FW: Travel Voucher
Date: Sat, 3 Jul 2004 00:23:05 +0000

Oh yea read the bottom.... and I did it myself....

[redacted]
US Cavalry

A good plan violently executed right now is far better than a perfect plan executed next week.

-George S. Patton

In the absence of orders, go find something and kill it.

-Field Marshal Erwin Rommel

A piece of paper makes you an officer, a radio makes you a commander.

-General Omar N. Bradley

The best tank terrain is that without anti-tank weapons.

-Russian military doctrine

-----Original Message-----
From: [redacted]Y [mailto:[redacted]@DFAS.MIL]
Sent: Friday, July 02, 2004 11:55 AM
To: [redacted]us.army.mil
Subject: Travel Voucher

> Your voucher has been processed (yes already) and you will be seeing a deposit for $3128.00 Wednesday or Thursday next week.
>
> Thanks,
>
> [redacted]
> DFAS Rome Travel
> [redacted]
>
>

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# SWORN STATEMENT

For use of this form, see AR 190-45; the proponent agency is PMG.

PRIVACY ACT STATEMENT

AUTHORITY: Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9397 dated November 22, 1943 (SSN).

PRINCIPAL PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately identified.

ROUTINE USES: Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval.

DISCLOSURE: Disclosure of your social security number is voluntary.

| 1. LOCATION | 2. DATE (YYYYMMDD) | 3. TIME | 4. FILE NUMBER |
|---|---|---|---|
| Fort Meade, MD, EEO Building #4432 | 2005/07/28 [redacted] | 1011 [redacted] | |

| 5. LAST NAME, FIRST NAME, MIDDLE NAME | 6. SSN | 7. GRADE/STATUS |
|---|---|---|
| [redacted] | [redacted] | EEO OFFICER |

8. ORGANIZATION OR ADDRESS
EEO

9.

I, [redacted], WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

Q. When did Ms. [redacted] come into your office, initializing her case?
A. 19 November 2004.
Q. Is it permissible for me to see her file?
A. I can't see any reason why you can not. CPT [redacted], my legal advisor said it was ok.
Q. Who was present at the time of her settlement regarding her EEO case?
A. Ms. [redacted], SJA legal counsel. He is now at NASA. Her husband. Myself.
Q. When did you start your investigation regarding Ms. [redacted]
A. The same day she came over, 19 November 2004. I spoke to MAJ [redacted] and M[redacted]
Q. During the course of your investigation, was there any mention of a performance improvement program for Ms. [redacted]
A. Yes. Dated on 29 October 2004 is a memorandum from Mr. [redacted] who mentions that he was planning on putting her on a PIP.
Q. Did you ever tell her she didn't have a sexual harassment case?
A. No.
Q. At the time of the settlement, did you say something to Ms. [redacted] something to the effect of "you should settle because you have a job?"
A. No.
Q. Did you say at any time to Ms. [redacted] at "you should settle because you got a job?"
A. No.
Q. Did at any time to her that she didn't have a case?
A. No. I advise the complainant when he/she come in it is their case. They are to prove a prima-facie case. EEO is in the middle-not with management or the employee. We only process the complaints.
Q. Did you ever tell Ms. [redacted] at Lt [redacted] was not aware of her sexual harassment complaint?
A. No. I have a copy of his acknowledgment in his memorandum.
Q. Did you ever tell Ms. [redacted] that Officer [redacted] denies making his comments?
A. Yes. I told her during one of our meetings that L[redacted] spoke to Office[redacted] and he denied making those statements.
Q. In the course of your investigation, did you notice any thing wrong/questionable with her case regarding the DES/police department?
A. The people I spoke to were a little disgruntled because some were passed over for positions. These people didn't want to file an EEO complaint; they said they were just complaining. Another was performance appraisals. Many of them were not given their performance appraisals in a timely manner.
Q. Did you notice any performance/training counselings on her?
A. Only for what I have in my files, which Mr. [redacted] gave to me. I will give you a copy of them.
Q. What is the requirement for an GS4,5,6 employee to be counseled?
A. After a minimum of 120 days, the supervisor may provide a performance rating. The employee could have received counselings at any time. I never saw her performance appraisal. She should have gotten one in January 2005.
Q. What was the DA police leadership structure at the time?
A. They did not hire any leadership for the DA police when they were hiring DA police. I thought that was strange, hiring all these people without supervisors.

10. EXHIBIT

11. INITIALS OF PERSON MAKING STATEMENT [redacted]



ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF _____ TAKEN AT _____ DATED _____

BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE BE INDICATED



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USE THIS PAGE IF NEEDED. IF THIS PAGE IS NOT NEEDED, PLEASE PROCEED TO FINAL PAGE OF THIS FORM.

STATEMENT OF [redacted] TAKEN AT EEO Building DATED 2005/07/28

9. STATEMENT *(Continued)*

Q. During my interview with you, you mentioned Officer [redacted], who now works for Walter Reed. You stated that he had faced problems at the DES/police department.

A. Officer [redacted] came to see me regarding a position he applied for within department. Unfortunately, he was not selected. This position was for a GS9. He mentioned that he held a GS12 position at TSA and now works as GS6. I spoke to MAJ [redacted] and Mr. [redacted] about Officer [redacted] and why he was not selected since Office[redacted] was on the referral list. They stated they hired someone else. Interesting enough, within 48 hours, Officer [redacted] was promoted to GS7. He didn't want to pursue any actions and left the agency in June 05.

Q. During your investigation, did you noticed if [redacted] (management) did the right thing in handling M[redacted] case?

A. Yes, he did because Lt [redacted] pursued to investigate as soon as it was brought to his attention. He confronted Officer [redacted] about the allegation. And Lt [redacted] asked Ms. [redacted] if she wanted to see EEO, which she declined to L[redacted] I asked Ms. [redacted] if she ever told Officer [redacted] that she was offended by his alleged comments, she said no, she never did.

Q. In the event you discovered other issues during Ms. [redacted]'s sexual harassment case, did you bring them up to the management's attention, MAJ [redacted] or Mr. [redacted]

A . The primary focus of course was her sexual harassment. Yes. I brought up front the undercurrents I found. For instance, I noticed that her performance was not good and asked for copies of them. Again, Mr. [redacted] mentioned that he was going to put her on a PIP.

Q. Is there anything else you would like to add?

A. Her EEO case was settled. She signed a negotiated settlement agreement on 2 June 05. I did ask her what it would take for her to settle the case. She mentioned that she wanted her leave back. I tallied her leave and spoke with SJA. Unfortunately, she could not give the leave back, but they (management) could give her monetary funds in lieu of leave. I quoted the funds to her and said that Mr. Barrett could be there at the time of her signing. On 2 June, at approximately 2:30-3 pm, she and her husband arrived. [redacted] was running late. After [redacted] and the [redacted] talked for a while (a good two hours), M[redacted] signed the settlement. She let her husband read it. He said ok. Then she signed [redacted]

---------- nothing follows ---[redacted]----------

S OF PERSON MAKING STATEMENT [redacted]

STATEMENT OF [redacted] TAKEN AT EEO Building DATED 2005/07/28

9. STATEMENT *(Continued)*

[redacted]

**AFFIDAVIT**

I, [redacted], HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 3. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

[redacted]

*(Signature of Person Making Statement)*

WITNESSES:

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 28 day of July, 2005 at Fort Meade, MD

[redacted]

*(Signature of Person Administering Oath)*

[redacted], LTC, MP, Investigating Officer

*(Typed Name of Person Administering Oath)*

ART 136 (B)(4), UCMJ

*(Authority To Administer Oaths)*

S OF PERSON MAKING STATEMENT

[redacted]

8 August 2005

MEMORANDUM FOR RECORD

SUBJECT: Telephonic conversation with [redacted] Attorney General, Maryland

On 8 August 2005, at approximately 1130 hours, Mr. [redacted] telephonically contacted me, returning my phone call last week. He stated he was on leave last week and would have answered my questions then.

During phone conversation, I asked Mr. [redacted] he recalled the settlement case of Mrs. [redacted] on and who was present. Mr. [redacted] recalled Ms. [redacted], Mrs. [redacted] and he thought that Mr. [redacted] was also present. When I questioned him if Ms. [redacted] said something to the effect of to Mrs. [redacted] "you need to settle your case... you do not have a sexual harassment case... you ought to be happy that you have a job..." Mr. [redacted] stated that during this time, at no time did Ms. [redacted] say that to Mrs. [redacted]. Mr. [redacted] did mention that he can not account for anything said by Ms. [redacted] when he was present. Mr. [redacted] said that during their meeting, he was providing his legalese to Mrs. [redacted] and Ms. [redacted] was echoing his comments.

Mr. [redacted] stated that if there were more questions regarding this, please contact him at [redacted]. He now works at NASA, General Counsel Office.

[redacted]

LTC, MP
Investigating Officer

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Tab W

DEPARTMENT OF THE ARMY
DIRECTORATE OF EMERGENCY SERVICES
FORT MEADE POLICE DEPARTMENT
8479 6TH ARMORED CAVALRY RD.
FT MEADE, MARYLAND 20755-5045

REPLY TO
ATTENTION OF:

ANME-ES

22 November 2004

MEMORANDUM FOR RECORD

SUBJECT: Field Training Evaluation outline of Officer [redacted]

1. The purpose of this memorandum is to outline the process that was taken by the command in regards to Officer [redacted] and the Field Training Program.

2. It is currently mandated that each officer on the road successfully pass the Field Training program by a certified Field Training Officer before gaining the approval from the command to work as a single patrol at Fort Meade. Officer [redacted] has done well on portions of the program but has struggled in others, it is these portions in which she has struggled and her unwillingness to correct the deficiencies that has kept her from completing the Field Training Program. The following is an outline on the decisions made by the command, and the special circumstances that I made for Officer [redacted] time and time again that has resulted in this long line of Field training issues that we have with her.

-Officer [redacted] graduated from the Aberdeen Proving ground police academy on 27 May 04. After the weekend that I gave all of them to enjoy with their families, I immediately put them in the Field Training Program. Because of the lack of a solid Field Training Program at the time and certified field trainers I had placed everyone that had graduated from the Academy with a previously qualified Field training officer or a Senior Patrolman (MP E-5 or DA Police Officer w/ at least 6 month's experience on station).

-On 4 June 04, Officer [redacted] had begun training Officer [redacted] and was only with her for a period of two weeks when he came to me and informed me that he felt he wasn't going to be able to train her because he needed to be focused on the Mobile vehicle search (X-Ray truck) and ensuring that it was fully serviced and operational during his shift. The DES Ops had placed a lot of pressure on us to ensure that this truck was operation NLT the 15th of June 04 because it was a Force Protection instrument for the installation. He had also informed me that I put her with a strong FTO because she needed a lot of attention during the training because she did not understand her roll as a Police Officer or how to apply everything that she learned at the academy into her job. I pulled Officer [redacted] in and briefed her on this and informed her that she would be making the change to Officer [redacted] Midshift in which she agreed to this.

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ANME-ES

22 November 2004

SUBJECT: Field Training Evaluation outline of Officer Felicia Jefferson

-- Officer [redacted] was placed on duty with Officer [redacted] that was and is currently a certified Field Training Officer with the Ft Meade Police Department. Officer [redacted] was assigned with Officer [redacted] for a period of 2 weeks before she came to me and stated that she felt that Officer [redacted] "did not like her" and that "he was out to get her" when I asked her what "out to get her" meant she provided no response to the question and just suggested that she be changed to another FTO. I then asked her what he did to make her feel as if he didn't like her and she stated that he had her on a walking patrol out at Burba Lake on Mid shift (2300-0700hrs) and proceeded to walk very fast as if he attempted to lose her. She stated that they had no business out there at that time of night anyway. I then informed her that conducting a walking patrol "Anytime of the day" is considered proactive and should be done regardless of the time, I told her that being proactive is a part of "Our" jobs as Police Officer's. I then told her that I understood that Officer [redacted] abrasive and told her that I was going to change her to Officer [redacted] as soon as it permitted due to other officers in the program and she happily agreed.

To clarify the statement on Officer [redacted] he is somewhat "abrasive" meaning that he does not hold anything back when citing a professional problem with an individual, he is not afraid to tell the truth whether it hurts or not. This is not at all a bad thing when it comes to dealing with Police Officers who have to 1. Focus and operate efficiently in a stressful environment and 2. Be able to take constructive criticism and build on it to make the individual a stronger police officer.

- After this issue, I pulled Officer [redacted] and asked her if she was all right and asked if she needed anything. She informed me that things were not going well at home and that she was not able to focus like she should on her duties as a police officer. After talking to MSG [redacted] about this I pulled Officer [redacted] onto Administrative duties to give her time to deal with her family issues. In a Law enforcement environment it is very stressful to deal with issues outside of work because most of our loved ones do not work shift work, this puts strain on the Officer and the family. This is the sole basis on why I removed [redacted] and placed her into an Admin status. When I informed [redacted] that she would come off of the road and help me with "Building the Police Department" she thanked me and stated that this would help her with the problems that she is having at home.

-On 3 August 04, after time to deal with her personal issues, I placed Officer [redacted] with Officer [redacted] another seasoned DA Police Officer with 3 full years experience at Ft Meade in both the US Army as an MPI Investigator and a certified Field Training Officer with the Ft Meade Police. She was very excited to get the opportunity to train with Officer [redacted] but expressed displeasure in going back to "shift work". When I informed her again that this is a part of being a Police Officer she agreed and went back to the road schedule. Officer [redacted] gave me weekly updates on Officer [redacted] and stated that while she was doing well in some areas and not so well in other areas, the areas she was lacking in were: Police Communications, Post Locations and Navigation of the installation, being proactive and report writing. Two of these four issues are critical "Officer Safety" issues and they are ones that if an Officer

ANME-ES

22 November 2004

SUBJECT: Field Training Evaluation outline of Officer [redacted]

does not fully understand they could cost another officer who is waiting on "Back-up" to arrive, his or her life. These areas will not be passed until fully understood by the officer in training. After 5 weeks of training with Officer [redacted] he reported to me that she wanted to come off of FTO status. After talking with [redacted] about these issues and if she was ready to assume duties as a single patrol he told me that she was not. When I pulled Officer [redacted] (I also pulled in Corporal [redacted] to witness) in to discuss these matters and explain to her that she would continue on training status she immediately became defensive and blurted out "did he tell you about his twelve inch penis" stunned by this I asked Officer [redacted] who she was referring to and she stated that Officer [redacted] had commented on his penis to her when they were engaged in conversation on the road. I asked Officer [redacted] at that time if she wanted to file an EEO/ Sexual harassment complaint and she said that she did not want to start anything. I then told her that this was serious and would not be tolerated by the command or myself and she again declined to take it further. I then with Officer [redacted] and Cpl. [redacted] present called Officer [redacted] and had him report to my office to discuss this. When Officer [redacted] came to the office he was caught off guard when I asked him why he commented about his penis to Officer [redacted] and he stated that he never said anything like that and that he thought that they were "Friends" and he could talk to her about anything, and even asked her time and time again if she was comfortable talking to him as friends, but he completely denied the accusation and Officer [redacted] in the room still at the time did not want to take it further. After I dismissed Officer [redacted] I asked her again if she wanted to lodge a formal complaint and she again declined. Officer [redacted] then stated to me that she still felt that she should not be held back and be placed back on retraining again and I told her to be fair in this matter I would arrange a meeting with my Supervisor (MSG [redacted] in a week or so and he would review her packet and decide if she was in fact capable of performing single patrol here on Ft Meade. She agreed to this happily and proceeded back to work as a assistant patrol.

-At or around 3 September a meeting was arranged with Myself, MSG [redacted] Officer [redacted] and Officer [redacted] in MSG [redacted] office. In this conversation she spoke negatively about every single FTO that had trained her, not once did she make a positive comment about anyone of her Field Trainer's or take responsibility of her short falls in Field Training. In this meeting I again brought up the accusation of sexual harassment dealing with Officer [redacted] in front of MSG [redacted] s and Officer [redacted] she declined to comment and added that everything was fine and she did not want to make an issue of it. It was agreed to in this meeting that MSG [redacted] felt that she was not ready to assume Patrol on her own and instead offered to have Officer [redacted] who MSG [redacted] knew was not Field Training certified) to act as an independent officer and evaluate her for two weeks to see if she was ready to assume duties as a single patrol, Office [redacted] was told to report to MSG [redacted] on her progress and that when MSG [redacted] elt that she was ready she would be released. She agreed to these terms and they immediately went to the same schedule and Officer [redacted] egan to evaluate her. During this month we had run into some training issues in which we had to certify both of them on RADAR and Officer [redacted] to be certified on SFST

ANME-ES 22 November 2004

SUBJECT: Field Training Evaluation outline of Officer [redacted]

(Standardized Field Sobriety tests), Officer [redacted] s already certified on SFST from Aberdeen proving ground Police academy. This carried the training into the month of October.

-On 30 September, I pulled Office [redacted] in here and asked him how the paperwork was coming along that he had to fill out on Office [redacted] and he gave me a blank stare, I told him that the Field training packet that was given to him should've been filled out and that he received instructions to do so and he agreed that he received instructions but failed to fill the packet out. I pulled Corporal [redacted] in to my Office with Officer [redacted] and we talked about the shortcomings that he had with the Field Training and he agreed that he did not know how to properly Field Train [redacted] but that he felt that in his 10+ years of Police experience he was able to judge if she was ready and stated that she was in fact not ready and could not be relied on to answer her radio or promptly respond to a call for service or an emergency situation, I immediately called MSG [redacted] and informed him of this issue and he stated that he didn't know why Officer [redacted] said that he would do it if he couldn't. I agreed and explained my plan to do another two weeks with my Field Training Coordinator (Cp [redacted]) as a final report to finish this, I agreed that it has gone on for too long.

-On 1 October 04, Officer [redacted], after attending RADAR training on the 23rd and 24th of September had to complete the road evaluation portion of the certification with MP Traffic Sergeant, Sgt [redacted] Sgt [redacted] had come to me and provided a sworn statement on why she was not going to certify Officer [redacted] in RADAR and why she felt that Officer [redacted] as a Officer Safety issue and could not be counted on to help another Police Officer in a stressful/ High risk situation (A copy of Sgt [redacted] statement is attached) this ties in what all of the FTO's were reporting, with all of this I still gave Officer [redacted] the benefit of the doubt and proceeded with the ride along with Cpl [redacted]

-On 4 October 04, I pulled Officer [redacted] into my office and explained what had gone wrong with Officer [redacted] and she agreed that even though he was a good officer his training was not so good and that she did not learn anything from riding with him. I had also brought up the RADAR issue and talked to her about the consequences of being liable for getting someone hurt from lack of attentiveness and she stated that Sg [redacted] "Blew this all out of proportion", she agreed to talking on the cell phone and to standing behind Sgt [redacted] on the assistance traffic stop with Officer [redacted] but declined that she was ever negligent in her duties as a police officer. I informed her that I did not want this to happen again and she agreed. She also displayed concern that she was on the program too long and asked why again. I told her that each time she never once completed the program with an officer before having an issue with their conduct and wanting to be switched for a professional problem with all of them. To this she agreed with Corpora [redacted] present, and agreed also to a two-week evaluation with Corporal [redacted] (who has written a detailed explanation of the events in her Field Training evaluation) starting as soon as we realistically could (Myself and Cp [redacted]

were the only Operational personnel at the time). She happily agreed and thanked me for "Looking out for her". She has thanked me for this on numerous occasions.

-On 18 October 2004 the Deputy Chief, Deputy Chief [redacted] arrived at the Department and was briefed by Corporal [redacted] and myself on all issues of the department including the Field Training issue with Officer [redacted]

-1 November 2004, Corporal [redacted] began his evaluation of Officer [redacted] (see attached packet's) and at the completion of his evaluation he came to the same conclusion as the rest of the Field training officers. The conclusion is that she does not grasp the severity of her actions or inactions. She is not proactive nor is she reactive. She has problems with showing up to work on time and in the proper uniform. With Cpl [redacted] he never conducted a walking patrol, never drove through the backstreets of the communities to check on the safety of the community, never backed up fellow officers on traffic stops and only pulled traffic stops when Cpl [redacted] had blatantly pointed out that a person had committed a violation in front of them. She just continues in a happy go lucky manner, which is not at all bad either especially when dealing with customers, but is not good when an officer has to be assertive in his or her duties. She never puts into perspective that something could arise where she is forced to react without thought or second-guess to save the life or lives of innocent civilians or police officers engaged in a serious incident. This is a serious issue in the Police Officer career path and it is with this in mind that with my recommendation the Chief had concluded to put her on a PIP (Performance Improvement Plan) because I truly believe that with a little determination on her part to correct these short falls we will.

3. Any questions concerning this memorandum should be directed to the undersigned [redacted]

[redacted]
Lieutenant/ Training Officer
Ft Meade Police

Directorate of Emergency Services
Department of Army Police
8479 6th Armored Cavalry Road
Fort George G. Meade, Maryland 20755-5045

29 October 2004

ANME-ES

MEMORANDUM FOR Ms. [redacted] Police Officer, GS-0083-06, US Army Garrison Fort Meade, PMO, Physical Security, 6619 Mapes Road, Fort Meade, MD 20755-5045

SUBJECT: Letter of Requirement

1. I have conducted a review of your sick leave/leave without pay records for FY 04. During the period 8 March 2004 thru 16 October 2004 you used 64 hours of sick leave and 5.50 hours of leave without pay in lieu of sick leave. Of the 64 hours of annual leave used 6-1/2 hours were in lieu of sick leave. Many of these hours were in conjunction with weekends/holidays. This is an unacceptable pattern of sick leave/leave without pay usage.

2. Pursuant to Office of Personnel Management regulations, the Department of Army regulations and the Negotiated Agreement between Headquarters, First U.S. Army and Fort George G. Meade, Maryland, and AFGE Local 1622, it is within my discretion to require a doctor's certificate for any and all sick leave absences, regardless of duration, when it is suspected that an employee is abusing sick leave privileges. Accordingly, effective upon your receipt of this memorandum, you will be required to provide a doctor's certificate for all duty time charged to sick leave or used in lieu of sick leave. The medical certificate must state specifically that you were examined by the doctor and were found incapacitated for duty, or seen on a scheduled appointment during the exact time frame applicable. This certificate must be submitted to me the day you return to duty.

3. If for any reason (unforeseen illness or an emergency) you need to request leave, you must call me a[redacted] or in my absence, LT [redacted] at [redacted], no later than two (2) hours after the beginning of your tour of duty to request appropriate leave. You must personally speak to either one of us and may not leave a voice mail or message with anyone else. In these instances, your requests for leave will be approved or disapproved based on the circumstances or proof of an emergency.

Printed on Recycled Paper

ANME-ES
SUBJECT: Letter of Requirement

4. Your failure to comply with the provisions outlined in the above paragraphs will constitute a violation of these instructions and will result in your absences from work being charged Absent Without Leave (AWOL), for which appropriate disciplinary action may be taken against you.

[redacted]
Supervisory, Police Officer

DEPARTMENT OF THE ARMY
Directorate of Emergency Services
Department of Army Police
8479 6th Armored Cavalry Road
Fort George G. Meade, Maryland 20755-5045

17 November 2004

ANME-ES

MEMORANDUM FOR Ms. [redacted] Police Officer, GS-0083-06, US Army Garrison Fort Meade, PMO, Physical Security, 6619 Mapes Road, Fort Meade, MD 20755-5045

SUBJECT: Shift Change

After consulting with Lieutenant [redacted] (Officer in Charge of Training) I have decided that you MUST continue your field training in order to satisfy the agencies requirements for police officers to be allowed to work alone on patrol. In order for this to be accomplished you are required to change shifts during this period. The shift changes will be as follows:

Day Watch 0630-1530
28 November thru 11 December 2004
Regular Days off Friday and Saturday

PM Watch 1430-2330
12 December 2004 thru 25 December 2004
Regular Days off Thursday and Friday

Day Watch 0630-1530
December 26 2004 thru 08 January 2005

PM Watch 1430-2330
09 January 2005 thru 22 January 2005
Regular Days off Thursday and Friday

During this training period, you may contact me, at any time, to discuss your training.

[redacted]
DEPUTY CHIEF
FORT MEADE POLICE

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[redacted]

FTO

FORT MEA PROVOST MARSHALS FIELD TRAINING PROGRAM

DAILY OBSERVATION REPORT

MP/OFFICER: [redacted]

TRAINING OFFICER: Ofc Malcolm [redacted]

DATE: 15 June 04

Instructions:
After a discussion with your recruit on the day's learning and activities, use this form to summarize your observations. It can include significant calls, special assignments, self initiated activity, or any other information which may be of use to future FTO's and supervisors. Comments should be constructive in nature, and should include any areas that the recruit excels in, as well as a developmental plan to correct any deficiencies. Each section must be completed, and this form will be turned in to the FTO Coordinator daily. (Utilize mailbox in the event of swings/mids)

Week 1 / Day 1

Strongest attribute: obtaining in memory training instructed by FTO [redacted].

Weakest attribute: Knowing where to Respond according to the street name, when a call is issued by Dispatch.

Daily Performance Rating: 1 2 3 4 5 6 7

TRAINING OFFICERS COMMENTS/RECOMMENDATION

MP/OFFICERS COMMENTS

MP/Officer Signature / Date
[redacted] 4-15-04

Training Officer Signature / Date

FTO Coordinator Signature / Date
(FTO Coordinators signature indicates approval)

Training Office:

FTO Evaluation - Daily Observation Report
This form will be retained in the MP/Officer's field training packet along with any supporting documentation.

FORT MEA PROVOST MARSHALS FIELD TRAININ( IOGRAM

DAILY OBSERVATION REPORT

MP/OFFICER: [redacted]

TRAINING OFFICER: Ofc [redacted]

DATE: 16 June 04

Instructions:
After a discussion with your recruit on the day's learning and activities, use this form to summarize your observations. It can include significant calls, special assignments, self initiated activity, or any other information which may be of use to future FTO's and supervisors. Comments should be constructive in nature, and should include any areas that the recruit excels in, as well as a developmental plan to correct any deficiencies. Each section must be completed, and this form will be turned in to the FTO Coordinator daily. (Utilize mailbox in the event of swings/mids)

Week 1 / Day 2

Strongest attribute: Security Check & gates

Weakest attribute: Traffic Stops

Daily Performance Rating: 1 2 3 4 5 6 7

TRAINING OFFICERS COMMENTS/RECOMMENDATION

MP/OFFICERS COMMENTS

MP/Officer Signature / Date

Training Officer Signature / Date

FTO Coordinator Signature / Date
(FTO Coordinators signature indicates approval)

Training Office:

.O Evaluation - Daily Observation Report
This form will be retained in the MP/Officer's field training packet along with any supporting documentation.

FORT MEJ PROVOST MARSHALS FIELD TRAININ ROGRAM

DAILY OBSERVATION REPORT

MP/OFFICER: _____

TRAINING OFFICER: Ofc [redacted]

DATE: 20 June 04

Instructions:
After a discussion with your recruit on the day's learning and activities, use this form to summarize your observations. It can include significant calls, special assignments, self initiated activity, or any other information which may be of use to future FTO's and supervisors. Comments should be constructive in nature, and should include any areas that the recruit excels in, as well as a developmental plan to correct any deficiencies. Each section must be completed, and this form will be turned in to the FTO Coordinator daily. (Utilize mailbox in the event of swings/mids)

Week 1 / Day 3

Strongest attribute: _____

Weakest attribute: DD Form 1805, Awareness of surrounding during arrest

Daily Performance Rating: 1 2 3 4 5 6 7

TRAINING OFFICERS COMMENTS/RECOMMENDATION

MP/OFFICERS COMMENTS

MP/Officer Signature / Date

21 June 04
Training Officer Signature / Date

FTO Coordinator Signature / Date
(FTO Coordinators signature indicates approval)

Training Office:

TO Evaluation - Daily Observation Report
This form will be retained in the MP/Officer's field training packet along with any supporting documentation.

FORT MEADE PROVOST MARSHALS FIELD TRAINING PROGRAM

DAILY OBSERVATION REPORT

MP/OFFICER: Ofc [redacted]

TRAINING OFFICER: Ofc [redacted]

DATE: 21 June 04

Instructions:
After a discussion with your recruit on the day's learning and activities, use this form to summarize your observations. It can include significant calls, special assignments, self initiated activity, or any other information which may be of use to future FTO's and supervisors. Comments should be constructive in nature, and should include any areas that the recruit excels in, as well as a developmental plan to correct any deficiencies. Each section must be completed, and this form will be turned in to the FTO Coordinator daily. (Utilize mailbox in the event of swings/mids)

Week 7 / Day 3

Strongest attribute: Uniform; Security check

Weakest attribute: Driving on post, 1805, Radio communication

Daily Performance Rating: 1 2 3 4 5 6 7

TRAINING OFFICERS COMMENTS/RECOMMENDATION

Ofc [redacted] came to work without her Ballistic Vest and Petrol bag. Has trouble driving at night. Needs more work with DD 1805 and MTA Code book.

MP/OFFICERS COMMENTS

MP/Officer Signature / Date

[redacted] 21 June 04

Training Officer Signature / Date

Training Office:

FTO Coordinator Signature / Date
(FTO Coordinators signature indicates approval)

FTO Evaluation - Daily Observation Report
This form will be retained in the MP/Officer's field training packet along with any supporting documentation.

[redacted]

FTO

MD 81

United States Di ct Court
Violation Notice

Violation No.: A1470633

Print Officer Name: [redacted]

Officer No.: #113

YOU ARE CHARGED WITH THE FOLLOWING VIOLATION

Date and Time of Offense: June 22, 04 1748 am

Offense Charged: title 18 USC 21-801.1

Place of Offense: Reese Rd

Offense Description: Driving on Hwy at speed exceeding limit 43/25 Talon

Defendant's Last Name: [redacted]

First Name: [redacted]

Street Address: [redacted]

City: [redacted]

State: [redacted]

Zip Code: [redacted]

Date of Birth: [redacted]

Driver's License No.: [redacted]

D.L. State: MD

Social Security No.: [redacted]

VEHICLE DESCRIPTION

| Vehicle Tag No. | Vehicle Tag State | Year | Vehicle Make | Vehicle Color |
|---|---|---|---|---|
| [redacted] | VA | 93 | Toyota | Red |

☐ YOU MUST APPEAR IN COURT. SEE INSTRUCTIONS.

☑ YOU MUST MARK ONE OF THE TWO CHOICES BELOW AND MAIL THIS FORM WITHIN 21 DAYS. SEE INSTRUCTIONS.

I wish to terminate this matter by paying the collateral shown below, enclosed.

I plead not guilty and promise to appear as required.

YOUR COURT DATE

Court Address: TBA

Date: TBA

Time:

Collateral (fine): 75.00

For payment by credit card, SEE INSTRUCTIONS.

DD FORM 1805, SEP 1998 — Original - CVB Copy — Previous edition is obsolete.

(Accountable upon issuance to the offender and until passed to the Appropriate Central Violations Bureau (Magistrate Court).)

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Loc. Code: MD 81

United States District Court
Violation Notice

Violation No.: A1470632

Print Officer Name: [redacted]

Officer No.: #113

YOU ARE CHARGED WITH THE FOLLOWING VIOLATION

Date and Time of Offense: June 22, 04 1214 am

Offense Charged: Title 18 USC 21-801

Place of Offense: Reese Road Howard

Offense Description: Driving on Hwy at speed exceeding limit 41/25 Talon

Defendant's Last Name: [redacted]

First Name: [redacted]

MI: [redacted]

Street Address: [redacted]

City: [redacted]

Date of Birth: [redacted]

Driver's License No.: [redacted]

D.L. State: MD

Social Security No.:

VEHICLE DESCRIPTION

| Vehicle Tag No. | Vehicle Tag State | Year | Vehicle Make | Vehicle Color |
|---|---|---|---|---|
| [redacted] | MD | 98 | Infinity | Black |

A ☐ YOU MUST APPEAR IN COURT. SEE INSTRUCTIONS.

B ☑ YOU MUST MARK ONE OF THE TWO CHOICES BELOW AND MAIL THIS FORM WITHIN 21 DAYS. SEE INSTRUCTIONS.

I wish to terminate this matter by paying the collateral shown below, enclosed.

I plead not guilty and promise to appear as required.

YOUR COURT DATE

Court Address: TBA

Date: TBA

Time:

Collateral (fine): 75.00

For payment by credit card, SEE INSTRUCTIONS.

DD FORM 1805, SEP 1998 — Original - CVB Copy — Previous edition is obsolete.

(Accountable upon issuance to the offender and until passed to the Appropriate Central Violations Bureau (Magistrate Court).)

---

LT,

WHAT HAPPENED DURING THE LAST TWO YRS AT WRAMC? AT THE ACADEMY?

WILL CORRECT ASAP

---

[redacted]

Please instruct [redacted] on the DD form 1805. These tickets will have to be voided [illegible]

(For issuance of an arrest warrant or s[illegible]ns)

I state that on June 22, 04 while exercising my duties as a law enforcement officer in the Ft Meade District of Maryland

I observed the vehicle driving at a higher speed than 25 mph - with a reading on radar Talon of 43 mph.

The foregoing statement is based upon:

[illegible] personal observation ☐ my personal investigation

[illegible]mation supplied to me from my fellow officer's observation

[illegible] explain above)

[illegible]re under penalty of perjury that the information which I have set forth above and on the face of this violation notice is true and correct to the best of my knowledge.

Executed on: June 22 04 [redacted]

Date [illegible] Signature

Probable cause has been stated for the issuance of a warrant.

Executed on: _____

Date U.S. Magistrate Judge

DD FORM 1805 (BACK), SEP 1998

S[illegible]EMENT OF PROBABLE CAUSE

(For [illegible]nce of an arrest warrant or summons)

I state that on June 23, 04 while exercising my duties as a law enforcement officer in the Ft Meade District of Maryland

I observed the vehicle on Reece Rd. traveling at a greater speed than 25 mph the radar talon was set up reading at 41 mph

The foregoing statement is based upon:

☑ my personal observation ☐ my personal investigation

☐ information supplied to me from my fellow officer's observation

☐ other (explain above)

I declare under penalty of perjury that the information which I have set forth above and on the face of this violation notice is true and correct to the best of my knowledge.

Executed on: June 23 04 [redacted]

Date [illegible]

Probable cause has been stated for the issuance of a warrant.

Executed on: _____

Date U.S. Magistrate Judge

DD FORM 1805 (BACK), SEP 1998

# WEEKLY OBSERVATION REPORT

MP/OFFICER: [redacted] DATE: 24JUN04

TRAINING OFFICER: [redacted]

Rating Instructions

This rating form must be reported on the last day of each work week. The FTO will rate only observed behavior. Unsatisfactory performance ratings must be accompanied by specific observations detailing the nature of the performance. Areas where satisfactory performance has been demonstrated need not be reassessed unless subsequent performance is deficient or outstanding.

WEEK ___

| | Sat | Unsat | Not Observed |
|---|---|---|---|
| **Appearance:** | | | |
| General Appearance | ✓ | | |
| Uniforms | ✓ | | |
| Hygiene | ✓ | | |
| **Attitude:** | | | |
| Attitude towards fellow officers | ✓ | | |
| Attitude towards police career | SEE | NOTES | |
| Acceptance of feedback from FTO/Program | | | |
| **Knowledge:** | | | |
| Knowledge of Agency Policies/SOP's | ✓ | | |
| Knowledge of Criminal Procedure | ✓ | | |
| Ability to identify unlawful activity | ✓ | | |
| **Performance:** | | | |
| Field performance: Non stress conditions | | ✓ | |
| Field performance: Stress conditions | | | ✓ |
| Investigative skills | ✓ | | |
| Interview/Interrogation skills | | | ✓ |
| Self initiated field activity | | | ✓ |
| Officer safety | | ✓ | |
| Control of conflict: Verbal skills | | | ✓ |
| Control of conflict: Physical skills | | | ✓ |
| Problem solving/Decision making | ✓ | | |
| Use of radio | ✓ | | |
| **Interpersonal Communication skills:** | | | |
| IPC Skills: Citizens (including ethically and culturally diverse) | ✓ | | |
| IPC Skills: Agency personnel | ✓ | | |



This form will be retained in the MP/Officer's field training packet along with any supporting documentation.

# WEEKLY OBSERVATION REPORT

INSTRUCTIONS:
Briefly describe behaviors that indicate where further development is needed, or where outstanding performance has been demonstrated. Identify the category in the space provided. If additional space is required, continue comments on a separate sheet of paper.

CATEGORY:

## TRAINING OFFICER COMMENTS

A: Appearance:
GOOD UNIFORM FIT AND APPEARANCE - PROFFESIONAL

B: Attitude:
EXPRESSED ~~[illegible]~~ DISCONTENT FOR WORKING ROTATING SHIFTS

C. Knowledge:
NEEDS MORE TRAINING ON MD. VEH LAW RESEARCH, POOR REPORT/INVESTIGATIVE WRITING SKILLS. NEEDS TO CONCENTRATE ON 5 W'S AND ELEMENTS

D: Performance:
POOR OFFICER SAFETY DEMONSTRATED DURING ARREST, 3 DAYS THIS WEEK WAS UNPREPARED FOR DUTY - EITHER NO EQUIP OR LACKING MISSION ESSENTIAL EQUIPMENT, CANNOT DRIVE AT NIGHT WITHOUT GLASSES/CONTACTS

E. Interpersonal Communication:
ADEQUATE, SEEMS NERVOUS

## MP/OFFICER COMMENTS

Training Office:

MP/Officer Signature / Date

[redacted] 24JUN04
Training Officer Signature/ Date

0 Evaluation - Weekly Observation Report
This form will be retained in the MP/Officer's field training packet along with any supporting documentation.

FORT MEA PROVOST MARSHALS FIELD TRAINING PROGRAM

DAILY OBSERVATION REPORT

MP/OFFICER: [redacted]

TRAINING OFFICER: [redacted]

DATE: 23 JUN 04

Instructions:
After a discussion with your recruit on the day's learning and activities, use this form to summarize your observations. It can include significant calls, special assignments, self initiated activity, or any other information which may be of use to future FTO's and supervisors. Comments should be constructive in nature, and should include any areas that the recruit excels in, as well as a developmental plan to correct any deficiencies. Each section must be completed, and this form will be turned in to the FTO Coordinator daily. (Utilize mailbox in the event of swings/mids)

Week ___/ Day ___

Strongest attribute: Appearance

Weakest attribute: Statement Writing

Daily Performance Rating: 1 2 3 4 (5) 6 7

TRAINING OFFICERS COMMENTS/RECOMMENDATION

Displayed inability to write basic investigative statements with more practice and calls for service improvement should be evident.
Still no flashlight

MP/OFFICERS COMMENTS

MP/Officer Signature / Date

[redacted] 23 JUN 04
Training Officer Signature / Date

FTO Coordinator Signature / Date
(FTO Coordinators signature indicates approval)

Training Office:

FTO Evaluation - Daily Observation Report
This form will be retained in the MP/Officer's field training packet along with any supporting documentation.

FORT ME PROVOST MARSHALS FIELD TRAININ ROGRAM

# DAILY OBSERVATION REPORT

MP/OFFICER: [redacted]

TRAINING OFFICER: [redacted]

DATE: 22 JUN 04

Instructions:
After a discussion with your recruit on the day's learning and activities, use this form to summarize your observations. It can include significant calls, special assignments, self initiated activity, or any other information which may be of use to future FTO's and supervisors. Comments should be constructive in nature, and should include any areas that the recruit excels in, as well as a developmental plan to correct any deficiencies. Each section must be completed, and this form will be turned in to the FTO Coordinator daily. (Utilize mailbox in the event of swings/mids)

Week ___/ Day ___

Strongest attribute: Appearance

Weakest attribute: Preparedness

Daily Performance Rating: 1 2 (3) 4 5 6 7

TRAINING OFFICERS COMMENTS/RECOMMENDATION

Midnight shift with no flash lights. expressed discontent with working rotating shifts.

MP/OFFICERS COMMENTS

MP/Officer Signature / Date

[redacted] 22JUN04

Training Officer Signature / Date

FTO Coordinator Signature / Date
(FTO Coordinators signature indicates approval)

Training Office:

FTO Evaluation - Daily Observation Report
This form will be retained in the MP/Officer's field training packet along with any supporting documentation.

[redacted]

FTD

WEEKLY OBSERVATION REPORT

MP/OFFICER: Ofc [redacted] DATE: 07 Aug 04

TRAINING OFFICER: Ofc [redacted]

Rating Instructions

This rating form must be reported on the last day of each work week. The FTO will rate only observed behavior. Unsatisfactory performance ratings must be accompanied by specific observations detailing the nature of the performance. Areas where satisfactory performance has been demonstrated need not be reassessed unless subsequent performance is deficient or outstanding.

WEEK 1

| | Sat | Unsat | Not Observed |
|---|---|---|---|
| **Appearance:** | | | |
| General Appearance | ✓ | | |
| Uniforms | ✓ | | |
| Hygiene | ✓ | | |
| **Attitude:** | | | |
| Attitude towards fellow officers | ✓ | | |
| Attitude towards police career | ✓ | | |
| Acceptance of feedback from FTO/Program | ✓ | | |
| **Knowledge:** | | | |
| Knowledge of Agency Policies/SOP's | ✓ | | |
| Knowledge of Criminal Procedure | ✓ | | |
| Ability to identify unlawful activity | ✓ | | |
| **Performance:** | | | |
| Field performance: Non stress conditions | ✓ | | |
| Field performance: Stress conditions | ✓ | | |
| Investigative skills | ✓ | | |
| Interview/Interrogation skills | ✓ | | |
| Self initiated field activity | ✓ | | |
| Officer safety | ✓ | | |
| Control of conflict: Verbal skills | ✓ | | |
| Control of conflict: Physical skills | ✓ | | |
| Problem solving/Decision making | ✓ | | |
| Use of radio | ✓ | | |
| **Interpersonal Communication skills:** | | | |
| IPC Skills: Citizens (including ethically and culturally diverse) | ✓ | | |
| IPC Skills: Agency personnel | ✓ | | |

TO Evaluation - Weekly Observation Report

is form will be retained in the MP/Officer's field training packet along with any supporting documentation.

WEEKLY OBSERVATION REPORT

MP/OFFICER: Ofc [redacted] DATE: 14 Aug 04

TRAINING OFFICER: Ofc [redacted]

Rating Instructions

This rating form must be reported on the last day of each work week. The FTO will rate only observed behavior. Unsatisfactory performance ratings must be accompanied by specific observations detailing the nature of the performance. Areas where satisfactory performance has been demonstrated need not be reassessed unless subsequent performance is deficient or outstanding.

WEEK 2

| | Sat | Unsat | Not Observed |
|---|---|---|---|
| **Appearance:** | | | |
| General Appearance | ✓ | | |
| Uniforms | ✓ | | |
| Hygiene | ✓ | | |
| **Attitude:** | | | |
| Attitude towards fellow officers | ✓ | | |
| Attitude towards police career | ✓ | | |
| Acceptance of feedback from FTO/Program | ✓ | | |
| **Knowledge:** | | | |
| Knowledge of Agency Policies/SOP's | | X | |
| Knowledge of Criminal Procedure | ✓ | | |
| Ability to identify unlawful activity | ✓ | | |
| **Performance:** | | | |
| Field performance: Non stress conditions | ✓ | | |
| Field performance: Stress conditions | ✓ | | |
| Investigative skills | ✓ | | |
| Interview/Interrogation skills | ✓ | | |
| Self initiated field activity | ✓ | | |
| Officer safety | ✓ | | |
| Control of conflict: Verbal skills | ✓ | | |
| Control of conflict: Physical skills | ✓ | | |
| Problem solving/Decision making | | X | |
| Use of radio | | X | |
| **Interpersonal Communication skills:** | | | |
| IPC Skills: Citizens (including ethically and culturally diverse) | ✓ | | |
| IPC Skills: Agency personnel | ✓ | | |

FTO Evaluation - Weekly Observation Report

This form will be retained in the MP/Officer's field training packet along with any supporting documentation.

WEEKLY OBSERVATION REPORT

INSTRUCTIONS:
Briefly describe behaviors that indicate where further development is needed; or where outstanding performance has been demonstrated. Identify the category in the space provided. If additional space is required, continue comments on a separate sheet of paper.

CATEGORY:

TRAINING OFFICER COMMENTS

A: Appearance:
Minor uniform corrections were needed

B: Attitude:
Ofc [redacted] maintained a positive attitude ~~ofc~~ throughout the week

C. Knowledge:
Ofc [redacted] knowledge of post and procedures needs improvement.

D: Performance:
Ofc [redacted] performance was satisfactory but office safety issues and radio procedures were problems.

E. Interpersonal Communication:
Worked well in Access Control

MP/OFFICER COMMENTS

[redacted]
MP/Officer Signature / Date

[redacted] 14 Aug 04
Training Officer Signature/ Date

Training Office:

FTO Evaluation - Weekly Observation Report
This form will be retained in the MP/Officer's field training packet along with any supporting documentation.

WEEKLY OBSERVATION REPORT

MP/OFFICER: Ofc. [redacted] DATE: 23 Aug 04

TRAINING OFFICER: Ofc. [redacted]

Rating Instructions

This rating form must be reported on the last day of each work week. The FTO will rate only observed behavior. Unsatisfactory performance ratings must be accompanied by specific observations detailing the nature of the performance. Areas where satisfactory performance has been demonstrated need not be reassessed unless subsequent performance is deficient or outstanding.

WEEK 3

| | Sat | Unsat | Not Observed |
|---|---|---|---|
| **Appearance:** | | | |
| General Appearance | ✓ | | |
| Uniforms | ✓ | | |
| Hygiene | ✓ | | |
| **Attitude:** | | | |
| Attitude towards fellow officers | ✓ | | |
| Attitude towards police career | ✓ | | |
| Acceptance of feedback from FTO/Program | | X | |
| **Knowledge:** | | | |
| Knowledge of Agency Policies/SOP's | ✓ | X | |
| Knowledge of Criminal Procedure | ✓ | | |
| Ability to identify unlawful activity | ✓ | | |
| **Performance:** | | | |
| Field performance: Non stress conditions | ✓ | | |
| Field performance: Stress conditions | ✓ | | |
| Investigative skills | ✓ | | |
| Interview/Interrogation skills | ✓ | | |
| Self initiated field activity | ✓ | | |
| Officer safety | ✓ | | |
| Control of conflict: Verbal skills | ✓ | | |
| Control of conflict: Physical skills | ✓ | | |
| Problem solving/Decision making | ✓ | X | |
| Use of radio | ✓ | | |
| **Interpersonal Communication skills:** | | | |
| IPC Skills: Citizens (including ethically and culturally diverse) | ✓ | | |
| IPC Skills: Agency personnel | ✓ | | |

FTO Evaluation - Weekly Observation Report

his form will be retained in the MP/Officer's field training packet along with any supporting documentation.

# WEEKLY OBSERVATION REPORT

INSTRUCTIONS:
Briefly describe behaviors that indicate where further development is needed, or where outstanding performance has been demonstrated. Identify the category in the space provided. If additional space is required, continue comments on a separate sheet of paper.

CATEGORY:

## TRAINING OFFICER COMMENTS

A: Appearance:
Minor corrections were made

B: Attitude:
Ofc. [redacted] attitude remained positive after receiving negative comments.

C. Knowledge:
Ofc. [redacted] still remains a little weak on knowledge of post and procedures.

D: Performance:
Ofc. [redacted] decision making skills need improvement

E. Interpersonal Communication:
Great interaction with community

## MP/OFFICER COMMENTS

[redacted] 23 AUG 04
MP/Officer Signature / Date

[redacted] 23 Aug 04
Training Officer Signature/ Date

Training Office:

FTO Evaluation - Weekly Observation Report
This form will be retained in the MP/Officer's field training packet along with any supporting documentation.

WEEKLY OBSERVATION REPORT

MP/OFFICER: Ofc [redacted] DATE: 31 Aug 04

TRAINING OFFICER: Ofc [redacted]

Rating Instructions

This rating form must be reported on the last day of each work week. The FTO will rate only observed behavior. Unsatisfactory performance ratings must be accompanied by specific observations detailing the nature of the performance. Areas where satisfactory performance has been demonstrated need not be reassessed unless subsequent performance is deficient or outstanding.

WEEK 4

| | Sat | Unsat | Not Observed |
|---|---|---|---|
| **Appearance:** | | | |
| General Appearance | – | | |
| Uniforms | | | |
| Hygiene | | | |
| **Attitude:** | | | |
| Attitude towards fellow officers | | | |
| Attitude towards police career | | | |
| Acceptance of feedback from FTO/Program | | | |
| **Knowledge:** | | | |
| Knowledge of Agency Policies/SOP's | | | |
| Knowledge of Criminal Procedure | | | |
| Ability to identify unlawful activity | | | |
| **Performance:** | | | |
| Field performance: Non stress conditions | | | |
| Field performance: Stress conditions | | | |
| Investigative skills | | | |
| Interview/Interrogation skills | | | |
| Self initiated field activity | | | |
| Officer safety | | | |
| Control of conflict: Verbal skills | | | |
| Control of conflict: Physical skills | | | |
| Problem solving/Decision making | | | |
| Use of radio | | | |
| **Interpersonal Communication skills:** | | | |
| IPC Skills: Citizens (including ethically and culturally diverse) | | | |
| IPC Skills: Agency personnel | | | |

FTO Evaluation - Weekly Observation Report

This form will be retained in the MP/Officer's field training packet along with any supporting documentation.

# WEEKLY OBSERVATION REPORT

INSTRUCTIONS:
Briefly describe behaviors that indicate where further development is needed, or where outstanding performance has been demonstrated. Identify the category in the space provided. If additional space is required, continue comments on a separate sheet of paper.

CATEGORY:

## TRAINING OFFICER COMMENTS

A: Appearance:

B: Attitude:

C. Knowledge:

D: Performance:

E. Interpersonal Communication:

## MP/OFFICER COMMENTS

Training Office:

MP/Officer Signature / Date

Training Officer Signature/ Date

FTO Evaluation - Weekly Observation Report
This form will be retained in the MP/Officer's field training packet along with any supporting documentation.

CRIMINAL INVESTIGATIONS

MP/OFFICER: Ofc [redacted] DATE: 13 Aug 04

TRAINING OFFICER: Ofc [redacted]

| Initial investigation: | Sat | Unsat | Not Observed |
|---|---|---|---|
| A. Is recruit alert to the possibility of a false report | ✓ | | |
| B. Does recruit confirm that a crime was committed | ✓ | | |
| C. Does recruit correctly identify type of crime | ✓ | | |
| D. Does recruit secure crime scene | ✓ | | |
| E. Does recruit establish point of entry/exit | ✓ | | |
| F. Does recruit take thorough and accurate victim information | ✓ | | |
| G Does recruit obtain suspect information, including a detailed physical description | ✓ | | |
| H. Does recruit broadcast suspect information to other units | ✓ | | |
| I. Does recruit separate multiple witnesses prior to interview | ✓ | | |
| J. Does recruit make accurate notes of the crime scene | ✓ | | |
| K. In the event of a residential burglary, does recruit conduct a Home Security Survey | ✓ | | |
| L. In event of theft, does recruit obtain a detailed and accurate list of all property that was stolen (including ser #'s) | ✓ | | |
| M. Does recruit conduct a neighborhood canvas after contacting the victim, and is this effort accurately documented | ✓ | | |
| N. If suspect is arrested at scene, does recruit conduct a proper one-on-one identification | ✓ | | |
| O. If suspect is known, but not arrested on the scene, is recruit able to assemble a proper photo array, and present it to a witness and/or victim | ✓ | | |

FTO Evaluation - Criminal Investigations

This form will be retained in the MP/Officer's field training packet along with any supporting documentation.

## CRIMINAL INVESTIGATIONS

| Additional investigative duties: | Sat | Unsat | Not observed |
|---|---|---|---|
| A. Does recruit coordinate, and work, with investigating authority during initial and follow-up investigation | ✓ | | |
| B. Does recruit insure that evidence is packaged, marked, and placed in the evidence room | ✓ | | |
| C. Does recruit submit evidence to the proper authority for analysis | ✓ | | |
| D. Does recruit put all necessary BOLO's in the pass-on book for the oncoming shift to be aware of | ✓ | | |
| E. Does recruit coordinate follow up meetings with victims and witnesses as necessary | ✓ | | |

COMMENTS

[redacted] 13 AUG 04

MP/Officer Signature / Date

[redacted] 13 AUG 04

Training Officer Signature/ Date

Training Office:

FTO Evaluation - Criminal Investigations

This form will be retained in the MP/Officer's field training packet along with any supporting documentation.

CRIME SCENE PROCESSING

MP/OFFICER: Ofc [redacted] DATE: 13 Aug 04

TRAINING OFFICER: Ofc [redacted]

| | Sat | Unsat | Not Observed |
|---|---|---|---|
| Responding to / arrival on scene: | | | |
| A. Does recruit use proper radio procedure | ✓ | | |
| B. Does recruit note important information on notepad | ✓ | | |
| C. Does recruit utilize most direct route, and best method of response to incident location | ✓ | | |
| D. Does recruit notify dispatch of arrival at scene | ✓ | | |
| E. Does recruit park in a safe location, positioning vehicle so as not to interfere with scene (Based on nature of incident) | ✓ | | |
| F. Does recruit properly record/take notes, includes: | | | |
| Time dispatched/arrived | ✓ | | |
| Initial observations upon arrival | ✓ | | |
| Perimeters established (Based on type of incident) | ✓ | | |
| Specifics of scene | ✓ | | |
| Personnel on scene and their responsibilities | ✓ | | |
| Exact location (by measurement) of evidence, etc,... | ✓ | | |
| G. Does recruit understand and explain the theory of transfer, as it relates to evidence at a crime scene | ✓ | | |
| At scene responsibilities: | | | |
| A. Does recruit provide aid to victim(s) | ✓ | | |

FTO Evaluation - Crime Scene Processing
This form will be retained in the MP/Officer's field training packet along with any supporting documentation.

# CRIME SCENE PROCESSING

| | Sat | Unsat | Not Observed |
|---|---|---|---|
| B. Does recruit protect scene/self including: | | | |
| Using officer safety procedures, insure scene is safe | ✓ | | |
| Secure scene from unauthorized entry | ✓ | | |
| Establishes a crime scene log | ✓ | | |
| Establishes scene perimeters | ✓ | | |
| Identifies victims, witnesses, and suspects at scene | ✓ | | |
| C. Does recruit identify the need for additional/specialized units, and requests them through proper channels | ✓ | | |
| D. Does recruit sketch crime scene, to include: | | | |
| Location of pertinent objects | ✓ | | |
| Distances between pertinent objects, crime scene measurements, etc. | ✓ | | |
| Point(s) of entry | ✓ | | |
| Legend (as needed) | ✓ | | |
| E. Does recruit photgraph scene to include: | | | |
| Uses various perspectives (approach, inside to outside) | ✓ | | |
| Considers limitations of equipment | ✓ | | |
| Takes notes pertaining to each photo taken | ✓ | | |
| Location of weapons, evidence and contraband | ✓ | | |
| F. Does recruit conduct appropriate search of crime scene as directed | ✓ | | |
| G. Does recruit observe, record, collect, and process evidence, contraband, and weapons, and maintain chain of custody | ✓ | | |

FTO Evaluation - Crime Scene Processing
This form will be retained in the MP/Officer's field training packet along with any supporting documentation.

# CRIME SCENE PROCESSING

| | Sat | Unsat | Not Observed |
|---|---|---|---|
| H. Does recruit establish on scene command post, and safe area (as needed) for crime scene processing. | ✓ | | |
| I. Does recruit make accurate notes of the crime scene | ✓ | | |
| **Collection of evidence:** | | | |
| A. Does recruit locate evidence | ✓ | | |
| B. Does recruit record/sketch evidence location | ✓ | | |
| C. Does recruit photograph evidence prior to collection | ✓ | | |
| D. Does recruit collect evidence properly | ✓ | | |
| E. Does recruit maintain proper chain of custody | ✓ | | |
| **Recovering latent fingerprints:** | | | |
| A. Does recruit identify prospective areas for recovery | ✓ | | |
| B. Does recruit determine the best equipment to utilize | ✓ | | |
| C. Does recruit dust desired area to locate prints | | | X |
| D. Does recruit "lift" prints with latent tape | | | X |
| E. Does recruit transfer print to fingerprint card | | | X |
| F. Does recruit record pertinent data on fingerprint card | | | X |
| G. Does recruit take elimination prints | | | X |
| **Clearing crime scene:** | | | |
| A. Does recruit collect other officers notes and information for use in investigation and report | ✓ | | |

FTO Evaluation - Crime Scene Processing
This form will be retained in the MP/Officer's field training packet along with any supporting documentation.

CRIME PREVENTION

MP/OFFICER: Ofc [redacted] Ofc [redacted] DATE: 05 Aug 04

TRAINING OFFICER: Ofc [redacted]

| Crime Prevention Techniques: | Sat | Unsat | Not Observed |
|---|---|---|---|
| A. Does recruit understand the omnipresence concept | ✓ | | |
| B. Does recruit vary his/her patrol routes to deter criminal activity | ✓ | | |
| C. Does recruit identify situations which promote or increase the possibility/probability of criminal activity | ✓ | | |
| D. Upon identifying situations which promote criminal activity, does the recruit make on the spot corrections, or contact the appropriate agency in order to correct the deficiency | ✓ | | |
| E. Does recruit determine the types of criminal activity that occur in the various communities | ✓ | | |
| F. Does recruit demonstrate how to conduct a home security survey | ✓ | | |
| G. Does recruit understand the various problems, as they relate to criminal activity, with the following items: | | | |
| Bushes, shrubs, and trees | ✓ | | |
| Various types of windows | ✓ | | |
| Various types of doors | ✓ | | |
| Lack of lighting | ✓ | | |
| Leaving mail and newspapers lying around | ✓ | | |
| Leaving property unsecured | ✓ | | |

FTO Evaluation - Crime Prevention

This form will be retained in the MP/Officer's field training packet along with any supporting documentation.

## CRIME PREVENTION

| | Sat | Unsat | Not Observed |
|---|---|---|---|
| H. Does recruit understand how the following help prevent crimes from occurring: | | | |
| Mechanical devices | ✓ | | |
| Flood lights/proper lighting | ✓ | | |
| Public awareness | ✓ | | |
| Securing property | ✓ | | |
| Marking property | ✓ | | |
| Knowing the people who live in your community | ✓ | | |

COMMENTS

MP/Officer Signature/ Date

[redacted] 05 Aug 04

Training Officer Signature/ Date

Training Office:

FTO Evaluation - Crime Prevention

This form will be retained in the MP/Officer's field training packet along with any supporting documentation.

COMMUNITY ORIENTED POLICING

MP/OFFICER: Ofc. [redacted] DATE: 05 Aug 04

TRAINING OFFICER: Ofc [redacted]

| Community policing: | Sat | Unsat | Not Observed |
|---|---|---|---|
| A. Is recruit familiar with the department policy on Community Oriented Policing | ✓ | | |
| B. Does recruit understand the concept of Community Oriented Policing | ✓ | | |
| C. Does recruit take the time to initiate contact with citizens in the community he/she is working in | ✓ | | |
| D. Does recruit remain approachable to citizens | ✓ | | |
| E. Does recruit listen to the complaints, needs, and requests of citizens, and take steps to act on them | ✓ | | |
| F. Does recruit keep citizens updated with progress regarding their complaints, needs, and requests | ✓ | | |
| G. If recruit cannot help the citizen with their complaint, does he/she work to find the resource that can help them, and direct them to that resource | ✓ | | |

COMMENTS

[redacted] 05 AUG 04

MP/Officer Signature / Date

[redacted] 05 Aug 04

Training Officer Signature/ Date

Training Office:

FTO Evaluation - Community Oriented Policing

This form will be retained in the MP/Officer's field training packet along with any supporting documentation.

STANDARD FORMS

MP/OFFICER: Ofc. [redacted]

DATE: 03 Aug 04

TRAINING OFFICER: Ofc. [redacted]

| Form knowledge and preparation: | Sat | Unsat | Not Observed |
|---|---|---|---|
| A. Is recruit familiar with the following forms, and does he/she know how to prepare them | | | |
| DA Form 3975: Police Report (get temp # from Desk) | ✓ | | |
| DA Form 2823: Sworn Statement (pages 1 - 3) | ✓ | | |
| DA Form 3946: Traffic Accident Report | | | X |
| DA Form 3881: Rights Warning/Waiver Certificate | ✓ | | |
| DA Form 4137: Evidence/Property Custody Document | ✓ | | |
| DA Form 4002: Evidence/Property Tag | ✓ | | |
| PMO Form 143R: Vehicle/Equipment Inspection Sheet | ✓ | | |
| PMO Form 3R: Police Activity Sheet | ✓ | | |
| PMO Form 3-1R: Police Activity Sheet (continued) | ✓ | | |
| PMO Form ??: Fort Meade Use of Force/Pursuit Form | ✓ | | |
| PMO Form 24: Driver Information Exchange Form | ✓ | | |
| PMO Form 29-R-E: Radar Log | ✓ | | |
| PM 64: Patrolman's Worksheet (info sheet) | ✓ | | |
| Form 79: Missing Persons Report | | | X |
| Crime Victims & Witnesses Pamphlet | ✓ | | |
| Federal Advice of Rights Form | ✓ | | |
| Appendix B: Mobile Videotape Log | | | X |
| Standard Form 91: Motor Vehicle Accident Report | | | X |

FTO Evaluation - Standard Forms
This form will be retained in the MP/Officer's field training packet along with any supporting documentation.

## STANDARD FORMS

| | Sat | Unsat | Not Observed |
|---|---|---|---|
| DD From 2701: Initial Information for Victims & Witnesses of Witnesses of Crime | ✓ | | |
| DD Form 2504: Abandoned Vehicle Notice | ✓ | | |
| DD Form 2507: Notice of Vehicle Impoundment | ✓ | | |
| DD Form 2708: Prisoner Release Form | ✓ | | |
| DD Form 1920: Alcohol Influence Report | ✓ | | |
| DD Form 1805: U.S. District Court Violation Notice | ✓ | | |
| DD Form 1408: Armed Forces Traffic ticket | ✓ | | |
| DR - 15: Advice of Rights | ✓ | | |
| DR - 15a: Officer's Certification and Order of Suspension | ✓ | | |
| DR - 102: Alcohol Test Results of .04 - .07 for Commercial Commercial Vehicle Operator | ✓ | | |
| DR - 103: Violation of Alcohol Restriction | ✓ | | |
| MSP - 33: Notification of Test Results | ✓ | | |

COMMENTS

[redacted] AUG 04

MP/Officer Signature/Date

[redacted]

Training Officer Signature/ Date

Training Office:

FTO Evaluation - Standard Forms

This form will be retained in the MP/Officer's field training packet along with any supporting documentation.

CRIMINAL LAW

MP/OFFICER: Ofc. [redacted]

DATE: 13Aug04

TRAINING OFFICER: Ofc [redacted]

| | Sat | Unsat | Not Observed |
|---|---|---|---|
| **Federal Criminal Code:** | | | |
| A. Does recruit know the elements of a crime | ✓ | | |
| B. Has recruit perused the Federal Criminal Code | ✓ | | |
| C. Is recruit able to navigate and locate the most widely used articles of Title 18 & 21 U.S.C. | ✓ | | |
| D. Does recruit have a working knowledge of the most common violations of Title 18 & 21 U.S.C. | ✓ | | |
| **Uniform Code of Military Justice:** | | | |
| A. Does recruit know the elements of a crime | ✓ | | |
| B. Has recruit perused the U.C.M.J., and the Manual for Courts Martial | ✓ | | |
| C. Is recruit able to navigate and locate the most widely used articles the U.C.M.J. | ✓ | | |
| D. Does recruit know the punitive articles of the U.C.M.J. | ✓ | | |
| E. Does recruit have a working knowledge of the most common violations of the U.C.M.J. | ✓ | | |
| **Annotated Code of Maryland:** | | | |
| A. Does recruit know the elements of a crime | ✓ | | |
| B. Has recruit perused Art. 27, Annotated Code of Maryland | ✓ | | |
| C. Is recruit able to navigate and locate the most widely used articles of the Annotated Code of Maryland | ✓ | | |
| D. Does recruit have a working knowledge of the most common violations of Art 27, Annotated Code of Maryland | ✓ | | |
| **Maryland Digest of Criminal Law:** | | | |
| A. Does recruit know the elements of a crime | | | |

Evaluation - Criminal Law

This form will be retained in the MP/Officer's field training packet along with any supporting documentation.

# CRIMINAL LAW

| | Sat | Unsat | Not Observed |
|---|---|---|---|
| B. Has recruit perused the Maryland Digest of Criminal Law | ✓ | | |
| C. Is recruit able to navigate and locate the most widely used articles of the Digest of Criminal Laws | ✓ | | |
| D. Does recruit have a working knowledge of the most common violations of the Annotated Code of Maryland | ✓ | | |
| E. Does recruit know the common law felonies | ✓ | | |
| **Application of criminal law:** | | | |
| A. Does recruit identify the correct crime committed | ✓ | | |
| B. Does recruit utilize Title 18 and/or 21 U.S.C. first | ✓ | | |
| C. If violator is a military member, does recruit initially utilize the U.C.M.J. | ✓ | | |
| D. Is recruit familiar with the Assimilative Crimes Act of 1948 | ✓ | | |
| E. If violation is not located in the Federal Criminal Code, does recruit assimilate the act to Maryland criminal laws | ✓ | | |
| F. Does recruit assimilate the correct crime | ✓ | | |
| G. Does recruit document the assimilation of a crime | ✓ | | |

COMMENTS

[redacted] 03 Aug 04

MP/Officer Signature/ Date

[redacted] 03 Aug 04

Training Officer Signature/ Date

Training Office:

FTO Evaluation - Criminal Law

This form will be retained in the MP/Officer's field training packet along with any supporting documentation.

COURT PROCEDURE

MP/OFFICER: Ofc [redacted]

TRAINING OFFICER: Ofc [redacted]

DATE: 06 Aug 04

Court:

| | Sat | Unsat | Not Observed |
|---|---|---|---|
| A. Is recruit familiar with the location of Magistrates Court at Fort Meade | ✓ | | |
| B. Has recruit met the Magistrate, State's Attorney, and JAG Officers | ✓ | | |
| C. Is recruit familiar with the location of the District Court in downtown Baltimore | ✓ | | |
| D. Has recruit observed court procedures at Fort Meade | ✓ | | |
| E. Does recruit have a working knowledge of how the court operates as it relates to Fort Meade | ✓ | | |

Hearings and trials:

| | | | |
|---|---|---|---|
| A. Does recruit arrive prior to the time any hearings/trials he/she has been summonsed to are scheduled to begin | | | X |
| B. Does recruit familiarize him/herself with the case(s) he or she will be involved with PRIOR to hearing/trial | | | X |
| C. Does recruit make contact with prosecuting attorney(s) prior to the hearing/trial so he/she knows what will occur during the trial | | | X |
| D. Does recruit ensure that he/she brings all relevant material to court, including notes, reports, and certificates (as necessary) | | | X |
| E. Does recruit ensure that he/she is in full uniform at court | | | X |

FTO Evaluation - Court Procedure

form will be retained in the MP/Officer's field training packet along with any supporting documentation.

## COURT PROCEDURE

| | Sat | Unsat | Not Observed |
|---|---|---|---|
| F. Does recruit maintain professionalism while giving testimony | | | X |
| G. During testimony, does recruit give direct, truthful answers | | | X |
| H. Does recruit comply with any directions issued from the bench | | | X |
| I. Does recruit avoid offering information, or opinions, unless asked for them | | | X |
| J. Does recruit remain on the stand until directed to leave | | | X |
| K. After giving testimony, does recruit remain at court unless excused by the prosecuting attorney | | | X |

## COMMENTS

[redacted] 03 AUG 04

MP/Officer Signature / Date

[redacted] 06 Aug 04

Training Officer Signature/ Date

Training Office:

Evaluation - Court Procedure

This form will be retained in the MP/Officer's field training packet along with any supporting documentation.

ACCESS CONTROL

MP/OFFICER: Ofc [redacted]

TRAINING OFFICER: Ofc [redacted]

DATE: 03 Aug 04

| | Sat | Unsat | Not Observed |
|---|---|---|---|
| **Arrival to post:** | | | |
| A. Is recruit familiar with the department policy on access control operations | ✓ | | |
| B. Does recruit demonstrate preparedness, by arriving for duty with all of his/her required gear | ✓ | | |
| C. Does recruit make contact with the off-going post NCOIC upon his/her arrival | ✓ | | |
| D. Does recruit debrief the NCOIC on the days events, including any special instructions | ✓ | | |
| E. Does recruit conduct a post inspection with the NCOIC and point out any deficiencies that need to be corrected | ✓ | | |
| F. Does recruit relieve the off going shift, only after all deficiencies have been satisfactorily corrected | ✓ | | |
| **Conducting access control:** | | | |
| A. Does recruit assume his/her post unless relieved by the NCOIC, or another officer | ✓ | | |
| B. Is recruit knowledgeable of his/her duties for access control to the installation | ✓ | | |
| C. Does recruit know which types of identification and vehicle decals allow access to the post | ✓ | | |
| D. Does recruit check identification cards of individuals trying to access the post, and verify the ID's authenticity | ✓ | | |

TO Evaluation - Access Control

This form will be retained in the MP/Officer's field training packet along with any supporting documentation.

# ACCESS CONTROL

| | Sat | Unsat | Not Observed |
|---|---|---|---|
| E. Does recruit allow access to those individual's who display proper identification | ✓ | | |
| F. Does recruit deny access to any individual(s) who do not possess proper identification | ✓ | | |
| G. Does recruit assist individuals who need to exit the access control point | ✓ | | |
| H. Is recruit able to give basic directions to points on post | ✓ | | |
| I. Does recruit know where the delivery inspection point is located at, and does he/she know which vehicles are required to access the post through this point | ✓ | | |
| J. Does recruit demonstrate the ability to conduct a thorough vehicle inspection | ✓ | | |
| K. Does recruit demonstrate the ability to write a proper day pass | ✓ | | |
| L. Does recruit remain professional and polite at all times, and treat people with courtesy and respect | ✓ | | |
| M. Does recruit contact the post NCOIC or, in the event that he/she is the NCOIC, the Desk Sergeant for incidents that he/she needs direction in handling | ✓ | | |
| N. Does recruit know the call sign of each individual gate, and their hours of operations | ✓ | | |
| O. Is recruit familiar with the function of the Visitor Control Center, and it's hours of operation | ✓ | | |
| P. Does recruit know the manning requirements of each individual gate | ✓ | | |

'O Evaluation - Access Control
This form will be retained in the MP/Officer's field training packet along with any supporting documentation.

## ACCESS CONTROL

| Departure from post: | Sat | Unsat | Not Observed |
|---|---|---|---|
| A. Does recruit make contact with the on-coming post NCOIC upon their arrival | ✓ | | |
| B. Does recruit brief the on-coming post NCOIC on the days events, including any special instructions | ✓ | | |
| C. As the post NCOIC, does recruit accompany the on-coming post NCOIC and take action to correct deficiencies | ✓ | | |
| D. Does recruit depart only after the on-coming post NCOIC relieves him/her | ✓ | | |

## COMMENTS

[redacted] 03 AUG 04

MP/Officer [redacted]/Date

[redacted] 03 Aug 04

Training Officer Signature/ Date

Training Office:

FTO Evaluation - Access Control

This form will be retained in the MP/Officer's field training packet along with any supporting documentation.

# ARREST AND DETENTION PROCEDURES

| | Sat | Unsat | Not Observed |
|---|---|---|---|
| H. Does recruit properly advise subject when detention becomes arrest, as probable cause develops (if applicable) | ✓ | | |
| I. Does recruit understand the limitations of a search during a detention | ✓ | | |
| J. Does recruit understand Terry v. Ohio doctrine | ✓ | | |
| K. Does recruit keep Patriot advised of his/her situation | ✓ | | |

## COMMENTS

[redacted] 03 AUG 04

MP/Officer Signature/ Date

[redacted] 03 Aug 04

Tr[redacted]ficer Signature/ Date

Training Office:

FTO Evaluation - Arrest & Detention Procedures

This form will be retained in the MP/Officer's field training packet along with any supporting documentation.

# INTERVIEW AND INTERROGATION

MP/OFFICER: Ofc [redacted] F.

DATE: 15 Aug 03

TRAINING OFFICER: Ofc [redacted]

| General information: | Sat | Unsat | Not Observed |
|---|---|---|---|
| A. Does recruit know the difference between an interview and an interrogation | ✓ | | |
| B. Is recruit familiar with the different types of interviews/interrogations | ✓ | | |
| C. Does recruit demonstrate the knowledge of when an interview becomes an interrogation | ✓ | | |
| D. Does recruit know when it is appropriate to Mirandize a subject (Art. 31(b), UCMJ for military) | ✓ | | |
| E. Is recruit familiar with the department's policy on interviewing/interrogating juveniles | ✓ | | |

Interviews and interrogations:

A. Does recruit ensure that he/she has the necessary forms and equipment to conduct the interview/interrogation to include:

| | | | |
|---|---|---|---|
| DA Form 3881: Rights Warning/Waiver Certificate | ✓ | | |
| Federal Advice of Rights form | ✓ | | |
| DA Form 2823: Sworn Statement (pages 1-3) | ✓ | | |
| PM 64: Patrolman's Worksheet (info sheet) | ✓ | | |
| Crime Victims & Witnesses Pamphlet | ✓ | | |
| DD Form 2701: Initial Information for Victims & Witnesses of Witnesses of Crime | ✓ | | |
| Tape recorder, note pads, and pencils | ✓ | | |

Evaluation - Interview & Interrogation

This form will be retained in the MP/Officer's field training packet along with any supporting documentation.

# INTERVIEW AND INTERROGATION

| | Sat | Unsat | Not Observed |
|---|---|---|---|
| B. During an interview, does recruit know when he/she must advise a subject of their rights | ✓ | | |
| C. Does recruit know (and write down) the questions he/she wants to ask the subject | ✓ | | |
| D. Does recruit ask all of his/her questions, and ask any follow up questions (based on the subjects responses) | ✓ | | |
| E. Does recruit listen to the response of the subject after asking a question | ✓ | | |
| F. Does recruit write down the responses given by the subject | ✓ | | |
| G. Does recruit clear up any confusion surrounding any of the subject's responses | ✓ | | |
| H. At the end of the interview/interrogation, does recruit ask the subject to give a sworn statement | ✓ | | |
| I. At the end of the interview/interrogation, does recruit explain what will occur based on the interview/interrogation, and offer to clear up any questions the subject may have | ✓ | | |

COMMENTS

[redacted] 03 Aug 04

MP/Officer [redacted]

[redacted]

Training Officer Signature/ Date

Training Office:

Evaluation - Interview & Interrogation

This form will be retained in the MP/Officer's field training packet along with any supporting documentation.

FORT MEADE PROVOST MARSHAL'S FIELD TRAINING

# LOW RISK TRAFFIC STOP

MP/OFFICER: Ofc [redacted]

DATE: 07 Aug 04

TRAINING OFFICER: Ofc [redacted]

| | Sat | Unsat | Not Observed |
|---|---|---|---|
| **Effecting traffic stop:** | | | |
| A. Does recruit observe a traffic violation, or does he/she have a reason for a stop | ✓ | | |
| B. Does recruit select an appropriate location to stop vehicle | ✓ | | |
| C. Does recruit activate emergency equipment, and gain the attention of the operator | ✓ | | |
| D. Does recruit advise Patriot of stop, with a complete description of vehicle and location of stop | ✓ | | |
| E. Does recruit maintain 15 - 20 feet distance between his/her patrol vehicle, and subject vehicle | ✓ | | |
| F. Does recruit provide a safety zone for him/herself and the subject, by positioning the patrol vehicle to the left of the subject's vehicle | ✓ | | |
| G. Does recruit illuminate the subject vehicle (as required) | ✓ | | |
| **Approaching vehicle:** | | | |
| A. Does recruit write registration number on notepad | ✓ | | |
| B. Does recruit maintain visual contact with occupants | ✓ | | |
| C. Does recruit check traffic before exiting vehicle | ✓ | | |
| D. Does recruit keep weapon hand free during approach of the subject vehicle | ✓ | | |
| E. Does recruit walk within established safety zone | ✓ | | |
| F. Does recruit check trunk lid, and interior upon approach | ✓ | | |
| G. Does recruit position him/herself behind the driver's door, with his/her weapon side away from subject | ✓ | | |

FTO Evaluation - Low Risk Traffic Stop
This form will be retained in the MP/Officer's field training packet along with any supporting documentation.

# LOW RISK TRAFFIC STOP

| | Sat | Unsat | Not Observed |
|---|---|---|---|
| **Making contact with violator:** | | | |
| A. Does recruit identify him/herself, and request violator's driver's license and registration information | ✓ | | |
| B. Does recruit advise violator of the reason for the stop | ✓ | | |
| C. Does recruit instruct the violator to remain in their vehicle | ✓ | | |
| D. Does recruit maintain control of violators movements at all times | ✓ | | |
| E. Does recruit receive only the requested documents, and visually verify their authenticity | ✓ | | |
| **Completion of citations:** | | | |
| A. Does recruit remain in the safety zone while returning to the patrol vehicle | ✓ | | |
| B. Does recruit maintain periodic visual contact with violator | ✓ | | |
| C. Does recruit utilize radio to request MVA information, as well as clarifying any inconsistencies with violators documentation | ✓ | | |
| D. Does recruit utilize his/her discretion where appropriate | ✓ | | |
| E. Does recruit correctly identify violation IAW Maryland Traffic Law, as well as collateral for the violation | ✓ | | |
| F. Does recruit correctly complete appropriate citations, or other documents | ✓ | | |
| G. Does recruit document statements and/or observations on the back of citation, or in his/her notebook | ✓ | | |
| H. Does recruit verify the accuracy of citation(s)/documents | ✓ | | |
| **Issuing citations and clearing traffic stop:** | | | |
| A. Does recruit check traffic before exiting his/her vehicle | ✓ | | |
| B. Does recruit keep his/her weapon hand free | ✓ | | |
| C. Does recruit recheck interior of subject vehicle upon approach | ✓ | | |

TO Evaluation - Low Risk Traffic Stop

This form will be retained in the MP/Officer's field training packet along with any supporting documentation.

# LOW RISK TRAFFIC STOP

| | Sat | Unsat | Not Observed |
|---|---|---|---|
| D. Does recruit position him/herself behind the driver's door, with his/her weapon side away from subject | ✓ | | |
| E. Does recruit maintain control of violators movements at all times | ✓ | | |
| F. Does recruit explain citations/documentation, as well as payment/trial options to violator | ✓ | | |
| G. Does recruit issue the violator his/her copy of citations/documentation | ✓ | | |
| H. Does recruit return drivers license and registration to the violator | ✓ | | |
| I. Does recruit answer any reasonable questions that the violator may have | ✓ | | |
| J. Does recruit assist violator in getting his/her vehicle back into traffic (if required) | ✓ | | |

COMMENTS

[redacted] 07 Aug 04

MP/Officer [redacted] Date

[redacted] 07Aug 04

Training Officer Signature Date

Training Office:

FTO Evaluation - Low Risk Traffic Stop

This form will be retained in the MP/Officer's field training packet along with any supporting documentation.

# WEAPON CLEANING AND MAINTANENCE

MP/OFFICER: Of. [redacted]

DATE: 13 Aug 01

TRAINING OFFICER: Of. [redacted]

| | Sat | Unsat | Not Observed |
|---|---|---|---|
| **Cleaning of duty weapon:** | | | |
| A. Is recruit familiar with the department policy on the cleaning of duty weapons | ✓ | | |
| B. Is recruit able to identify the components of the Beretta M9 handgun | ✓ | | |
| C. Does recruit demonstrate the ability to breakdown the Beretta M9 handgun | ✓ | | |
| D. Does recruit satisfactorily clean his/her duty weapon | ✓ | | |
| E. Does recruit demonstrate the ability to correctly reassemble his/her duty weapon | ✓ | | |
| F. is recruit able to perform a function check to his/her duty weapon upon reassembly | ✓ | | |
| G. Does recruit demonstrate the ability to safely and properly load/unload his/her duty weapon | ✓ | | |
| **Maintanence of duty weapons:** | | | |
| A. Is recruit familiar with the department policy on maintanence of duty weapons | ✓ | | |
| B. Does recruit demonstrate the ability to safely clear simple malfunctions of his/her duty weapon (i.e., stovepipes, doublefeeds, misfired rounds) on the range | ✓ | | |
| C. Does recruit immediately notify his/her supervisor if he/she experiences a serious malfunction of his/her weapon | ✓ | | |

FTO Evaluation - Weapon Cleaning and Maintanence
This form will be retained in the MP/Officer's field training packet along with any supporting documentation.

# WEAPON CLEANING AND MAINTANENCE

| | Sat | Unsat | Not Observed |
|---|---|---|---|
| D. Does recruit contact a certified armorer for any maintanence needs except simple malfunctions | ✓ | | |
| E. Does recruit understand that he/she will not disassemble his/her duty weapon beyond the level of cleaning at any time | ✓ | | |
| F. Does recruit ensure that his/her duty weapon is safe before he/she turns it over to the armorer | ✓ | | |

COMMENTS

[redacted] 03 AUG 04

MP/Offic[redacted] Date

[redacted] 03 Aug 04

Train[redacted]Officer Signature/ Date

Training Office:

[redacted] Evaluation - Weapon Cleaning and Maintanence
[redacted] form will be retained in the MP/Officer's field training packet along with any supporting documentation.

TRAFFIC CONTROL AND DIRECTION

MP/OFFICER: Ofc [redacted] E.

TRAINING OFFICER: Ofc [redacted]

DATE: 07 Aug 04

| Beginning traffic control measures: | Sat | Unsat | Not Observed |
|---|---|---|---|
| A. Does recruit identify when traffic control measures are required | ✓ | | |
| B. Does recruit notify Patriot when he/she is going to implement traffic control measures | ✓ | | |
| C. Is recruit prepared for traffic control duties, including inclement weather gear and a high visibility traffic vest | ✓ | | |
| D. Does recruit take a position in the intersection that allows him/her to effectively and safely conduct traffic control duty | ✓ | | |
| E. Does recruit remain aware of his/her surroundings while conducting traffic control measures | ✓ | | |
| F. Does recruit ensure that traffic has stopped in one lane before allowing cross traffic to move | ✓ | | |
| G. Does recruit use proper hand/arm signals to indicate what action he/she wants a particular lane to take | ✓ | | |
| H. Does recruit conduct traffic control in a systematic manner, allowing traffic to flow efficiently | ✓ | | |
| I. Does recruit adjust traffic control measures to the needs of the intersection he/she is working | ✓ | | |

Evaluation - Traffic Control & Direction

This form will be retained in the MP/Officer's field training packet along with any supporting documentation.

## TRAFFIC CONTROL AND DIRECTION

| | Sat | Unsat | Not Observed |
|---|---|---|---|
| Terminating traffic control measures: | | | |
| A. Does recruit identify when traffic control measures are no longer needed | ✓ | | |
| B. Does recruit release traffic to traffic control device, and exit the intersection safely | ✓ | | |
| C. Does recruit advise Patriot that he/she is clearing from traffic control duty | ✓ | | |

COMMENTS

[redacted] 03 AUG 04

MP/Officer Signature / Date

[redacted] 03 AUG 04

Training Officer Signature/ Date

Training Office:

FTO Evaluation - Traffic Control & Direction

This form will be retained in the MP/Officer's field training packet along with any supporting documentation.

USE OF FORCE

MP/OFFICER: Ofc. [redacted] DATE: 18 Aug 04

TRAINING OFFICER: Ofc. [redacted]

| Application of the use of force: | Sat | Unsat | Not Observed |
|---|---|---|---|
| A. Is recruit well versed in the FGGM use of force policy | ✓ | | |
| B. Does recruit understand the use of force continuum | ✓ | | |
| C. Does recruit demonstrate sound judgment in the application of force | ✓ | | |
| D. Does recruit use the proper amount of force for the situation he/she is faced with | ✓ | | |
| E. Does recruit escalate/deescalate the level of force used, based on the actions/level of resistance offered by a subject | ✓ | | |
| F. Is recruit familiar with the National Security Act of 1947, and how it applies to the application of deadly force | ✓ | | |

COMMENTS

[redacted] 03 Aug 04

MP/Officer Signature/ Date

[redacted] 18 Aug 04

Training Officer Signature/ Date

Training Office:

FTO Evaluation - Use Of Force

This form will be retained in the MP/Officer's field training packet along with any supporting documentation.

SEARCH PROCEDURE

MP/OFFICER: Pfc [redacted] DATE: 03 Aug 04

TRAINING OFFICER: Ofc [redacted]

| Searches: | Sat | Unsat | Not Observed |
|---|---|---|---|
| A. Does recruit understand the 4th Amendment to the Constitution of the United States of America | ✓ | | |
| B. Does recruit identify places on males/females where dangerous weapons/contraband might be concealed | ✓ | | |
| C. Does recruit understand the department policy on searching suspects of the opposite sex | ✓ | | |
| D. Does recruit demonstrate the ability to conduct a thorough and systematic search | ✓ | | |
| E. Does recruit understand the concept and scope of a Consent search | ✓ | | |
| F. Does recruit demonstrate a proper Consent search | ✓ | | |
| G. Does recruit understand the concept and scope of a search, Incident to Arrest | ✓ | | |
| H. Does recruit demonstrate a proper search, Incident to Arrest | ✓ | | |
| I. Does recruit understand the concept and scope of a search based on the Exigent Circumstance doctrine | ✓ | | |
| J. Does recruit demonstrate a proper Exigent Circumstance search | ✓ | | |
| K. Does recruit understand the concept and scope of a search based on the Plain View doctrine | ✓ | | |
| L. Does recruit demonstrate a proper Plain View search | ✓ | | |
| M. Does recruit understand the concept and scope of the Plain Touch Doctrine (Minn v. Dickerson) | ✓ | | |
| N. Does recruit demonstrate a proper Plain Touch search | ✓ | | |

FTO Evaluation - Search Procedure
This form will be retained in the MP/Officer's field training packet along with any supporting documentation.

## SEARCH PROCEDURE

| | Sat | Unsat | Not Observed |
|---|---|---|---|
| O. Does recruit understand the concept and scope of a Protective Sweep of a location (Md v. Buie) | ✓ | | |
| P. Does recruit demonstrate a proper Protective Sweep | ✓ | | |
| Q. Does recruit understand the concept and scope of a Terry Pat search (Terry v. Ohio) | ✓ | | |
| R. Does recruit demonstrate a proper Terry Pat search | ✓ | | |
| S. Does recruit understand the concept and scope of a search based on the Carroll doctrine | ✓ | | |
| T. Does recruit demonstrate a proper Carroll search | ✓ | | |
| U. Does recruit understand the concept and scope of a search based on the issuance of a warrant from a Judge | ✓ | | |
| V. Does recruit demonstrate a proper Warrant search | ✓ | | |

COMMENTS

[redacted] 03 Aug 04

MP[redacted]te

[redacted] 13 Aug 04

[redacted]ffice Signature/ Date

Training Office:

FTO Evaluation - Search Procedure

This form will be retained in the MP/Officer's field training packet along with any supporting documentation.

REPORT WRITING

MP/OFFICER: Of[redacted]

DATE: 15 Aug 04

TRAINING OFFICER: Of[redacted]

| | Sat | Unsat | Not Observed |
|---|---|---|---|
| **Gathering information:** | | | |
| A. Does recruit take legible notes that he/she can easily understand while on a scene | ✓ | | |
| B. Does recruit take notes in a chronological fashion (when possible) | ✓ | | |
| C. Does recruit coordinate with other officers/units to accommodate the collection of information vital to the case | ✓ | | |
| D. Does recruit collect notes from all other sources in order to write a competent report | ✓ | | |
| E. Does recruit collect statements from victims, witnesses, and suspects | ✓ | | |
| F. Does recruit obtain photographs of the scene for use in his/her report (if possible/practical) | ✓ | | |
| G. Before clearing the scene, does recruit ensure that he/she has all pertinent information, including working callback numbers for all parties involved | ✓ | | |
| **Writing report:** | | | |
| A. Does recruit peruse all of his/her notes and information before writing the report to allow him/her to understand all aspects of the incident | ✓ | | |
| B. Does recruit organize his/her thoughts prior to beginning | ✓ | | |
| C. Does recruit clear up any confusing/conflicting information by re-contacting persons involved | ✓ | | |

FTO Evaluation - Report Writing

This form will be retained in the MP/Officer's field training packet along with any supporting documentation.

## REPORT WRITING

| | Sat | Unsat | Not Observed |
|---|---|---|---|
| D. Does recruit write a chronological report, that is clear, concise, and accurate | ✓ | | |
| E. Does recruit satisfy (as completely as possible) the who, what, when, where, why, and how of the case | ✓ | | |
| F. Does recruit organize any supplementary paperwork, and include it in the finished product | ✓ | | |
| G. Does recruit submit his/her report to the Desk Sergeant for final approval, making any required changes/corrections as directed by the Desk Sergeant | ✓ | | |

COMMENTS

[redacted] 15 AUG 04

MP/Officer [redacted] Date

[redacted] 15 Aug 04

Training Officer Signature/ Date

Training Office:

Evaluation - Report Writing

This form will be retained in the MP/Officer's field training packet along with any supporting documentation.

# POLICE AUTHORITY AND JURISDICTION

MP/OFFICER: Ofc [redacted] DATE: 03 Aug 04

TRAINING OFFICER: Ofc [redacted]

| | Sat | Unsat | Not Observed |
|---|---|---|---|
| **Police authority:** | | | |
| A. Has recruit been sworn in | ✓ | | |
| B. Does recruit know where his/her authority is derived from | ✓ | | |
| C. Is recruit familiar with Title 5 U.S.C., and how it applies to him/her | ✓ | | |
| D. Does recruit know where his/her authority to make arrests/carry weapons comes from | ✓ | | |
| **Jurisdiction:** | | | |
| A. does recruit understand the different types of jurisdiction | ✓ | | |
| B. Does recruit know the physical boundaries of his/her jurisdiction | ✓ | | |
| C. Does recruit understand what elements must exist in order to have jurisdiction | ✓ | | |

COMMENTS

[redacted] 03 AUG 04

MP/Officer Signature/ Date

[redacted] 03 Aug 04

Training Officer Signature/ Date

Training Office:

FTO Evaluation - Police Authority & Jurisdiction

This form will be retained in the MP/Officer's field training packet along with any supporting documentation.

PATROL FUNCTION

MP/OFFICER: Pfc [redacted]

TRAINING OFFICER: Pfc [redacted]

DATE: 18 Aug 04

| Patrol fundamentals: | Sat | Unsat | Not Observed |
|---|---|---|---|
| A. Does recruit demonstrate the proper procedure to check the condition and status of assigned equipment and vehicle | ✓ | | |
| B. Does recruit know the patrol sectors | ✓ | | |
| C. Is recruit familiar with the major points of interest in each of the patrol sectors | ✓ | | |
| D. Does recruit know the location of all points of security interest in the patrol sectors | ✓ | | |
| E. Does recruit demonstrate the ability to respond from one location to another, utilizing the most direct route | ✓ | | |
| F. Is recruit familiar with all the housing areas on post, including schools, religious buildings, and shopping centers | ✓ | | |
| G. Does recruit know the location of all entry/ exit points, and their corresponding call signs | ✓ | | |
| H. Does recruit proactively patrol sectors, utilizing foot and vehicle patrols | ✓ | | |
| I. Does recruit demonstrate community policing techniques, by availing him/herself to the communities needs | ✓ | | |
| J. Does recruit demonstrate omnipresence by varing patrol routes, and avoid setting patrol patterns | ✓ | | |

FTO Evaluation - Patrol Function

This form will be retained in the MP/Officer's field training packet along with any supporting documentation.

# PATROL FUNCTION

| | Sat | Unsat | Not Observed |
|---|---|---|---|
| K. Does recruit respond appropriately to incidents that develop in his/her presence | ✓ | | |
| L. Does recruit demonstrate a positive, patient, and non-combative attitude in dealing with the community | ✓ | | |
| M. Is recruit confident in his/her ability to apply their training, knowledge, and experience to the challenges of patrol work | ✓ | | |
| **Responding to calls for service:** | | | |
| A. Does recruit acknowledge the call, and respond in a timely fashion | ✓ | | |
| B. Does recruit coordinate his/her needs with Patriot, including extra patrol units, and specialized units/equipment | ✓ | | |
| C. Does recruit respond in a timely fashion, by the most direct route | ✓ | | |
| D. Does recruit respond in the safest manner based on the type of call | ✓ | | |
| E. Upon arrival to incident, does recruit park his/her vehicle in a safe location, and is it parked in a manner that does not interfere with the scene | ✓ | | |
| F. Does recruit demonstrate a safe approach to the scene, remaining aware of dangers to him/herself, other officers, the public, and persons involved in the incident | ✓ | | |
| G. Does recruit demonstrate a safe approach to a door | ✓ | | |
| H. Does recruit demonstrate a safe approach to a vehicle | ✓ | | |
| I. Does recruit demonstrate a safe position when knocking on a door, as well as when entering a location | ✓ | | |



This form will be retained in the MP/Officer's field training packet along with any supporting documentation.

## PATROL FUNCTION

| | Sat | Unsat | Not Observed |
|---|---|---|---|
| J. Does recruit make contact with the complainant and ascertain the nature of the call | ✓ | | |
| K. Does recruit begin his/her investigation, upon identifying the type of incident | ✓ | | |
| L. Does recruit have all necessary forms and paperwork to facilitate the investigation of any incident he/she is called to | ✓ | | |
| M. Does recruit resolve basic calls for service expeditiously, utilizing discretion where appropriate | ✓ | | |
| **Clearing a scene:** | | | |
| A. Does recruit ensure the needs of complainant are met prior to clearing a scene | ✓ | | |
| B. Does recruit inform Patriot when clearing a scene | ✓ | | |

### COMMENTS

[redacted] 03 Aug 04

MP/Off[redacted] Date

[redacted] 13 Aug 04

T[redacted] Officer Signature/ Date

Training Office:

TO Evaluation - Patrol Function

This form will be retained in the MP/Officer's field training packet along with any supporting documentation.

# MARYLAND VEHICLE LAW

MP/OFFICER: Ofc [redacted]

DATE: 13 Aug 04

TRAINING OFFICER: Ofc [redacted]

| Access control point: | Sat | Unsat | Not Observed |
|---|---|---|---|
| A. Has recruit perused the Maryland Vehicle Law | ✓ | | |
| B. Is recruit able to navigate and locate the most widely used Titles of the Maryland Vehicle Law | ✓ | | |
| C. Does recruit have a working knowledge of the following Titles of the Maryland Vehicle Law: | | | |
| Title 11 (Definitions) | ✓ | | |
| Title 13 (Registration) | ✓ | | |
| Title 16 (Drivers' Licenses) | ✓ | | |
| Title 19 (Civil Liability of Gov't Agencies) | ✓ | | |
| Title 20 (Accidents) | ✓ | | |
| Title 21 (Rules of the Road) | ✓ | | |
| Title 22 (Equipment of Vehicles) | ✓ | | |
| Title 25 (Respective Powers of State & Local Authorities) | ✓ | | |
| Title 27 (Penalties; Disposition of Fines & Forfeitures) | ✓ | | |
| D. Does recruit understand how to assimilate the Maryland Vehicle Law, as well as how it's documented | ✓ | | |
| E. Is recruit aware of the difference between the Maryland Vehicle Law and the collateral book issued to him/her | ✓ | | |

FTO Evaluation - Maryland Vehicle Law

This form will be retained in the MP/Officer's field training packet along with any supporting documentation.

MARYLAND VEHICLE LAW

| | Sat | Unsat | Not Observed |
|---|---|---|---|
| F. Does recruit demonstrate the ability to properly identify a violation based on the elements of the infraction | ✓ | | |
| G. Is recruit knowledgeable of the difference between a primary and a secondary infraction | ✓ | | |
| H. Does recruit understand the difference between a mandatory appearance and a collateral infraction | ✓ | | |
| I. Is recruit knowledgeable of which infractions are arrestable offenses | ✓ | | |
| J. Is recruit familiar with the driver's license points system | ✓ | | |
| K. Is recruit familiar with the Rules of the Road, and how they apply to him/her while operating an emergency vehicle | ✓ | | |

COMMENTS

[redacted] 03AUG04

MP/Offi[redacted]ate

[redacted] 03Aug04

Tr[redacted]g [redacted] Signature/ Date

Training Office:

FTO Evaluation - Maryland Vehicle Law

This form will be retained in the MP/Officer's field training packet along with any supporting documentation.

# OPERATION OF POLICE VEHICLES

MP/OFFICER: [redacted]

DATE: 13 Aug 04

TRAINING OFFICER: [redacted]

| | Sat | Unsat | Not Observed |
|---|---|---|---|
| **Inspection of police vehicle:** | | | |
| A. Is recruit familiar with department SOP regarding the safe operation of police vehicles | ✓ | | |
| B. Has recruit obtained a MDW Form 346: Drivers License | ✓ | | |
| C. Has recruit completed an Emergency Vehicle Operators Course | ✓ | | |
| D. Does recruit conduct PMCS prior to operating vehicle | ✓ | | |
| E. Does recruit complete a PMO Form 143 - R (inspection checklist) | ✓ | | |
| **Operating police vehicle:** | | | |
| A. Does recruit don his/her seat belt prior to operating the police vehicle | ✓ | | |
| B. Does recruit familiarize him/herself with the location of the emergency equipment in that particular vehicle | ✓ | | |
| C. Does recruit drive the vehicle in a safe, courteous manner, obeying all traffic laws, during routine operations | ✓ | | |
| D. Does recruit drive the vehicle in a safe manner, exhibiting due regard for all traffic laws (as required), during emergency responses | ✓ | | |
| E. Does recruit respond to the call utilizing the correct code, based on the nature of the call | ✓ | | |

FTO Evaluation - Operation of Police Vehicles.
This form will be retained in the MP/Officer's field training packet along with any supporting documentation.

FORT MEADE PROVOST MARSHALS FIELD TRAINING PROGRAM

## OPERATION OF POLICE VEHICLES

| | Sat | Unsat | Not Observed |
|---|---|---|---|
| F. Does recruit understand that utilizing emergency equipment does not automatically entitle him/her to the right of way during responses | ✓ | | |
| **Turn in procedure:** | | | |
| A. Does recruit ensure the vehicle is clean (in/out) prior to returning to station | ✓ | | |
| B. Does recruit ensure the vehicle has a full tank of gas upon returning it | ✓ | | |
| C. Does recruit turn the keys over to the Patrol Supervisor upon his/her return to station | ✓ | | |
| D. Does recruit correct any vehicle deficiencies as directed by the Patrol Supervisor | ✓ | | |

COMMENTS

[redacted] 03 AUG 04

MP/O[redacted]ture/ Date

[redacted] 03 AUG 04

[redacted] Signature/ Date

Training Office:

FTO Evaluation - Operation of Police Vehicles

This form will be retained in the MP/Officer's field training packet along with any supporting documentation.

# JUVENILE PROCESSING

MP/OFFICER: Ofc. [redacted]

DATE: _____

TRAINING OFFICER: Ofc [redacted]

| | Sat | Unsat | Not Observed |
|---|---|---|---|
| **Initial encounter:** | | | |
| A. Does recruit establish that a status offense, or a delinquent act has occurred | | | |
| B. Does recruit establish juvenile's identity, age, and family information | | | |
| C. Does recruit identify juvenile as suspect through personal observation, or victim/witness statement(s) and description | | | |
| D. Does recruit search juvenile for weapons, evidence, and/or contraband IAW applicable laws and department policy | | | |
| E. Based on all available information and evidence, does recruit determine whether to arrest juvenile, or return him/her to parents/guardian | | | |
| F. Does recruit inform Patriot of the nature of the incident | | | |
| **Returning juvenile to parents:** | | | |
| A. Does recruit advise Patriot of his/her destination, including beginning mileage and a description of the juvenile | | | |
| B. Does recruit request that Patriot contact juvenile's residence and advise parent/guardian of their arrival | | | |
| C. Does recruit take the most direct route to the juvenile's residence, without making any stops | | | |
| D. Upon arrival to residence, does recruit advise Patriot, giving ending mileage | | | |
| E. Upon arrival to the residence, does recruit make contact with the juvenile's parent/guardian | | | |

FTO Evaluation- Juvenile Processing
This form will be retained in the MP/Officer's field training packet along with any supporting documentation.

# JUVENILE PROCESSING

| | Sat | Unsat | Not Observed |
|---|---|---|---|
| F. Does recruit explain the circumstances of the incident to the parent/guardian | | | |
| G. Does recruit advise parent/guardian of his/her intent to release juvenile to them, explaining their obligations under a release agreement | | | |
| H. Does recruit complete a release form and obtain parents/guardians signature | | | |
| I. If parent/guardian refuses to sign release form, does recruit advise them of their legal obligation to care for their dependant child | | | |
| J. Does recruit advise Patriot when he/she clears the juvenile's residence | | | |
| **Arresting juvenile:** | | | |
| A. Does recruit advise his/her supervisor of the impending arrest | | | |
| B. Does recruit advise juvenile of his/her arrest | | | |
| C. Does recruit place juvenile in handcuffs, and conduct a thorough search of him/her | | | |
| D. Does recruit place juvenile in patrol car, ensuring that he/she is not transported with any adult suspects | | | |
| E. Does recruit advise Patriot of his/her destination, including beginning mileage and a description of the juvenile | | | |
| F. Does recruit take the most direct route to the station, without making any stops | | | |
| G. Upon arrival to station, does recruit advise Patriot, giving ending mileage | | | |
| H. Upon arrival to the station, does recruit secure his/her weapon in the designated storage area | | | |

FTO Evaluation- Juvenile Processing
This form will be retained in the MP/Officer's field training packet along with any supporting documentation.

# JUVENILE PROCESSING

| | Sat | Unsat | Not Observed |
|---|---|---|---|
| I. Does recruit re - search juvenile, and inventory all of his/her personal property | | | |
| J. If necessary, does recruit place juvenile in holding area (ensuring that the is complete sight/sound separation from any adult prisoners throughout the process) | | | |
| K. If juvenile is placed in holding area, does recruit ensure that 30 minute checks are conducted | | | |
| L. Does recruit contact parent/guardian and advise them of the situation | | | |
| M. Does recruit notify Desk Sergeant/Duty Officer of the situation as soon as possible | | | |
| N. Does recruit contact MPI investigator on duty and turn the case over to them after briefing them of the situation | | | |
| O. Does recruit assist MPI with the case as directed by investigator | | | |

COMMENTS

MP/Officer Si[redacted] Date

Tr[redacted]ature/ Date

Training Office:

FTO Evaluation- Juvenile Processing

This form will be retained in the MP/Officer's field training packet along with any supporting documentation.

HIGH RISK TRAFFIC STOP

MP/OFFICER: [redacted] DATE: _____

TRAINING OFFICER: [redacted]

| Effecting traffic stop: | Sat | Unsat | Not Observed |
|---|---|---|---|
| A. Does recruit observe a traffic violation, or does he/she have a reason for a stop | | | |
| B. Does recruit advise Patriot of the situation, with a complete description of vehicle and location | | | |
| C. Does recruit request back-up units, and wait for their arrival | | | |
| D. Does recruit coordinate the stop with other responding units | | | |
| E. If recruit is unable to wait for back-up units, does he/she select an appropriate location for a stop | | | |
| F. If recruit is unable to wait for back-up, does he/she activate emergency equipment, and gain the attention of the operator | | | |
| G. Does recruit maintain 30 feet distance between his/her patrol car, and subject vehicle after effecting the stop | | | |
| H. Does recruit provide a safety zone for him/herself and the general public by positioning the patrol car to the left of the subject's vehicle | | | |
| I. Does recruit illuminate the subject vehicle (as necessary) | | | |
| J. Does recruit give the operator and other occupants of the vehicle clear, concise instructions to remain in the vehicle with their hands in a place where the recruit can see them | | | |
| K. Does recruit wait for back-up units to arrive prior to approaching subject vehicle | | | |

FTO Evaluation - High Risk Traffic Stop
This form will be retained in the MP/Officer's field training packet along with any supporting documentation.

## HIGH RISK TRAFFIC STOP

| | Sat | Unsat | Not Observed |
|---|---|---|---|
| L. Does recruit write down descriptive information of vehicle, and keep Patriot advised of his/her situation at all times | | | |
| M. Does recruit exit his/her patrol car and take a position of safety while waiting for back-up | | | |
| N. Does recruit maintain visual contact with occupant(s) | | | |
| O. For his/her personal safety, does recruit keep duty weapon trained on occupant(s) of subject vehicle | | | |
| **Extracting vehicle occupants:** | | | |
| A. Does recruit ensure that all units on scene know their role during vehicle extraction | | | |
| B. Utilizing the patrol car PA, does recruit verbally identify the specific occupant he/she wants to remove from the subject vehicle | | | |
| C. Utilizing verbal commands, does recruit safety extract subject from the vehicle, and place them in a position of disadvantage, or safely walk them back to his/her location | | | |
| D. Does recruit communicate with the cover officer and the arresting officer in order to secure the subject | | | |
| E. Once the subject is secure and removed from the scene, does recruit continue removing occupants from the subject vehicle in the same manner | | | |
| F. Does recruit ensure that an overwatch officer maintains control and custody of all removed subjects in a secure area | | | |
| **Approaching vehicle:** | | | |
| A. Before assigning an approach officer, does recruit give verbal commands via patrol car PA for any other occupants, hidden or not, to show themselves | | | |

FTO Evaluation - High Risk Traffic Stop
This form will be retained in the MP/Officer's field training packet along with any supporting documentation.

## HIGH RISK TRAFFIC STOP

| | Sat | Unsat | Not Observed |
|---|---|---|---|
| B. Does recruit assign an approach, and cover officer to approach the subject vehicle, to ensure there are no more occupants (hidden or visible) | | | |
| C. If recruit is the approach or cover officer, does he/she approach the rear of the subject vehicle in a safe manner, with weapon drawn | | | |
| D. Do recruit and cover/approach officer safely clear the subject vehicle of any dangers, including any hidden occupant(s) | | | |
| E. If the interior of the vehicle is clear, do recruit and cover/approach officer tactfully return to the trunk of the vehicle to open and clear it. | | | |
| F. If the trunk of the subject vehicle is clear, do recruit and cover/approach officer advised Patriot and all support units | | | |
| G. If the interior of the vehicle is not clear of occupants, do recruit and/or cover/approach officer give strong verbal commands for occupant(s) to exit the vehicle slowly, with their hands in a position that the officer can see | | | |
| H. Do recruit and/or cover/approach officer secure occupant(s) as they exit the vehicle, and remove them from the scene | | | |
| I. If the occupant(s) refuse to exit the subject vehicle, do recruit and cover/approach officer physically remove occupant(s) in a manner that ensures their safety | | | |
| J. After securing all occupants of the subject vehicle, does recruit conduct the proper search based on probable cause, exigent circumstance, Carroll doctrine,.....etc..... | | | |
| Clearing scene: | | | |
| A. Does recruit secure any evidence at the scene, to include the vehicle (if required) | | | |

FTO Evaluation - High Risk Traffic Stop
This form will be retained in the MP/Officer's field training packet along with any supporting documentation.

## HIGH RISK TRAFFIC STOP

| | Sat | Unsat | Not Observed |
|---|---|---|---|
| B. Does recruit obtain all necessary paperwork from support units, to include statements | | | |
| C. Does recruit ensure that he/she has personal information and statements from all vehicle occupants and witnesses | | | |
| D. Does recruit orchestrate the transport and/or release of vehicle occupants as required to facilitate his/her investigation (including arresting violators) | | | |
| E. Does recruit conduct a final walkthrough of the scene, ensuring that the scene is cleared | | | |

COMMENTS

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Training Office:

MP/Officer Signature / Date

Training Officer Signature/ Date

FTO Evaluation - High Risk Traffic Stop
This form will be retained in the MP/Officer's field training packet along with any supporting documentation.

FORT MEADE PROVOST MARSHAL'S

# DUI AND DWI INVESTIGATION

MP/OFFICER: [redacted] DATE: _____

TRAINING OFFICER: [redacted] _____

| | Sat | Unsat | Not Observed |
|---|---|---|---|
| Identifying the intoxicated operator and determining the need to administer SFST's: | | | |
| A. Does recruit follow the correct procedure for a low risk traffic stop | | | |
| B. Does recruit recognize articulable observations/actions of the operator that are indicative of intoxication/ impairment | | | |
| C. Does recruit request that the operator exit the vehicle, and move to a safe location for administration of SFST's | | | |
| D. Does recruit advise the operator that submitting to the SFST's is voluntary | | | |
| E. If the operator refuses to submit to the SFST's, does recruit take appropriate action, including arrest, based on probable cause and any evidence the recruit has obtained | | | |
| F. If the operator agrees to submit to the SFST's, does recruit inquire about, and document, any injuries the operator claims to have | | | |
| Standardized Field Sobriety Tests: | | | |
| A. If the recruit is not certified to administer SFST's, does he/she request an officer, who is certified, respond to the scene to administer the tests | | | |
| B. If the operator claims to have injuries that would prevent him/her from performing all of the SFST's, does recruit only conduct the tests that wouldn't aggravate with the injury | | | |
| C. If the operator has no injuries, does recruit administer the NHTSA approved SFST's, demonstrating the ability to conduct the tests in the following manner: | | | |
| Horizontal Gaze Nystagmus: | | | |
| A. Does recruit inquire/document whether the operator wears glasses or contact lenses | | | |

FTO Evaluation - DUI & DWI Investigation
This form will be retained in the MP/Officer's field training packet along with any supporting documentation.

## DUI AND DWI INVESTIGATION

| | Sat | Unsat | Not Observed |
|---|---|---|---|
| B. From a safe position, (weapon side away from operator) does recruit give the operator clear, concise verbal instructions | | | |
| C. Does recruit position stimulus 12 - 15 inches from operator's nose, and slightly above his/her eyes | | | |
| D. With stimulus in proper position, does recruit observe operator's eyes to detect resting nystagmus | | | |
| E. Moving stimulus smoothly, does recruit check equal tracking of the operator's eyes (inequality could indicate medical condition, injury, or blindness) | | | |
| F. Does recruit position stimulus directly centered on the operator's nose, slightly above eye level to check pupil size (different sizes could indicate a head injury). | | | |
| *Clues to observe in each eye (total of six clues)* | | | |
| Moving stimulus smoothly, does recruit check for lack of smooth pursuit (in each eye) | | | |
| Moving stimulus smoothly, does recruit check for distinct nystagmus at maximum deviation (in each eye) | | | |
| Moving stimulus smoothly, does recruit check for onset of nystagmus prior to 45 degrees (in each eye) | | | |
| *Vertical nystagmus* | | | |
| A. Moving stimulus smoothly, does recruit check for vertical gaze nystagmus in each eye (VGN is indicative of use of "dip" drugs, depressants, inhalants, and/or PCP) | | | |

COMMENTS

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This form will be retained in the MP/Officer's field training packet along with any supporting documentation.

# DUI AND DWI INVESTIGATION

| | Sat | Unsat | Not Observed |
|---|---|---|---|
| **Walk and Turn:** | | | |
| A. Does recruit understand the two stages of the walk and turn (instructions stage and walking stage) | | | |
| B. Does recruit initiate the test by placing the operator in the instructional stance, giving verbal instructions and demonstrating the position as follows: | | | |
| a. "Place your left foot on the line (real or imaginary)" (demonstrate) | | | |
| b. "Place your right foot on the line ahead of the left foot, with the heel of the right foot against the toe of the left foot" (demonstrate) | | | |
| c. "Place your arms down by your sides" (demonstrate) | | | |
| d. "Keep this position until I tell you to begin. Do not start to walk until told to do so" | | | |
| e. "Do you understand the instructions so far?" (ensure the operator acknowledges understanding) | | | |
| C. Does recruit explain the test requirements of the walk and turn verbally, while demonstrating the test as follows: | | | |
| a. "Take nine heel-to-toe steps, turn, and take nine heel-to-toe steps back on an imaginary line" (demonstrate) | | | |
| b. "When you turn, keep your front foot on the line, and turn by taking a series of small steps with the other foot, like this" (demonstrate) | | | |
| c. "While you are walking, keep your hands at your sides, watch your feet at all times, and count your steps out loud" | | | |
| d. "Once you start walking, don't stop until you have completed the test" | | | |
| e. "Do you understand the instructions?" (ensure the operator acknowledges understanding) | | | |

FTO Evaluation - DUI & DWI Investigation
This form will be retained in the MP/Officer's field training packet along with any supporting documentation.

## DUI AND DWI INVESTIGATION

| | Sat | Unsat | Not Observed |
|---|---|---|---|
| f. "Begin, and count your first step from the heel-to-toe position as 'one" | | | |
| *Clues to observe during the walk and turn (total of eight)* | | | |
| Cannot keep balance (instruction stage) | | | |
| Starts too soon (instruction stage) | | | |
| Stops walking (walking stage) | | | |
| Misses heel-to-toe (walking stage) | | | |
| Steps off line (walking stage) | | | |
| Raises arms more than 6" (walking stage) | | | |
| Actual steps taken (walking stage) | | | |
| Improper turn (walking stage) | | | |
| D. Does recruit stop test for safety reasons (document) | | | |

COMMENTS

One Leg Stand:

A. Does recruit initiate the test by giving the following verbal instructions accompanied by a demonstration:

| | | | |
|---|---|---|---|
| a. "Please stand with your feet together and your arms down at your sides, like this" (demonstrate) | | | |
| b. "Do not start to perform the test until I tell you to do so" | | | |
| c. "Do you understand the instructions so far?" (ensure the operator acknowledges understanding) | | | |


This form will be retained in the MP/Officer's field training packet along with any supporting documentation.

# DUI AND DWI INVESTIGATION

| | Sat | Unsat | Not Observed |
|---|---|---|---|
| B. Does recruit explain the test requirements of the one leg stand verbally, while demonstrating the test as follows: | | | |
| a. "When I tell you to start, raise one leg, either leg, approximately 6" off the ground, foot pointed out" (demonstrate) | | | |
| b. "You must keep both legs straight, arms at your sides" | | | |
| c. "While holding that position, count out loud in the following manner: "one thousand one, one thousand two, one thousand three, etc., and continue counting until told to stop" (demonstrate, officer should not look down at his/her foot, for safety | | | |
| d. "Keep your arms at your sides at all times, and keep watching your raised foot" | | | |
| e. "Do you understand?" (ensure operator acknowledges understanding | | | |
| f. "Go ahead and perform the test" (Recruit should always time the 30 seconds. Discontinue the test after 30 seconds | | | |
| *Clues to observe during the one leg stand (total of four)* | | | |
| Sways while balancing | | | |
| Uses arms for balance | | | |
| Hopping | | | |
| Puts foot down | | | |
| C. Does recruit stop test for safety reasons (document) | | | |
| D. Does recruit take field notes while conducting SFST's, or does he/she have a secondary unit take notes | | | |
| E. Does recruit utilize a Preliminary Breath Test in the event of inconsistencies between his/her observations and the operators performance of the SFST's. | | | |

FTO Evaluation - DUI & DWI Investigation
This form will be retained in the MP/Officer's field training packet along with any supporting documentation.

## DUI AND DWI INVESTIGATION

| | Sat | Unsat | Not Observed |
|---|---|---|---|
| F. Does recruit determine whether or not to make an arrest based on established probable cause through the SFST's, and the recruit's observations | | | |

COMMENTS

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Processing the DUI/DWI offender:

| | | | |
|---|---|---|---|
| A. Does recruit place violator in handcuffs, and advise him/her of their arrest (include charges) | | | |
| B. Does recruit notify Patriot of arrest, and give starting mileage for transport | | | |
| C. Does recruit conduct a thorough search of the operator and his/her vehicle (incident to arrest) | | | |
| D. Does recruit make arrangements to have the violator's vehicle moved or towed as appropriate | | | |
| E. Does recruit secure any valuables from the vehicle | | | |
| F. Does recruit request an intoxilyzer operator meet him/her at the station to conduct a breath test | | | |
| G. Upon arrival to station, does recruit give Patriot his/her ending mileage | | | |
| H. Upon arrival to the station, does recruit read the DR-15 (advice of rights) to the violator, as well as a Federal Advice of Rights form | | | |
| I. If the violator consents to the breath test, does recruit ensure that the violator has not smoked, or ingested anything 20 minutes prior to the test | | | |
| J. If an intoxilyzer operator isn't available at the station, does recruit transport violator to a location that has an operator | | | |



This form will be retained in the MP/Officer's field training packet along with any supporting documentation.

## DUI AND DWI INVESTIGATION

| | Sat | Unsat | Not Observed |
|---|---|---|---|
| K. If the test results in a BAC of .08% or higher, or if the violator refuses the test, does recruit properly fill out the DR-15a | | | |
| L. If the test results are clearly not consistent with the level of impairment, does recruit consider requesting a DRE | | | |
| M. If the test results in a BAC of .04% to .07%, does recruit consider the level of intoxication of the violator, in regards to charging him/her with DWI vs. DUI | | | |
| N. Does recruit know when a test may not be refused | | | |
| O. Does recruit know when a blood test would be appropriate | | | |
| P. Does recruit know what the BAC must be for a minor to be in violation of an alcohol restriction (DR 103) | | | |
| Q. Does recruit know what the BAC must be for a commercial vehicle operator to be in violation of an alcohol restriction (DR103) | | | |
| R. After testing is complete, and on the determination that the violator is to be released, does recruit release the violator to a responsible adult, via a signed Release Form | | | |

Post arrest procedures:

A. Does recruit properly fill out all necessary paperwork, to include:

| | | | |
|---|---|---|---|
| DR - 15 Advice of Rights Form | | | |
| DR - 15a Certification and Order of Suspension | | | |
| Federal Advice of Rights Form | | | |
| DD Form 1920 Alcohol Influence Report | | | |
| MSP - 33 Notification of Test Results, with test result strip | | | |
| DR - 102 Alcohol Test Result (Commercial Vehicle Operator, if required) | | | |

FTO Evaluation - DUI & DWI Investigation

This form will be retained in the MP/Officer's field training packet along with any supporting documentation.

# DUI AND DWI INVESTIGATION

| | Sat | Unsat | Not Observed |
|---|---|---|---|
| DR - 103 Violation of Alcohol Restriction (if required) | | | |
| DD Form 1805's, and/or DD Form 1408's | | | |
| DA Form 3975, Police Report | | | |
| DA Form 2823, Witness/Investigators statements | | | |
| Release Form | | | |

## COMMENTS

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Training Office:

[redacted]

MP/Officer Signature / Date

[redacted]

Training Officer Signature/ Date

FTO Evaluation - DUI & DWI Investigation

This form will be retained in the MP/Officer's field training packet along with any supporting documentation.

# DOMESTIC VIOLENCE INVESTIGATION

MP/OFFICER: [redacted] DATE: _____

TRAINING OFFICER: [redacted]

| | Sat | Unsat | Not Observed |
|---|---|---|---|
| **Responding to the scene:** | | | |
| A. Does recruit utilize proper radio procedure to acknowledge the call | | | |
| B. Does recruit determine the most appropriate method of response, based on available information | | | |
| C. Does recruit respond to the scene safely, utilizing the most direct route available | | | |
| D. Does recruit park vehicle in a position that provides him/her with a safe approach to the location | | | |
| E. If available, and the situation allows for it, does recruit wait for back-up | | | |
| F. Does recruit ensure his/her own safety and the safety of fellow officers before approaching the scene | | | |
| G. Does recruit remain alert for the sounds of danger, including shouting, threats, and other noises, as he/she approaches the scene | | | |
| **Making contact with participants:** | | | |
| A. Does recruit announce his/her presence and identity while listening for activity inside the location | | | |
| B. Does recruit avoid standing directly in front of doors or windows, unless there are no other options | | | |
| C. Does recruit make a lawful entry to the location, all the while looking for weapons, hidden participants/occupants, children, etc., | | | |
| D. Does recruit keep Patriot advised of his/her situation at all times | | | |
| E. Does recruit demonstrate effective use of his/her presence and voice commands to restore calm and maintain control of the situation | | | |

FTO Evaluation - Domestic Violence Investigation
This form will be retained in the MP/Officer's field training packet along with any supporting documentation.

# DOMESTIC VIOLENCE INVESTIGATION

| | Sat | Unsat | Not Observed |
|---|---|---|---|
| F. Does recruit physically separate participants while maintaining visual contact with fellow officers, in order to conduct preliminary interviews | | | |
| G. Does recruit determine the presence of injuries, and request medical assistance as necessary | | | |
| H. Does recruit determine the need for, and request, additional/specialized units | | | |
| I. Does recruit conduct a brief investigation to determine the nature of the incident | | | |
| **Incident resolution:** | | | |
| A. If a domestic assault has occurred, does recruit make arrests IAW applicable laws | | | |
| B. If arrests aren't warranted, does recruit determine the cause of the conflict, and identify possible solutions | | | |
| C. Does recruit provide participants with referral information, to include information on domestic violence centers | | | |
| D. In the event that a victim is cleary identified, does recruit provide him/her with a "victims rights" pamphlet | | | |
| E. If recruit believes the conflict will continue without further intervention, does he/she make arrangements for one party to temporarily vacate the premises | | | |
| F. Does recruit advise participants of procedures for obtaining warrants, summonses, or ex parte orders | | | |
| G. Does recruit stand by, as needed, while victim removes necessary personal items | | | |



This form will be retained in the MP/Officer's field training packet along with any supporting documentation.

DOMESTIC VIOLENCE INVESTIGATION

| | Sat | Unsat | Not Observed |
|---|---|---|---|
| H. Does recruit advise Patriot of the resolution measures, and clear the scene when it is safe to do so | | | |
| I. Does recruit make necessary notifications, to include the local domestic violence center, and write his/her report | | | |
| J. If all the participants are to remain at the location, does recruit ensure that he/she or another unit makes routine checks during the remainder of his/her shift | | | |

COMMENTS

MP/Officer Signature / Date

[redacted]

Training Officer Signature/ Date

Training Office:

FTO Evaluation - Domestic Violence Investigation

This form will be retained in the MP/Officer's field training packet along with any supporting documentation.

# CONTROLLED DANGEROUS SUBSTANCES

MP/OFFICER: [redacted] DATE: _____

TRAINING OFFICER: [redacted]

| General information: | Sat | Unsat | Not Observed |
|---|---|---|---|
| A. Is recruit familiar with Title 21 of the U.S. Code | | | |
| B. Is recruit familiar with Article 27 Section 286/287 of the Annotated Code of Maryland | | | |
| C. Is recruit familiar with the Controlled Substances Act of 1970 | | | |
| D. Is recruit familiar with the various schedules of CDS as it applies to law enforcement | | | |
| E. Is recruit familiar with the differences in the five schedules | | | |
| F. Does recruit identify the substance(s) in schedule I that he/she might typically encounter while on duty | | | |
| G. Does recruit identify the substance(s) in schedule II that he/she might typically encounter while on duty | | | |
| H. Does recruit identify the substance(s) in schedule III that he/she might typically encounter while on duty | | | |
| I. Does recruit identify the substance(s) in schedule IV that he/she might typically encounter while on duty | | | |
| J. Does recruit identify the substance(s) in schedule V that he/she might typically encounter while on duty | | | |
| **Identification of different classifications of CDS:** | | | |
| A. Does recruit demonstrate the ability to identify different types of Inhalants, who uses them, and their effects | | | |
| B. Does recruit demonstrate the ability to identify different types of Hallucinogens, who uses them, and their effects | | | |
| C. Does recruit demonstrate the ability to identify different types of Depressants, who uses them, and their effects | | | |

FTO Evaluation - Controlled Dangerous Substances
This form will be retained in the MP/Officer's field training packet along with any supporting documentation.

## CONTROLLED DANGEROUS SUBSTANCES

| | Sat | Unsat | Not Observed |
|---|---|---|---|
| D. Does recruit demonstrate the ability to identify different types of Stimulants, who uses them, and their effects | | | |
| E. Does recruit demonstrate the ability to identify different types of Cannabis, who uses them, and their effects | | | |
| F. Does recruit demonstrate the ability to identify different types of Narcotics, who uses them, and their effects | | | |
| G. Does recruit demonstrate the ability to identify different types of Alcohol, who uses them, and their effects | | | |

Specific drugs:

A. Does recruit demonstrate the ability to identify the CDS listed below, including street names, how it is packaged, physical characteristics, how it is taken, and associated paraphernalia (if applicable):

| | | | |
|---|---|---|---|
| Amphetamines (Dexedrine/Benzedrine): ( stimulant: "bennies", "uppers", "pink hearts", "black beauties") | | | |
| Barbiturates (Seconal/Nembutal): (depressant / sedative hypnotic: "downers", "yellow jackets", "blue devils") | | | |
| Cocaine: (stimulant: "coke", "snow", "blow", "toot") | | | |
| Crack cocaine: (stimulant: "rock", "stones", "teeth") | | | |
| Ecstacy (Methylenedioxymethamphetamine aka MDMA): (stimulant: "xtc", "adam", "eve", "essence") | | | |
| GHB (Gammahydroxybutyrate): (depressant: "Georgia home boy", "liquid X") | | | |
| Hashish (Cannabis Sativa resin): (depressant: "soles", "quarter moon") | | | |
| Hashish oil (Cannabis Sativa oil): (depressant: "crystal tea") tea") | | | |
| Heroin: (narcotic: Diacetyl Morphine): "smack", "horse" "junk", "H") | | | |
| Ketamine (Ketamine Hydrochloride): (hallucinogen: "special K", "jet") | | | |

FTO Evaluation - Controlled Dangerous Substances
This form will be retained in the MP/Officer's field training packet along with any supporting documentation.

## CONTROLLED DANGEROUS SUBSTANCES

| | Sat | Unsat | Not Observed |
|---|---|---|---|
| Librium/Valium (Benzodiazepines): (depressant / sedative sedative-hypnotic: "lib", "V") | | | |
| LSD (Lysergic Acid Diethylamide): (hallucinogen: "acid", "Lucy in the sky with diamonds", "microdots") | | | |
| Marijuana (Cannabis Sativa): (depressant: "pot", "grass", "weed", "herb", "chronic", "KGB", "420") | | | |
| Methamphetamine (Methadrine): (stimulant: "speed", "crank", "crystal", "ice", "glass") | | | |
| Mushrooms (Psilocybin/Psilocyn): (hallucinogen: "shrooms", "magic mushrooms", "silly putty") | | | |
| PCP (Phencyclidine): (hallucinogen: "angel dust", "rocket fuel", "boat", "STP", "gorilla biscuits") | | | |
| Rohypnol (Flunitrazipam): (depressant / sedative - hypnotic: "R-2", "ruffies", "circles", "forget pill") | | | |
| B. Has recruit attended a controlled Marijuana burn | | | |
| C. Is recruit familiar with the date rape drug Rohypnol (ruffies), and Gammahydroxybutyrate (GHB) | | | |

COMMENTS

MP/Officer [redacted] ate

Training Officer Signature/ Date

Training Office:

FTO Evaluation - Controlled Dangerous Substances
This form will be retained in the MP/Officer's field training packet along with any supporting documentation.

## CIVIL DISTURBANCES

MP/OFFICER: [redacted] DATE: _____

TRAINING OFFICER: [redacted]

| Civil disturbances: | Sat | Unsat | Not Observed |
|---|---|---|---|
| A. Is recruit familiar with the department policy on civil disturbances | | | |
| B. Is recruit familiar with riot gear, and how to don/utilize it | | | |
| C. Does recruit demonstrate the ability to work in a team environment as it applies to civil disturbances | | | |
| D. Is recruit familiar with the following riot formations: | | | |
| Line formation | | | |
| Echelon Left | | | |
| Echelon right | | | |
| Wedge formation | | | |
| E. Is recruit familiar with the "snatch"/arrest team, and its function | | | |

COMMENTS

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MP/Officer Signature / Date

[redacted]

Training Officer Signature/ Date

Training Office:

FTO Evaluation - Civil Disturbances

This form will be retained in the MP/Officer's field training packet along with any supporting documentation.

# WEAPONS OF MASS DESTRUCTION

MP/OFFICER: [redacted] DATE: _____

TRAINING OFFICER: [redacted]

| General information: | Sat | Unsat | Not Observed |
|---|---|---|---|
| A. Does recruit know the different categories of WMD | | | |
| B. Is recruit familiar with his/her duties at the scene of an WMD incident to include: | | | |
| Prevent exposures (warn personnel, but protect yourself) | | | |
| Contain release of WMD material (prevent contaminated people from leaving the scene before being decontaminated decontaminated, prevent people from entering area) | | | |
| Remain aware of weather changes, and the possibility of secondary devices | | | |
| Inform Patriot of situation, and await the arrival of fire department/hazmat teams | | | |
| Remain observant, detain suspicious personnel, and take accurate and detailed notes for investigation | | | |

COMMENTS

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Training Office:

MP/Officer Signature / Date

Training Officer Signature/ Date

FTO Evaluation - Weapons of Mass Destruction
This form will be retained in the MP/Officer's field training packet along with any supporting documentation.

# VEHICLE ACCIDENT INVESTIGATION

MP/OFFICER: [redacted] DATE: _____

TRAINING OFFICER: [redacted]

| Responding to the scene: | Sat | Unsat | Not Observed |
|---|---|---|---|
| A. Does recruit demonstrate proper radio procedure in acknowledging the call | | | |
| B. Does recruit select an appropriate method of response (i.e., emergency vs. non-emergency response) | | | |
| C. Does recruit operate his/her patrol car in a safe, controlled manner, displaying due regard for conditions, and others | | | |
| D. Does recruit select the best route to the scene, considering the time of day, and existing traffic conditions | | | |
| E. Does recruit park his/her patrol vehicle in a position that protects the scene, prevents further accidents, and allows access by other emergency vehicles | | | |
| F. Does recruit survey the scene to prioritize duties, and to determine if additional units are needed, such as: medical units, utility companies, SHA, and additional traffic support | | | |
| **On - scene responsibilities:** | | | |
| A. Does recruit identify any potential safety hazards, including downed electric lines, vehicle fires, hazardous material spills, etc., | | | |
| B. Does recruit take first aid kit to the scene with him/her | | | |
| C. Does recruit assess and prioritize injuries, and provide first aid based on his/her assessment | | | |
| D. Does recruit position flares, or other warning devices | | | |



This form will be retained in the MP/Officer's field training packet along with any supporting documentation.

VEHICLE ACCIDENT INVESTIGATION

| | Sat | Unsat | Not Observed |
|---|---|---|---|
| E. Does recruit demonstrate proper traffic control techniques (includes donning reflective vest, and utilizing flashlight during hours of twilight/darkness) | | | |
| F. Does recruit identify and separate drivers, passengers, and witnesses | | | |
| G. Does recruit determine if any vehicles that were involved in the accident have left the scene | | | |
| **Investigating the accident scene:** | | | |
| A. Does recruit examine vehicles to determine if damage is fresh | | | |
| B. Does recruit locate and identify evidence | | | |
| C. Does recruit take photographs prior to marking and collecting evidence | | | |
| D. Does recruit utilize proper interview techniques to obtain information from witnesses and others who are involved | | | |
| E. Does recruit make a field sketch of the scene locating the final resting position of vehicles, bodies, and evidence | | | |
| F. Does recruit examine vehicles to determine causal and contributory defects | | | |
| G. Does recruit compare vehicle damage with witness information to determine pre - collision paths | | | |
| H. Does recruit match any skidmarks with appropriate vehicles | | | |
| I. Does recruit identify differences between braking skid marks, yaw marks, and other tire marks | | | |
| J. Does recruit make preliminary estimate of speed (if possible) based on skid marks and physical evidence | | | |

FTO Evaluation - Vehicle Accident Investigation
This form will be retained in the MP/Officer's field training packet along with any supporting documentation.

# VEHICLE ACCIDENT INVESTIGATION

| | Sat | Unsat | Not Observed |
|---|---|---|---|
| J. Does recruit reconstruct the accident (if possible) to the degree necessary to determine approach paths, and driver maneuvers prior to impact | | | |
| L. Does recruit determine probable cause of the accident and identify proper enforcement action | | | |
| **Clearing the scene:** | | | |
| A. Does recruit identify circumstances that require impounding an involved vehicle pending issuance of a search warrant | | | |
| B. Does recruit request tow truck(s) to clear any vehicle(s) from the scene that have more than functional damage | | | |
| C. Does recruit request the appropriate agency respond to the scene to remove any debris or potential environmental hazards | | | |
| D. Does recruit issue citations based on his/her investigation | | | |
| E. Does recruit extinguish or retrieve any flares or other warning devices | | | |
| F. Does recruit notify Patriot when he/she clears the scene | | | |
| **Report completion:** | | | |
| A. Utilizing field notes from his/her investigation, does recruit accurately and completely fill out the following forms: | | | |
| DA Form 3975, Police Report | | | |
| DA Form 3946, Traffic Accident Report | | | |
| DA Form 2823, Sworn Statement(s) | | | |
| PM Form 64, Information Sheet | | | |

FTO Evaluation - Vehicle Accident Investigation
This form will be retained in the MP/Officer's field training packet along with any supporting documentation.

# VEHICLE ACCIDENT INVESTIGATION

| | Sat | Unsat | Not Observed |
|---|---|---|---|
| DD Form 1805 and/or DD Form 1408, Citations | | | |
| PMO Form 24, Exchange of Information (if applicable) | | | |
| SF 91, Gov't Motor Vehicle Accident Report (if applicable) | | | |
| B. Does recruit conduct any follow - up investigation necessary to complete his/her investigation | | | |

COMMENTS

MP/Officer Signature /Date

Training Officer Signature/ Date

Training Office:

TO Evaluation - Vehicle Accident Investigation
This form will be retained in the MP/Officer's field training packet along with any supporting documentation.

TERRORISM

MP/OFFICER: [redacted] DATE: _____

TRAINING OFFICER: [redacted]

| Terrorism: | Sat | Unsat | Not Observed |
|---|---|---|---|
| A. Is recruit familiar with the department policy on terrorism | | | |
| B. Is recruit familiar with the typical terrorist delivery systems (vehicles, suicide bombers, packages) | | | |
| C. Can recruit identify characteristics of explosive packages | | | |
| D. Does recruit demonstrate the ability to properly respond to, and investigate, a suspicious activity to include: | | | |
| Not utilizing his/her radio within a specified radius of the suspicious package | | | |
| Not touching the suspicious device | | | |
| Clearing the area of unnecessary personnel | | | |
| Acting as scene Commander until properly relieved by a senior Officer/Patrol Supervisor | | | |
| Establishing a cordon around the scene | | | |
| Remaining observant for suspicious persons, and detaining them for investigation | | | |
| Working with other agencies in a cooperative manner | | | |
| E. Does recruit identify areas on Fort Meade that are vulnerable to terrorist attack | | | |
| F. Does recruit identify the most likely methods a terrorist might employ, based on the security measures in place, to attack the Fort Meade community | | | |

FTO Evaluation - Terrorism
This form will be retained in the MP/Officer's field training packet along with any supporting documentation.

## TERRORISM

| | Sat | Unsat | Not Observed |
|---|---|---|---|
| G. Does recruit identify visual indicators of a suspicious person | | | |
| H. Does recruit identify verbal and non-verbal indicators of a suspicious person | | | |
| I. Does recruit utilize good questions and questioning skill in his/her interview with the suspicious person | | | |
| J. Does recruit take good descriptive notes | | | |
| K. If recruit observes suspicious activity, but is unable to respond in a timely fashion, does he/she alert all other patrols and the access control points | | | |

COMMENTS

MP/Officer Signature / Date

[redacted]

Training Officer Signature/ Date

Training Office:

TO Evaluation - Terrorism

This form will be retained in the MP/Officer's field training packet along with any supporting documentation.

[redacted]

FTO

# SWORN STATEMENT

For use of this form, see AR 190-45; the proponent agency is ODCSOPS

| LOCATION | DATE | TIME | FILE NUMBER |
|---|---|---|---|
| DES | 5 OCT 04 | 1500 | |

| NAME | SOCIAL SECURITY NUMBER | GRADE/STATUS |
|---|---|---|
| [redacted] | [redacted] | E5/ACTIVE |

ORGANIZATION OR ADDRESS
241ST MILITARY POLICE COMPANY FGGM, MD 20755

I, [redacted], WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

THIS STATEMENT IS INTENDED TO CLARIFY AND/OR ELABORATE ON CERTAIN ASPECTS OF THIS INVESTIGATION NOT COVERED IN ANY OTHER FORMS AND/OR DOCUMENTS.

ON 1 OCT 04 BETWEEN THE HOURS OF 1400-2300. I WAS CONDUCTING RADAR ROAD TRAINING WITH OFC [redacted] MIND YOU THIS WAS A FRIDAY AND PAY DAY WEEKEND SO IT WAS A VERY BUSY NIGHT. RADAR ROAD INCLUDES: TURNING ON THE RADAR, TESTING IT AND THEN OPERATING IT. THE FIRST FEW HOURS WE DROVE AROUND TO LISTEN TO THE DOPPLER TONES OF THE RADAR UNIT. THIS IS TO HELP THE STUDENT TELL THE DIFFERENCE IN SPEEDS, EXAMPLE HIGHER DOPPLER TONES AND LOWER DOPPLER TONES. THE STUDENT SHOULD HAVE AND DID LEARN THIS IN THE TWO-DAY CLASSROOM PHASE. WHEN I ASKED [redacted] WHAT THE DOPPLER TONES WHERE SHE HAD NO IDEA. WE DID THIS FOR 2 HOURS. WHEN I ASKED HER IF SHE WAS UNDERSTANDING SHE SAID YES SO ME MOVED TO THE SPEED MEASUREMENT PHASE, THIS IS WHERE THE STUDENT LISTENS TO THE DOPPLER TONE AND THE STUDENT THEN TELLS ME WHAT HE/SHE THINKS THE SPEED IS IT HAS TO BE WITHIN PLUS OR MINUS 3 MPH. SHE WAS WAY OFF ON EVERY GUESS WE DID FOR TWO HOURS AFTER TWO HOURS OF HER STILL NOT UNDERSTANDING THE DOPPLER TONES WE TOOK A SHORT BREAK AND WE STARTED TO RUN STATIONARY RADAR ON REECE RD SO I COULD WRITE SOME 1805'S. ON OR FIRST TRAFFIC STOP SHE HAD A VERY HARD TIME CALLING IN THE INFORMATION THAT WAS NEEDED. SHE THEN WENT TO THE SUBJECTS CAR TO GET THE INFORMATION FROM HER. SHE DOES NOT VOICE ANY AUTHORITY AND SHE IS VERY HESITANT. ON ARE SECOND TRAFFIC STOP I MADE THE APPROACH TO THE SUBJECT AND GOT ALL OF THE INFORMATION THAT I NEEDED I THEN CAME BACK TO MY CRUISER TO WRITE AN 1805 AT WHICH TIME HER CELL PHONE RANG AND SHE ANSWERED IT AND STARTED A CONVERSATION. THE VEHICLE THAT I HAD PULLED OVER WAS A CONVERTIBLE AND COULD SEE EVERYTHING THAT WAS GOING ON IN MY CAR [redacted] ON SHOULD HAVE BEEN WATCHING THE SUBJECT FOR ME TO MAKE SURE HE DID NOT START ANYTHING OR GET OUT OF HIS VEHICLE. I THEN YELLED AT [redacted] TO GET OF THE PHONE AND PAY ATTENTION T WHAT WAS GOING ON. AT WHICH TIME SHE STATED TO THE PERSON SHE WAS TALKING TO "I HAVE TO GET OFF THE PHONE BECAUSE I AM MESSING UP". WE THEN CLEARED LAST AND WE DROVE AROUND IN MOVING MODE SO [redacted] COULD LISTEN TO THE DOPPLER TONES AGAIN. WE DID THIS FOR ANOTHER HOUR AND A HALF. AFTER DOING THIS WE WENT STATIONARY AND TRIED TO DO SPEED MEASUREMENTS AGAIN AND SHE STARTED TO GET IT A LITTLE TOWARDS THE END OF THE HOUR. I TOLD HER WE WERE GOING TO STOP THE RADAR ROAD PART AND THAT SHE WILL NOT PASS TONIGHT AND I WILL SCHEDULE HER ANOTHER 4 HOURS OF RADAR ROAD TRAINING. ON OTHER TRAFFIC STOP THAT WE CONDUCTED [redacted] MADE THE INITIAL CONTACT WITH THE SUBJECT SHE WALKED ON THE DRIVERS SIDE ON THE VEHICLE, WHICH WAS VERY DANGEROUS DUE TO THE FACT THAT SHE WAS IN THE ROAD WAY AND COULD HAVE EASILY BEEN HIT BY AN ONCOMING CAR I TOLD HER SEVERAL TIMES NOT TO THIS AND WHY. OR LAST TRAFFIC STOP FOR THE EVENING, WE BACK UP 50 (OFC [redacted] HE HAD A SUBJECT GET OUT F HIS VEHICLE ON HIM AND REFUSED TO GET BACK IN THE CARE AND INSTEAD OF GETTING BACK INTO THE CAR HE STILL APPROACHED [redacted] AT WHICH TIME I JUMPED OUT OF MY CRUISER AND TOLD THE SUBJECT TO GET BACK INTO HIS CAR HE WOULD NOT LISTEN AND HE STILL ADVANCED FORWARD AT WHICH TIME I DREW MY WEAPON AND KEPT IT BEHIND MY BACK. AT WHICH TIME [redacted] STOOD BEHIND MYSELF AND [redacted] NOT ASSISTING AT ALL. [redacted] BY THEN WAS ALSO OUT OF HIS VEHICLE AND ASSISTING ME. THIS IS WHEN [redacted] WAS PUSHED OUT OF THE WAY BY [redacted] CAUSE SHE WAS JUST IN THE WAY. MORAL OF THIS SITUATION IS IF I HAD TO DEPEND MY LIFE ON HER I WOULD NOT. I WAS MORE WORRIED ABOUT MY PARTNER GETTING HURT THEN MYSELF. SHE HAD NO IDEA WHAT TO DO AND WHEN SITUATION AROUSED SHE DID NOTHING TO HELP. IT GOT TO THE POINT TO WHERE THE LAST PART OF SHIFT I DID NOT PULL ANYMORE TRAFFIC STOPS AND I RELEASED HER AT 2200. I DID NOT FEEL CONFRONT ABLE WITH HER AT ALL. END OF STATEMENT [redacted]

| EXHIBIT | INITIALS OF PERSON MAKING STATEMENT | PAGE 1 OF 2 PAGES |
|---|---|---|
| | [redacted] | |

*ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF_____ TAKEN AT_____ DATED_____ CONTINUED." THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE INITIALED -S "PAGE_____ OF_____ PAGES." WHEN ADDITIONAL PAGES ARE UTILIZED, THE BACK OF PAGE 1 WILL BE LINED OUT, AND THE TATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF ANOTHER COPY OF THIS FORM.*

STATEMENT *(Continued)*

AFFIDAVIT

[redacted], HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 2. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR ~~UNLAWFUL~~ INDUCEMENT. [redacted]

*(Signature of Person Making Statement)*

WITNESSES:

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 7 day of OCT, 19 04

at DES

[redacted]

*(Signature of Person Administering Oath)*

[redacted]

*(Typed Name of Person Administering Oath)*

ART 136 (b) (4) UCMJ

*(Authority To Administer Oaths)*

INITIALS OF PERSON MAKING STATEMENT [redacted]



USAPPC V2.00

# CERTIFICATION CHECKLIST

MP/OFFICER: [redacted] DATE: _____

TRAINING OFFICER: [redacted]

| Training & Certifications: | Date/Location Completed: |
|---|---|
| A. Police Academy | _____ |
| B. Provost Marshal's Office SOP's | _____ |
| C. Use of force Briefing | _____ |
| D. Weapons Qualification | _____ |
| E. Driver's License | _____ |
| F. SFST | _____ |
| G. Radar | _____ |
| H. Lidar | _____ |
| I. OC Pepper Spray | _____ |
| J. Expandable Baton | _____ |
| K. Defensive Tactics | _____ |
| L. First Responder | _____ |
| M. EVOC | _____ |
| N. MPI briefing/training | _____ |
| O. Traffic Section briefing/training | _____ |
| P. Post Familiarization | _____ |
| Q. Controlled marijuana burn | _____ |

FTO EVALUATION - CERTIFICATION CHECKLIST
This form will be retained in the MP/Officer's field training packet with any other supporting documentation.

CERTIFICATION CHECKLIST

| Field Training Objectives: | Date Completed: |
|---|---|
| A. Use of force | |
| B. Police Authority & Jurisdiction | |
| C. Controlled Dangerous Substances | |
| D. Police Communications | 12 SepT04 |
| E. Access Control | |
| F. Traffic Control & Direction | |
| G. Terrorism | |
| H. Weapons of Mass Destruction | |
| I. Civil Disturbances | |
| J. Community Oriented Policing | |
| K. Weapon Maintenance & Cleaning | |
| L. Crime Prevention | |
| M. Criminal Investigations | |
| N. Crime Scene Processing | 13 SepT04 |
| O. Patrol Function | 12 SepT04 |
| P. Low risk traffic Stops | 12 SepT04 |
| Q. High risk Traffic Stops | 13 SepT04 |
| R. Vehicle Accident Investigation | |
| S. Juvenile Process | |

FTO EVALUATION - CERTIFICATION CHECKLIST
This form will be retained in the MP/Officer's field training packet with any other supporting documentation.

CERTIFICATION CHECKLIST

| Field Training Objectives (continued): | Date Completed: |
|---|---|
| T. DUI & DWI Investigation | |
| U. Domestic Violence | |
| V. Report Writing | 12 Sep04 |
| W. Operation of Emergency Vehicles | 12 Sep04 |
| X. Standard Forms | 13 Sep04 |
| Y. Interview & Interrogation | |
| Z. Maryland Vehicle Law | |
| AA. Criminal Law | |
| BB. Court Procedure | |
| CC. Arrest and Detention Procedure | 13 Sep04 |
| DD. Search Procedure | 13 Sep04 |

COMMENTS

MP/Officer Signature / Date

Training Officer Signature/ Date

Training Officer:

FTO EVALUATION - CERTIFICATION CHECKLIST
This form will be retained in the MP/Officer's field training packet with any other supporting documentation.

DAILY OBSERVATION REPORT

MP/OFFICER: [redacted]

TRAINING OFFICER: [redacted]

DATE: 12 Sept 04

Instructions:
After a discussion with your recruit on the day's learning and activities, use this form to summarize your observations. It can include significant calls, special assignments, self initiated activity, or any other information which may be of use to future FTO's and supervisors. Comments should be constructive in nature, and should include any areas that the recruit excels in, as well as a developmental plan to correct any deficiencies. Each section must be completed, and this form will be turned in to the FTO Coordinator daily. (Utilize mailbox in the event of swings/mids)

Week 1 / Day 1

Strongest attribute: Keeping up with Activity sheet, Knowing major streets and ~~[illegible]~~ roughts

Weakest attribute:

Daily Performance Rating: 1 2 3 4 (5) 6 7

TRAINING OFFICERS COMMENTS/RECOMMENDATION

Trainee did good in patrol sheet and familiar with roughts to areas of Ft. Meade to include neighborhoods

MP/OFFICERS COMMENTS

MP/Officer Signature / Date

[redacted] 12 Sept 04
Training Officer Signature / Date

FTO Coordinator Signature / Date
(FTO Coordinators signature indicates approval)

Training Officer: [redacted]

FTO EVALUATION - DAILY OBSERVATION REPORT
This form will be retained in the MP/Officer's field training packet with any other supporting documentation.

b. 4

[redacted]

FTO

DEPARTMENT OF
DIRECTORATE OF EMERGENCY SERVICES
FORT MEADE POLICE DEPARTMENT
8479 6TH ARMORED CAVALRY RD.
FT MEADE, MARYLAND 20755-5045

REPLY TO
ATTENTION OF:

16 November 2004

ANME-ES

MEMORANDUM FOR: Ft Meade Police Department; Chief of Police [redacted]

SUBJECT: Field Training Evaluation/ Recommendation Letter for Office[redacted]

1. The purpose of this memorandum is to inform the command of the reevaluation results on Officer [redacted] failing to meet the standards of the Field Training Program that have been set forth since 30 January 2003. After falling short of the benchmarked standard several times in the Field Training program, I then made the decision that Officer [redacted] would be placed on a two-week evaluation with Corporal [redacted] Corporal [redacted] is currently my designated Field Training Coordinator for the Ft Meade Police Department. It is with his Field Training packet and Training notes together that a decision was made in regards to Officer [redacted] suitability to clearly perform duties without direct supervision. Corporal [redacted] summary on the evaluation is attached.

2. My recommendation based on the information provided and reviewed by me is that Officer [redacted] continues field training with an officer of greater experience under my (the Training office) indirect supervision. At no time will Officer [redacted] be on patrol alone. I am recommending that Officer [redacted] continue field training for an additional 60 days minimum with no more than 120 days to successfully complete field training and reevaluation.

3. Any questions concerning this memorandum should be directed to the undersigned [redacted]

[redacted]

Lt./ Training Officer
Ft Meade Police

ENCLS:
(1) Memorandum from Corporal [redacted]
(2) Officer [redacted] Field Training Packet

15 November 2004

To: [redacted]
From: Cpl. [redacted]
Re: Recommendation Letter for Officer [redacted]

Sir,

On 01 November 2004 I began my evaluation of Officer [redacted] and her ability to do her job. I patrolled with her as a "ghost", not providing any assistance unless an emergency situation arose, or if she was unable to accomplish the basics of the job. Supplementing this report is a copy of my observations during the evaluation period, a full copy of the FTO program (not completed because I would only check off what I observed), and her final graded test. My recommendation and reasons are as follows:

Office[redacted] is not assertive towards people and lacks the confidence to be effective. She doesn't take the initiative, waiting instead for someone to tell her what to do, and doesn't conduct herself proactively.

Officer [redacted] fails at the basics of her job. During a review of the Field Training Manual, Office[redacted] was unable to answer simple questions or perform many of the tasks in the manual. She doesn't know the patrol areas and cannot respond to many locations utilizing the most direct route. Office[redacted] sticks to patrolling the main roads (even in housing areas) and drives in a predictable pattern.

During the course of this evaluation (56 hours), Office[redacted] conducted two traffic stops (one of them only after I commented on the violation). On both occasions she failed to accomplish simple tasks (i.e. writing her name on the citation, and calling information over the radio), and left herself open to potentially serious harm because she didn't have the proper safety equipment needed to do the job. Office[redacted]s unable to drive in a safe manner. Throughout the course of the evaluation, Officer [redacted] driving was dangerous. She went from being unable to navigate simple driving skills and driving with a degree of fluidity, to putting us in harms way with other motorists.

Office[redacted] radio demeanor and etiquette are not acceptable. Although she acknowledges calls from the RTO, she doesn't communicate with other officers in the performance of her job, and is intimidated when she has to use the radio, often not giving important information. Furthermore, on many occasions, Offic[redacted]had to be called many times before she responded and on more than one occasion never responded at all.

Office[redacted] doesn't have the instinct to be curious when a subject tells her what has happened during our investigations. She simply accepts the subject's statement as truth, never asking follow up questions or actually investigating the claim.

Offic[redacted]o doesn't accept criticism well. When she is criticized she often deflects the criticism away by bringing up how someone has done something to her instead of accepting it and correcting her shortcomings.

Finally, Officer [redacted] is a danger to herself and others. On several occasions, while driving, Office[redacted]s put us in harms way. Whether it is the weather or her lack of good judgment, sooner or later someone is going to get hurt if she continues to drive in the same reckless manner I observed during my evaluation. In fact on the last night of the evaluation, I debated letting her continue to drive because of her lack of driving skill.

Offic[redacted]does not respond correctly to emergency situations. She puts herself, and will put other responding officers, at risk of serious injury or worse due to her inability to process what is happening and her inattention to her surroundings. Furthermore, since she doesn't respond quickly and by the most direct route, the general public and fellow officers may be at further risk should they have an emergency and need immediate police assistance.

Based on my observations during the evaluation period, it is my recommendation that Officer [redacted]ot be released to the patrol section.

Respectfully,

[redacted]

02 NOV 2004

To: Lieutenan[redacted]
From: Corpora[redacted]
Re: Field Training evaluation of Offic[redacted]

Sir,

On 1Nov04, I began my field training evaluation of Office[redacted] respect to her ability to accomplish her job as a basic patrol officer at the Fort Meade Police Department. My instructions are to ride with Offi[redacted]ing the PM Watch on Monday, Wednesday, and Friday starting on 1Nov04 and ending on 12Nov04. Furthermore, I am not to intervene with her duties unless an emergency situation arises or, her actions are illegal. This report will cover my observations, concerns and recommendations as to whether office[redacted]is or is not capable of completing her duties as a police officer for the Fort Meade Police Department.

**01 November 2004**
**Monday, 1430 Hrs**

At 1430 hrs, the Patrol Supervisor began briefing and assigning sectors to all officers. Officer [redacted]was not present until 1435 hrs as she was in the ladies room putting on her body armor. Officer [redacted] uniform was clean and pressed and she appeared to have all of her duty gear and equipment with her.

While conducting her PMCS, I noted that Office[redacted]ever opened the hood of the patrol vehicle and could not have possibly checked the fluid levels.

After drawing our weapons we were instructed to return to the PMO. The RTO instructed us to respond to Red Cloud Ct. for a larceny "case". Upon our arrival to the scene, Officer [redacted]failed to call us out at the location and just went to the residence. Although the only people at the residence were juveniles (the oldest being 17), Office[redacted]pulled out a 2823 and PM 64 as if to begin her casework. I notified the desk of the situation and informed them that we were going to leave until a responsible adult arrived (we spoke to the children's mother on the phone who told us she would be home soon).

We were dispatched to the location a second time and made contact with the victim who told Office[redacted]that her children's bicycles had been stolen from the hooks that she had hung them up on under their carport. Office[redacted]mediately went into the residence and pulled out the necessary paperwork, and had the victim fill out a statement whil[redacted]filled out a PM 64. After the victim wrote her statement, Officer [redacted]rote a few questions on the 2823, handed back to the victim, and told her to answer the questions for her. After the victim answered the remaining questions, Offic[redacted]ave her a 2701 (victims/witness pamphlet) and we cleared the scene.

To Office[redacted] credit, she knew where she was going, she had all of the required paperwork, she had good mannerisms, she did write follow-up questions on the victims 2823, and she supplied the victim with the 2701 (which is rarely done by any officer). However, Office[redacted] never conducted any type of interview, take notes, nor did she investigate the victims' claim. As soon as the victim said her property was stolen, Office[redacted] ook out her paperwork and had the victim write a statement and answer questions that she wrote on the statement. After obtaining all of the required paperwork, we returned to the PMO to complete our case. During our return to the PMO, I asked Officer[redacted] hat she thought she should do about the report (referring to whether she should write it up as a case or just a journal entry). Office[redacted] marked "they said it was a case, so I should write it up as one".

At about 1700hrs, we arrived at the PMO and Office[redacted] egan her 3975. Before she began, I asked her how long she thought it would take her to complete the report. She responded that it wouldn't take more than an hour and a half. After[redacted] mpleted her initial statement I looked at it and instructed her to contact the Patrol Supervisor and have him review it (I purposely didn't comment on her statement, preferring to let the Patrol Supervisor correct it). Offic[redacted] statement was unclear and made little sense. The Patrol Supervisor[redacted] eviewed her statement and suggested that she just use one of the template statements found on the computer. [redacted] rote her statement and took it to the Desk Sgt. For approval. The time was 1749 hrs. The Desk Sgt. Reviewed and approved her report.

Based on the type of case and the small amount of paperwork involved, Office[redacted] shouldn't have needed an hour and a half (much less two hours and fifty minutes) to complete the report.

During the remainder of the shift, we had no calls for service. I instructed Office[redacted] to do what she would normally do during her patrolling, emphasizing that she should feel free to conduct traffic stops and patrol through the housing areas. We didn't conduct a single traffic stop during our tour of duty, and as for driving through the housing areas; we drove on the main arteries of the post and rarely drove down a back street.

While driving in and around the main roads, I quizzed Officer[redacted] n as to our location and she was almost always able to identify where we were. When I gave her a mock call to respond to specific locations and added a degree of urgency (i.e. call of officer down), Office[redacted] appeared to become somewhat excited. I made this observation based on the increased aggressiveness of her driving and her own admission that she could "feel the adrenaline flowing". She also appeared to become confused and unable to find the location in a timely fashion. For example I asked her to respond to Leslie Rd. from 29th Division (on an officer down call). For approximately ten minutes, we drove around the 29th Division, 3rd Cavalry Rd. area. Although Office[redacted] aid she has a patrol book with the locations of almost all of the roads on Fort Meade (to include the locations I sent her to), she never utilized it. Finally Officer[redacted] vent back out to a major artery and was able to locate Leslie Rd. Secondly while we were driving down MacArthur Rd. toward Reece Rd., I asked her to respond to 2nd Army Drive (at the time we were at the intersection of Inchon St. and MacArthur Rd.). While driving, she stopped the car in the middle of the road (right next to 2nd Army Dr.) looked around to find the road and then continued to Reece Rd. She made a left onto Reece Rd., and then made a u-turn to go back up MacArthur Rd. Officer[redacted] nally located 2nd Army Dr. and I instructed her

to drive to the other end of the road to see where it comes out. She proceeded to the end of 2nd Army Dr. and noted that it ends on Reece Rd. not more than three hundred feet from where she made her u-turn. During this particular exercise, it took approximately five minutes to locate a street that we had been right next to in the beginning of the exercise.

One of the things that cause me some concern about Office[redacted]s her driving skill. Officer[redacted] drives very aggressively and somewhat recklessly. On more than one occasion while driving through housing areas, Office[redacted] accelerated very quickly from a stop. I looked at the speedometer and noted that we were traveling at approximately 35 – 40 mph. On other occasions Office[redacted] accelerates quickly, slows down, and then accelerates again. This pattern continued for the most part throughout the tour of duty. Furthermore, as we arrived at various intersections and made a right turn (on a green light), Officer[redacted]arly came to a stop before entering the intersection, entered the intersection, and then made a very wide right turn driving into the oncoming lane of traffic. I asked Office[redacted]why she stopped before she made the right hand turn and she said, she "was looking for something". However, we seemed to conduct this maneuver on a regular basis as we approached intersections.

Another concern is Office[redacted]inattention to her radio and radio demeanor. On several occasions, I had to remind her that the desk or another patrol was calling her on the radio, on other occasions, I answered for her. When Officer[redacted] does respond to her radio, she is meek and acts as if she is embarrassed to talk on the radio.

As we patrolled the post, we had a great deal of time to talk about Office[redacted] feelings and issues that were on her mind. What struck me the most was that when speaking about some of the officers here at Fort Meade Officer[redacted]had nothing positive to say.

During my evaluation I made a few observations on some of Office[redacted]s strengths, including her personality. During our earlier call for service she gave the victim a victim/witness pamphlet (2701) and I commented that I was impressed that she had done that. Officer[redacted] remarked that it is "nice to hear someone speak about something positive that I do". When we began speaking about other officers and what she thought they thought of her, her comments were purely negative. Some of her feelings follow:

In regards to Office[redacted]e felt that he made her do things that weren't required as part of the field training process. Specifically, he took her out to Burba Lake on a walking patrol and began walking very fast. She felt he did this on purpose and although it is unclear what she meant by it, she commented that she could "see the wolves chasing their prey". She also feels that he purposely singled her out during guard mounts when he would ask her questions in front of the other officers and MP's.

According to Officer[redacted] Office[redacted] talked about his "twelve inch dick" on several occasions and although she didn't feel comfortable with his discussions, she never brought it to anyone's attention. He also, according to Officer[redacted] called her on her cell phone and yelled at her in an inappropriate manner during field training.

Office[redacted]elieves that Offic[redacted]ingled her out during radar training. Officer [redacted]id that during the review of material prior to taking their written test, Offic[redacted]uizzed officers utilizing the test as a study guide. When he got to [redacted]he asked her a question and she got the answer wrong. Office[redacted] asked her another question and apparently since she kept getting the answers wrong, he kept asking her questions. Officer [redacted]dmitted that she said "If I get the answer wrong, move on to the next officer like you've done to everyone else". Offic[redacted] allegedly told Office[redacted] I'm just trying to help you", but Officer [redacted]insisted that he was singling her out. After taking the test, Office[redacted]lled Officer [redacted]n and informed her that she had failed the test. Office[redacted] believed that she had passed and felt that Offic[redacted] had "misjudged" her answers[redacted]d Sgt. [redacted]informed Offic[redacted]that she "will not fail this test" and they showed her another test that had her name on it. Officer [redacted]felt that there was something underhanded being done. Later she talked to [redacted]who informed her that she had in fact passed the test, and according to Officer [redacted]he Lt said that Offi[redacted]had "misread" her test results.

Sgt[redacted]was another officer that Office[redacted]spoke about. Office[redacted]aid that while they were conducting "radar road", they pulled over a male subject and while Sgt. [redacted]as at the subjects vehicle, she pulled her weapon and pointed it at him making a statement to the effect of ".....listen motherfucker....." According to Offic[redacted]he only thing this driver had done was argue with Sgt.[redacted]

Against my direction, Offic[redacted]poke about an encounter she had with Deputy Chief [redacted]regards to her sick leave restriction letter. She first informed me that the reason she called in sick a lot was due to her being "stressed out" from what was going on with her and the training program. She continued that Deputy Chi[redacted]had "thrown her out" of his office because they got into an argument while reading her letter. Officer [redacted]id that after having been read her letter she brought up the issues she had with the sexual harassment that she had been the victim of. I asked her if she had brought up these issues with anyone in the department, and she said that she "didn't want to make an issue of it". I told her that she "couldn't have it both ways". I further explained that she should not ever have to endure any type of harassment, but in order for anyone to do something about it, she would have to tell someone. It appeared to me that Officer [redacted]when faced with disciplinary action, wanted to deflect the attention away from her by bring up a serious issue that she "didn't want to make an issue of".

Officer [redacted]elieves that a lot of the officer's talk about her, think of her as inferior, and feel she is unable to do the job of a police officer, although she is unable to cite a single specific example of this accusation. These beliefs seem to have caused her to (according to her earlier remark) become "stressed out" and become introverted. I told Office[redacted]hat I could clearly see that she was not assertive with the other officers and it is important to assert yourself not only with fellow officers, but also with the public in general. Officer [redacted]hen stated that she really just wanted to "come in, do her eight and go home" and not have to deal with the other officers. Furthermore, she said that she was looking in to going to work in pediatrics. She also told me that she had applied with the Naval District of Washington Police and had to go in soon to do her "quals" for weapons.

After riding with Officer [redacted]for the shift, it became quite apparent to me that she has a severe confidence problem coupled with an inability, or lack of desire to assert herself with fellow

officers or the public in general. She takes no initiative as evidenced by our lack of proactive patrolling (i.e. no traffic stops, no self initiated investigations, or patrolling in the housing areas), and she has become "stressed out" over her beliefs of how her fellow officers think of and treat her without being able to cite specific incidents. Offic[redacted]as made several statements regarding several fellow officers that, without any substantiation, sound almost conspiratorial in nature. Finally, I believe Office[redacted]has a problem accepting criticism. When she is criticized, she redirects the attention toward how someone has done something toward her. For example, constantly explaining how a particular officer has sexually harassed her, or how she has to accomplish tasks that other trainees aren't required to do, or how instructors single her out for embarrassment.

03 November 2004
Wednesday, 1430 Hrs

At 1430 hrs, Office[redacted]as present for guard mount. After a short waiting period, we went out to our patrol vehicle. Offic[redacted]conducted a cursory PMCS, again failing to check under the hood of the vehicle, and we proceeded to the arms room to draw our weapons.

At about 1525 hrs, we received a call for an illegally parked vehicle at building 8545 (Chesapeake Inn). We located the vehicle, which was parked on the sidewalk next to the entrance into the chow hall, advised the RTO that we were on scene, and walked up to the vehicle. It was obvious that the operator of the vehicle was packing their personal belongings as the doors and hatch were open and there were a large number of boxes in the car. Based on this observation, I asked Officer [redacted]y she would go about locating the owner. Office[redacted]aid that she would go into the building and look around. I suggested to her that we might try to identify the owner by running the vehicle registration. [redacted]called the RTO and asked her to run the registration. Office[redacted] called the tag (out of Texas) in using some of the phonetic alphabet and sometimes just saying the letters in the tag. While we were waiting for a response from the RTO, a white female came out to the vehicle.

Office[redacted]asked the female if she were the owner of the vehicle, to which she responded that she was. The lady admitted that she had parked on the sidewalk because she hadn't wanted to walk all the way to the curb to load her vehicle. As if to add clout to her parking there, the subject stated that her Sgt. Told her it was okay to park there. Officer[redacted]sked to see the subjects ID and drivers' license, to which the subject complied. After looking her ID over, Offic[redacted] handed them back, and asked the subject if her Sgt. were available. The subject said that her Sgt. was not available and offered that she only had a few more items to load and then she'd be done. Officer [redacted]told her that her Sgt. should get permission from the DES before allowing their soldiers to park on the sidewalk, and told the subject to go ahead and finish. At that time, we cleared the scene and went back into service.

At no time during this incident did Officer[redacted]ver question the subject in reference to who this subjects Sgt was, nor did she ever confirm any of the claims made by the subject. Officer [redacted]st accepted that what she had been told was the truth.

After handling the parking issue, we started driving around the post. During this time I asked Officer[redacted]o tell me and/or show me the boundaries of her jurisdiction. We started with jurisdiction on MD Rte 198. We drove out to the soul food barbeque restaurant on MD Rte 198 and Officer[redacted]ld me this was the boundary of her jurisdiction on Rte 198. This is well over half a mile beyond our jurisdiction of which I later informed Office[redacted]From there we went to MD Rte 32. to which Officer[redacted]ated that our jurisdiction began at the Ft. Meade exit overpass. As we drove east on Rte 32, I observed a motorcyclist on the shoulder of the road. I pointed it out to Officer[redacted]ggesting that we pull over to see if they needed any help. Officer[redacted] acknowledged my instruction, but continued to travel at a high rate of speed. Officer[redacted]dn't utilize her emergency/caution lights instead, as we almost passed the motorist, she hit the brakes very hard and we pulled off of the roadway. This was evident by the fact that my patrol bag, which had

been on the rear seat behind Offic[redacted] flew out of the seat, turned over, and spilled the contents on the floorboard behind Office[redacted] After we determined there was no emergency regarding the motorist, we continued on Rte 32 east to identify our jurisdiction.

While we were establishing our jurisdiction, I instructed Offic[redacted] identify the end of our jurisdiction on Rte 32 in our easternmost edge, then continue to the emergency turnaround further along Rte 32 east, make a turnaround and show me the western boundary of our jurisdiction on Rte 32. Office[redacted] rove down Rte 32 to the turnaround without ever identifying our jurisdiction. While we were in the fast lane (left lane) of Rte 32 east, Office[redacted] again traveling at a high rate of speed, hit the brakes, again causing my patrol to fly out of the seat, turn over and spill its contents on the floor, and made a hard left onto the turnaround. As I realized what was happening, I hit our emergency lights to alert vehicles behind us that we were going to do,..... something. As we turned onto the turnaround, I looked at the traffic that was behind us and realized that if the traffic had been much closer, we would have been involved in an accident. I then looked at the traffic that was heading toward us on Rte 32 westbound and realized that Officer [redacted] was going to continue onto Rte 32 west without stopping in the turnaround. I saw a vehicle approach and told Officer [redacted] in a loud voice, to stop. Office[redacted] continued into the roadway, stopped, and then continued onto Rte 32 west. If the occupant of the vehicle traveling toward us on Rte 32 west hadn't been paying attention, I believe we would have again been involved in an accident.

After this occurred, I commented to Offic[redacted] about her driving skill and ability. I feel these incidents reconfirm my feelings about Offic[redacted] driving skill, or lack thereof.

We continued down Rte 32 west and Office[redacted] after I told her that our westernmost jurisdictional boundary was MD Rte 295, was able to show me the westernmost boundary. Officer [redacted] as able to show me the limits of our jurisdiction on MD Rte 175, and Reece Road.

At about 1800 hrs, we received a call for a suspicious vehicle on Jones Dr. in the Potomac Place housing area. Office[redacted] acknowledged the call and drove, for the most part, directly to the Potomac Place housing area. As we entered the housing area, I noticed that Jones Dr. was the first right as you enter. Offic[redacted] s is characteristic with her driving style, slowed down by the Jones Rd., but continued into the housing area. We drove around in the housing area for about 10 – 15 minutes before we came back to the front of the housing area and she realized that the road we were looking for was the first road. She asked me if I had known that was where Jones Dr. was, and I acknowledged that I had. As we went down the road, Offic[redacted] slowed down in front of every house looking to see if it were the right address. After about 2 minutes, we arrived on the scene.

We entered the residence, and Officer [redacted] asked what had happened. The complainant said that she (a 14 yr old female) was walking down the street when she heard a male voice say "hey", she turned to see a person waving there hand as if to gesture someone over to them. Office[redacted] asked the complainant to describe the person. The complainant could only describe the subject as an "older sounding male". Officer [redacted] began getting her paperwork ready when, in my opinion, she should have been asking more questions, taking notes, and getting a description of the vehicle to alert other patrols. Since this wasn't getting accomplished, I asked the victim to describe the vehicle. Office[redacted] told me she was going to call the desk to find out how she should handle the case. Meanwhile, I called for an available patrol to look around the area for a vehicle matching the

description of the suspect vehicle. After accomplishing all of the necessary paperwork and searching the area for the subject vehicle (with negative results), we returned to the station to write up the case. Due to the nature of the call, it was determined to only be a journal entry, so all we needed was the PM form 64 and a synopsis to complete our paperwork. Even though she used a synopsis template off of the computer, it took Offic[redacted] about 45 minutes to complete. While reading her synopsis I observed that Office[redacted] wrote some of the facts erroneously. I sat down at the computer and rewrote the synopsis to show her how it should look. I asked her if she agreed with what I had written (after telling her that how I understood the facts and how she understood the facts differed slightly), to which she said that she did agree with the statement I wrote. I them looked at her PM 64. Officer [redacted]iled to get a complete 64. This has been brought up to her on more than one occasion while I've ridden with her.

Offic[redacted] continues to take an inordinate amount of time writing her cases. This particular incident required a PM 64, which was written at the scene, and a synopsis, which Officer [redacted] took right off the computer. 45 minutes is too long to be writing a case of this type.

After completing this case, Officer[redacted]d I went back on the road. We stayed on the main roads with the exception of driving down 29th Division, 3rd Cav, and 2nd Cav Roads. Officer [redacted]'t patrol any of the housing areas for a second straight shift (with the exception of the aforementioned roads) nor did we conduct any traffic stops, although 2 violations occurred in our presence (one actually causing us to stop abruptly).

The first infraction occurred at the intersection of Ernie Pyle Rd. and Reece Rd. A vehicle was turning right onto Reece Rd. from Ernie Pyle Rd. without ever stopping. When this occurred, we were traveling on Reece Rd. by Ernie Pyle Rd. On the second occurrence, we were traveling on Taylor Ave. at the intersection of Mapes Rd. We were turning right onto Mapes Rd., and had the green light. A truck that was coming out of the golf course and turned left onto Mapes Rd. denying us the right of way. Although we had to stop in order to avoid any contact, Offic[redacted]iled to initiate a traffic stop.

Through the course of our shift, I asked Offic[redacted] to take me to specific locations throughout the post (mostly in the housing areas). Officer[redacted]ppears to have great difficulty with traveling to a location by the most direct route. On one particular occasion, I asked Officer [redacted] respond to Leslie Rd. and Sargent Rd. from Gate #3. As we entered the gate, (instead of simply turning right onto Clark Rd. and then turning left onto Leslie Rd. and follow to Sargent Rd.) Office[redacted]drove down to Cooper Rd., made a right, traveled past Sargent, continued to Leslie Rd., made a right onto Leslie Rd., and slowly followed it to Sargent Rd.

After this, I asked Officer[redacted]she had a patrol book, and she acknowledged that she did in fact have one, but normally if she didn't know where a location was she would just ask for a "cross reference". I told Officer [redacted]t not only does calling for a "cross reference" make you look less than intelligent than you are, it also fosters reliance on the Desk and you will never learn your way around. Officer [redacted]greed that this made sense, but she still didn't utilize her patrol book.

I still have concerns (even greater with today's events) about Officer [redacted]ving ability. On more than one occasion I was very concerned for our safety.

Office[redacted]still demonstrates a lack of initiative required to be a successful officer, she remains unassertive, and although she seems less "stressed out", I still have concerns about how she will respond if she becomes "stressed out" again. Furthermore, her inability to respond to locations by the most direct route potentially impacts any officer's safety.

Office[redacted]is one of the most pleasant people I have ever been in the company of. As a person, I think she exhibits qualities that anyone can appreciate. Officer [redacted]s complimented me on several occasions saying that I am "Watch Commander material", that I have "an attitude that officers can relate to", and "you know how to be one of the guys, but if you have you can flick the switch and discipline people when necessary". Finally, Office[redacted]ld me "I feel comfortable with you evaluating me, because I know you're going to tell the truth regardless if I'm doing things right or not". In this respect, I feel that I could talk to Officer [redacted] about a lot of personal things. Officer [redacted] demonstrated to me that, while she may ask about a rumor she has heard, she doesn't seem to carry rumors to other people, nor does she seem likely to start any.

05 November 2004
Friday, 1430 Hrs

Office[redacted] didn't arrive on time today. She arrived at about 1435 with her body armor in hand (as opposed to on her person). After roll call (or lack of one) we went out to our vehicle. Officer [redacted] conducted PMCS, but still failed to check fluid levels in the engine.

After responding to the arms room to draw weapons, I informed Office[redacted] that we were going to remain available for a couple of hours and then go to the station to review some of the field training manual.

At about 1515 hrs, while traveling down Rock Ave, an individual who was looking for the Gaffney Sports Complex flagged us down. Office[redacted] informed him that Gaffney was on Zimborski Ave., and offered to have him follow us to the location, which the driver accepted. Officer [redacted] drove to the MacGill Center on Zimborski Ave. To her credit Office[redacted] walked the gentleman into MacGill and ensured this was where he wanted to go. Upon realizing her mistake, she gave the subject directions to Gaffney Sports Complex.

A few minutes later while driving on Rock Ave, I asked Office[redacted] take me to Broadfoot Rd. and Taylor Ave. Office[redacted] turned right onto Taylor Ave., and drove right past Broadfoot Rd. (although there was no street sign, this is an area commonly traveled) and turned right onto Simmonds St. After this she turned right onto Leonard Wood, so I instructed her to find the intersection of Broadfoot Rd and Leonard Wood Rd. As Officer [redacted] continued down Leonard Wood Rd., she saw Broadfoot Rd. to the right. Office[redacted] turned onto Broadfoot Rd. and followed it to the T-intersection at the other end. Only then did she realize that this was Taylor Ave. Office[redacted] only commented that there isn't a street sign there. At no time did she ever consult her patrol book during this exercise.

We continued to patrol the post until about 1700 hrs when we returned to the PMO to review training objectives from the filed Training Manual. Due to a lack of incidents to evaluate Officer [redacted], I felt that a review would be helpful in my evaluation. The modules that we went over and listed below:

<u>USE OF FORCE:</u> I asked Office[redacted] cite the Use of Force Continuum and she was able to list all the levels of force except for the Presentation of Deadly Force. However, she wasn't able to explain the National Security Act of 1947 and how it applies to police officers.

<u>POLICE AUTHORITY AND JURISDICTION:</u> Office[redacted] was able to tell me the three types of jurisdiction. However, Office[redacted] believes her authority is derived from the 10th Amendment to the US Constitution and Title 18 USC Sec 303. She continued that Title 5 USC applies to making arrests and questioning violators. When I asked what elements are required an officer to have jurisdiction (jurisdiction over the person, the place, and the event), Office[redacted] stated, "You need to have concurrent jurisdiction". Furthermore, as noted in the previous days report, Officer [redacted] doesn't know the boundaries of her jurisdiction.

CONTROLLED DANGEROUS SUBSTANCES: I asked Office[redacted] what Title 21 USC and Article 27 ACM covered, and she admitted that she didn't know. Furthermore, Officer [redacted] flatly stated that her Field Trainer didn't cover this topic in the Field Training Manual.

POLICE COMMUNICATIONS: Officer [redacted] shows the basic ability to use our police radio. She can cite most of the phonetic alphabet and she knows what the basic channels are used for (i.e. TAC 1, 2, and 3). When speaking on the radio however, Offic[redacted] isn't clear or concise. She occasionally gets lost in what she wants to say, doesn't pay attention to the radio, and has had to be called multiple times before responding and has been unprofessional on occasion. This being proven when she says something incorrectly, she giggles under her breath while her microphone is keyed.

COMMUNITY ORIENTED POLICING: Office[redacted] has no idea what this involves. When asked what community oriented policing was to her, she stated "Officer contact with individual while patrolling, basically being neutral,..... I would guess". Officer [redacted] patrol technique (or lack thereof) prevents any opportunity to foster this concept.

WEAPON MAINTANENCE AND CLEANING: I cleared Offic[redacted] weapon in order to allow her to demonstrate how to maintain her weapon. Officer [redacted] was able to breakdown and reassemble her weapon correctly. Offic[redacted] also understands that she is to notify an armorer for more involved procedures. Offic[redacted] does not know the parts of the weapon or how to conduct a weapon function check.

CRIME PREVENTION: When we spoke about crime prevention (at the level of the patrol officer) Offi[redacted] as not aware of what the omnipresence concept was. Furthermore, Officer [redacted] ils to vary her patrol routes. If she never had to respond to a call through the course of the shift, I believe I could time where and when she would be at any given time.

PATROL FUNCTION: Office[redacted] while unable to tell me what the patrol sectors are, was able to show me the basics of the patrol sectors on post. She was also able to identify all of the gates and their locations. When we went to a call for service, Offic[redacted] nade contact with the parties involved to see what had occurred. Officer [redacted] oesn't proactively patrol sectors. She sticks to the main roads and generally drives the same route. She doesn't make contact with people while patrolling unless they flag us down or we have a call for service.

DUI AND DWI INVESTIGATION: Although Officer [redacted] certified in the application of the SFST battery, she said that she had never handled a DUI/DWI case, nor was she ever trained during her FTO time.

REPORT WRITING: Officer [redacted] es very little notes while out on the scene. She has yet to coordinate assistance from other units to help her with a case (i.e. during our suspicious vehicle call, I had to call another unit to begin a search of the area for the suspect vehicle). Although she has been told that she failed to get complete information on several of her information sheets, she doesn't take the initiative to re-contact people who are involved to get the needed information.

OPERATION OF EMERGENCY VEHICLES: Office[redacted]oesn't conduct a proper PMCS prior to going on patrol. She has yet to check the fluid levels of her patrol vehicle since I began evaluating her, although she checks off that she has checked them on her PMCS report. Officer [redacted]ot aware of the departmental policy on speed in a patrol vehicle, and she feels that while she is responding to a call utilizing code, all other motorists know to get out of the way, and furthermore she believes she automatically gets the right of way. As covered on other daily observations, Office[redacted]driving skills are atrocious. On more than one occasion I was concerned for our safety while she was driving on a major highway. Furthermore, she constantly speeds up and slows down while driving, she regularly exceeds the speed limit, and she stops at inappropriate times. All of these things make her ability to safely operate an emergency vehicle suspect.

STANDARD FORMS: Offic[redacted]as able to correctly identify a 4137 as an evidence/property custody document, a 4002 as an evidence/property tag, a 2823 as a sworn statement, and a 3881 as a rights warning/waiver certificate. However, she identified the PM 64 as a Statement of Subject, and a 2701 as a Prisoner Release Form.

MARYLAND VEHICLE LAW: Offi[redacted]said she had looked through the MVL was able to explain the difference between the Maryland Vehicle Law book and the collateral book. Officer[redacted]as also able to positively identify Titles 20, 21, and 22. Offic[redacted]wasn't able to identify Titles 11, 25, and 27. Office[redacted]said Title 13 dealt with licenses, Title 16 dealt with registration, and Title 19 covered "liability having to do with traffic". These last three Titles were identified incorrectly.

Office[redacted]s able to tell me the difference between a mandatory appearance and a collateral infraction. Furthermore Office[redacted]as able to cite some of the offenses that are arrestable. Offic[redacted]as not able to identify the difference between a primary and secondary offense, nor was she able to demonstrate how (on a ticket) you assimilate the Maryland Traffic Law.

SEARCH PROCEDURE: Offic[redacted]generally understands the concept of the 4th Amendment to the Constitution. She understands a Consent Search, Search Incident to Arrest, Terry Search, and a protective sweep. Officer[redacted]doesn't understand the scope of the Carroll Doctrine, and she doesn't completely grasp the concept of an Exigent Circumstance. With some coaching, Officer[redacted]uld tell me where suspects would most likely hide contraband and why, and what an officer needs to conduct a search without consent.

At about 2000hrs, we cleared the station and went back into service. While on patrol, I again encouraged Office[redacted]conduct herself as if I weren't there, hinting on her maybe conducting some traffic stops. At about 2200 hrs, we pulled along side the road on Mapes Road at Ernie Pyle Road, facing toward Macarthur Road. Offic[redacted]id she wanted to write some tickets. I encouraged her to do so, but after about three minutes, Office[redacted]commented that it was getting too late and there weren't going to be many cars, so we cleared and went mobile again. Shortly thereafter, we prepared to turn in for the evening.

Through the course of the shift, I observed the same habits and patterns of the previous two days. Officer[redacted]ntinues to demonstrate a lack of initiative or aggressiveness. She comes to

work and only does as much as is required by the Desk[redacted]ving skills have not improved and she still doesn't patrol through the housing areas or initiate traffic stops. Office[redacted]atrols main arteries through the post while generally ignoring the back streets and smaller roads.

On a personal note, Office[redacted]till one of the most pleasant people I have ever been associated with.

08 November 2004
Monday, 1430 Hrs

Office[redacted]rrived a few minutes late today. As has become standard for her, she went to the ladies room after arriving. We were assigned sector 2-4, but since Office[redacted]wasn't there while sectors were assigned, I had to let her know what sector we were in. Offic[redacted]went out to conduct the PMCS on her vehicle and once again failed to completely check the vehicle out. Offic[redacted]oes not check under the hood of the vehicle, but checks all the fluid levels and engine area as being okay on her PMCS sheet.

Shortly after we drew weapons, we were dispatched to respond to 2nd Army Dr. for a stray animal. As we turned onto 2nd Army Dr., Office[redacted]lowed down considerably to locate the residence that we were looking for. Upon finding it, she pulled into the parking area and stopped several times before deciding on a parking place. After making contact with the complainant, Officer [redacted]mediately took out a PM 64 to take the complainants information. At no time did she inquire if the complainant knew whom the animal belonged to (I had to do this), or did she speak with passersby to determine if anyone knew who the owner of the animal was (again, I had to do this).

After completing the PM 64, we released the animal to another unit for transport to the vet clinic (we didn't have a cage), and returned to the station to write the synopsis. While Officer [redacted]as writing her synopsis, I looked at her PM 64. Office[redacted]still fails to get complete information. In fact, she takes very little information although she has been told by me, one of the patrol supervisors, and an RTO that she needs to fill in all of the blocks. Offic[redacted]n used the template for her synopsis, but still made a few spelling errors. After completing the synopsis Officer [redacted]nd I cleared the station and went back into service.

At about 1700 hrs, we were dispatched to 3525 D Fryar Loop for a vandalism to auto call. Offic[redacted]ulled out her patrol book (for the first time) and looked up the address. After looking through her patrol book for a couple of minutes, Officer[redacted]id she couldn't find the location in her book. I told her Fryar Loop was off of Ernie Pyle Rd. near MacArthur Rd. (after the event, Office[redacted]old me she thought the RTO dispatched her to 3525 "Delta Prior" Loop, although the RTO clearly said 3525 "D" Fryar Loop). We approached Ernie Pyle from MacArthur Rd., and made a left onto Ernie Pyle Rd. As you drive down Ernie Pyle Rd., the very first left is one end of Fryar Loop. However, the street sign at this location is missing, so I didn't expect Officer [redacted] locate the street until we arrived farther down Ernie Pyle Rd. at the other end of Fryar Loop (where I knew the street sign was in place). As expected, Offic[redacted]went past the first entrance onto Fryar Loop. What wasn't expected was that she stopped at every intersection on Ernie Pyle to see if it was Fryar Loop. As we approached the far end of Fryar Loop, Office[redacted] slowed to a crawl, looked around (to include right at the Fryar Loop street sign) and continued down Ernie Pyle. Office[redacted]ontinued driving down 27th St. until it intersected with Clark Rd. At that point, she turned right onto Clark Rd. and drove until we got to the high school. She then turned around and backtracked all the way back to MacArthur Rd., again slowing at each intersection to see the name of the street (to again include Fryar Loop). As she approached the intersection of MacArthur and Ernie Pyle, she turned around again and made contact with Sgt. Andrews who told her (and pointed) where Fryar Loop was. Office[redacted]llowed back down Ernie Pyle to Fryar Loop, and

instead of turning left onto it, turned right into another unnamed court. Finally Office[redacted]rove across to Fryar Loop. It took Office[redacted]15 minutes to respond to the correct location from the intersection of Cooper Rd. and Ruffner Rd.

When Office[redacted]de contact with the complainant it was dark. She asked the victim what had occurred, and he took her to his car to show her the damage. The damage was limited to an "x" scratched on the hood of the car and some scratches to the driver's side mirror. Since it was already dark, you needed a flashlight in order to see the damage (I couldn't see the extent of the damage or whether it was fresh damage or not in the darkness). Office[redacted]dn't have a flashlight with her, so she just took a cursory look at the damage and pulled out a PM 64. Officer [redacted]ent inside with the victim and had him begin writing a statement while she took his personal information on the PM 64. Office[redacted]ok the subjects information and, after reading his statement, wrote some questions on the bottom of his statement for him to answer. Officer [redacted]didn't investigate the allegation, nor could she actually determine whether the damage was fresh because she was unprepared. After collecting the victims' statement, we returned to the station to write our report.

Office[redacted]ok a long time to write her report, using templates for the narrative portion of her report. After finishing the report, she sent it to the Desk Sergeant who made several corrections to it, but let it stand. We cleared the station and went back into service.

For the remainder of the shift, we patrolled the post. As usual, we only patrolled the main streets and avoided making any traffic stops. Office[redacted]doesn't know how to get to many locations by the shortest or quickest route, nor does she take the initiative to learn her way around. Officer[redacted]continues to show a lack of initiative in her approach to police work and so far hasn't taken any steps to improve her shortcomings. Instead of going out and familiarizing herself with the various housing areas, she is content to just ride around on the main streets. My concern is that Officer[redacted]ack of desire/ability to become proficient in her job may very well cause a citizen or fellow officer a great deal of harm.

Officer[redacted]s not demonstrated good instincts in regards to police work. She doesn't ask questions when she should and she guesses when she shouldn't (when she responds to a location and gets lost, she guesses at how to get to the right location instead of either looking in her patrol book or calling for assistance). Office[redacted]intimidated by the job and has yet to admit that she didn't know something. For example, after we cleared the vandalism call on Fryar Loop, I had her drive to the street sign at the intersection of Fryar Loop and Ernie Pyle Rd. As she looked at the street sign, she acted incredulous that the sign was there; as if by some act of god the sign just appeared. This has occurred on at least one other occasion (the incident involving the suspicious vehicle on Jones Dr. on 3Nov04 @1800 Hrs).

Office[redacted]driving skill is a great concern to me. It has become apparent to me over the last few days of riding with her that as conditions deteriorate (including darkness), so does her driving skill. Office[redacted]riving becomes more erratic as it gets dark. What, during the daylight hours, is just a lack of refined driving becomes an inability to judge distance, identify actual roadways, and make safe turns from one road onto another.

10 November 2004
Wednesday, 1430 Hrs

Before Offic[redacted] arrival, I had an opportunity to speak with Office[redacted] who passed along to me that Office[redacted] nducted a search of a female a couple of days before for him, and he wanted to let me know that he felt she did a very good job with it.

Office[redacted] me to work today at 1430 hrs. She seemed ready to work, and wasted little time going out to her patrol vehicle to conduct PMCS. As expected, she failed to check under the hood of her patrol vehicle, but marked her PMCS sheet to reflect that she'd checked the vehicle out thoroughly. We reported to the arms room to draw our weapons and then went on routine patrol.

In order to evaluate Office[redacted] esponse to high-risk traffic stops, I orchestrated a traffic stop utilizing Offic[redacted] d Officer [redacted] Office[redacted] ted as the dispatcher and became an assisting officer during the exercise. Officer [redacted] layed the part of the subject of the traffic stop. Prior to initiating the exercise, I instructed Office[redacted] be compliant with Officer [redacted] nd not do anything complex, as I wanted to observe how she responded to a high-risk stop without making the encounter too complicated. Office[redacted] nderstood this and during the course of the stop did just that.

At 1525 hrs, Office[redacted] ing as the RTO) called our unit and dispatched us to the warehouse area to investigate a suspicious vehicle. He described the vehicle as a white Dodge pickup truck and said a white male occupied it. Other than that, he gave no further description, except to tell us that he didn't know whether or not the subject had any weapons. At the time, we were on Griffin Rd. traveling towards Llewellyn Rd. next to the museum. Office[redacted] nowledged the call, turned the car around, and drove out to Mapes Rd. Once she got to the intersection of Mapes Rd. and Griffin Rd., Offic[redacted] ed left onto Mapes Rd., right into the path of an oncoming "Reliable Contracting" dump truck, quickly accelerating to avoid a collision. She then drove all the way down to O'brien Rd. at about 45 mph (no code was authorized as this was a training scenario), turned left and continued to Zimborski/Rock Ave. Once we got onto Rock Ave., Office[redacted] owed down and started looking at all of the buildings. At no point in time did she ever ask for more information or a better description of the vehicle or the subject, nor did she use the most direct route to the location.

Before our arrival to the warehouse area, Office[redacted] lled and gave Office[redacted] n update on the scenario. He stated that the suspicious vehicle was adjacent to warehouse D-13 then quickly corrected the location as warehouse T-13. Office[redacted] knowledged the update and continued down Rock Ave. As she arrived at the sub-station, Office[redacted] rned right off of Rock Ave. and drove down the old railway road parallel to Rock Ave. Office[redacted] realized the path was blocked and had to perform a three-point turn in order to turn around and get back onto Rock Ave. As she continued down Rock Ave., driving at a high rate of speed, Officer[redacted] d to brake hard in order to avoid missing the access road to the warehouse area. As we neared the subject and his vehicle, I could clearly see a "training (red) gun" in the small of the suspects back. Office[redacted] never noticed the weapon. As we neared the scene, the subject returned to his vehicle and got in.

Upon approaching the vehicle, Office[redacted]alled out that she was on scene, and initiated her traffic stop utilizing her emergency lights. Offic[redacted] failed to call the vehicle information in to the RTO, and parked too far away from the suspect vehicle. As Offi[redacted] approached the suspect vehicle, she failed to respond to her radio as the scenario RTO called her. After several calls and after having made contact with the subject, she responded to the radio. Office[redacted] was asked if she was "secure" (indicating that she could receive sensitive info without alerting potential suspects) and she responded that she was. The scenario RTO (who was actually observing the entire scenario from about two hundred feet behind us) asked a second time if she were "secure", and again she responded that she was (Officer[redacted]as at the suspects front door speaking to him at the time). The scenario RTO relayed that further information revealed that the suspect had a warrant out for him and was known to carry weapons. Office[redacted]cknowledged the scenario RTO and continued questioning the subject, informing him that he was in a "designated" area. Offic[redacted] asked the subject to provide his driver's license and registration, which he did. Every time she was called on the radio, Officer[redacted]ook her radio out of it's holder, transferred it to her right hand (weapon hand) and responded putting herself at an even greater disadvantage.

At this time, Office[redacted]eemed to stop for a moment and then order the suspect out of his vehicle, simultaneously pulling her "training (red) gun" weapon on him. Office[redacted] complied with her demand and stepped out. Offi[redacted]ho was now engaged in a high-risk traffic stop, failed to call for back up, or put the suspect on the ground or at any kind of disadvantage. Furthermore, she kept her radio in her left hand while drawing down on the suspect, utilizing the radio as support for her weapon hand. Office[redacted]who I suspect realized how awkward her position was) put her radio back in her holster.

Officer[redacted]structed the suspect to turn around and face his vehicle. Although only a "ghost" during the exercise, Officer[redacted]assed the suspect's driver's license and registration off to me so she could conduct a search. Upon doing so, Offic[redacted]approached him and began an unsafe search of the suspect. Offic[redacted]kept her weapon in her hand while using her left hand to search him. She never put him at any kind of a disadvantage and since she never called for backup, put herself at great personal risk. As she was searching the suspect, Office[redacted]uatted down to search the suspects' lower extremities. As she squatted she began to holster her weapon, then just let her hand drop onto her right thigh, with the muzzle of her weapon pointed squarely at her thigh (If this had been a real weapon and had discharged, Officer[redacted]ould have shot herself through the right thigh).

During the search, Office[redacted] located a training knife on the suspect. She had him place his hands behind his back so she could handcuff him. While Office[redacted]was successful in getting the handcuffs on the suspect, she completely took her attention away from the suspect except for where she was looking. Office[redacted]tention was on the handcuffs. This also could prove fatal to Officer[redacted]this been an actual call. As she was handcuffing her suspect, she finally called for backup. Once her backup arrived, Offic[redacted]assed the suspect off and began a search of the vehicle.

Since I still had Officer[redacted]rivers license and registration in my hand, and I knew there was a training gun in the vehicle somewhere, I told Office[redacted]hat I was going to put his paperwork on the front seat of his vehicle. This gave me an opportunity to see if I could locate the

training gun without touching anything in the vehicle or interfering with Office[redacted]earch. I walked up to the driver's door, set the paperwork on the front seat, and immediately saw the training gun sticking out from under the center armrest in plain view.

I went back to where Office[redacted]d Office[redacted] were standing and asked Officer [redacted] well Offic[redacted] had done during her search. He said she found the training knife but failed to notice his clip-on pocketknife, which was in his left front pocket with the silver colored clip clearly visible on the outside of his trousers.

During her search of the vehicle, Offic[redacted] searched the driver's and passenger side of the vehicle twice, but never noticed the training gun that was under the center armrest (but in plain view). She walked up to me after a couple of minutes and I asked her if she was finished. She said that she was and we cleared the scene. As we drove away, Offic[redacted]old me that she felt she did very well during the training scenario.

After we cleared the scenario, we continued on patrol. For the first time since I began riding with Office[redacted] patrolled the Highland Rd. area of the old Argonne Hills housing area. However, this only lasted a few minutes, as we reverted back to just driving the main roads again.

During routine patrolling, a call went out to a couple of other units for a 911 hang up on Engl Ct. We were in the area, so we responded to assist. After making sure everything was in order, the Patrol Supervisor allowed Office[redacted] take the PM 64's. Office[redacted] failed to get most of the information for the PM 64's. In fact, when she returned to the station for paperwork, the RTO told her she would have to go back when the sponsor was home to collect the remaining information. Later Offic[redacted]old me that she'd just turn the paperwork into the oncoming RTO, because usually they'd accept it as it was (and she did just that, and they did accept it!!)

At about 2008 hrs, we observed a vehicle turning left onto Cooper Rd. from Ruffner Rd. without stopping. Office[redacted]ecided to initiate a traffic stop on the vehicle. Office[redacted] was unable to locate the switch that activates her emergency lights. As she was looking around for the switch, and finally went to turn on the interior dome light of the patrol vehicle, I activated the lights for her. The vehicle was a black ford Expedition with New Mexico tags. Offic[redacted] was unable to determine the state that the vehicle was registered in, and asked me if I could tell her what state the tag was from. I told her they were New Mexico Tags. Offic[redacted]lled in the stop describing the vehicle as a "black SUV Ford with Mexico tags". I corrected her, and told her the correct state for the registration. Office[redacted]orrected the call and we approached the vehicle. Offic[redacted] didn't observe the interior of the vehicle during her approach, because she didn't have a flashlight with her. Furthermore, she didn't create a safety zone for herself with her vehicle as she walked up to the operator. Due to this, I moved from my over watch position to the driver side rear quarter panel. I utilized my light as a beacon for traffic coming up behind us, and listened to Offic[redacted] comments to the driver[redacted]entified herself to the driver, and after informing her of the reason for the stop, asked for her drivers' license and registration. Although the driver was somewhat hostile,[redacted]emained courteous towards her.

Offic[redacted]ook the paperwork back to her vehicle and wrote the operator a citation. When Officer[redacted]he ticket to the operator, she failed to properly explain the process of

paying the ticket or pleading "not guilty", she also didn't explain that the operator had 21 days to act on the ticket. While explaining this, the operator said something to the effect that she had indeed stopped at the stop sign and Office[redacted] almost like a child who has been challenged, said, " I saw you!" After giving the operator her citation, Offi[redacted] told her to drive carefully and walked back to her vehicle. Office[redacted]led to get the vehicle back into the flow of traffic, leaving the task to the vehicle operator.

After clearing the traffic stop, I inspected the citation. Offic[redacted] didn't write her name on the ticket, instead putting the charge in the name block, and she put the year of the vehicle in the registration state block.

Later in the evening, Offi[redacted]as dispatched to conduct Activity 02 (commissary), before she was able to respond to the call; she had to locate her radio. Once again Offic[redacted] failed to utilize the most direct route to the activity. We were traveling on Huber Rd. toward Ernie Pyle Rd. when the call came in. Instead of just continuing on Ernie Pyle Rd. to Mapes Rd and turning into the commissary parking lot, we turned left onto Mapes Rd., then right onto Rose St. followed it to Reece Rd., turned left onto Reece Rd., and then turned left onto MacArthur Rd. then into the PX parking lot, finally arriving in front of the commissary.

Offic[redacted]nt into the commissary and came out with her escort. She called to the Desk with the proper information, and took the most direct route to the bank (straight across the parking lot). She escorted the subject to the bank and escorted him back to the vehicle after he finished his business. Upon returning the escort back to the commissary, Officer[redacted]w through the stop sign that sits in the center of the PX access road in front of the post office. She escorted the subject back to the commissary and conscientiously returned a stray cart to the stable before getting back into the vehicle and clearing us from the activity, giving the required information.

For the remained of the shift, we patrolled the main roads of the post, not making any more traffic stops, and not patrolling the housing areas.

With only one day left in this evaluation Offic[redacted]asn't shown any improvement. As with the previous days, Offi[redacted]ailed to conduct a proper PMCS of her vehicle.

Officer[redacted]ill not proactive in patrolling and except for the single traffic stop she conducted she is not aggressive. Office[redacted]owed during the exercise scenario that she doesn't recognize danger and doesn't respond properly when faced with it. She doesn't handle situations the way she was trained to and lacks the powers of observation. Furthermore, Officer [redacted]lls into the "fatal funnel" trap when dealing with critical incidents. She is oblivious to her surroundings and becomes focused on a single action during critical incidents. Offic[redacted] unsafe in her daily contacts with people and I don't believe she realizes it.

While driving, we have run across the path of a fast moving dump truck, traveled at high rates of speed on main roads of housing areas, driven into oncoming lanes of traffic, and stopped quickly while traveling at high rates of speed in the fast lane of a major highway.

While involved with normal calls, she doesn't have the necessary safety equipment with her to do her job and she approaches all incidents nonchalantly. During her single traffic stop, she approached the vehicle, during the hours of darkness, without a flashlight.

I do not believe that Offic[redacted] the skills required to be a police officer at this time. Furthermore, she is unsafe.

12 November 2004
Friday, 1430 Hrs

This is the last day of my evaluation of Offi[redacted] It was raining quite heavily and was expected to rain throughout the night. While getting ready in the roll call room, the Desk Sgt. approached me and informed me that Offic[redacted] had called in at about 1400 hrs and informed him that she would be late. Offic[redacted] arrived at 1452 hrs. After getting our sector assignment and vehicle, Offic[redacted] ent out and conducted a cursory PMCS of our vehicle. As expected, Office[redacted] ailed to check under the hood of the vehicle, but checked that she had on her PMCS sheet.

On leaving the parking lot of the PMO en route to draw our weapons, Offi[redacted] urned left onto Taylor Ave., right across the path of an oncoming vehicle, accelerating to avoid a collision. Once we were armed, we were dispatched to Fox Chevrolet to pick up one of our vehicles. Upon our return to post, I went into the PMO while Offic[redacted] onducted her standard PMCS (without looking into the engine bay).

At 1635 hrs while I was at the desk, the RTO tried to contact Offi[redacted] n the radio without success. The RTO tried to contact Office[redacted] for 7 minutes without success. I finally went out to the parking lot and reminded Office[redacted] make sure her portable radio was on.

At 1656 hrs, we were dispatched to Gate #1 for a downed motorist. Upon our arrival, Officer [redacted] mined that the motorist needed a jumpstart. We returned to the PMO to pick up a jump starter and returned to the gate to assist. While en route to the gate we spun our rear wheels as we accelerated from a stoplight. While out at the gate, a call for any available unit to respond to the area of Ruffner Rd. and MacArthur Rd. for a vehicle driving in circles with it's passenger door open. I cleared us from the downed motorist, and we responded to MacArthur Rd. and Ruffner Rd. While we were in route, the desk gave a description of the vehicle as simply a white sedan. Office[redacted] who wasn't paying attention to the description called the desk and asked for the description.

While we were in the general area, Unit 50 and unit 22 called out to assist. Both units communicated with each other and let us know where they were and where they would search. Offic[redacted] n't communicate with anyone, she started searching in an area that another officer had just checked. I suggested to Office[redacted] t we search in a different area so she decided to check in the PX parking lot. As we drove from Ruffner Rd. toward the PX parking lot, we came to a red light at Ruffner and MacArthur Rd. We were in the left (left turn only) lane and when the light turned green, we went straight into the parking lot, spinning our rear wheels as we went. We were unable to locate any vehicle matching the description so we went back into service.

At 1900 hrs, we returned to the PMO in order for Officer [redacted] ake the field-training test. Office[redacted] was afforded 90 minutes to take the 50-question test. At 1903 hrs, Officer [redacted] was administered the test (in the PMO conference room). At 1955 hrs Office[redacted] brought her test to me. I informed her that she still had about 38 minutes left in the clock. Officer [redacted] told me she was completed and didn't want to use anymore time. At the writing of this report, I haven't graded the test. After taking the test, we went back into service.

At 2029 hrs, while driving on Simonds Rd. toward Zimborski Ave., a vehicle traveling on Zimborski toward Mapes Rd. failed to stop at the stop sign. I commented on it, and Off[redacted] decided to initiate a traffic stop. Officer [redacted]vated her emergency lights and pulled the vehicle over on Zimborski Ave.

Offic[redacted]her vehicle in park and then decided that she needed to get closer to the vehicle so she put her car in drive and inched up to the subject vehicle. Office[redacted]egan to call out the traffic stop, and then asked me the make of the vehicle. I told her it was a Chevrolet and she passed the information on to the RTO. Although you could clearly see inside the vehicle, Officer [redacted]ed that it was "possibly occupied one time". The reason she gave for the traffic stop was the vehicle "passed a stop sign". Officer [redacted]en gave her location but failed to give the registration number until it seemed she remembered to do it just prior to getting out of the vehicle. Office[redacted]proached the vehicle without a flashlight and began speaking to the operator. While she was speaking to the operator the RTO called her with tag information. Office[redacted] was called 5 times before I responded for her.

When she returned to the patrol car, she wrote the operator a ticket. She used the operators out of state address instead of the local address on his registration card. Offic[redacted]called the NCIC operator to get the zip code for his out of state address, and the NCIC operator said he had a local address. At about that time, the RTO came across the radio and instructed Offi[redacted]o write the operators local address on the ticket, and Officer Jefferson responded that she had already written the ticket and "would just have to hope it goes through".

Office[redacted] the ticket up to the operator and gave it to him. She didn't give the operator proper instructions on responding to the ticket or the time limits he was faced with. Officer [redacted]en told the operator to drive safely and was ready to walk back to our vehicle when the operator asked if he could have his driver's license and registration back. Offi[redacted]an back to the patrol car, retrieved the documents and gave them to the vehicle operator. We returned to our patrol vehicle and Office[redacted]t the operator return himself to the flow of traffic.

After clearing the traffic stop, Offic[redacted]continued patrolling on the main roads of the post. While at a traffic light, Officer [redacted]ccelerated again, spinning our rear wheels for a third time. We continued patrolling and while at the intersection of Rose St. and Reece Rd., Officer [redacted]ttempted to make a left turn onto Reece Rd. Office[redacted]urned the wheel all the way to the left, and before ever getting into the intersection of Rose ST. and Reece Rd., accelerated and hit the curb on the oncoming lane of traffic on Rose St.

After fueling our vehicle Office[redacted] turned right onto Rock Ave., and was going to turn left onto Taylor Ave. Instead of turning onto Taylor Ave., Offic[redacted]urned left onto an access road leading to a fenced in area prior to Taylor Ave. Offi[redacted]commented, " I thought I was turning onto Taylor", and after conducting a ten point (or there about) turn continued to Taylor Ave., and turn[redacted] left.

At about 2147 hrs, we were traveling down MacArthur Rd. and, after turning onto Clark Rd.; I noticed a truck on the civilian side of Meade High School with its lights on. I commented on what it might be doing there, but Office[redacted]ed oblivious to the vehicle and we continued on our patrol.

Offi[redacted]es not, by any stretch of the imagination, possess the skills required to be a police officer. She is a danger to herself and others. She is not at all aggressive or assertive and she lacks the instincts of a police officer. She is intimidated by the job and fails to communicate with others officers during the course of duty. Furthermore, she fails in simple everyday tasks such as driving.

Identify the use of force continuum from the least amount of force to the greatest amount of force?

Mere presence, Verbal, Hands on, OC, expandable Baton, K9, Leth

What level of force should an officer employ towards a subject who is utilizing force? Depending the type of Force the subject is using if it is just his strenght, the officer would just use hands on, based on the size of the subject

3. List the three types of jurisdiction we have here at Fort Meade?

Concurrent, Exclusive, Proprietary

What are the jurisdictional boundaries at Fort Meade?

198 Baseball Field, 295 north on Rt. 32, 175, Rockenbah, 175 32

5. Title 18 of the United States Code contains: Crimes and Punishment

6. Under what Title of the United States Code would you find violations of controlled dangerous substances? Title 21 USC

List four of the classifications of controlled dangerous substances?

LSD, Methenphetamines, PCP Hallucigens.

8. During the initial investigation of a crime, list three important steps you should take?

Notify Paramedic, Protect evidence, Block the Scene,

List the four main patrol sectors and their boundaries? areas, 1 2 3 4

rea 1, Cooper Ave to Leslie road including separating at Mapes road,
ea 2, Cooper ave. to leslie rodd

10. What are three key pieces of information you should relay to the dispatch center during a traffic stop? Location, Vehicle description, Tac info:

11. It is okay to stand in the driver's doorway of a subject vehicle during a traffic stop? (T) F

[redacted]

12. The operator of the vehicle you've stopped is responsible to return him/herself into the flow of traffic upon completion of the traffic stop? T / F

13. During your approach to a subject vehicle, you should remain in the safety zone that you've created with your vehicle? T / F

14. Why is it a good idea to write the registration number down on a piece of paper before initiating a traffic stop? in case something bad happens on the stop, it would be evidence in the event of a tragedy.

15. During a high-risk traffic stop it is important to maintain a greater distance between your vehicle and the suspect vehicle than you would during low risk traffic stop? T / F

16. In order to facilitate the removal of occupants from a vehicle during a high-risk traffic stop you should give clear instructions to the occupants utilizing the vehicles PA system? T / F

17. Using your lights and sirens automatically gives you the right of way while responding to an incident? T / F

18. During a traffic accident investigation you should not move any victims unless failure to do so would place the victim at greater risk of harm? T / F
unless the vehicle is in danger of Blowing Up.

19. It is okay to question a juvenile without his/her parents present? yes || But if the Juvenile is under arrest the Parents must Be present for Questioning

20. After arresting a subject for DWI/DUI, how long do you have to administer the Intoxilyzer test? within a ½ hour.

Identify the following DWI/DUI forms:

21. DR-15

22. DR-15a

23. DD Form 1920

24. MSP-33

25. DR-102

26. DR-103

27. Identify the best approach to a domestic disturbance call? Safely, and not where you are noticed.

28. Why is it important to interview domestic combatants separately while keeping visual contact with other interviewing officers? because at any time one of the person may attack the other party or an officer.

29. What does the acronym PMCS stand for?

30. When should the preventive maintenance checks and services be conducted? Before, and after shift.

31. What should you do if you notice that your assigned vehicle is dirty, unkempt, and/or has damage to it? Report it to the Desk, and also document on the Vehicle info: sheet.

Identify the following departmental forms from the list:

32. DA Form 3975

33. DA Form 2823 – sworn statement

34. DA Form 3881 – Rights Waiver

35. DA Form 4137 – evidence

36. PM Form 64 – interview sheet

37. SF 91 –

38. DD Form 2708 – Detained release

39. DD Form 1805 – Citation issued tickets for Traffic/and Crime

40. DD Form 1408 – Tickets issue for Government Vehiche

41. When must you read someone his or her Miranda Rights (warning)? after the arrest.

42. What act allows you to utilize Maryland Laws in the course of your duties? the assimilated Crimes act

43. This Title, under the Maryland Vehicle Law, addresses "Rules of the Road" issues? Title 21

44. This Title, under the Maryland Vehicle Law, addresses "Certificates of Title and Registration of Vehicles" issues? Title 13

45. This Title, under Maryland Vehicle Law, addresses "Drivers' License" issues? Title 16

46. This Title, under Maryland Vehicle Law, addresses "Equipment of Vehicles" issues? Title 27

47. What must you have in order to make an arrest? PC

[redacted]

48. What must you have in order to detain and investigate a subject? Probable Cause To have fact that the Subject Committed the Crime

49. What does the case of Terry vs. Ohio establish? that Police officer have the right to frisk a subject for safety, during a traffic stop, also a Police Can Confiscate Contraband in Plain View. ETC

50. What issue does the 4th Amendment of the Constitution of the United States address? Search and Seizures

[redacted]

USE OF FORCE

MP/OFFICER: _____ DATE: 5NOV04

TRAINING OFFICER: _____

| Application of the use of force: | Sat | Unsat | Not Observed |
|---|---|---|---|
| A. Is recruit well versed in the FGGM use of force policy | ✓ | | |
| B. Does recruit understand the use of force continuum | | ✓ | |
| C. Does recruit demonstrate sound judgment in the application of force | | | ✓ |
| D. Does recruit use the proper amount of force for the situation he/she is faced with | | | ✓ |
| E. Does recruit escalate/deescalate the level of force used, based on the actions/level of resistance offered by a subject | | | ✓ |
| F. Is recruit familiar with the National Security Act of 1947, and how it applies to the application of deadly force | | ✓ | |

COMMENTS

OFFICER [redacted] ~~UNDER~~ KNOWS THE USE OF FORCE CONTINUUM ALTHOUGH SHE OMMITTED PRESENTATION OF DEADLY FORCE.

NATIONAL SECURITY ACT – [redacted] DOES NOT KNOW

MP/Officer Signature / Date

Training Officer Signature/ Date

Training Officer:

FTO EVALUATION - USE OF FORCE

This form will be retained in the MP/Officer's field training packet with any other supporting documentation.

# POLICE AUTHORITY AND JURISDICTION

MP/OFFICER: _____ DATE: 5 NOV 04

TRAINING OFFICER: _____

| | Sat | Unsat | Not Observed |
|---|---|---|---|
| **Police authority:** | | | |
| A. Has recruit been sworn in | ✓ | | |
| B. Does recruit know where his/her authority is derived from | | ✓ | |
| C. Is recruit familiar with Title 5 U.S.C., and how it applies to him/her | | ✓ | |
| D. Does recruit know where his/her authority to make arrests/carry weapons comes from | | ✓ | |
| **Jurisdiction:** | | | |
| A. does recruit understand the different types of jurisdiction | ✓ | | |
| B. Does recruit know the physical boundaries of his/her jurisdiction | | ✓ | |
| C. Does recruit understand what elements must exist in order to have jurisdiction | | ✓ | |

## COMMENTS

OFFICER [redacted] BELIEVES SHE GETS HER AUTHORITY FROM THE 10TH AMMENDMENT & 18 USC SEC 305.

TITLE 5 USC - APPLIES TO MAKING ARRESTS & QUESTIONING VIOLATORS.

~~JURIST~~ OFFICER [redacted] DID KNOW THE 3 TYPES OF JURISDICTION

[redacted] BELIEVES THAT THE ELEMENTS REQUIRED TO HAVE JURISDICTION ARE CONCURRENT JURISDICTION.

MP/Officer Signature / Date

Training Officer Signature/ Date

Training Officer:

FTO EVALUATION - POLICE AUTHORITY AND JURISDICTION
This form will be retained in the MP/Officer's field training packet with any other supporting ocumentation.

# POLICE AUTHORITY AND JURISDICTION

MP/OFFICER: _____ DATE: 5 NOV 04

TRAINING OFFICER: _____

| | Sat | Unsat | Not Observed |
|---|---|---|---|
| **Police authority:** | | | |
| A. Has recruit been sworn in | ✓ | | |
| B. Does recruit know where his/her authority is derived from | | ✓ | |
| C. Is recruit familiar with Title 5 U.S.C., and how it applies to him/her | | ✓ | |
| D. Does recruit know where his/her authority to make arrests/carry weapons comes from | | ✓ | |
| **Jurisdiction:** | | | |
| A. does recruit understand the different types of jurisdiction | ✓ | | |
| B. Does recruit know the physical boundaries of his/her jurisdiction | | ✓ | |
| C. Does recruit understand what elements must exist in order to have jurisdiction | | ✓ | |

## COMMENTS

OFFICER [redacted] BELIEVES SHE GETS HER AUTHORITY FROM THE 10TH AMMENDMENT & 18 USC SEC 305.

TITLE 5 USC - APPLIES TO MAKING ARRESTS & QUESTIONING VIOLATORS.

JUNIOR OFFICER [redacted] OULD KNOW THE 3 TYPES OF JURISDICTION

[redacted] BELIEVES THAT THE ELEMENTS REQUIRED TO HAVE JURISDICTION ARE CONCURRENT JURISDICTION.

MP/Officer Signature / Date

Training Officer Signature/ Date

Training Officer:

FTO EVALUATION - POLICE AUTHORITY AND JURISDICTION
This form will be retained in the MP/Officer's field training packet with any other supporting ocumentation.

CONTROLLED DANGEROUS SUBSTANCES

MP/OFFICER: _____ DATE: 5 Nov 04

TRAINING OFFICER: _____

| General information: | Sat | Unsat | Not Observed |
|---|---|---|---|
| A. Is recruit familiar with Title 21 of the U.S. Code | | ✓ | |
| B. Is recruit familiar with Article 27 Section 286/287 of the Annotated Code of Maryland | | | ✓ |
| C. Is recruit familiar with the Controlled Substances Act of 1970 | | | ✓ |
| D. Is recruit familiar with the various schedules of CDS as it applies to law enforcement | | | ✓ |
| E. Is recruit familiar with the differences in the five schedules | | | ✓ |
| F. Does recruit identify the substance(s) in schedule I that he/she might typically encounter while on duty | | | ✓ |
| G. Does recruit identify the substance(s) in schedule II that he/she might typically encounter while on duty | | | ✓ |
| H. Does recruit identify the substance(s) in schedule III that he/she might typically encounter while on duty | | | ✓ |
| I. Does recruit identify the substance(s) in schedule IV that he/she might typically encounter while on duty | | | ✓ |
| J. Does recruit identify the substance(s) in schedule V that he/she might typically encounter while on duty | | | ✓ |
| **Identification of different classifications of CDS:** | | | |
| A. Does recruit demonstrate the ability to identify different types of Inhalants, who uses them, and their effects | | | ✓ |
| B. Does recruit demonstrate the ability to identify different types of Hallucinogens, who uses them, and their effects | | | ✓ |
| C. Does recruit demonstrate the ability to identify different types of Depressants, who uses them, and their effects | | | ✓ |

FTO EVALUATION - CONTROLLED DANGEROUS SUBSTANCES

This form will be retained in the MP/Officer's field training packet with any other supporting documentation.

| | Sat | Unsat | Not Observed |
|---|---|---|---|
| D. Does recruit demonstrate the ability to identify different types of Stimulants, who uses them, and their effects | | | ✓ |
| E. Does recruit demonstrate the ability to identify different types of Cannabis, who uses them, and their effects | | | ✓ |
| F. Does recruit demonstrate the ability to identify different types of Narcotics, who uses them, and their effects | | | ✓ |
| G. Does recruit demonstrate the ability to identify different types of Alcohol, who uses them, and their effects | | | ✓ |

**Specific drugs:**

A. Does recruit demonstrate the ability to identify the CDS listed below, including street names, how it is packaged, physical characteristics, how it is taken, and associated paraphernalia (if applicable):

| | | | |
|---|---|---|---|
| Amphetamines (Dexedrine/Benzedrine): ( stimulant: "bennies", "uppers", "pink hearts", "black beauties") | | | ✓ |
| Barbiturates (Seconal/Nembutal): (depressant / sedative hypnotic: "downers", "yellow jackets", "blue devils") | | | ✓ |
| Cocaine: (stimulant: "coke", "snow", "blow", "toot") | | | ✓ |
| Crack cocaine: (stimulant: "rock", "stones", "teeth") | | | ✓ |
| Ecstacy (Methylenedioxymethamphetamine aka MDMA): (stimulant: "xtc", "adam", "eve", "essence") | | | ✓ |
| GHB (Gammahydroxybutyrate): (depressant: "Georgia home boy", "liquid X") | | | ✓ |
| Hashish (Cannabis Sativa resin): (depressant: "soles", "quarter moon") | | | ✓ |
| Hashish oil (Cannabis Sativa oil): (depressant: "crystal tea") tea") | | | ✓ |
| Heroin: (narcotic: Diacetyl Morphine): "smack", "horse" "junk", "H") | | | ✓ |
| Ketamine (Ketamine Hydrochloride): (hallucinogen: "special K", "jet") | | | ✓ |

FTO EVALUATION - CONTROLLED DANGEROUS SUBSTANCES

This form will be retained in the MP/Officer's field training packet with any other supporting ocumentation.

CONTROLLED DANGEROUS SUBSTANCES

| | Sat | Unsat | Not Observed |
|---|---|---|---|
| Librium/Valium (Benzodiazepines): (depressant / sedative sedative-hypnotic: "lib", "V") | | | ✓ |
| LSD (Lysergic Acid Diethylamide): (hallucinogen: "acid", "Lucy in the sky with diamonds", "microdots") | | | ✓ |
| Marijuana (Cannabis Sativa): (depressant: "pot", "grass", "weed", "herb", "chronic", "KGB", "420") | | | ✓ |
| Methamphetamine (Methadrine): (stimulant: "speed", "crank", "crystal", "ice", "glass") | | | ✓ |
| Mushrooms (Psilocybin/Psilocyn): (hallucinogen: "shrooms", "magic mushrooms", "silly putty") | | | ✓ |
| PCP (Phencyclidine): (hallucinogen: "angel dust", "rocket fuel", "boat", "STP", "gorilla biscuits") | | | ✓ |
| Rohypnol (Flunitrazipam): (depressant / sedative - hypnotic: "R-2", "ruffies", "circles", "forget pill") | | | ✓ |
| B. Has recruit attended a controlled Marijuana burn | ✓ | | |
| C. Is recruit familiar with the date rape drug Rohypnol (ruffies), and Gammahydroxybutyrate (GHB) | | | ✓ |

**COMMENTS**

[redacted] SAID SHE WAS NOT TRAINED BY THE FTO IN THIS SUBJECT....

TITLE US CODE?? I DON'T KNOW

ARTICLE 27 SEC 286/287 – DON'T KNOW

MARIJUANA BURN @ ABC ACADEMY.

Training Officer:

MP/Officer Signature / Date

Training Officer Signature/ Date

FTO EVALUATION - CONTROLLED DANGEROUS SUBSTANCES

This form will be retained in the MP/Officer's field training packet with any other supporting documentation.

# POLICE COMMUNICATIONS

MP/OFFICER: _____ DATE: 5 Nov 04

TRAINING OFFICER: _____

| Two-way radio: | Sat | Unsat | Not Observed |
|---|---|---|---|
| A. Is recruit familiar with the department policy on police communications | ✓ | | |
| B. Does recruit know the basic radio channels and their use | [redacted] | | |
| C. Does recruit understand the proper procedure for communicating over the two-way radio | ✓ | | |
| D. Does recruit send a message using the following procedure: | | | |
| Depress transmit button | ✓ | | |
| Pause for a second | ✓ | | |
| Identify unit who recruit wants to contact | ✓ | | |
| Recruit identifies themselves | ✓ | [redacted] | |
| After contacted unit identifies themselves, recruit sends message | ✓ | | |
| E. Does recruit utilize the military phonetic alphabet | | ✓ | |
| F. Are recruit's messages clear, concise, and professional | | ✓ | |

COMMENTS

SEE ATTACHED REPORT

TAC 1 - STANDARD CHANNEL
TAC 2 - SECURITY GUARDS
TAC 3 - TALK AROUND (ACTUALLY TRAFFIC)

KNOWS PHONETICS, BUT DOESN'T ALWAYS USE THEM - EXCEPT "N" - NANCY
U = UMBRELLA,

Training Officer:

_____
MP/Officer Signature / Date

_____
Training Officer Signature/ Date

FTO EVALUATION - POLICE COMMUNICATOINS
This form will be retained in the MP/Officer's field training packet with any other supporting documentation.

MP/OFFICER: _____ DATE: _____

TRAINING OFFICER: _____

| Community policing: | Sat | Unsat | Not Observed |
|---|---|---|---|
| A. Is recruit familiar with the department policy on Community Oriented Policing | | | ✓ |
| B. Does recruit understand the concept of Community Oriented Policing | | ✓ | |
| C. Does recruit take the time to initiate contact with citizens in the community he/she is working in | | ✓ | |
| D. Does recruit remain approachable to citizens | | ✓ | [redacted] |
| E. Does recruit listen to the complaints, needs, and requests of citizens, and take steps to act on them | | | ✓ |
| F. Does recruit keep citizens updated with progress regarding their complaints, needs, and requests | | | ✓ |
| G. If recruit cannot help the citizen with their complaint, does he/she work to find the resource that can help them, and direct them to that resource | | | ✓ |

COMMENTS

COMMUNITY ORIENTED POLICING - OFFICER CONTACT W/INDIVIDUAL PATROLLING, BASICALLY BEING NEUTRAL. "I WANNA GUESS -

Training Officer:

MP/Officer Signature / Date

Training Officer Signature/ Date

FTO EVALUATION - COMMUNITY ORIENTED POLICING
This form will be retained in the MP/Officer's field training packet with any other supporting documentation.

# WEAPON CLEANING AND MAINTANENCE

MP/OFFICER: _____ DATE: _____

TRAINING OFFICER: _____

| Cleaning of duty weapon: | Sat | Unsat | Not Observed |
|---|---|---|---|
| A. Is recruit familiar with the department policy on the cleaning of duty weapons | ✓ | | |
| B. Is recruit able to identify the components of the Beretta M9 handgun | | ✓ | |
| C. Does recruit demonstrate the ability to breakdown the Beretta M9 handgun | ✓ | | |
| D. Does recruit satisfactorily clean his/her duty weapon | | | ✓ |
| E. Does recruit demonstrate the ability to correctly reassemble his/her duty weapon | ✓ | | |
| F. Is recruit able to perform a function check to his/her duty weapon upon reassembly | | ✓ | |
| G. Does recruit demonstrate the ability to safely and properly load/unload his/her duty weapon | ✓ | | |
| **Maintanence of duty weapons:** | | | |
| A. Is recruit familiar with the department policy on maintanence of duty weapons | ✓ | | |
| B. Does recruit demonstrate the ability to safely clear simple malfunctions of his/her duty weapon (i.e., stovepipes, doublefeeds, misfired rounds) on the range | | | ✓ |
| C. Does recruit immediately notify his/her supervisor if he/she experiences a serious malfunction of his/her weapon | ✓ | | |

FTO EVALUATION - WEAPON CLEANING AND MAINTANENCE

This form will be retained in the MP/Officer's field training packet with any other supporting documentation.

WEAPON CLEANING AND MAINTANENCE

| | Sat | Unsat | Not Observed |
|---|---|---|---|
| D. Does recruit contact a certified armorer for any maintanence needs except simple malfunctions | | | |
| E. Does recruit understand that he/she will not disassemble his/her duty weapon beyond the level of cleaning at any time | | | |
| F. Does recruit ensure that his/her duty weapon is safe before he/she turns it over to the armorer | | | |

COMMENTS

Training Officer:

MP/Officer Signature / Date

Training Officer Signature/ Date

FTO EVALUATION - WEAPON CLEANING AND MAINTANENCE
This form will be retained in the MP/Officer's field training packet with any other supporting documentation.

CRIME PREVENTION

MP/OFFICER: _____ DATE: _____

TRAINING OFFICER: _____

| Crime Prevention Techniques: | Sat | Unsat | Not Observed |
|---|---|---|---|
| A. Does recruit understand the omnipresence concept | | ✓ | |
| B. Does recruit vary his/her patrol routes to deter criminal activity | | ✓ | |
| C. Does recruit identify situations which promote or increase the possibility/probability of criminal activity | | | ✓ |
| D. Upon identifying situations which promote criminal activity, does the recruit make on the spot corrections, or contact the appropriate agency in order to correct the deficiency | | | ✓ |
| E. Does recruit determine the types of criminal activity that occur in the various communities | | | ✓ |
| F. Does recruit demonstrate how to conduct a home security survey | | | ✓ |
| G. Does recruit understand the various problems, as they relate to criminal activity, with the following items: | | | |
| Bushes, shrubs, and trees | | | ✓ |
| Various types of windows | | | ✓ |
| Various types of doors | | | ✓ |
| Lack of lighting | | | ✓ |
| Leaving mail and newspapers lying around | | | ✓ |
| Leaving property unsecured | | | ✓ |

FTO EVALUATION - CRIME PREVENTION

This form will be retained in the MP/Officer's field training packet with any other supporting documentation.

| | Sat | Unsat | Not Observed |
|---|---|---|---|
| H. Does recruit understand how the following help prevent crimes from occurring: | | | |
| Mechanical devices | | | ✓ |
| Flood lights/proper lighting | | | ✓ |
| Public awareness | | | ✓ |
| Securing property | | | ✓ |
| Marking property | | | ✓ |
| Knowing the people who live in your community | | | ✓ |

COMMENTS

MP/Officer Signature / Date

Training Officer Signature/ Date

Training Officer:

FTO EVALUATION - CRIME PREVENTION
This form will be retained in the MP/Officer's field training packet with any other supporting documentation.

LOW RISK TRAFFIC STOP

MP/OFFICER: _____ DATE: 10 NOV 04

TRAINING OFFICER: _____

| | Sat | Unsat | Not Observed |
|---|---|---|---|
| **Effecting traffic stop:** | | | |
| A. Does recruit observe a traffic violation, or does he/she have a reason for a stop | ✓ | | |
| B. Does recruit select an appropriate location to stop vehicle | ✓ | | |
| C. Does recruit activate emergency equipment, and gain the attention of the operator | | ✓ | |
| D. Does recruit advise Patriot of stop, with a complete description of vehicle and location of stop | ✓ | | |
| E. Does recruit maintain 15 - 20 feet distance between his/her patrol vehicle, and subject vehicle | ✓ | | |
| F. Does recruit provide a safety zone for him/herself and the subject, by positioning the patrol vehicle to the left of the subject's vehicle | | ✓ | |
| G. Does recruit illuminate the subject vehicle (as required) | | ✓ | |
| **Approaching vehicle:** | | | |
| A. Does recruit write registration number on notepad | | ✓ | |
| B. Does recruit maintain visual contact with occupants | | ✓ | |
| C. Does recruit check traffic before exiting vehicle | ✓ | | |
| D. Does recruit keep weapon hand free during approach of the subject vehicle | | | ✓ |
| E. Does recruit walk within established safety zone | | ✓ | |
| F. Does recruit check trunk lid, and interior upon approach | | ✓ | |
| G. Does recruit position him/herself behind the driver's door, with his/her weapon side away from subject | ✓ | | |

FTO EVALUATION - LOW RISK TRAFFIC STOP

This form will be retained in the MP/Officer's field training packet with any other supporting documentation.

LOW RISK TRAFFIC STOP

| | Sat | Unsat | Not Observed |
|---|---|---|---|
| **Making contact with violator:** | | | |
| A. Does recruit identify him/herself, and request violator's driver's license and registration information | ✓ | | |
| B. Does recruit advise violator of the reason for the stop | ✓ | | |
| C. Does recruit instruct the violator to remain in their vehicle | ✓ | | |
| D. Does recruit maintain control of violators movements at all times | ✓ | | |
| E. Does recruit receive only the requested documents, and visually verify their authenticity | ✓ | | |
| **Completion of citations:** | | | |
| A. Does recruit remain in the safety zone while returning to the patrol vehicle | | ✓ | |
| B. Does recruit maintain periodic visual contact with violator | | ✓ | |
| C. Does recruit utilize radio to request MVA information, as well as clarifying any inconsistencies with violators documentation | ✓ | | |
| D. Does recruit utilize his/her discretion where appropriate | ✓ | | |
| E. Does recruit correctly identify violation IAW Maryland Traffic Law, as well as collateral for the violation | ✓ | | |
| F. Does recruit correctly complete appropriate citations, or other documents | | ✓ | |
| G. Does recruit document statements and/or observations on the back of citation, or in his/her notebook | ✓ | | |
| H. Does recruit verify the accuracy of citation(s)/documents | | ✓ | |
| **Issuing citations and clearing traffic stop:** | | | |
| A. Does recruit check traffic before exiting his/her vehicle | ✓ | | |
| B. Does recruit keep his/her weapon hand free | ✓ | | |
| C. Does recruit recheck interior of subject vehicle upon approach | | ✓ | |

FTO EVALUATION - LOW RISK TRAFFIC STOP

This form will be retained in the MP/Officer's field training packet with any other supporting documentation.

## LOW RISK TRAFFIC STOP

| | Sat | Unsat | Not Observed |
|---|---|---|---|
| D. Does recruit position him/herself behind the driver's door, with his/her weapon side away from subject | ✓ | | |
| E. Does recruit maintain control of violators movements at all times | ✓ | | |
| F. Does recruit explain citations/documentation, as well as payment/trial options to violator | | ✓ | |
| G. Does recruit issue the violator his/her copy of citations/documentation | ✓ | | |
| H. Does recruit return drivers license and registration to the violator | | ✓ | |
| I. Does recruit answer any reasonable questions that the violator may have | ✓ | | |
| J. Does recruit assist violator in getting his/her vehicle back into traffic (if required) | | ✓ | |

COMMENTS

MP/Officer Signature / Date

Training Officer Signature/ Date

Training Officer:

FTO EVALUATION - LOW RISK TRAFFIC STOP

s form will be retained in the MP/Officer's field training packet with any other supporting mentation.

# HIGH RISK TRAFFIC STOP

MP/OFFICER: _____ DATE: _____

TRAINING OFFICER: _____

| Effecting traffic stop: | Sat | Unsat | Not Observed |
|---|---|---|---|
| A. Does recruit observe a traffic violation, or does he/she have a reason for a stop | ✓ | | |
| B. Does recruit advise Patriot of the situation, with a complete description of vehicle and location | | ✓ | |
| C. Does recruit request back-up units, and wait for their arrival | | ✓ | |
| D. Does recruit coordinate the stop with other responding units | | ✓ | |
| E. If recruit is unable to wait for back-up units, does he/she select an appropriate location for a stop | | | ✓ |
| F. If recruit is unable to wait for back-up, does he/she activate emergency equipment, and gain the attention of the operator | ✓ | | |
| G. Does recruit maintain 30 feet distance between his/her patrol car, and subject vehicle after effecting the stop | | ✓ | |
| H. Does recruit provide a safety zone for him/herself and the general public by positioning the patrol car to the left of the subject's vehicle | | ✓ | |
| I. Does recruit illuminate the subject vehicle (as necessary) | | | ✓ |
| J. Does recruit give the operator and other occupants of the vehicle clear, concise instructions to remain in the vehicle with their hands in a place where the recruit can see them | | ✓ | |
| K. Does recruit wait for back-up units to arrive prior to approaching subject vehicle | | ✓ | |

FTO EVALUATION - HIGH RISK TRAFFIC STOP

This form will be retained in the MP/Officer's field training packet with any other supporting documentation.

HIGH RISK TRAFFIC STOP

| | Sat | Unsat | Not Observed |
|---|---|---|---|
| L. Does recruit write down descriptive information of vehicle, and keep Patriot advised of his/her situation at all times | | ✓ | |
| M. Does recruit exit his/her patrol car and take a position of safety while waiting for back-up | | ✓ | |
| N. Does recruit maintain visual contact with occupant(s) | ✓ | | |
| O. For his/her personal safety, does recruit keep duty weapon trained on occupant(s) of subject vehicle | ✓ | | |
| **Extracting vehicle occupants:** | | | |
| A. Does recruit ensure that all units on scene know their role during vehicle extraction | | ✓ | |
| B. Utilizing the patrol car PA, does recruit verbally identify the specific occupant he/she wants to remove from the subject vehicle | | ✓ | |
| C. Utilizing verbal commands, does recruit safety extract subject from the vehicle, and place them in a position of disadvantage, or safely walk them back to his/her location | | ✓ | |
| D. Does recruit communicate with the cover officer and the arresting officer in order to secure the subject | | ✓ | |
| E. Once the subject is secure and removed from the scene, does recruit continue removing occupants from the subject vehicle in the same manner | | | ✓ |
| F. Does recruit ensure that an overwatch officer maintains control and custody of all removed subjects in a secure area | | ✓ | |
| **Approaching vehicle:** | | | |
| A. Before assigning an approach officer, does recruit give verbal commands via patrol car PA for any other occupants, hidden or not, to show themselves | | ✓ | [redacted] |

FTO EVALUATION - HIGH RISK TRAFFIC STOP

This form will be retained in the MP/Officer's field training packet with any other supporting documentation.

HIGH RISK TRAFFIC STOP

| | Sat | Unsat | Not Observed |
|---|---|---|---|
| B. Does recruit assign an approach, and cover officer to approach the subject vehicle, to ensure there are no more occupants (hidden or visible) | | ✓ | |
| C. If recruit is the approach or cover officer, does he/she approach the rear of the subject vehicle in a safe manner, with weapon drawn | | ✓ | |
| D. Do recruit and cover/approach officer safely clear the subject vehicle of any dangers, including any hidden occupant(s) | | ✓ | |
| E. If the interior of the vehicle is clear, do recruit and cover/approach officer tactfully return to the trunk of the vehicle to open and clear it. | | ✓ | [redacted] |
| F. If the trunk of the subject vehicle is clear, do recruit and cover/approach officer advised Patriot and all support units | | ✓ | |
| G. If the interior of the vehicle is not clear of occupants, do recruit and/or cover/approach officer give strong verbal commands for occupant(s) to exit the vehicle slowly, with their hands in a position that the officer can see | | | ✓ |
| H. Do recruit and/or cover/approach officer secure occupant(s) as they exit the vehicle, and remove them from the scene | | [redacted] | ✓ |
| I. If the occupant(s) refuse to exit the subject vehicle, do recruit and cover/approach officer physically remove occupant(s) in a manner that ensures their safety | | | ✓ |
| J. After securing all occupants of the subject vehicle, does recruit conduct the proper search based on probable cause, exigent circumstance, Carroll doctrine,.....etc..... | | ✓ | |
| **Clearing scene:** | | | |
| A. Does recruit secure any evidence at the scene, to include the vehicle (if required) | | ✓ | |

FTO EVALUATION - HIGH RISK TRAFFIC STOP

This form will be retained in the MP/Officer's field training packet with any other supporting documentation.

## HIGH RISK TRAFFIC STOP

| | Sat | Unsat | Not Observed |
|---|---|---|---|
| B. Does recruit assign an approach, and cover officer to approach the subject vehicle, to ensure there are no more occupants (hidden or visible) | | ✓ | |
| C. If recruit is the approach or cover officer, does he/she approach the rear of the subject vehicle in a safe manner, with weapon drawn | | ✓ | |
| D. Do recruit and cover/approach officer safely clear the subject vehicle of any dangers, including any hidden occupant(s) | | ✓ | |
| E. If the interior of the vehicle is clear, do recruit and cover/approach officer tactfully return to the trunk of the vehicle to open and clear it. | | ✓ | [redacted] |
| F. If the trunk of the subject vehicle is clear, do recruit and cover/approach officer advised Patriot and all support units | | ✓ | |
| G. If the interior of the vehicle is not clear of occupants, do recruit and/or cover/approach officer give strong verbal commands for occupant(s) to exit the vehicle slowly, with their hands in a position that the officer can see | | | ✓ |
| H. Do recruit and/or cover/approach officer secure occupant(s) as they exit the vehicle, and remove them from the scene | | [redacted] | ✓ |
| I. If the occupant(s) refuse to exit the subject vehicle, do recruit and cover/approach officer physically remove occupant(s) in a manner that ensures their safety | | | ✓ |
| J. After securing all occupants of the subject vehicle, does recruit conduct the proper search based on probable cause, exigent circumstance, Carroll doctrine,.....etc..... | | ✓ | |

Clearing scene:

| | | | |
|---|---|---|---|
| A. Does recruit secure any evidence at the scene, to include the vehicle (if required) | | ✓ | |

FTO EVALUATION - HIGH RISK TRAFFIC STOP

his form will be retained in the MP/Officer's field training packet with any other supporting ocumentation.

HIGH RISK TRAFFIC STOP

| | Sat | Unsat | Not Observed |
|---|---|---|---|
| B. Does recruit obtain all necessary paperwork from support units, to include statements | | | ✓ |
| C. Does recruit ensure that he/she has personal information and statements from all vehicle occupants and witnesses | | | ✓ |
| D. Does recruit orchestrate the transport and/or release of vehicle occupants as required to facilitate his/her investigation (including arresting violators) | | | ✓ |
| E. Does recruit conduct a final walkthrough of the scene, ensuring that the scene is cleared | | | ✓ |

COMMENTS

MP/Officer Signature / Date

Training Officer Signature/ Date

Training Officer:

FTO EVALUATION - HIGH RISK TRAFFIC STOP
This form will be retained in the MP/Officer's field training packet with any other supporting documentation.

PATROL FUNCTION

MP/OFFICER: _____ DATE: Sunny

TRAINING OFFICER: _____

| Patrol fundamentals: | Sat | Unsat | Not Observed |
|---|---|---|---|
| A. Does recruit demonstrate the proper procedure to check the condition and status of assigned equipment and vehicle | ✓ | | |
| B. Does recruit know the patrol sectors | ✓ | | |
| C. Is recruit familiar with the major points of interest in each of the patrol sectors | ✓ | | |
| D. Does recruit know the location of all points of security interest in the patrol sectors | ✓ | | |
| E. Does recruit demonstrate the ability to respond from one location to another, utilizing the most direct route | | ✓ | |
| F. Is recruit familiar with all the housing areas on post, including schools, religious buildings, and shopping centers | | ✓ | |
| G. Does recruit know the location of all entry/ exit points, and their corresponding call signs | ✓ | | |
| H. Does recruit proactively patrol sectors, utilizing foot and vehicle patrols | | ✓ | |
| I. Does recruit demonstrate community policing techniques, by availing him/herself to the communities needs | | ✓ | |
| J. Does recruit demonstrate omnipresence by varing patrol routes, and avoid setting patrol patterns | | ✓ | |

FTO EVALUATION - PATROL FUNCTION

This form will be retained in the MP/Officer's field training packet with any other supporting documentation.

| | Sat | Unsat | Not Observed |
|---|---|---|---|
| K. Does recruit respond appropriately to incidents that develop in his/her presence | | | ✓ |
| L. Does recruit demonstrate a positive, patient, and non-combative attitude in dealing with the community | ✓ | | |
| M. Is recruit confident in his/her ability to apply their training, knowledge, and experience to the challenges of patrol work | | ✓ | |
| **Responding to calls for service:** | | | |
| A. Does recruit acknowledge the call, and respond in a timely fashion | | ✓ | |
| B. Does recruit coordinate his/her needs with Patriot, including extra patrol units, and specialized units/equipment | | ✓ | |
| C. Does recruit respond in a timely fashion, by the most direct route | | ✓ | |
| D. Does recruit respond in the safest manner based on the type of call | ✓ | | |
| E. Upon arrival to incident, does recruit park his/her vehicle in a safe location, and is it parked in a manner that does not interfere with the scene | ✓ | | |
| F. Does recruit demonstrate a safe approach to the scene, remaining aware of dangers to him/herself, other officers, the public, and persons involved in the incident | | | ✓ |
| G. Does recruit demonstrate a safe approach to a door | | | ✓ |
| H. Does recruit demonstrate a safe approach to a vehicle | | ✓ | |
| I. Does recruit demonstrate a safe position when knocking on a door, as well as when entering a location | | | ✓ |

FTO EVALUATION - PATROL FUNCTION

This form will be retained in the MP/Officer's field training packet with any other supporting ocumentation.

## PATROL FUNCTION

| | Sat | Unsat | Not Observed |
|---|---|---|---|
| J. Does recruit make contact with the complainant and ascertain the nature of the call | ✓ | | |
| K. Does recruit begin his/her investigation, upon identifying the type of incident | ✓ | | |
| L. Does recruit have all necessary forms and paperwork to facilitate the investigation of any incident he/she is called to | | | ✓ |
| M. Does recruit resolve basic calls for service expeditiously, utilizing discretion where appropriate | [redacted] | ✓ | |
| **Clearing a scene:** | | | |
| A. Does recruit ensure the needs of complainant are met prior to clearing a scene | ✓ | | |
| B. Does recruit inform Patriot when clearing a scene | | ✓ | |

### COMMENTS

[redacted] KNOWS WHAT TO CHECK FOR ON PMCS, BUT DOESN'T PRACTICE IT.

Training Officer:

MP/Officer Signature / Date

Training Officer Signature/ Date

FTO EVALUATION - PATROL FUNCTION

This form will be retained in the MP/Officer's field training packet with any other supporting documentation.

# OPERATION OF EMERGENCY VEHICLES

MP/OFFICER: _____ DATE: _____

TRAINING OFFICER: _____

| | Sat | Unsat | Not Observed |
|---|---|---|---|
| **Inspection of police vehicle:** | | | |
| A. Is recruit familiar with department SOP regarding the safe operation of police vehicles | | ✓ | |
| B. Has recruit obtained a MDW Form 346: Drivers License | ✓ | | |
| C. Has recruit completed an Emergency Vehicle Operators Course | ✓ | | |
| D. Does recruit conduct PMCS prior to operating vehicle | | ✓ | |
| E. Does recruit complete a PMO Form 143 - R (inspection checklist) | | | ✓ |
| **Operating police vehicle:** | | | |
| A. Does recruit don his/her seat belt prior to operating the police vehicle | ✓ | | |
| B. Does recruit familiarize him/herself with the location of the emergency equipment in that particular vehicle | ✓ | | |
| C. Does recruit drive the vehicle in a safe, courteous manner, obeying all traffic laws, during routine operations | | ✓ | |
| D. Does recruit drive the vehicle in a safe manner, exhibiting due regard for all traffic laws (as required), during emergency responses | | | ✓ |
| E. Does recruit respond to the call utilizing the correct code, based on the nature of the call | | | ✓ |

TO EVALUATION - OPERATION OF EMERGENCY VEHICLES

his form will be retained in the MP/Officer's field training packet with any other supporting documentation.

# OPERATION OF EMERGENCY VEHICLES

| | Sat | Unsat | Not Observed |
|---|---|---|---|
| F. Does recruit understand that utilizing emergency equipment does not automatically entitle him/her to the right of way during responses | | ✓ | |
| **Turn in procedure:** | | | |
| A. Does recruit ensure the vehicle is clean (in/out) prior to returning to station | ✓ | | |
| B. Does recruit ensure the vehicle has a full tank of gas upon returning it | ✓ | | |
| C. Does recruit turn the keys over to the Patrol Supervisor upon his/her return to station | ✓ | | |
| D. Does recruit correct any vehicle deficiencies as directed by the Patrol Supervisor | | | ✓ |

## COMMENTS

* FEELS THAT WHILE RESPONDING IN CODE, OTHER MOTORISTS KNOW TO GET OUT OF THE WAY & THAT SHE HAS RIGHT OF WAY.

Training Officer:

MP/Officer Signature / Date

Training Officer Signature/ Date

FTO EVALUATION - OPERATION OF EMERGENCY VEHICLES
This form will be retained in the MP/Officer's field training packet with any other supporting documentation.

# REPORT WRITING

MP/OFFICER: _____ DATE: _____

TRAINING OFFICER: _____

| | Sat | Unsat | Not Observed |
|---|---|---|---|
| **Gathering information:** | | | |
| A. Does recruit take legible notes that he/she can easily understand while on a scene | | ✓ | |
| B. Does recruit take notes in a chronological fashion (when possible) | | ✓ | |
| C. Does recruit coordinate with other officers/units to accommodate the collection of information vital to the case | | | ✓ |
| D. Does recruit collect notes from all other sources in order to write a competent report | | | ✓ |
| E. Does recruit collect statements from victims, witnesses, and suspects | ✓ | | |
| F. Does recruit obtain photographs of the scene for use in his/her report (if possible/practical) | | | ✓ |
| G. Before clearing the scene, does recruit ensure that he/she has all pertinent information, including working callback numbers for all parties involved | | ✓ | |
| **Writing report:** | | | |
| A. Does recruit peruse all of his/her notes and information before writing the report to allow him/her to understand all aspects of the incident | | ✓ | |
| B. Does recruit organize his/her thoughts prior to beginning | | | ✓ |
| C. Does recruit clear up any confusing/conflicting information by re-contacting persons involved | | | ✓ |

FTO EVALUATION - REPORT WRITING

This form will be retained in the MP/Officer's feild training packet with any other supporting documentation.

## REPORT WRITING

| | Sat | Unsat | Not Observed |
|---|---|---|---|
| D. Does recruit write a chronological report, that is clear, concise, and accurate | | ✓ | |
| E. Does recruit satisfy (as completely as possible) the who; what, when, where, why, and how of the case | ✓ | | |
| F. Does recruit organize any supplementary paperwork, and include it in the finished product | | | ✓ |
| G. Does recruit submit his/her report to the Desk Sergeant for final approval, making any required changes/corrections as directed by the Desk Sergeant | ✓ | | |

### COMMENTS

_____

_____

_____

_____

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_____

_____

_____

Training Officer:

_____

MP/Officer Signature / Date

_____

Training Officer Signature/ Date

FTO EVALUATION - REPORT WRITING

This form will be retained in the MP/Officer's feild training packet with any other supporting documentation.

# COURT PROCEDURE

MP/OFFICER: _____ DATE: _____

TRAINING OFFICER: _____

| Court: | Sat | Unsat | Not Observed |
|---|---|---|---|
| A. Is recruit familiar with the location of Magistrates Court at Fort Meade | | | ✓ |
| B. Has recruit met the Magistrate, State's Attorney, and JAG Officers | | | ✓ |
| C. Is recruit familiar with the location of the District Court in downtown Baltimore | | | ✓ |
| D. Has recruit observed court procedures at Fort Meade | ✓ | | |
| E. Does recruit have a working knowledge of how the court operates as it relates to Fort Meade | | | ✓ |
| **Hearings and trials:** | | | |
| A. Does recruit arrive prior to the time any hearings/trials he/she has been summonsed to are scheduled to begin | | | ✓ |
| B. Does recruit familiarize him/herself with the case(s) he or she will be involved with PRIOR to hearing/trial | | | ✓ |
| C. Does recruit make contact with prosecuting attorney(s) prior to the hearing/trial so he/she knows what will occur during the trial | | | ✓ |
| D. Does recruit ensure that he/she brings all relevant material to court, including notes, reports, and certificates (as necessary) | | | ✓ |
| E. Does recruit ensure that he/she is in full uniform at court | | | ✓ |

FTO EVALUATION - COURT PROCEDURE

This form will be retained in the MP/Officer's feld training packet with any other supporting documentation.

## COURT PROCEDURE

| | Sat | Unsat | Not Observed |
|---|---|---|---|
| F. Does recruit maintain professionalism while giving testimony | | | ✓ |
| G. During testimony, does recruit give direct, truthful answers | | | ✓ |
| H. Does recruit comply with any directions issued from the bench | | | ✓ |
| I. Does recruit avoid offering information, or opinions, unless asked for them | | | ✓ |
| J. Does recruit remain on the stand until directed to leave | | | ✓ |
| K. After giving testimony, does recruit remain at court unless excused by the prosecuting attorney | | | ✓ |

COMMENTS

MP/Officer Signature / Date

Training Officer Signature/ Date

Training Officer:

FTO EVALUATION - COURT PROCEDURE

This form will be retained in the MP/Officer's feld training packet with any other supporting documentation.

CRIMINAL LAW

MP/OFFICER: _____ DATE: _____

TRAINING OFFICER: _____

| | Sat | Unsat | Not Observed |
|---|---|---|---|
| **Federal Criminal Code:** | | | |
| A. Does recruit know the elements of a crime | | | ✓ |
| B. Has recruit perused the Federal Criminal Code | | | ✓ |
| C. Is recruit able to navigate and locate the most widely used articles of Title 18 & 21 U.S.C. | | | ✓ |
| D. Does recruit have a working knowledge of the most common violations of Title 18 & 21 U.S.C. | | ✓ | |
| **Uniform Code of Military Justice:** | | | |
| A. Does recruit know the elements of a crime | | | ✓ |
| B. Has recruit perused the U.C.M.J., and the Manual for Courts Martial | | | ✓ |
| C. Is recruit able to navigate and locate the most widely used articles the U.C.M.J. | | | ✓ |
| D. Does recruit know the punitive articles of the U.C.M.J. | | | ✓ |
| E. Does recruit have a working knowledge of the most common violations of the U.C.M.J. | | | ✓ |
| **Annotated Code of Maryland:** | | | |
| A. Does recruit know the elements of a crime | | | ✓ |
| B. Has recruit perused Art. 27, Annotated Code of Maryland | | | ✓ |
| C. Is recruit able to navigate and locate the most widely used articles of the Annotated Code of Maryland | | | ✓ |
| D. Does recruit have a working knowledge of the most common violations of Art 27, Annotated Code of Maryland | | | ✓ |
| **Maryland Digest of Criminal Law:** | | | |
| A. Does recruit know the elements of a crime | | | ✓ |

FTO EVALUATION - CRIMINAL LAW

his form will be retained in the MP/Officer's field training packet with any other supporting documentation.

## CRIMINAL LAW

| | Sat | Unsat | Not Observed |
|---|---|---|---|
| B. Has recruit perused the Maryland Digest of Criminal Law | | | ✓ |
| C. Is recruit able to navigate and locate the most widely used articles of the Digest of Criminal Laws | | | ✓ |
| D. Does recruit have a working knowledge of the most common violations of the Annotated Code of Maryland | | | ✓ |
| E. Does recruit know the common law felonies | | | ✓ |
| **Application of criminal law:** | | | |
| A. Does recruit identify the correct crime committed | | | ✓ |
| B. Does recruit utilize Title 18 and/or 21 U.S.C. first | | | ✓ |
| C. If violator is a military member, does recruit initially utilize the U.C.M.J. | | | ✓ |
| D. Is recruit familiar with the Assimilative Crimes Act of 1948 | ✓ | | |
| E. If violation is not located in the Federal Criminal Code, does recruit assimilate the act to Maryland criminal laws | | | ✓ |
| F. Does recruit assimilate the correct crime | | | ✓ |
| G. Does recruit document the assimilation of a crime | | | ✓ |

COMMENTS

MP/Officer Signature / Date

Training Officer Signature/ Date

Training Officer:

ETO EVALUATION - CRIMINAL LAW

This form will be retained in the MP/Officer's field training packet with any other supporting documentation.

FORT MEADE PROVOST MARSHAL'S FIELD TRAINING PROGRAM

MARYLAND VEHICLE LAW

MP/OFFICER: _____ DATE: _____

TRAINING OFFICER: _____

| Access control point: | Sat | Unsat | Not Observed |
|---|---|---|---|
| A. Has recruit perused the Maryland Vehicle Law | | ✓ | ✓ |
| B. Is recruit able to navigate and locate the most widely used Titles of the Maryland Vehicle Law | ✓ | | |
| C. Does recruit have a working knowledge of the following Titles of the Maryland Vehicle Law: | | | |
| Title 11 (Definitions) CAN DOESN'T KNOW WHAT DEFINITIONS ARE. | ✓ | | |
| Title 13 (Registration) LICENSE/REGISTRATION | | ✓ | |
| Title 16 (Drivers' Licenses) REGISTRATION | | ✓ | |
| Title 19 (Civil Liability of Gov't Agencies) LIABILITY HAVING TO DO W/ TRAFFIC. | | ✓ | |
| Title 20 (Accidents) ACCIDENTS/REPORTS | ✓ | | |
| Title 21 (Rules of the Road) RULES OF ROAD | ✓ | | |
| Title 22 (Equipment of Vehicles) EQUIPMENT | ✓ | | |
| Title 25 (Respective Powers of State & Local Authorities) | | ✓ | |
| Title 27 (Penalties; Disposition of Fines & Forfeitures) | | ✓ | |
| D. Does recruit understand how to assimilate the Maryland Vehicle Law, as well as how it's documented | ✓ | | |
| E. Is recruit aware of the difference between the Maryland Vehicle Law and the collateral book issued to him/her | ✓ | | |

CANNOT ASSIMILATE violation in appropriate block on LEOS

TO EVALUATION - MARYLAND VEHICLE LAW

This form will be retained in the MP/Officer's field training packet with any other supporting documentation.

## MARYLAND VEHICLE LAW

| | Sat | Unsat | Not Observed |
|---|---|---|---|
| F. Does recruit demonstrate the ability to properly identify a violation based on the elements of the infraction | ✓ | | |
| G. Is recruit knowledgeable of the difference between a primary and a secondary infraction | | ✓ | |
| H. Does recruit understand the difference between a mandatory appearance and a collateral infraction | ✓ | | |
| I. Is recruit knowledgeable of which infractions are arrestable offenses | ✓ | | |
| J. Is recruit familiar with the driver's license points system | | | ✓ |
| K. Is recruit familiar with the Rules of the Road, and how they apply to him/her while operating an emergency vehicle | | ✓ | |

COMMENTS

_____

_____

_____

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_____

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_____

_____

_____

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_____

Training Officer:

_____

MP/Officer Signature / Date

_____

Training Officer Signature/ Date

TO EVALUATION - MARYLAND VEHICLE LAW

his form will be retained in the MP/Officer's field training packet with any other supporting documentation.

# SEARCH PROCEDURE

MP/OFFICER: _____ DATE: 5 NOV 04

TRAINING OFFICER: _____

| Searches: | Sat | Unsat | Not Observed |
|---|---|---|---|
| A. Does recruit understand the 4th Amendment to the Constitution of the United States of America PROTECTS PEOPLE FROM SEARCH/SEIZ NOT DOES IT RIGHT ALONE | ✓ | | |
| B. Does recruit identify places on males/females where dangerous weapons/contraband might be concealed | ✓ | | |
| C. Does recruit understand the department policy on searching suspects of the opposite sex | ✓ | | |
| D. Does recruit demonstrate the ability to conduct a thorough and systematic search | | ✓ | |
| E. Does recruit understand the concept and scope of a Consent search | ✓ | | |
| F. Does recruit demonstrate a proper Consent search | | | ✓ |
| G. Does recruit understand the concept and scope of a search, Incident to Arrest | ✓ | | |
| H. Does recruit demonstrate a proper search, Incident to Arrest | | | ✓ |
| I. Does recruit understand the concept and scope of a search based on the Exigent Circumstance doctrine | ✓ | | |
| J. Does recruit demonstrate a proper Exigent Circumstance search | | | ✓ |
| K. Does recruit understand the concept and scope of a search based on the Plain View doctrine | ✓ | | |
| L. Does recruit demonstrate a proper Plain View search | | | ✓ |
| M. Does recruit understand the concept and scope of the Plain Touch Doctrine (Minn v. Dickerson) | | | ✓ |
| N. Does recruit demonstrate a proper Plain Touch search | | | ✓ |

FTO EVALUATION - SEARCH PROCEDURE

This form will be retained in the MP/Officer's field training packet with any other supporting documentation.

SEARCH PROCEDURE

| | Sat | Unsat | Not Observed |
|---|---|---|---|
| O. Does recruit understand the concept and scope of a Protective Sweep of a location (Md v. Buie) | | | ✓ |
| P. Does recruit demonstrate a proper Protective Sweep | | | ✓ |
| Q. Does recruit understand the concept and scope of a Terry Pat search (Terry v. Ohio) | ✓ | | |
| R. Does recruit demonstrate a proper Terry Pat search | | | ✓ |
| S. Does recruit understand the concept and scope of a search based on the Carroll doctrine | | ✓ | |
| T. Does recruit demonstrate a proper Carroll search | | | ✓ |
| U. Does recruit understand the concept and scope of a search based on the issuance of a warrant from a Judge | ✓ | | |
| V. Does recruit demonstrate a proper Warrant search | | | ✓ |

COMMENTS

MP/Officer Signature / Date

Training Officer Signature/ Date

Training Officer:

FTO EVALUATION - SEARCH PROCEDURE

This form will be retained in the MP/Officer's field training packet with any other supporting documentation.

Tab X

DEPARTMENT OF THE ARMY
HEADQUARTERS, FORT GEORGE G. MEADE
DIRECTORATE OF EMERGENCY SERVICES
6619 MAPES ROAD
FORT GEORGE G. MEADE, MARYLAND 20755-5045

REPLY TO
ATTENTION OF:

ANME-ES

29 October 2004

MEMORANDUM FOR Mr. [redacted] Police Officer GS-0083-06, US Army Garrison Fort Meade, PMO, Physical Security, 6619 Mapes Road, Fort George G. Meade, Maryland 20755-5045

SUBJECT: Discharge During Probationary Period

1. This letter is to notify you that you will be discharged from your position of Police Officer, GS-0083-06, effective 2 November 2004, for failure to demonstrate successful performance.

2. The reasons in support of this decision are as follows:

a. On 21 September 2004 at or around 3:30 pm you responded to a call in the housing area located at 8479 6th Armored Cav, Fort Meade. After the call, you approached a neighbor, Ms. [redacted] who was painting outside her house. Ms. [redacted] small son also happened to be outside in his underwear. The child was outside for 3-5 minutes. You informed her that she would be charged with neglect if she did not take him inside. Before she had a chance to take him inside, you spoke to her in a low yell with a very rude tone, telling her once you started the paperwork she could talk to a federal judge about it. She then took her child inside and her husband came out to speak to you because she was upset with being threatened with neglect and you had spoken to her very condescendingly. Ms. [redacted] then dressed her child and returned outside to find out why you had spoken to her in such a rude manner when all you had to do was inform her of such a law and ask her to correct it. You informed her that you ordered her to take her son in and she didn't do it. You informed her if you saw her child outside in a diaper you would pull over and charge her with neglect. She asked you for a phone number to your supervisor and you informed her that you did not have one. After 10 minutes of trying to get a name and number you told her to call the MP Desk and that no one was in charge of you. You informed her the reason you approached her in the first place was because you saw a violation and you had to correct it and that you happened to be on a domestic violence call and saw her son. You called her an idiot and said not only would your child not be outside in its underwear; but also your child would not be barefoot. You told her to get in her house before you took her to jail and she told you no that she pays rent and can be outside; you walked away.

3. As a Federal Service employee, you have the responsibility to observe a high standard of ethical conduct. I find your abuse of authority and bad judgment were unethical and show little regard for integrity. I have no faith in your reliability or judgment. As a police officer you have a higher standard of ethics to maintain. The entire situation was unprofessional to include disclosing the nature of your business.

X

X

ANME-ES

29 October 2004

SUBJECT: Discharge During Probationary Period

4. The probationary period serves as the final step in the examining process. During this period the employee's conduct, general traits and performance are evaluated to determine whether or not the person is found in actual practice to be lacking in fitness and the capacity to acquire fitness for government service. Your failure to demonstrate safe, successful performance adversely impacts on the mission of this organization and the efficiency of the service. Therefore, it is my decision that you will be discharged from your position and the Federal service during your probationary period.

5. You may appeal this discharge to the Merit Systems Protection Board (MSPB) if you believe the discharge is based on discrimination due to marital status or partisan political affiliation. You must initiate this appeal no later than thirty (30) calendar days after the effective date of this action. Filing of petitions for appeal may be made by personal delivery during normal business hours or by mail, or by facsimile, to the address or facsimile number listed below. Enclosed is copy of the MSPB regulation governing appeals, and the appropriate form to be used should you desire to file an appeal.

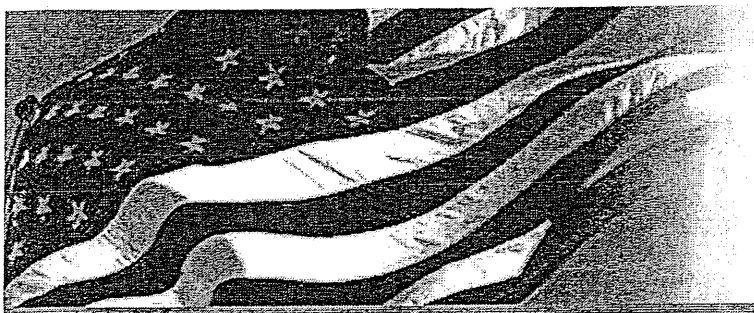
Regional Director
Merit Systems Protection Board
Philadelphia Regional Office
2nd & Chestnut Streets, Room 501
Philadelphia, PA 19106-2987

6. You may contact the Civilian Personnel Advisory Center, Fort George G. Meade, Maryland, for assistance in explaining these appeal rights. To make an appointment, telephone [redacted]

[redacted]

Supervisor

Tab Y





# Government

August 30, 2005


- Board of Freeholders
- Freeholder Meetings
- Elected Officials
- Business Plan
- County Budget
- Offices & Departments
- Speakers Bureau
- County Store
- Municipalities
- Voter Information


## Offices & Departments: Prosecutor's Office

Please select from the following information:

**2002 Media Releases:**

CAMDEN COUNTY PROSECUTOR'S OFFICE
[redacted] CAMDEN COUNTY PROSECUTOR
MEDIA INFORMATION

October 1, 2002

Camden County Prosecutor [redacted] announced that [redacted] M/39, pleaded guilty today to violating a Camden city ordinance, admitting in court that he took items from the USS New Jersey battleship.

Under a plea agreement negotiated by Assistant Prosecutor Joel Aronow, [redacted] forfeits his job as an officer with the Camden County Park Police and is barred from taking a law enforcement job in New Jersey in the future. The defendant, of Browning Road in Bellmawr, was also assessed a $100 fine, $30 in court costs and $75 to be paid to the state's violent crime victims compensation fund.

Park Police officers are assigned to guard the battleship, which is permanently berthed on the Camden waterfront. On Sept. 27, 2001, [redacted] was on duty, but was not one of the officers assigned to the ship, when he removed two items from the battleship, which has since opened as a museum. One item was a plastic sign, approximately 12-by-18 inches, listing "Safety Precautions" for areas containing ammunition. The second item was a "dogging wrench," a small brass tube used as a handle to turn latches that seal hatch doors.

[redacted] was suspended from his job without pay shortly after the incident.

Y

# 2

NATIONAL SECURITY AGENCY
CENTRAL SECURITY SERVICE
FORT GEORGE G. MEADE, MARYLAND 20755-6000

Serial: LIT/021/06
24 January 2006

MEMORANDUM FOR MR. JEFFREY DOZIER, CHIEF, PROCUREMENT AND ADMINISTRATIVE LAW, OFFICE OF THE STAFF JUDGE ADVOCATE, FORT GEORGE G. MEADE, MARYLAND

SUBJECT: NSA Evaluation of Department of Army Report -Whistleblower Investigation-Directorate of Emergency Services, Civilian Police Department, Fort Meade, Maryland

(U//FOUO) This is in response to your 18 January 2006 oral request for NSA to evaluate the proposed Department of Army report to the U.S. Office of Special Counsel in order to delete classified or protected NSA information. NSA has evaluated the report in its entirety and has made various deletions in order to protect the disclosure of information considered For Official Use Only. This information is protected from disclosure by the National Security Agency Act of 1959, 50 U.S.C. § 402, note, Public Law 86-36. Attached to this letter is a photocopy of the report with the relevant portions redacted (the pages at issue are indicated by individual tabs).

(U//FOUO) This letter is marked For Official Use Only because it contains information protected under Public Law 86-36.

(U//FOUO) If any additional information or clarification is required, forward any formal request for assistance through my office. For further information, I can be reached at (301) 688-6054.

Sincerely,

IAN WOLF, LT, JAGC, USNR
Attorney
Office of Associate General Counsel
(Litigation)

Regarding this allegation, LTC Bell interviewed a number of witnesses, all of whom, with the exception of Officer O'Neil [Bell, TAB Z-8-f] testified they never had observed Lt. Russell carrying his privately-owned weapon while on duty.[15]

Mr. Kevin Brown, who had worked at FGGM DES since January 2004, throughout the entire period of time relevant to Mr. Daly's allegations, was particularly emphatic, stating, "I have never observed a policeman using a privately-owned weapon while on duty" [Bell, TAB Z-8-b].

Ms. Felicia Jefferson, who generally does not appear to hold a favorable view of Lt. Russell,[16] also stated, "I never witnessed him carrying a privately-owned weapon on duty" [Bell, TAB Z-8-e].

The only witness whose testimony tended to support Mr. Daly's allegations was Officer O'Neil.[17] Officer O'Neil claimed to have seen Lt. Russell carrying a privately-owned weapon a "handful of times" between the hours of 10:00 a.m. and 11:00 a.m. and that it was kept in a "smaller holster." Officer O'Neil was unable to remember specific dates associated with his observations and "didn't know if he [Lt. Russell] was on- or off-duty" at the time, allowing for the possibility that Lt. Russell "may have been in transit" [Bell, TAB Z-8-f]. In rebuttal, Lt. Russell noted that Officer O'Neil routinely worked the midnight shift between the hours of 11:00 p.m. to 7:00 a.m., and departed immediately at shift's end to commute home to Pennsylvania; Officer O'Neil would not have had the opportunity to observe Lt. Russell, who generally worked the daylight shift beginning at 8:00 a.m.

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[15] *See* statements of Officer Kevin Brown, Jr., [Bell, TAB Z-8-b]; Byron Frank, Deputy Chief, DES, FGGM [Bell, TAB Z-8-c]; Ms. Felicia Jefferson [Bell, TAB Z-8-e]; Officer O'Neil [Bell, TAB Z-8-f]; Major Howard Yates, Director, Emergency Services, DES, FGGM [Bell, TAB Z-8-h]; Officer John Vanover [Bell, TAB Z-8-i]; SSG Alvin Whyms [BELL, TAB Z-8-j, note that SSG Whyms also provided a statement contrary to Mr. Daly's assertion that Mr. Daly had reported his observations in regard to Lt. Russell to SSG Whyms]; SGT Charles M[redacted] Chief of Operations, Range Control, National Security Agency Police [Bell, TAB Z-8-k]; SGT Michelle Lewis [Bell, TAB Z-8-l, note that SGT Lewis also provided a statement contrary to Mr. Daly's assertion that Mr. Daly had advised Ms. Lewis that he had witnessed Lt. Russell carrying his privately-owned weapon while on duty]; SGT Jeffrey Jackson [Bell, TAB Z-8-m; note that SGT Jackson also provided a statement contrary to Mr. Daly's assertion that he had advised Mr. Jackson of his observations]; SGT Willie Cooper, Jr., [Bell, TAB Z-8-n]; and Ms. Susan Atkinson [Bell, TAB Z-8-o]. Witnesses interviewed by LTC Cornelius in the second investigation similarly responded that they had never seen Lt. Russell wear his privately-owned weapon on duty. *See* statements of Deputy Chief Byron Frank [Cornelius, TAB 15-E]; SSG Joel Root [Cornelius, TAB 15-J]; and Charles McGee, Chief, Law Enforcement, DES, FGGM [Cornelius, TAB 15-K].

[16] Ms. Jefferson alleges that she raised to Lt. Russell's attention an allegation that she had been the victim of sexual harassment, but that he took no action to resolve the matter [Bell, TAB Z-8-e]. This allegation, while not in the scope of the OSC allegations, was investigated by LTC Cornelius. LTC Cornelius found that Lt. Russell's response to Ms. Jefferson's report was appropriate [Cornelius, TAB 15-Administrative Documents-d, DA Form 1574, Findings Issue #8a].

[17] Officer O'Neil's statement [Bell, TAB Z-8-f], is unsigned but sworn. He was interviewed and swore to his statement by telephone. The only identifying information pertaining to Mr. O'Neil recorded on the statement is his last name. His first name, middle initial, address, social security number are missing. In addition, Officer O'Neil's last name is spelled variously as "O'Neil" and "O'Neal" throughout LTC Bell's ROI.

This was the situation confronting Lt. Russell when he was originally hired as the FGGM DES Training Officer in May 2004. With no formal support staff, little guidance from which to work, and insufficient weapons and ammunition to meet training requirements, Lt. Russell began to explore alternatives for resourcing the twice a year weapons training events in which each DACP was mandated to participate [Bell, TABs Z-8-d and 8-g; Cornelius, TABs 15-A and 15-V].[27] SSG Joel Root, the 241st MP Detachment Training Non-Commissioned Officer at the time, commented that the DES was experiencing great difficulty in getting the ammunition required for training because the new Unit Identification Code (UIC) associated with transition from the PMO to the DES was not yet referenced in, or recognized by, the Army system for requisitioning weapons and ammunition. As a "quick fix," the DES initially "borrowed" weapons from NSA via a hand receipt. Similarly, as recently as May 2005, additional weapons, also secured by hand receipt, were acquired from the Internal Revenue Service via the General Services Administration [Cornelius, TAB 15-E, p. 3]. Officer Kevin Brown lauded Lt. Russell's efforts to improve DACP training: "The DA police feel like Lt. Russell took initiative to get us qualified. Prior to his arrival and assignment as the training officer, we did very little police duty and spent a lot of time sitting around the VCC . . ." [Bell, TAB Z-8-b].

Mr. Charles M[redacted] Chief of Operations, Range Control, NSA Police, stated that during the week of September 2004, Lt. Russell requested ammunition and firing range support from NSA, having determined that it could take up to a year to receive the required ammunition through the Army's Training Ammunition Supply System (TAMIS). Lt. Russell believed that such a delay would adversely affect his ability to get his DACP qualified and "put on post to protect the base." In an effort to "help out our fellow police by helping them get qualified in their duties" [Bell, TAB Z-8-k], Mr. M[redacted] advised Lt. Russell that he had, on-hand, approximately 9,000 rounds of 9mm Luger, Federal Premium hollow point ammunition; following a recent annual firearms training and qualification event, NSA police officers had turned-in their duty ammunition and replaced it with new stock, generating an excess of hollow point.

Mr. M[redacted] statement further confirmed that NSA firearms instructors inspected all of the ammunition when it was turned in to ensure that all rounds were safe. After an exchange of documents in which FGGM DES formally requested the ammunition and the NSA Police approved transfer of same, SSG Joel Root, 241st Military Police Detachment, signed for and picked up 8,824 rounds of 9mm, HydraShok ammunition from NSA on September 10, 2004 [Cornelius, TABs 15-J, M, Q].[28]

Conclusion:

The investigations of both LTC Bell and LTC Cornelius support the conclusion that only government-issued ammunition was used by Lt. Russell and other DACP in range training activities [Bell, TAB Z-Administrative Documents-1, Finding #2, Point

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[27] Training is to be conducted on the weapon issued for use in official duties. *See* AR 190-14, *Carrying of Firearms and Use of Force for Law Enforcement and Security Duties*, paras 1-4bc, 2-4f, and 2-5b, March 12, 1993, and Field Manual 19-10, *Military Police Law and Order Operations*, Appendix B, September 30, 1987 [TAB 10].

[28] The ammunition appears to have been provided at no cost to FGGM.

The first AR 15-6 investigation specifically addressed the allegation that the use of hollow point ammunition by FGGM DACP on the training range had created a safety hazard. In his statement to LTC Bell, Mr. M[redacted] of NSA advised that none of the hollow point ammunition transferred to FGGM was coded "+P" or "+P+" [Bell, TAB Z-Administrative Documents-1, DA Form 1574, Section IV, Finding #2]. Furthermore, according to Mr. M[redacted] any contention that ammunition bearing a "+P" or "+P+" rating is somehow unsafe for use in a military weapon is simply incorrect.

> I did not issue any [ammunition] with a "+P" or a "+P+" rating on it. The "+P" rated ammunition is safe for use in all 9mm weapons. Civilians train the same as military. All the 'P" rating means is that the round has a couple of extra grains of powder in the casing and results in a higher velocity. It is safe for 9mms. I would not issue any ammunition that isn't safe. The hollow point actually has less effect than ball—it won't carry as much.

*See* Bell, TAB Z-8-k.

In addition, LTC Bell inspected the ammunition remaining from the lot transferred to the DES from the NSA. The ammunition was readily located and identifiable; it was stored in the MP arms room, separate from other ammunition. According to LTC Bell, none of the ammunition was rated as "+P" or "+P+" [TAB Z-9d, LTC Bell].

Conclusion:

The allegation that the use of hollow point ammunition in the context of DACP security force training violated AR 190-56 and created a substantial and specific danger to public safety is unsubstantiated. Throughout the period covered by the OSC allegations, the use by FGGM DACP of hollow point ammunition for law enforcement training purposes was expressly authorized by Army regulations and policies. There is no evidence that the hollow point ammunition was unsafe for use in military weapons or in a law enforcement training environment.

Collateral Matters Related to OSC Allegation 4:

The investigation of this allegation did raise a collateral issue as to whether the FGGM DES properly requested and accepted transfer from the NSA of the hollow point ammunition. For reasons of expedience and immediate availability, the FGGM DES entered into an agreement with NSA, an FGGM tenant, for the transfer of ammunition excess to the NSA for which the FGGM DES had a legitimate training need. Though well intentioned, this transaction did not comport with the requirements of AR 710-2, *Supply Policy Below the National Level,* which establishes policies and procedures for the transfer of property between agencies. Paragraph 2-13a of the regulation [TAB 10] reveals that "[t]ransfers of property between Army and non-Army organizations require the approval of . . . the Deputy Chief of Staff for Logistics, HQDA."[32] OPMG, HQDA, has opined that the transaction at issue was subject to the requirements imposed by AR

[32] Note that this position was renamed the Deputy Chief of Staff, G-4, in 2002.

710-2. All evidence indicates that the transfer of ammunition was handled locally between the FGGM DES and NSA, however; there is no evidence that FGGM obtained the required approval from HQDA. In the course of forwarding the request for approval to HQDA, FGGM DES should have alerted both MDW, its superior operational command headquarters, and IMA, the superior command of the FGGM Garrison, of its ammunition resourcing shortfalls. Coordination would have provided both MDW and IMA the opportunity to determine if and how best to redirect ammunition to FGGM from other sites within their command and control.

Corrective Action:

The OCC, IMA has recommended that the Director, IMA require the Chiefs of IMA Logistics and Operations to transmit guidance to all installations, emphasizing the regulatory requirement to secure advance approval for transfers of property from the Deputy Chief of Staff, G-4, HQDA. The OMPG, HQDA has committed to providing similar guidance to Army law enforcement agencies world-wide.

**Section V. OSC Allegation 5: The hollow point ammunition used on the range by Lt. Russell was old, green, or corroded, or otherwise unsafe for use, thus exacerbating the risk that the weapons might malfunction or explode. Its use creates a substantial and specific danger to public safety.**

Relevant Authorities: *See* Section IV, OSC Allegation 4, above.

Discussion:

Mr. Charles M[redacted] Chief of Operations, Range Control, NSA Police, who issued to the FGGM DACP almost 9,000 rounds of ammunition on September 10, 2004, testified that the ammunition transferred was safe; it was not corroded, discolored, scratched, or unsafe in any way [Bell, TAB Z-8-k; Cornelius, TABs 15- N and Q]. The evidence established that the ammunition was only one year old and was the excess resulting from the annual ammunition turn-in by NSA Police Officers [Cornelius, TAB 15- Q]. Mr. M[redacted] specifically asserted:

> I explained to Lt. Russell that we have a Standard Operating Procedure requiring our Police Officers to turn in their duty ammunition after annual firearms training qualifications and replenish it with new stock. Lt. Russell was informed that the firearms instructors inspect all ammunition when it is turned in, to make sure that all rounds are safe. The firearms instructors then bring the ammunition to Range Control and the Range Control Officer inspects the ammunition again and secures it in our ammunition safes.

*See* Cornelius, TAB 15-Q.

In this vein, LTC Bell, the first AR 15-6 IO, indicted that "[s]everal witnesses who handled the ammunition were questioned about its condition. No one reported any corrosion or dents" [Bell, TAB Z-Administrative Documents-1, Finding #3 (Point #2)].[33]

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In addition, LTC Bell inspected the ammunition remaining from the lot transferred to the DES from the NSA. The ammunition was readily located and identifiable; it was stored in the MP arms room, separate from other ammunition. LTC Bell found none of the ammunition to be tinged with green patina or corroded [Bell, TAB Z-9-D]. LTC Bell's investigation includes pictures of the ammunition; its appearance is consistent with her report of inspection and Mr. M[redacted] statement [Bell, TAB Z-9-D].

Conclusion:

The allegation that ammunition transferred from the NSA to the FGGM DES for use in DES training was unsafe, corroded, or corrupted is not substantiated [ Cornelius, TAB 15-Administrative Documents-d, DA Form 1574 (continuation sheet), Findings Issue 4a].[34]

**Section VI. "Stand Alone" Issues**

The following is a summary of other "stand alone" issues, not referred by OSC, but raised in the context of the investigations into the OSC allegations.

**Determine the exact facts surrounding the allegation that Mr. Shane Daly assaulted SGT Michelle Lewis in "Bar Baltimore" by pulling her hair. Determine where "Bar Baltimore" is and whether the alleged incident occurred on duty or off duty. Determine whether she reported the assault, if so to whom, what action, if any, was taken, and who was there that may have witnessed the hair pulling incident and/or interceded on SGT Lewis' behalf. Determine if other DACP were present when the incident occurred. Interview SGT Lewis regarding the e-mails she contends Mr. Daly continues to send her. Determine what the nature of these emails are and whether she continues to receive them.**

LTC Cornelius made numerous attempts to contact SGT Michelle Lewis, to no avail. LTC Cornelius queried various members of FGGM DACP force regarding any information of which they might be aware regarding this alleged incident; no one offered any information. LTC Cornelius determined that "Club Baltimore" is a "hip-hop" club in Baltimore, Maryland [Cornelius, TAB 15-T], but without further cooperation from SGT Lewis, LTC Cornelius was unable to obtain evidence related to the allegation.

---

[33] *See* statements of Lt. Thomas Russell [Bell, TAB Z-8-g]; Officer John Vanover [Bell, TAB Z-8-i]; SGT Charles M[redacted] Chief of Operations, Range Control, National Security Agency Police [Bell, TAB Z-8-k]; and SGT Willie Cooper [Bell, TAB Z-8-n].

[34] Army Field Manual 3-23.35, *Combat Training with Pistols, M9 and M11*, dated June 2003, makes no mention of the "P" rating or any restrictions on the use of ammunition so rated [note that the hollow point ammunition in the instant situation was not "P" rated]. Paragraph 1.3 of the Field Manual provides that "M9 and M11 pistols use several different types of 9mm ammunition. Soldiers should use only authorized ammunition that is manufactured to US and NATO specifications."

AR 15-6 Investigation
OSC Investigation D1-05-0240 and D1-05-0405
Table of Contents


1. DA form 1574
2. Appointment Data
3. Chronology of events & Personnel Status
4. Legal Review
5. Request for action from Office of the General Counsel (9 Mar 05) and referral of whistleblower case from the U.S. Office of Special Counsel (7 Mar 05)
6. Request for delay from SJA, Fort Meade
7. Privacy Act Statements
8. Sworn Statements:
    a. Mr. Shane Daly
    b. Mr. Kevin Brown
    c. Chief Byron Frank
    d. Lt. Thomas Russell
    e. Ms. Felicia Jefferson
    f. Mr. O'Neil
    g. Lt. Thomas Russell, including receipt for weapon dtd. 27 Oct 04
    h. MAJ Howard Yates
    i. Mr. John Vanover
    j. SSG Alvin Whyms
    k. Sgt Charles M[redacted] "Sergeant M[redacted]"
    l. SGT Michelle Lewis
    m. SGT Jeffrey Jackson
    n. SGT Willie Cooper, Jr.
    o. Ms. Susan Atkinson
9. Other Evidence and Documentation:
    a. Memorandum for Record to document status of personnel related to the AR 15-6 Investigation
    b. Memorandum for Record to clarify regulatory requirements regarding the use of ammuntion for DA Police.
    c. Email pertaining to proponent for Ammunition Suitability List
    d. Memorandum for Record to document the investigating officer's inspection of the hollow point ammuntion.
    e. AR 190-11, Physical Security Of Arms, Ammunition And Explosives
    f. AR190-56, The Army Civilian Police And Security Guard Program
    g. FGGM 190-13, Military Police Physical Security
    h. FGGM Policy Memorandum 190-11-1, Control and Registration of Privately-Owned Firearms and Ammunition
    i. FM 3-23.35, Combat Training with Pistols M9 and M11
    j. HR 218, The Law Enforcement Safety Act

O. Memorandum, DAMO-RQ, Subject: Procurement of 9mm Jacketed Hollow-Point (JHP), 18 March 2002

Ammunition

P. Sworn Statement of Robert Crawford and Hand receipt

Q. Sworn Statement Charles M[redacted] (duplicate of Tab N)

R. Sworn Statement of Howard Yates

S. Sworn Statement of Bryan Frank with 2 enclosures (duplicate of Tab E)

--Maryland Coordination and Analysis Center Watch Section--B.O.L.O.—Threat Against Police Officer

--NSA Police Communications—BOLO Informational Broadcast

T. BAR Baltimore Web Profile

U. Sworn Statement of Celia Araujo

V. *Sworn Statement of Felicia Jefferson

*Sworn Statement of Thomas Russell (with email attachment from Shane Daly)

*Sworn Statement of Rachel Odom

* Memorandum for Record, Telephone conversation with David Bennett, Attorney General, Maryland

W. Memorandum for Record, Field Training Evaluation Outline of Officer Felicia Jefferson

X. Memorandum, Discharge During Probationary Period (duplicate of Tab H).

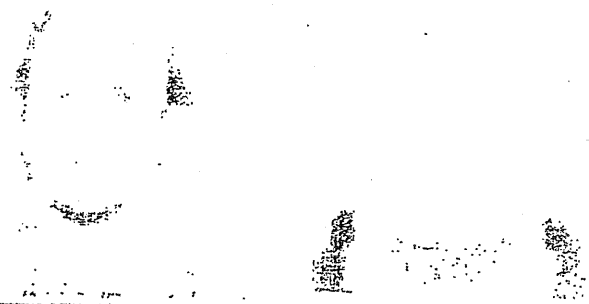
Y. 2002 Media Release for Camden County

Z. Report of Investigation, AR 15-6, Fort Meade, 8 June 2005

# NSA Police Communications

## BOLO INFORMATIONAL BROADCAST

Click Image To View



Initiation Time: 11:37 Initiation Date: Tuesday, June 28, 2005

Type Of Alert: Law Enforcement/Homeland Security Related Alert

Reporting Agency: SOC Method:

Person Reporting BOLO: SWO Ethan A[redacted] Phone Number: 301-688-6911

**REASON FOR THE BOLO:**

| | |
|---|---|
| Any criminal/security activity involved? Yes | Reason/Charges: ***APPROACH WITH EXTREME CAUTION***Individual was arrested for DWI and carrying a concealed deadly weapon, by Ft. Meade, during his arrest he threatened to shoot a Ft Meade Police Officer, also has prior arrest for Carrying a concealed deadly weapon, request additional personnel and notify the Com Center immediately |
| Any there any weapons involved? Yes | Type: firearms, swords and knives |

**DESCRIPTION INFORMATION:**

| **Person Involved** Alias: | **Physical Description** | |
|---|---|---|
| Name: Francis, Daniel | Race: white | Sex: M |
| Address: 7219 Highbridge Rd PO Box 272 | Hgt.: 5 08 | Wgt.: 140 |
| City: Bowie | Hair: Blond | Eyes: Blue |
| State: Maryland | Zip: 20720 | DOB: 2/7/1967 Age: 38 |

**VEHICLE INFORMATION:**

Vehicle Make/Model: 64 Chevy/unk Color: unk

Tag Number: L81327 State: MD

Any Vehicle Damage/Markings: **00 Ford unk model, MD Reg KGT232*** 92 Mazda unk model, MD reg 4AFC90***

This BOLO has been issued to: NSA Police, MSP augmentees

TAB J

DEPARTMENT OF THE ARMY
HEADQUARTERS, FORT GEORGE G. MEADE
4551 LLEWELLYN AVENUE
FORT GEORGE G. MEADE, MARYLAND 20755-5000

REPLY TO
ATTENTION OF:

IMNE-MEA-ES

10 June 2005

MEMORANDUM FOR: NSA Police Department, Attn: Chief of Police Glen S[redacted], 9800 Savage Road, Suite 6602, Fort Meade, Maryland 20755

SUBJECT: Assistance with Training/Qualification Ammunition for the Fort Meade Police Department.

1. The Fort Meade Police Department is requesting the assistance from the NSA Police Department in providing critically needed 9mm ammunition. This training ammunition will be used for the purpose of qualifying present officers on the newly assigned M11 9mm semi-automatic pistols, ultimately ensuring that the Police Department stays within the guidelines established in the Regulation (DA PAM 350-38).

2. Currently the Police Department is in the building phase and has just received weapons from the Office of Inspector General to be placed on the MTOE. This will allow us to order ammunition through the Army's Ammunition System (TAMIS). Due to the fact that we have just received these weapons the system has not had a chance to "catch up" for us and has cut us short of critically needed qualification ammunition.

3. As stated above, the Fort Meade Police Department would greatly appreciate your in providing 9000 rounds of 9mm ammunition for the use of semi-annual qualification. Once again we thank you for your assistance and we continue to look forward to building and maintaining a cohesive relationship between our departments in the future.

4. Any questions in reference to this memo are to be directed to COP Charles McGee at 7-7308 or Lt Thomas Russell at 7-7464.

HOWARD T. YATES, JR
Major, Military Police
Director of Emergency Services

Approved - 9 Jun 05

ENCL
1

UNCLASSIFIED

SECURITY CLASSIFICATION

# PROPERTY ACCOUNTING HAND RECEIPT

*Classification - U=Unclassified, C=Confidential, S=Secret, TS=Top Secret

| USER'S NAME | SID | ORG | ROOM | PHONE | ITEM RETURNED TO PROPERTY OFFICER. USER IS RELEASED FROM RESPONSIBILITY. |
|---|---|---|---|---|---|
| DES-FMPD Trng Lt Thomas W Russell Jr. Approved by MAJ Howard Yates, via VOCO of Col Ives | | FMPD | | 7-7464 | |

| NSA BARCODE NO. | EQUIP. TYPE (IE, PC, W STA., LAPTOP) | MODEL | SERIAL NUMBER | MFG | *CLASSIFICATION | COMMENTS | DATE | PO SIGNATURE |
|---|---|---|---|---|---|---|---|---|
| | Ammunition | | | | | | | |
| 10.-grain Federal 9mm. Luger Hydra-Shok JHP Officer turn-in Ammo. | | | | | | | | |
| This ammunition is being distributed for training purposes only. To be fired and expended on Range #8 for training and qualification of Department of Army Police officers. This request was approved through Col. R[redacted], N.S.A. Police Deputy Chief. | | | | | | | | |

## RESPONSIBILITY STATEMENT

I acknowledge receipt of the equipment listed above. I understand that the equipment is the property of the National Security Agency (NSA) and the United States Government and must be returned to the above organization upon reassignment, retirement, resignation, or termination. I also understand that NSA may require the return of the above equipment at any time and I agree to return it promptly upon demand. I agree not to transfer any of the above equipment to a vendor, other organization, or other individual without first consulting with the Division Property Accounting Officer. In accordance with the procedures set forth in the NSA/CSS RMM 111-5, I understand that I may be found financially liable for loss, damage or destruction of equipment from my gross negligence, willful misconduct or deliberate unauthorized use.

| GNATURE | USER | DATE |
|---|---|---|
| | X [redacted] | X 06-10-05 |
| | PROPERTY OFFICER Michael M[redacted] | 06-10-05 |

14A OCT 2004 (created by whwagne)

SECURITY CLASSIFICATION

Encl 4

UNCLASSIFIED

05/18/05 12:50 PM

003

HAND RECEIPT

DATE: 08/10/2004

| NOMENCLATURE | QUANTITY | SERIAL NUMBER |
|---|---|---|
| 124 gr. Federal 9MM Luger Hydra-shok JHP Officer yearly turn-in ammunition | 8,824 | total rounds |
| This ammunition is being distributed to the U.S. Dept of Army Police, per their request for support purposes. This will assist the D.A. Police in their training and enable them to stand ready to protect and defend the base. | | |
| Approval for this support was given by D/Chief, Special Activities, Rod W[redacted]NSA Police. | | |
| total = | 8,824 | |

Employee distributing material: Ofc. Mike M [redacted]

ISSUED TO

NAME: Sgt. Joel A. Root

ROOM: OPTIME

SECTION: 124 ST MP / DA Police

I CERTIFY THAT I HAVE RECEIVED THE ABOVE LISTED ITEM AND HOLD MYSELF RESPONSIBLE FOR THE SAME.

SIGNATURE:

FORM A3430 REIN SEP 84

ITEM 7540-FM-001-3514

U.S.G.P.O. 1984-305-104

ENCL 25

# SWORN STATEMENT

For use of this form, see AR 190-45; the proponent agency is ODCSOPS

PRIVACY ACT STATEMENT

AUTHORITY: Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9397 dated November 22, 1943 (SSN).
PRINCIPAL PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately
ROUTINE USES: Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval.
DISCLOSURE: Disclosure of your social security number is voluntary.

| 1. LOCATION | 2. DATE (YYYYMMDD) | 3. TIME | 4. FILE NUMBER |
|---|---|---|---|
| Ft. Benning, GA 31905 | 20050805 | 1535 | |

| 5. LAST NAME, FIRST NAME, MIDDLE NAME | 6. SSN | 7. GRADE/STATUS |
|---|---|---|
| ROOT, Joel Andrew | 285-72-7620 | E6 |

8. ORGANIZATION OR ADDRESS
608 ORD Co. / Fire Dept.

9.
I, Joel A. Root, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

I was assigned to the 241st MP Det, From May 03 - until Nov. 04. I worked Directly for the Company Headquarters from Aug 03 - until Oct 04. My Duties at the Company were: Training NCO, Retention NCO, Safety OFC., Fire Marshal, Environmental Rep, Energy Conservation NCO, Dental Readiness NCO, and AER Rep. I Remember Receiving the ammunition identified as well as the other ammunition stated as excess ammunition by SGT M[redacted], Range Operations mngr./CDR. The ammunition was used for Range Qualification for the 241st MP Company, 100% qualification directed by the commander. The quantity of rounds were not requested, I was informed what quantity was available to be expended to be able to qualify or requalify, or soldiers of the 241st MP Company. For most of the time I worked as the Training NCO the ammunition system was messed up, then when 'R UIC changed, from one UIC to another, we were not in the system and unable receive ammunition. Our UIC was not in the system for the Post Ammo Manager, was familiar that the rounds signed for were 9mm and were used for qualification rounds on a scheduled range under the control of the NSA Police and its staff. After receiving the ammunition, it was stored in the Company's vault #2 were all other ammunition was stored, the rounds were properly transferred to the Company using the Hand Receipt. Provided by the NSA Police. Copies were then given to the Post Ammunition Manager. I have not requested ammunition for the DA Police for Ft. Meade. During my tenure as the Training NCO I do recall a few of the DA Police shooting on our range at first, but that was when there were only about four or five personnel. I do not know who or why they were directed to shoot on our range. As stated before, there was no formal request for ammo from the 241st MP to NSA Range Control. The ammunition was marked as excess ammo and was able to be used to shoot and qualify, other than turn it in and not be able to use it. Seldom did we have to use ammunition from NSA. The ammunition was not directly requested from NSA. The rounds received from NSA were use and able to be used to help qualify personnel doing the same security and law enforcement duties within the same military facility. I do know SGT Michelle Lewis, she worked as the Company's PAC NCO and then was assigned to the road for patrol duties. I have never been to the bar of Baltimore" and do not know where it is. I do not recall any incident between Lewis/Daly. I do not maintain contact with Lewis at this time. I have never seen or heard of Russell wearing a/his personal weapon on duty.

| 10. EXHIBIT | 11. INITIALS OF PERSON MAKING STATEMENT | PAGE 1 OF 2 PAGES |
|---|---|---|

IONAL PAGES MUST CONTAIN THE HEADING "STATEMENT _____ TAKEN AT _____ DATED _____

THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE MUST BE BE INDICATED.

DA FORM 2823, DEC 1998 DA FORM 2823, JUL 72, IS OBSOLETE

ENCL 2T

USE THIS PAGE IF NEEDED. IF THIS PAGE IS NOT NEEDED, PLEASE PROCEED TO FINAL PAGE OF THIS FORM.

STATEMENT OF Edgar H. Beach TAKEN AT DES/Fort Meade DATED 2005/07/25

9. STATEMENT *(Continued)*

Q. What is the process for the ammunition forecasting?
A. Well with a normal unit / activity that has its authorization documents in place, the system would revolve around TAMIS, the use of STRAC, and the TM/FM for the weapon involved. As any unit, the number of DACP Officers authorized X the number of rounds for the qualification course X the number of time required to qualify (per AR 190-56) - that's the process in its most simplistic form and obviously there is more to the process. Again, this has been a most difficult and frustrating action to work for the managers / supervisors involved. Deputy Police Chief Frank and Police Chief McGee can tell you what they have done to get the ammunition needed so our DACP officers can qualify with their assigned weapons. Ask them about the overtime problems / issues too! The short end of it, or bottom line up front, like everyone else in DoD we are extremely short of resources.
FYI - All questions concerning the storage, transport, inspection, and forecasting of training ammunition should be directed to the Police Chief, his Deputy, the DACP Training Officer, and the DACP Armorer. Deputy Chief Frank entered on-duty after the weapons range event that Officer Daley made his allegations about.
Q. Please provide me a list of those who attended a basic police officer training course
A. I will have Deputy Chief Frank provide you with that list.
Q. As the Deputy Director of Emergency Services (DDES), are you required to qualify on a handgun?
A. If and when my PD is formally approved by IMA and/or NERO, I suppose I will as that PD (Factor 8) states that annual weapons qualification with the 9mm pistol and annual chemical defense equipment training is required. Currently I am detailed (and I'm not even sure how official that is, but I serve where I can best support the organization and installation). The PD I actually fall under (Supervisory Physical Security Specialist, GS-0080, does not call for me to be armed). When that becomes a condition of my employment, then I will go out and qualify. As a retired soldier with 30-years experience, weapons qualification will not be a problem; however, at this time that is not a priority that I should be concerned with as the Deputy Director.
Q. Is the Detachment Commander aware of these rounds?
A. I assume you are talking about the rounds placed in question by Officer Daley's allegation. Since I was not the Deputy Director or directly involved during the timeframe mentioned in officer Daley's allegations, that would be question best directed to MSG Thomas [the Provost Sergeant who essentially supervised (and rated) the DACP officers] CPT Magaoay (241st MP Detachment Commander), and then to her Battalion Commander (LTC Bell).
Q. Would you know who inspected the Sep/Oct ammunition, ensuring it was safe and proper?
A. No, I was not the Deputy Director during the timeframe of weapons qualification range operation in question. As the Physi Security Division Chief during that timeframe, that was not in my lane.
Q. Did you properly forecast its training requirements and did it properly and timely submit its ammunition authorizations?
A. I was not involved with this process during the timeframe mentioned in Officer Daley's allegations. Currently, it is hard to forecast training ammunition when the authorization documents for the DACP positions on-hand don't sufficiently allow for that function.
Q. Did you know if you complied with all Army regulations in transferring the ammunition?
A. I wasn't involved in transferring the ammunition during the timeframe mentioned in Officer Daley's allegations.
Q. Was any of the transferred ammunition corroded, dented or tinged with green patina?
A. I can't answer that question since I was not involved with that action during the timeframe mentioned in Officer Daley's allegations.
Q. Who inspected the ammunition to ensure it was safe prior to use on the training range?
A. I can't answer that question since I was not involved with that action during the timeframe mentioned in Officer Daley's allegations. Apparently during the period mentioned in Officer Daley's allegations of wrongdoing, the ammunition in question was issued by SGT M[redacted] from HHB (LTC Bell's Battalion).
Q. Where do your DAC police go to qualify/familiarize their weapons?
A. The range owned by Dept of Interior and ran by NSA.
Q. What are the policies and rules when occupying the range?
A. It is my understanding that the DACP training staff follows the US Army requirements.
Q. Can hollow point be fired on the range?
A. From what I understand, that is correct since it is DoD issued ammunition.
Q. Have you heard of your DAC police firing hollow point?
A. Yes, only for training.
Q. Do you know if the DAC police were carrying personal owned weapons while on duty at any time?
A. No, not to my knowledge.
Q. Have you heard of DAC police bringing personal owned weapons on post?
A. Yes.
Q. Since you knew of this prohibition, why would DAC police carry their personal owned weapon?
A. Your question assumes that DACP officers may NOT bring personal weapons on post. That is not the understanding I have after reading the findings written in the AR 15-6 conducted by the Headquarter & Headquarters Battalion Commander (LTC Bell).

INITIALS OF PERSON MAKING STATEMENT

Tab M

DEPARTMENT OF THE ARMY
HEADQUARTERS, FORT GEORGE G. MEADE
4551 LLEWELLYN AVENUE
FORT GEORGE G. MEADE, MARYLAND 20755-5000

REPLY TO
ATTENTION OF:

IMNE-MEA-ES

10 June 2005

MEMORANDUM FOR: NSA Police Department, Attn: Chief of Police Glen S[redacted] 9800 Savage Road, Suite 6602, Fort Meade, Maryland 20755

SUBJECT: Assistance with Training/Qualification Ammunition for the Fort Meade Police Department.

1. The Fort Meade Police Department is requesting the assistance from the NSA Police Department in providing critically needed 9mm ammunition. This training ammunition will be used for the purpose of qualifying present officers on the newly assigned M11 9mm semi-automatic pistols, ultimately ensuring that the Police Department stays within the guidelines established in the Regulation (DA PAM 350-38).

2. Currently the Police Department is in the building phase and has just received weapons from the Office of Inspector General to be placed on the MTOE. This will allow us to order ammunition through the Army's Ammunition System (TAMIS). Due to the fact that we have just received these weapons the system has not had a chance to "catch up" for us and has cut us short of critically needed qualification ammunition.

3. As stated above, the Fort Meade Police Department would greatly appreciate your in providing 9000 rounds of 9mm ammunition for the use of semi-annual qualification. Once again we thank you for your assistance and we continue to look forward to building and maintaining a cohesive relationship between our departments in the future.

4. Any questions in reference to this memo are to be directed to COP Charles McGee at 7-7308 or Lt Thomas Russell at 7-7464.

HOWARD T. YATES, JR
Major, Military Police
Director of Emergency Services

Approved – 9 Jun 05

ENCL
4 G

SECURITY CLASSIFICATION

# PROPERTY ACCOUNTING HAND RECEIPT

*Classification - U=Unclassified, C=Confidential, S=Secret, TS=Top Secret

| USER'S NAME | SID | ORG | ROOM | PHONE | ITEM RETURNED TO PROPERTY OFFICER. USER IS RELEASED FROM RESPONSIBILITY. |
|---|---|---|---|---|---|
| DES-FMPD Trng Lt Thomas W Russell Jr. Approved by MAJ Howard Yates, via VOCO at Col Ives | | FMPD | | 7-7464 | |

| NSA BARCODE NO. | EQUIP. TYPE (IE, PC, W STA., LAPTOP) | MODEL | SERIAL NUMBER | MFG | *CLASSIFICATION | COMMENTS | DATE | PO SIGNATURE |
|---|---|---|---|---|---|---|---|---|
| | Ammunition | | | | | | | |

1a. -grain Federal 9mm. Luger Hydra-Shok JHP Officer turn-in Ammo.

This ammunition is being distributed for training purposes only. To be fired and expended on Range #8 for training and qualification of Department of Army Police officers.

This request was approved through Col. R[redacted], N.S.A. Police Deputy Chief.

## RESPONSIBILITY STATEMENT

I acknowledge receipt of the equipment listed above. I understand that the equipment is the property of the National Security Agency (NSA) and the United States Government and must be returned to the above organization upon reassignment, retirement, resignation, or termination. I also understand that NSA may require the return of the above equipment at any time and I agree to return it promptly upon demand. I agree not to transfer any of the above equipment to a vendor, other organization, or other individual without first consulting with the Division Property Accounting Officer. In accordance with the procedures set forth in the NSA/CSS RMM 111-5, I understand that I may be found financially liable for loss, damage or destruction of equipment from my gross negligence, willful misconduct or deliberate unauthorized use.

| GNATURE | USER X | DATE | X 06-10-05 |
|---|---|---|---|
| | PROPERTY OFFICER Michael M[redacted] | | 06-10-05 |

14A OCT 2004 (created by whwagne)

SECURITY CLASSIFICATION

ENCL 4H

05/18/05 12:58 FAX

003

## HAND RECEIPT

DATE: 09/10/2004

| NOMENCLATURE | QUANTITY | SERIAL NUMBER |
|---|---|---|
| 124 gr. Federal 9MM Luger Hydra-shok JHP Officer yearly turn-in ammunition | 8,824 | total rounds |
| This ammunition is being distributed to the U.S. Dept of Army Police, per their request for support purposes. This will assist the D.A. Police in their training and enable them to stand ready to protect and defend the base. | | |
| Approval for this support was given by D/Chief, Special Activities, Rod W[redacted] NSA Police. | | |
| Total = | 8,824 | |

Employee distributing material: Ofc. Mike M [redacted]

ISSUED TO

NAME: Sgt. Joel A. Root

ROOM: BPTMS

SECTION: 24 1st MP / DA Police

I CERTIFY THAT I HAVE RECEIVED THE ABOVE LISTED ITEM AND HOLD MYSELF RESPONSIBLE FOR THE SAME.

SIGNATURE: [signature]

FORM A2450 REV SEP 84

NSN 7540-FM-001-3544

U.S.G.P.O.: 1984-[illegible]

ENCL 25

Tab N

# SWORN STATEMENT

*For use of this form, see AR 190-45; the proponent agency is ODCSOPS*

*PRIVACY ACT STATEMENT*

*AUTHORITY:* Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9397 dated November 22, 1943 (SSN).
*PRINCIPAL PURPOSE:* To provide commanders and law enforcement officials with means by which information may be accurately
*ROUTINE USES:* Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval.
*DISCLOSURE:* Disclosure of your social security number is voluntary.

| 1. LOCATION | 2. DATE (YYYYMMDD) | 3. TIME | 4. FILE NUMBER |
|---|---|---|---|
| United States Army Garrison, Fort Meade, MD | 2005/08/04 | 1400 Hrs. | |

| 5. LAST NAME, FIRST NAME, MIDDLE NAME | 6. SSN | 7. GRADE/STATUS |
|---|---|---|
| M[redacted], Charles E. | [redacted] | GS-11 |

8. ORGANIZATION OR ADDRESS
NSA Police, Range Control

9.

I, Charles . M[redacted], WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

During the first week of September, 2004, Lt. Thomas Russell, Department of the Army Police came to the National Security Agency Police Range Control building requesting ammunition and firing range support. He stated that since his department was newly formed they did not have access to any ammunition supplies to train his officers for range qualifications. He further stated that to order any ammunition through the Army's Training Ammuniton Supply System (TAMIS) was a slow process and could take up to a year to acquire ammunition. He stated that he could not get his officer's firearms qualified and put on post to protect the base, without our assistance.

I informed Lt. Russell that I had approximately 9000 rounds of 9mm Luger, Federal Premium, 124 grain Hysra-Shok, Jacketed Hollow Point, officer turn-in ammunition available and showed it to him. I asked him if that would be ok for him to use to qualify his officers. He stated, "Yes, the ammunition would be ok." I explained to Lt. Russell that we have a Standard Operating Procedure requiring our Police Officers to turn in their duty ammunition after annual firearms training qualifications and replenish it with new stock. Lt. Russell was informed that the firearms instructors inspect all ammunition when it is turned in, to make sure that all rounds are safe. The Firearms Instuctors then bring the ammunition to Range Control and the Range Control Officer inspects the ammunition again and secures it in our ammunition safes. This ammunition is utilized by our Emergency Response Team (ERT) to train with.

I stated to Lt. Russell that I would need a signed letter from him on official letterhead explaining his situation and why he needed the ammunition. I then informed him that when I received his request in writing, I would send it up through my chain of command for consideration and approval.

The ammunition request was granted by Rod W[redacted], Deputy Chief of Special Activities, NSA Police. Sgt. Joel Root, 241st MP's, signed for and picked up 8,824 rounds of the 9mm, HydraShok ammuntion on 09/10/2004.

NOTHING FOLLOWS — CEM

| 10. EXHIBIT | 11. INITIALS OF PERSON MAKING STATEMENT | PAGE 1 OF 2 PAGES |
|---|---|---|
| | CEM | |

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT _____ TAKEN AT _____ DATED _____.

THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE BE INDICATED.

STATEMENT OF Charles . M[redacted] TAKEN AT OSJA, FGGM DATED 08/05/2005

9. STATEMENT (Continued)

NO THING FOLLOWS

CM

AFFIDAVIT

I, Charles . M[redacted], HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE ____. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

[redacted]

(Signature of Person Making Statement)

WITNESSES:

Jeffrey C. Dozier
SJA, Fort Meade
Maryland 20755-5030

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 5th day of AUGUST, 2005 at

(Signature of Person Administering Oath)

WALTER H. BROWN, CPT, JA
(Typed Name of Person Administering Oath)

10 USC. 3936a
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT CM

PRIVACY ACT ADVISEMENT

AUTHORITY: TITLE 10, UNITED STATES CODE, SECTION 3013

PRINCIPAL PURPOSE: To investigate the circumstances surrounding allegations made in a complaint to the Office of Special Counsel regarding conditions in the Fort Meade Provost Marshal's Office and procedures followed by personnel assigned to the Provost Marshal's Office.

ROUTINE USES: Any information provided can be disclosed to members of the Department of Defense who have a need for this information in the performance of their official duties. It may also be disclosed to agencies outside the Department of Defense who have a law enforcement security function, should they have a need for such information.

EFFECT OF NOT PROVIDING INFORMATION: Disclosure is mandatory, unless you are reasonable suspected of having committed an offense and you are being questioned about the offense. If you are not suspected of committing an offense, failure to provide the information could subject you to disciplinary or adverse action under appropriate Army or civilian personnel regulations. If you are reasonable suspected of committing an offense, the investigating officer will advise you of your rights, and there will be no adverse consequences for not furnishing the requested information (except that the commander will not otherwise have the benefit of the information you could have provided when making his determination in this matter).

[redacted]
Signature

CHARLES [redacted] M [redacted]
Printed Name

08/05/2005
Date

# SWORN STATEMENT

*For use of this form, see AR 190-45; the proponent agency is ODCSOPS*

**PRIVACY ACT STATEMENT**

| | |
|---|---|
| AUTHORITY: | Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9397 dated November 22, 1943 (SSN). |
| PRINCIPAL PURPOSE: | To provide commanders and law enforcement officials with means by which information may be accurately |
| ROUTINE USES: | Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval. |
| DISCLOSURE: | Disclosure of your social security number is voluntary. |

| 1. LOCATION | 2. DATE (YYYYMMDD) | 3. TIME | 4. FILE NUMBER |
|---|---|---|---|
| United States Army Garrison, Fort Meade, MD | 2005/08/04 | 1400 Hrs. | |

| 5. LAST NAME, FIRST NAME, MIDDLE NAME | 6. SSN | 7. GRADE/STATUS |
|---|---|---|
| M[redacted] Charles | [redacted] | GS - 11 |

8. ORGANIZATION OR ADDRESS
NSA Police, Range Control

9.

I, Charles [redacted] M[redacted], WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

During the first week of September, 2004, Lt. Thomas Russell, Department of the Army Police came to the National Security Agency Police Range Control building requesting ammunition and firing range support. He stated that since his department was newly formed they did not have access to any ammunition supplies to train his officers for range qualifications. He further stated that to order any ammunition through the Army's Training Ammunition Supply System (TAMIS) was a slow process and could take up to a year to acquire ammunition. He stated that he could not get his officer's firearms qualified and put on post to protect the base, without our assistance.

I informed Lt. Russell that I had approximately 9000 rounds of 9mm Luger, Federal Premium, 124 grain Hysra-Shok, Jacketed Hollow Point, officer turn-in ammunition available and showed it to him. I asked him if that would be ok for him to use to qualify his officers. He stated, "Yes, the ammunition would be ok." I explained to Lt. Russell that we have a Standard Operating Procedure requiring our Police Officers to turn in their duty ammunition after annual firearms training qualifications and replenish it with new stock. Lt. Russell was informed that the firearms instructors inspect all ammunition when it is turned in, to make sure that all rounds are safe. The Firearms Instuctors then bring the ammunition to Range Control and the Range Control Officer inspects the ammunition again and secures it in our ammunition safes. This ammunition is utilized by our Emergency Response Team (ERT) to train with.

I stated to Lt. Russell that I would need a signed letter from him on official letterhead explaining his situation and why he needed the ammunition. I then informed him that when I received his request in writing, I would send it up through my chain of command for consideration and approval.

The ammunition request was granted by Rod W[redacted], Deputy Chief of Special Activities, NSA Police. Sgt. Joel Root, 241st MP's, signed for and picked up 8,824 rounds of the 9mm, HydraShok ammuntion on 09/10/2004.

NOTHING FOLLOWS — CMC

| 10. EXHIBIT | 11. INITIALS OF PERSON MAKING STATEMENT | PAGE 1 OF 2 PAGES |
|---|---|---|
| | CMC | |

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT _____ TAKEN AT _____ DATED _____

THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE BE INDICATED.

STATEMENT OF Charles [redacted] TAKEN AT OSJA, FGGM DATED 08/05/2005

9. STATEMENT (Continued)

No Thing Follows

CM

AFFIDAVIT

I, Charles [redacted], HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE _____. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

[redacted]

(Signature of Person Making Statement)

WITNESSES:

Jeffrey C. Dozier
SJA, Fort Meade
Maryland 20755-5030

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 5th day of August, 2005 at

(Signature of Person Administering Oath)

WALTER H. BOOY CPT, JA

(Typed Name of Person Administering Oath)

10 USC. 3 936a

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT CM

# PRIVACY ACT ADVISEMENT

AUTHORITY: TITLE 10, UNITED STATES CODE, SECTION 3013

PRINCIPAL PURPOSE: To investigate the circumstances surrounding allegations made in a complaint to the Office of Special Counsel regarding conditions in the Fort Meade Provost Marshal's Office and procedures followed by personnel assigned to the Provost Marshal's Office.

ROUTINE USES: Any information provided can be disclosed to members of the Department of Defense who have a need for this information in the performance of their official duties. It may also be disclosed to agencies outside the Department of Defense who have a law enforcement security function, should they have a need for such information.

EFFECT OF NOT PROVIDING INFORMATION: Disclosure is mandatory, unless you are reasonable suspected of having committed an offense and you are being questioned about the offense. If you are not suspected of committing an offense, failure to provide the information could subject you to disciplinary or adverse action under appropriate Army or civilian personnel regulations. If you are reasonable suspected of committing an offense, the investigating officer will advise you of your rights, and there will be no adverse consequences for not furnishing the requested information (except that the commander will not otherwise have the benefit of the information you could have provided when making his determination in this matter).

[redacted]
Signature

CHARLES [redacted] M [redacted]
Printed Name

08/05/2005
Date

05/18/05 12:50 FAX

## HAND RECEIPT

DATE: 09/10/2004

| NOMENCLATURE | QUANTITY | SERIAL NUMBER |
|---|---|---|
| 124 gr. Federal 9MM Luger Hydra-shok JHP Officer yearly turn-in ammunition | 8,824 | total rounds |
| This ammunition is being distributed to the U.S. Dept of Army Police, per their request for support purposes. This will assist the D.A. Police in their training and enable them to stand ready to protect and defend the base. | | |
| Approval for this support was given by D/Chief, Special Activities, Rod W[redacted] NSA Police. | | |
| Total = | 8,824 | |

Employee distributing material: Ofc. Mike M [redacted]

ISSUED TO

| NAME | | ROOM: OFFICE | SECTION: |
|---|---|---|---|
| Sgt. [illegible] | | | [illegible] |

I CERTIFY THAT I HAVE RECEIVED THE ABOVE LISTED ITEM AND HOLD MYSELF RESPONSIBLE FOR THE SAME.

SIGNATURE

FORM A2480 REV SEP 84

NSN 7540-FM-001-3544

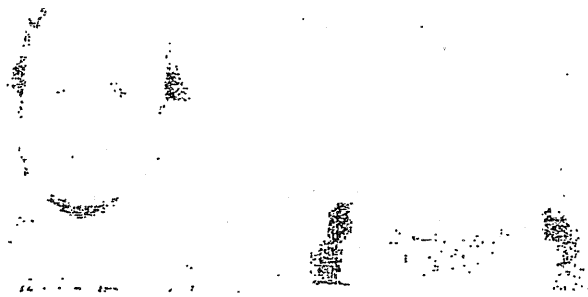
U.S.G.P.O.: [illegible]

ENCL 25

# NSA Police Communications

## BOLO INFORMATIONAL BROADCAST

Click Image To View



| | | |
|---|---|---|
| Initiation Time: 11:37 | Initiation Date: Tuesday, June 28, 2005 | |
| Type Of Alert: Law Enforcement/Homeland Security Related Alert | | |
| Reporting Agency: SOC | | Method: |
| Person Reporting BOLO: SWO Ethan A[redacted] | | Phone Number: 301-688-6911 |

**REASON FOR THE BOLO:**

| | |
|---|---|
| Any criminal/security activity involved? Yes | Reason/Charges: ***APPROACH WITH EXTREME CAUTION***Individual was arrested for DWI and carrying a concealed deadly weapon, by Ft. Meade, during his arrest he threatened to shoot a Ft Meade Police Officer, also has prior arrest for Carrying a concealed deadly weapon, request additional personnel and notify the Com Center immediately |
| Any there any weapons involved? Yes | Type: firearms, swords and knives |

**DESCRIPTION INFORMATION:**

| **Person Involved** Alias: | **Physical Description** | |
|---|---|---|
| Name: Francis, Daniel | Race: white | Sex: M |
| Address: 7219 Highbridge Rd PO Box 272 | Hgt.: 5 08 | Wgt.: 140 |
| City: Bowie | Hair: Blond | Eyes: Blue |
| State: Maryland | Zip: 20720 | DOB: 2/7/1967 Age: 38 |

**VEHICLE INFORMATION:**

| | |
|---|---|
| Vehicle Make/Model: 64 Chevy/unk | Color: unk |
| Tag Number: L81327 | State: MD |

Any Vehicle Damage/Markings: **00 Ford unk model, MD Reg KGT232*** 92 Mazda unk model, MD reg 4AFC90***

This BOLO has been issued to: NSA Police, MSP augmentees

USE THIS PAGE IF NEEDED. IF THIS PAGE IS NOT NEEDED, PLEASE PROCEED TO FINAL PAGE OF THIS FORM.

STATEMENT OF Thomas W. Russell TAKEN AT Fort Meade, MD DATED 2005/07/26

STATEMENT *(Continued)*

Q. Did you have disagreements with him? Or he with you?
A. I had talks with him with Officer Thomas present informing him that he must do union activities on Union time, he would constantly try to talk union business during work hours.
Q. Were there public displays of disagreements?
A. No there were none between us in Public, he used to badmouth me to the officers when I was not around, a few of them did. Mainly because they felt that they should have had my job, they felt that they were more qualified than me. SGT Brown, Kevin and Officer Vanover knew of this badmouthing. Officer Love overheard this, too. He's on reserve duty at this time.
Q. Who witnessed them?
A. We had a Union discussion with Officer Vanover present (Officer Vanover was the one responsible for starting the FOP at Ft Meade) Daly was telling everyone that they were represented by FOP6F when in fact there was nothing in place on this, we had discussed this and I informed him that everyone was covered under AFGE until the FOP was voted in to the organization, Officer Vanover agreed with me.
Q. Why was his employment terminated?
A. I do not know. I was not working as the deputy chief at that time. He was terminated by Deputy Chief Frank; I had nothing to do with that.
Q. Why not conduct a performance improvement program (PIP)?
A. I have no idea of what was done with him, once Deputy Chief took over I was told that I was now Labor and could not get into Management issues.
Q. Do you know Mr. Daly submitted an IG complaint last year about you?
A. Yes and I actually have a copy of this with the determination, I was counseled on this. The IG's report stated that they substantiated that I brought my personal weapon on post and that I did not carry it on official duties. Mr. Daly has made several allegations on personnel in the department and has made statements to Officer Jefferson that he was coming back and he was bringing 3 heads with him, she verified this and I reported it to the command. I also have statements from concerned officers that he was attempting to set me up. My Question is if Mr. Daly would have seen me doing something wrong he would have reported it then, this is the type of person that he is. If he was terminated in November, why did it take him 2 months to report allegations, why did he not report them right then.
Q. Do you and the DAC Police socialize after duty hours?
A. No I do not socialize with any of the DA Police after hours.
Q. If so, how frequent?
A.
Q. Do you know SGT Michelle Lewis?
A. I do know her and know that she works for the MP Company, never talked to her much though.
Q. How long?
A. I know she has been here for a while but I have only talked to her maybe a dozen times, most of which her telling me that her husband wanted a job here.
Q. Have you heard if SGT Lewis attended some of these get togethers? Who did you hear it from?
A. No I have not heard this.
Q. Have you heard of any problems which involved SGT Lewis?
A. No I have not.
Q. IF so, what actions did you take?
A. N/A
Q. How would you describe your neighborhood where you lived in Oct 04?
A. There was section 8 housing at the beginning of it. Overall safe.
Q. You stated that "people out there who do not like police and will wait for an opportunity to hurt a Police Officer who may have dealt with them previously" What facts do you have that supports your statement?
A. Though this is recent, this is a supportable fact. It was a bolo that was put out that this individual would kill a Fort Meade police officer. I do not have anything from before, but we do deal with high drug offenses in our concurrent jurisdiction. Right outside of our gates, we have gang activities. We have MS 13, too. NSA has protective measures for the their police department and their whole agency. For instance, [redacted] Where as we do [redacted]
Q. do you have the FOP sticker on your car?
A. No. Even though I am a member, I do not even have FOP on my plates.
Q. do you have a locker to store your clothing?
A. No.
Q. When did the FT Meade start issuing DAC Police credentials?
A. They were issued before I started working here.
Q. Do you have any comments you would like to make?
A. I would like to provide to you the email documentation I have with Gloria Carter Jones of the times I attempted to order the weapons. I fully understand how difficult it is to get training ammunition without weapons on official documentation. We are hiring [illegible] officers and the logistics chain is broken. Getting ammunition and weapons are so difficult here.

INITIALS OF PERSON MAKING STATEMENT

# 3

66 FR 36611, *

FEDERAL REGISTER

Vol. 66, No. 134

Notices

OFFICE OF SPECIAL COUNSEL

**Privacy Act of 1974, System of Records**

*66 FR 36611*

**DATE:** Thursday, July 12, 2001

**ACTION:** Notice of technical revisions to system of records and proposed revision of system descriptions and routine uses.

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To view the next page, type .np* TRANSMIT.
To view a specific page, transmit p* and the page number, e.g. p*1
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[*36611]

**SUMMARY:** Pursuant to the provisions of the Privacy Act of 1974, *5 USC 552a,* notice is given that the U.S. Office of Special Counsel (OSC) is making non-substantive technical revisions to the Privacy Act system notice for the system of records designated "OSC/GOVT-1, OSC Complaint, Litigation and Political Activity Files;" proposing to change descriptions of certain features of the system of records; and proposing the amendment of two current routine uses, and the addition of a new routine use. The affected system of records is maintained in connection with OSC program responsibilities under *5 U.S.C. 1212, et seq.*, and *38 U.S.C. 4324.*

**DATES:** The non-substantive technical revisions described in this notice are effective upon publication. Other changes proposed in the notice will become effective on [30 days after publication of this notice], unless comments received by OSC before then warrant further changes.

**FOR FURTHER INFORMATION CONTACT:** Erin M. McDonnell, U.S. Office of Special Counsel, at (202) 653-8971.

**OSC/GOVT-1**

**SYSTEM NAME:**

OSC/GOVT-1, OSC Complaint, Litigation and Political Activity Files.

**SYSTEM LOCATION:**

Human and Administrative Resources Management Branch, U.S. Office of Special Counsel, 1730 M Street, NW, Suite 201, Washington, DC 20036-4505.

**CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:**

The principal categories of individuals covered by the system are persons filing allegations of prohibited personnel practices, improper political activity, or other prohibited activities; persons identified as engaging or participating in such practices or activities; persons filing disclosures of alleged wrongdoing by federal agencies, and persons identified as engaging or participating in such wrongdoing; persons requesting advisory opinions on political activity; persons

charged by OSC in disciplinary action complaints filed by OSC with the Merit Systems Protection Board (MSPB); and plaintiffs seeking remedies against OSC in litigation related to the performance of its official functions.

**CATEGORIES Of RECORDS IN THE SYSTEM:**

Correspondence with persons (or their representatives) filing allegations of prohibited personnel practices, improper political activity, or other prohibited activities; correspondence with other agencies, entities, or individuals referring matters to OSC for review and/or investigation; exhibits and other documentation from complainants, governmental entities or other third parties; interview records, including notes, summaries, or transcripts; affidavits; reports or other summaries of investigation; factual and legal summaries and analyses; administrative determinations; referrals to other agencies for appropriate action; records created or compiled in connection with litigation by or against OSC, or pertinent to OSC operations; requests and decisions under the Freedom of Information and/or Privacy Acts; and other correspondence and documents arising out of the performance of official OSC functions under *5 U.S.C. 1211*-1221, 1501-1508, and 7321-7326; *38 U.S.C. 4324,* and other applicable law or regulation.

**AUTHORITY FOR MAINTENANCE OF THE SYSTEM:**

*5 U.S.C. 552,* 552a, 1211-1221, 1501-1508, and 7321-7326; and *38 U.S.C. 4324.*

**ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:**

a. To disclose the fact that an allegation of prohibited personnel practices or other prohibited activity has been filed;

b. To disclose information to the Office of Personnel Management (OPM) pursuant to Civil Service Rule 5.4 (5 CFR 5.4), or to obtain an advisory opinion concerning the application or effect of civil service laws, rules, regulations or OPM guidelines in particular situations;

c. To disclose to the Equal Employment Opportunity Commission or any other agency or office concerned with the enforcement of the anti-discrimination laws, information concerning any allegation or complaint of discrimination based on race, color, religion, sex, national origin, age, or handicapping condition;

d. To disclose information to the MSPB or the President upon the filing or referral of a disciplinary action complaint against an employee on the basis of an OSC investigation;

e. To disclose information to an agency, the MSPB, OPM, and the President reporting, under *5 U.S.C. 1214,* the results of investigations which disclose reasonable grounds to believe a prohibited personnel practice has occurred, exists, or is to be taken;

f. To disclose information to Congress in connection with the submission of an annual report on activities of the Special Counsel;

g. To disclose information to any agency or person regarding allegations of prohibited personnel practices or [*36613] other prohibited activity or prohibited political activity filed against an agency or any employee thereof, for the purposes of conducting an investigation, in transmitting information to an agency under *5 U.S.C. 1213*(c)(1) and the OSC procedures established thereunder; or to give notice of the status or outcome of the investigation;

h. To disclose information to any source from which additional information is requested (to the extent necessary to identify the individual, inform the source of the purpose(s) of the request, and to identify the type of information requested), where necessary to obtain information relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the conducting of a security or suitability investigation of an individual, the letting of a contract, or the issuance of a license, grant, or other benefit;

i. To disclose information to the Office of Management and Budget (OMB) at any stage in the legislative coordination and clearance process in connection with private relief legislation, as set forth in OMB Circular No. A-19;

j. To provide information to a congressional office from the record of an individual in response to an inquiry from that congressional office (made at the request of that individual);

k. To furnish information to the National Archives and Records Administration (NARA) in records management inspections conducted under authority of *44 U.S.C. 2904* and 2906;

l. To produce summary descriptive statistics and analytical studies in support of the function for which the records are collected and maintained or for related work force studies;

m. To disclose records to the Department of Justice (DOJ) when:

(1) The OSC, or

(2) Any employee of the OSC in his or her official capacity, or

(3) Any employee of the OSC in his or her individual capacity where the DOJ has agreed to represent the employee, or

(4) The United States, where the OSC determines that litigation is likely to affect the OSC, is a party to litigation or has an interest in such litigation, and the use of such records by the DOJ is deemed by the OSC to be relevant and necessary to the litigation, provided, however, that the OSC determines that disclosure of the records to the DOJ is a use of the information contained in the records that is compatible with the purpose for which the records were collected;

n. To disclose records maintained by the OSC in a proceeding before a court or adjudicative body before which the OSC is authorized to appear, when:

(1) The OSC, or

(2) Any employee of the OSC in his or her official capacity,

(3) Any employee of the OSC in his or her individual capacity where the OSC has agreed to represent the employee, or

(4) The United States, where the OSC determines that litigation is likely to affect the OSC, is a party to litigation or has an interest in such litigation, and the OSC determines that use of such records is relevant and necessary to the litigation, provided, however, that the OSC determines that disclosure of the records is a use of the information contained in the records that is compatible with the purpose for which the records were collected;

o. To disclose information to the MSPB to aid in the conduct of special studies by the Board under *5 U.S.C. 1204*(a)(3);

p. To disclose information to the Office of Inspector General (OIG) or comparable internal inspection, audit, or oversight office of an agency for the purpose of facilitating the coordination and conduct of investigations and review of allegations within the purview of both the OSC and the agency OIG or comparable office;

q. To disclose information to the news media and the public when (1) the matter under investigation has become public knowledge, (2) the Special Counsel determines that disclosure is necessary to preserve confidence in the integrity of the OSC investigative process or is necessary to demonstrate the accountability of OSC officers, employees, or individuals covered by this system, or (3) the Special Counsel determines that there exists a legitimate public interest (e.g., to demonstrate that the law is being enforced, or to deter the commission of prohibited personnel practices, prohibited political activity, and other prohibited activity within the OSC's jurisdiction), except to the extent that the Special Counsel determines in any of these situations that disclosure of specific information in the context of a particular case would constitute an unwarranted invasion of personal privacy; and

r. To disclose information to the U.S. Department of Labor (DOL) about OSC's referral of a complaint alleging a violation of veterans preference requirements to DOL for further action under the Veterans' Employment Opportunities Act of 1998 further; action under the Veterans' Employment Opportunities Act of 1998 (VEOA); to disclose information to DOL or any agency or person as needed to develop relevant information about matters referred by DOL to OSC under *38 U.S.C. 4324* (the Uniformed Services Employment and Reemployment Rights Act of 1994)the Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA); to disclose information to DOL or any agency or person as needed to advise on the status or disposition of matters referred by DOL to OSC for disciplinary action under *5 U.S.C. 1215,* or corrective action litigation under *538 U.S.C. 4324.*

**POLICIES AND PRACTICES FOR STORAGE, RETRIEVAL, ACCESS CONTROLS, RETENTION AND DISPOSAL OF RECORDS IN THE SYSTEM:**

**Storage:**

These records are stored in a variety of media, primarily consisting of file folders, and computer storage equipment.

**RETRIEVABILITY:**

Files in this system of records are retrievable by the names of key individuals or agencies involved (e.g., complainants or requesters; subjects identified in corrective action or disciplinary proceedings, warning letters, or other determinations; legal, congressional, or other representatives or points of contact; or key witnesses), although files are generally retrieved by the name of: (a) The complainant alleging a prohibited personnel practice, or other prohibited activity; (b) the alleged subject of a complaint about prohibited political activity; (c) the person filing an allegation through the OSC whistleblower disclosure channel; (d) the name of the person filing a request for an advisory opinion on political activity; (e) the name of the person on whose behalf OSC seeks corrective action, or the person against whom OSC seeks disciplinary action, in litigation before the MSPB; and (f) the plaintiff in litigation against OSC.

**SAFEGUARDS:**

These records are located in lockable file cabinets or in secured areas. The required use of computer password protection identification features and other system protection methods also restrict access. Access is limited to those agency personnel who have an official need for access to perform their duties.

**RETENTION AND DISPOSAL:**

NARA keeps records about prohibited personnel practices and other prohibited activity for three years after the matter or case is closed, or for six years if the file has been the subject of a Freedom of Information Act request. [*36614] NARA is responsible for disposal of OSC records pursuant to law and regulation.

**SYSTEM MANAGER(S) AND ADDRESS:**

The official responsible for records management functions associated with OSC program and administrative files, including those in the OSC/GOVT-1 system of records, is the Records Management Officer, Human and Administrative Resources Management Branch, U.S. Office of Special Counsel, 1730 M Street, NW, Suite 201, Washington, DC 20036-4505.

**NOTIFICATION PROCEDURE:**

Individuals who wish to inquire whether this system contains information about them should contact the system manager. To assist in the process of locating and identifying records, individuals should furnish the following:

a. Name and address;

b. Date and place of birth;

c. Social Security number;

d. A description of the circumstances under which records may have been included in the system.

**RECORD ACCESS PROCEDURES:**

Same as notification procedure, above.

**CONTESTING RECORD PROCEDURES:**

Individuals who wish to contest records about them should contact the system manager, identify any information they believe should be corrected, and furnish a statement of the basis for the requested correction along with all available supporting documents and materials.

**RECORD SOURCE CATEGORIES:**

Information in this system of records is obtained from a variety of sources, consisting of complainants or others on whose behalf allegations, or requests for information, have been submitted or referred to OSC; legal, congressional, or other representatives or points of contact; other government bodies; witnesses and subjects in matters under review;

principals involved in litigation matters, including parties and their representatives; and other persons or entities furnishing information pertinent to the discharge of functions for which OSC is responsible.

**EXEMPTIONS CLAIMED FOR THE SYSTEM:**

a. Complaint, Litigation and Political Activity files containing investigatory material compiled by OSC for law enforcement purposes are exempt to the extent allowed under subsections (k)(2) and (5) of the Privacy Act. This exemption is necessary to protect confidential sources and facilitate the voluntary cooperation of witnesses during inquiries into allegations of prohibited personnel practices or other prohibited activities.

b. Testing or examination material compiled by OSC solely to determine individual qualifications for appointment or promotion in the Federal service is exempt to the extent allowed under subsection (k)(6) of the Privacy Act. This exemption is necessary to prevent the disclosure of information that would potentially give an individual an unfair competitive advantage or diminish the utility of established examination procedures.

c. OSC reserves the right to assert exemptions for records received from another agency that could be properly claimed by that agency in responding to a request, and OSC may refuse access to information compiled in reasonable anticipation of a civil action or proceeding, pursuant to subsection (d)(5) of the Privacy Act.

Dated: June 29, 2001.

**Elaine Kaplan,**

*Special Counsel.*

[FR Doc. 01-17418 Filed 7-11-01; 8:45 am]

BILLING CODE 7405-01-P

**SUPPLEMENTARY INFORMATION:** OSC is an independent investigative and prosecutorial agency. Its responsibilities include investigation of allegations of: (a) Prohibited personnel practices under *5 U.S.C. 2302*(b), and other prohibited employment practices under *5 U.S.C. 1216;* (b) prohibited political activity by federal and District of Columbia employees under *5 U.S.C. 7321*-7326, and by certain state and local government employees under *5 U.S.C. 1501*-1508; and (c) prohibited personnel practices in cases referred to OSC by the Merit Systems Protection Board (MSPB) under *5 U.S.C. 1221*(f)(3). OSC is authorized to seek appropriate corrective and/or disciplinary action in these matters through litigation before the MSPB. Under *5 U.S.C. 1213,* OSC operates a hotline channel for confidential whistleblower disclosures by current and former federal employees or former federal employees. Section 1212(f) of title 5 authorizes OSC to provide advisory opinions on request to government employees and others about whether or not they may engage in specific political activities under the Hatch Act. Finally, OSC is authorized to represent claimants in cases arising under provisions of the Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA), at *38 U.S.C. 4311, et seq.*

Information developed in connection with these OSC responsibilities is maintained in the OSC/GOVT-1 system of records, which includes certain records subject to the Privacy Act. These include records in complaint files, disclosure files, Hatch Act advisory opinion files, and litigation files (in connection with litigation filed by or against OSC or its employees). The last full notice of the system was published at *64 FR 63359-63361* (November 19, 1999); minor numbering corrections were published at *65 FR 6436* (February 9, 2000).

OSC is revising the OSC/GOVT-1 system notice to: (1) Make non-substantive technical revisions; (2) propose changes in the descriptions of certain features of the system of records to update information shown in prior system notices; and (3) propose the amendment of current routine uses "p" and "q," and the addition of a new routine use "r," addressing disclosures in furtherance of OSC and U.S. Department of Labor (DOL) responsibilities for the protection of federal employment rights of veterans and reservists.

Non-substantive technical revisions are made in this notice to correct editorial errors in the November 1999 system notice; add useful citations; reflect changes in the administrative location of the system manager and the system of records; update OSC's official mailing address; and correct the description of routine use "o" by restoring the word "under" in place of "use." ("[U]nder" had appeared in prior system notices, but was inadvertently changed to "use" in the November 1999 notice.)

This notice also proposes to change descriptions of categories of individuals covered by the system of records, retrievability of records in the system, and system safeguards, to update information shown in prior system notices.

Finally, this notice proposes to amend current routine use "p," by deleting "and" at the end of the text, and current routine use "q," by striking the period at the end and adding "; and". The notice also proposes a new routine use "r," to disclosures of information by OSC to DOL and others, in furtherance of OSC and DOL responsibilities for protection of federal employment rights under USERRA and the Veterans' Employment Opportunities Act of 1998 (VEOA) (amending title 5). Current routine uses cover OSC disclosures during the processing of all complaints within its jurisdiction, including for investigative and litigation purposes. OSC believes, however, that a routine [*36612] use tailored to certain responsibilities of OSC and DOL in processing alleged violations of veterans' and reservists' federal employment rights will facilitate implementation of those responsibilities, consistent with procedures agreed to by OSC and DOL. A brief summary of the responsibilities addressed by the proposed new routine use follows:

*Violations of veterans' preference requirements (5 U.S.C. 2302(b)(11)).* OSC initially refers alleged violations of veterans' preference requirements to DOL for further action under the VEOA. (The MSPB lacks authority to order corrective action for violations alleged under *5 U.S.C. 2302*(b)(11), which makes it a prohibited personnel practice to knowingly take, recommend, or approve, or fail to take, recommend, or approve any personnel action, if doing so would violate a veterans' preference requirement.) OSC has agreed to notify DOL of each such referral. DOL, in turn, will refer matters as appropriate to OSC for possible disciplinary action under *5 U.S.C. 1215.*

*Violations of employment/re-employment rights (USERRA).* Upon request by a claimant, DOL refers unresolved complaints alleging violations of veterans' rights to OSC pursuant to *38 U.S.C. 4324.* If OSC is reasonably satisfied that the claimant is entitled to relief under USERRA, it may represent that person in litigation seeking corrective action before the MSPB (and, as necessary, the Federal Circuit Court of Appeals). In reviewing issues identified in the initial referral, OSC may contact DOL or any agency or person as needed to obtain relevant information on the claimant's entitlement to relief, and may consult with DOL on representation issues. If OSC declines representation, it notifies the claimant. OSC may also notify the agency involved. (No information about the basis for OSC's decision or OSC's assessment of the case is provided to the agency.)

For ease of reference by other government entities and the public, the entire system notice is printed below. It includes all non-substantive technical revisions, proposed changes to descriptions of system features listed above, proposed revisions to routine uses "p" and "q," and the proposed new routine use "r."

In accordance with *5 U.S.C. 552a*(r), OSC has provided a report to the Office of Management and Budget (OMB) and the Congress on significant changes proposed in this notice.

**COMMENTS:** In accordance with *5 U.S.C. 552a*(e)(4) and (11), members of the public are given a 30-day period in which to comment. (OMB, which has oversight responsibility under the Privacy Act, also requires an opportunity for its review of significant changes proposed in the notice.) Any comments should be submitted to OSC in writing by August 13, 2001. Comments should be sent by mail to Erin M. McDonnell, Planning and Advice Division, U.S. Office of Special Counsel, 1730 M Street, NW, Suite 201, Washington DC 20036-4505; comments may also be sent to the same addressee by fax, at (202)-653-5161.

# 4

OFFICE OF THE SECRETARY OF DEFENSE
1950 DEFENSE PENTAGON
WASHINGTON, DC 20301-1950

ADMINISTRATION AND
MANAGEMENT

SEP 1 2005

MEMORANDUM FOR SECRETARIES OF THE MILITARY DEPARTMENTS
CHAIRMAN OF THE JOINT CHIEFS OF STAFF
UNDER SECRETARIES OF DEFENSE
ASSISTANT SECRETARIES OF DEFENSE
GENERAL COUNSEL OF THE DEPARTMENT OF DEFENSE
DIRECTOR, OPERATIONAL TEST AND EVALUATION
INSPECTOR GENERAL OF THE DEPARTMENT OF DEFENSE
ASSISTANTS TO THE SECRETARY OF DEFENSE
DIRECTOR, ADMINISTRATION AND MANAGEMENT
DIRECTOR, PROGRAM ANALYSIS AND EVALUATION
DIRECTOR, NET ASSESSMENT
DIRECTOR, FORCE TRANSFORMATION
DIRECTORS OF THE DEFENSE AGENCIES
DIRECTORS OF THE DOD FIELD ACTIVITIES

SUBJECT: Withholding of Information that Personally Identifies DoD Personnel

This guidance was previously issued on February 3, 2005, but its importance mandates that it be published again to reinforce significant security considerations.

Organizations outside the Federal Government often approach DoD personnel to obtain updated contact information for their publications, which are then made available to the general public. The information sought usually includes names, job titles, organizations, phone numbers, and sometimes room numbers.

The Director, Administration and Management, issued a policy memorandum on November 9, 2001 (attached) that provided greater protection of DoD personnel in the aftermath of 9/11 by requiring information that personally identifies DoD personnel be more carefully scrutinized and limited. Under this policy, personally identifying information may be inappropriate for inclusion in any medium available to the general public. A December 28, 2001, memorandum from the Assistant Secretary of Defense for Command, Control, Communications and Intelligence (attached) issued a policy limiting publication of personally identifying information on web sites.

The following policy augments the above cited memoranda and is in effect with regard to publication of information that personally identifies DoD personnel in publications accessible by the general public. In general, release of information on DoD personnel will be limited to the names, official titles, organizations, and telephone numbers for personnel only at the office director level or above, provided a determination is made that disclosure does not raise security or privacy concerns. No other information, including room numbers, will

OSD 17746-05

normally be released about these officials. Consistent with current policy, as delineated in the referenced memoranda issued in 2001, information on officials below the office director level may continue to be released if their positions or duties require frequent interaction with the public.

Questions regarding this policy should be directed to Mr. Will Kammer, Office of Freedom of Information, at 703-696-4495.

Howard G. Becker
Deputy Director

Attachments:
As Stated

cc: Secretary of Defense
Deputy Secretary of Defense

OFFICE OF THE SECRETARY OF DEFENSE
1950 DEFENSE PENTAGON
WASHINGTON, DC 20301-1950

ADMINISTRATION AND
MANAGEMENT

FEB 0 3 2005

MEMORANDUM FOR SECRETARIES OF THE MILITARY DEPARTMENTS
CHAIRMAN OF THE JOINT CHIEFS OF STAFF
UNDER SECRETARIES OF DEFENSE
ASSISTANT SECRETARIES OF DEFENSE
GENERAL COUNSEL OF THE DEPARTMENT OF DEFENSE
DIRECTOR, OPERATIONAL TEST AND EVALUATION
INSPECTOR GENERAL OF THE DEPARTMENT OF DEFENSE
ASSISTANTS TO THE SECRETARY OF DEFENSE
DIRECTOR, ADMINSTRATION AND MANAGEMENT
DIRECTOR, PROGRAM ANALYSIS AND EVALUATION
DIRECTOR, NET ASSESSMENT
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DIRECTORS OF THE DOD FIELD ACTIVITIES

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may continue to be released if their positions or duties require frequent interaction with the public.

Questions regarding this policy should be directed to Will Kammer, Office of Freedom of Information, at 703-697-1171.

Raymond F. DuBois
Director

Attachments:
As Stated

cc: Secretary of Defense
Deputy Secretary of Defense

ASSISTANT SECRETARY OF DEFENSE
6000 DEFENSE PENTAGON
WASHINGTON, DC 20301-6000

December 28, 2001

COMMAND, CONTROL,
COMMUNICATIONS, AND
INTELLIGENCE

MEMORANDUM FOR SECRETARIES OF THE MILITARY DEPARTMENTS
CHAIRMAN OF THE JOINT CHIEFS OF STAFF
UNDER SECRETARIES OF DEFENSE
DIRECTOR, DEFENSE RESEARCH AND ENGINEERING
ASSISTANT SECRETARIES OF DEFENSE
GENERAL COUNSEL OF THE DEPARTMENT OF DEFENSE
INSPECTOR GENERAL OF THE DEPARTMENT OF DEFENSE
DIRECTOR, OPERATIONAL TEST AND EVALUATION
ASSISTANTS TO THE SECRETARY OF DEFENSE
DIRECTOR, ADMINISTRATION AND MANAGEMENT
DIRECTOR, NET ASSESSMENT
DIRECTORS OF THE DEFENSE AGENCIES
DIRECTORS OF THE DOD FIELD ACTIVITIES

SUBJECT: Removal of Personally Identifying Information of DoD Personnel from Unclassified Web Sites

In accordance with DoD 5400.7-R, "DoD Freedom of Information Act Program," unclassified information which may be withheld from the public by one or more Freedom of Information Act (FOIA) exemptions is considered For Official Use Only (FOUO). DoD Web Site Administration policy (www.defenselink.mil/webmasters), issued by Deputy Secretary of Defense memorandum, December 7, 1998, prohibits posting FOUO information to publicly accessible web sites and requires access and transmission controls on sites that do post FOUO materials (see Part V, Table 1).

The attached November 9, 2001, memorandum from the Director, Administration and Management (DA&M), citing increased risks to DoD personnel, states that personally identifying information regarding all DoD personnel may be withheld by the Components under exemption (b)(6) of the FOIA, 5 USC §552. This action makes the information which may be withheld FOUO and inappropriate for posting to most unclassified DoD web sites.

Thus, all personally identifying information regarding DoD personnel now eligible to be withheld under the FOIA must be removed from publicly accessible web pages and web pages with access restricted only by domain or IP address (i.e., .mil restricted). This applies to unclassified DoD web sites regardless of domain (e.g., .com, .edu, .org, .mil, .gov) or sponsoring organization (e.g., Non-Appropriated Fund/Morale, Welfare and

Recreations sites; DoD educational institutions). The information to be removed includes name, rank, e-mail address, and other identifying information regarding DoD personnel, including civilians, active duty military, military family members, contractors, members of the National Guard and Reserves, and Coast Guard personnel when the Coast Guard is operating as a service in the Navy.

Rosters, directories (including telephone directories) and detailed organizational charts showing personnel are considered lists of personally identifying information. Multiple names of individuals from different organizations/locations listed on the same document or web page constitutes a list. Aggregation of names across pages must specifically be considered. In particular, the fact that data can be compiled easily using simple web searches means caution must be applied to decisions to post individual names. If aggregation of lists of names is possible across a single organization's web site/pages, that list should be evaluated on its merits and the individual aggregated elements treated accordingly.

Individual names contained in documents posted on web sites may be removed or left at the discretion of the Component, in accordance with the DA&M guidance. This direction does not preclude the discretionary posting of names and duty information of personnel who, by the nature of their position and duties, frequently interact with the public, such as flag/general officers, public affairs officers, or other personnel designated as official command spokespersons. Posting such information should be coordinated with the cognizant Component FOIA or Public Affairs office.

In keeping with the concerns stated in the referenced memorandum and in the October 18, 2001, DepSecDef memorandum, "Operations Security Throughout the Department of Defense," the posting of biographies and photographs of DoD personnel identified on public and .mil restricted web sites should also be more carefully scrutinized and limited.

Sites needing to post contact information for the public are encouraged to use organizational designation/title and organizational/generic position e-mail addresses (e.g., office@organization.mil; helpdesk@organization.mil; commander@base.mil).

Questions regarding Web Site Administration policy may be directed to Ms. Linda Brown. She can be reached at (703) 695-2289 and e-mail Linda.Brown@osd.mil. Questions regarding Component-specific implementation of the DA&M memorandum should be directed to the Component FOIA office.

John P Stenbit

John P. Stenbit

Attachment
As stated

OFFICE OF THE SECRETARY OF DEFENSE
1950 DEFENSE PENTAGON
WASHINGTON, DC 203014950

ADMINISTRATION &
MANAGEMENT

November 9, 2001

Ref: OI-CORR-101

MEMORANDUM FOR DOD FOIA OFFICES

SUBJECT: Withholding of Personally Identifying Information Under the Freedom of Information Act (FOIA)

The President has declared a national emergency by reason of the terrorist attacks on the United States. In the attached memorandum, the Deputy Secretary of Defense emphasizes the responsibilities all DoD personnel have towards operations security and the increased risks to US military and civilian personnel, DoD operational capabilities, facilities and resources. All Department of Defense personnel should have a heightened security awareness concerning their day-to-day duties and recognition that the increased security posture will remain a fact of life for an indefinite period of time.

This change in our security posture has implications for the Defense Department's policies implementing the Freedom of Information Act (FOIA). Presently all DoD components withhold, under 5 USC § 552(b)(3), the personally identifying information (name, rank, duty address, official title, and information regarding the person's pay) of military and civilian personnel who are assigned overseas, on board ship, or to sensitive or routinely deployable units. Names and other information regarding DoD personnel who did not meet these criteria have been routinely released when requested under the FOIA. Now, since DoD personnel are at increased risk regardless of their duties or assignment to such a unit, release of names and other personal information must be more carefully scrutinized and limited.

I have therefore determined this policy requires revision. Effective immediately, personally identifying information (to include lists of e-mail addresses) in the categories listed below must be carefully considered and the interests supporting withholding of the information given more serious weight in the analysis. This information may be found to be exempt under 5 USC § 552(b)(6) because of the heightened interest in the personal privacy of DoD personnel that is concurrent with the increased security awareness demanded in times of national emergency.

- Lists of personally identifying information of DoD personnel: All DoD components shall ordinarily withhold lists of names and other personally identifying information of personnel currently or recently assigned within a particular component, unit, organization or office with the Department of Defense in response to requests under the FOIA. This is to include active duty military personnel, civilian employees, contractors, members of the National Guard and Reserves, military dependents, and Coast Guard personnel when the Coast Guard is operating as a service in the Navy. If a particular request does not raise

security or privacy concerns, names may be released as, for example, a list of attendees at a meeting held more than 25 years ago. Particular care shall be taken prior to any decision to release a list of names in any electronic format.

- Verification of status of named individuals: DoD components may determine that release of personal identifying information about an individual is appropriate only if the release would not raise security or privacy concerns and has been routinely released to the public.

- Names in documents that don't fall into any of the preceding categories: Ordinarily names of DoD personnel, other than lists of names, mentioned in documents that are releasable under the FOIA should not be withheld, but in special circumstances where the release of a particular name would raise substantial security or privacy concerns, such a name may be withheld.

When processing a FOIA request, a DoD component may determine that exemption (b)(6) does not fully protect the component's or an individual's interests. In this case, please contact Mr. Jim Hogan, Directorate of Freedom of Information and Security Review, at (703) 697-4026, or DSN 227-4026.

This policy does not preclude a DoD component's discretionary release of names and duty information of personnel who, by the nature of their position and duties, frequently interact with the public, such as flag/general officers, public affairs officers, or other personnel designated as official command spokespersons.

D. O. Cooke
Director

Attachment:
As stated

# 5

FILED

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION

05 APR -1 PM 2:26

CLERK, U.S. DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FT. MYERS, FLORIDA

| | | |
|---|---|---|
| JAMES V. MUDD,<br><br>Plaintiff,<br><br>vs.<br><br>UNITED STATES ARMY, UNITED STATES OFFICE OF SPECIAL COUNSEL, and UNITED STATES DEPARTMENT OF DEFENSE,<br><br>Defendants. | ) | CASE NO. _____<br><br>2:05-cv-137-FtM-29DNF |

**COMPLAINT AND JURY DEMAND**

Plaintiff JAMES V. MUDD (hereinafter "MUDD"), by and through his undersigned attorneys, sues Defendants, the UNITED STATES ARMY, the UNITED STATES OFFICE OF SPECIAL COUNSEL, and the UNITED STATES DEPARTMENT OF DEFENSE (hereinafter individually, "ARMY", "SPECIAL COUNSEL", and "DOD", and collectively, "Defendants"), and alleges as follows:

**PARTIES**

1. MUDD is an individual residing in Collier County, Florida who retired honorably as a Colonel in the United States Army after serving the United States of America with distinction for 26 years.

2. ARMY is a department of the United States Government with its principal location in Alexandria, Virginia.

3. SPECIAL COUNSEL is a department of the United States Government with its principal location in Washington, D.C.

4. DOD is a department of the United States Government with its principal location in Alexandria, Virginia.

## JURISDICTION AND VENUE

5. This Court has jurisdiction over the claims in this complaint pursuant to 28 U.S.C. § 1331.

6. This Court has venue over the claims in this complaint pursuant to 28 U.S.C. § 1402.

## GENERAL ALLEGATIONS

7. MUDD graduated from the United States Military Academy at West Point and was commissioned as a Second Lieutenant in the ARMY in 1974.

8. MUDD served in the ARMY with distinction rising to the rank of Colonel until his retirement on September 1, 2000, having served his country faithfully for 26 years.

### Upper Mississippi River Navigation Study

9. The Upper Mississippi River is a portion of the Mississippi River which extends from Minneapolis, Minnesota, to the confluence of the Ohio River just north at Cairo, Illinois. The Upper Mississippi River is 854 miles long and has 29 locks and dams located on it. The Illinois Waterway which serves as the connecting link between the Great Lakes, the Saint Lawrence Seaway, and the Mississippi River has 8 locks and dams located on it. The system of locks and dams on the Upper Mississippi River and the Illinois Waterway is referred to as the Upper Mississippi River-Illinois Waterway navigation system. The Upper Mississippi River-Illinois Waterway navigation system provides a transportation network linking the upper Midwestern United States to domestic and overseas markets.

10. During the 1980s, the U.S. Army Corps of Engineers (the "Corps") was given Congressional authorization to undertake a formal study of the Upper Mississippi River-Illinois Waterway navigation system.

11. As part of the Corps' Civil Works Project Development Process, separate reconnaissance studies of the Illinois Waterway and the Upper Mississippi River were undertaken from 1989 to 1991. The results of these studies indicated that major capital improvements would be needed on at least five locks in the navigation system.

12. A single Upper Mississippi River – Illinois Waterway Navigation Study (the "Study") was initiated by the Corps beginning in 1993 to describe and evaluate alternative project plans, assess environmental impacts and determine if a solution could be economically beneficial.

13. From the beginning, the Study was not without controversy. Environmental and taxpayer organizations argued that major capital improvements to the system were neither cost effective nor environmentally sound for the Mississippi River ecosystem. The navigation industry, on the other hand, argued that system modernization was vital to protecting the economic well being of the Upper Mississippi River basin.

14. By the year 2000, the estimated cost for the Study was almost $21 million over the original estimate.

Involvement of Dr. Sweeney in the Study

15. The Economic Work Group (the "EWG") for the Study was responsible for determining the economic benefits of the various project alternatives. To fulfill its mission, the EWG's technical manager, Dr. Donald Sweeney, who was also referred to as the Study's lead economist, devised a new economic modeling technique for the Study.

16. According to the lead economist, his new modeling technique was a distinct improvement over the modeling technique utilized by the Corps for years because it, for the first time, attempted to account for the willingness of the navigation system users to continue using the system as user costs increase.

17. Under the new modeling technique, the elasticity of demand, or the willingness of the users to use the system as costs increase, is a vitally important component which was referred to as the "N" value.

Involvement of MUDD in Study

18. In April 1997, as a result of a Corps wide restructuring, the Mississippi Valley Division of the Corps became the division directly responsible for the Study. Prior to this time, responsibility had been shared between two different divisions within the Corps. The Rock Island District maintained the lead district status for the Study throughout the restructuring.

19. In July 1997, MUDD took over as Commander of the Rock Island District, Mississippi Valley Division of the U.S. Army Corps of Engineers.

20. After assuming command of the Rock Island District and familiarizing himself with the current status of the Study, MUDD became concerned with the apparent repeated failure of the lead economist and his team to meet deadlines.

21. MUDD also became concerned regarding some of the assumptions being made by the lead economist particularly as those assumptions related to the "N" value in the economic model.

22. MUDD asked the lead economist and the EWG for the fundamental basis surrounding the proposed N-value of 1.5 and was informed that the various economists could not determine an absolute N-value. The EWG informed MUDD that some economists had argued

for a value of 2.0 (very elastic) and others had argued for a value of 1.0 (very inelastic), and so ultimately they had compromised by consensus on the value of 1.5.

23. MUDD informed the lead economist and the EWG that as the N-value was a key component to the economic model, the Corps needed an N-value that could be logically defended and empirically supported during the public review process that followed the release of the draft and final reports. MUDD then asked the EWG to come up with a N-value that could be defended and supported.

24. Around this time, MUDD, in consultation with his Division Commander, had the lead economist reassigned off of the Study due to the repeated failures of he and his team to meet deadlines.

25. While the EWG was exploring options for a new N-value for the economic model, MUDD also approached experts in the area regarding the historical elasticity of grain on the Mississippi River and was advised that approximately 70% of the grain transported on the navigation system which originated in Iowa, the only state for which such data existed, was derived from eastern Iowa, 20% was derived from central Iowa, and 10% was derived from western Iowa, and was also informed that the elasticity of demand for use of the navigation system would depend in large measure on where the grain to be shipped was derived. MUDD presented this information, including some proposed elasticities derived from the experts and from the Iowa Grain Flow Survey, to the new lead economist and suggested that perhaps a more defensible position was to take a weighted average of the elasticities of the grain.

26. Shortly thereafter, the new lead economist approached MUDD and suggested an N-value of 1.2, which was the weighted average of the elasticities obtained by MUDD. In June

of 1999, MUDD accepted this recommendation and ordered that an N-value of 1.2 be utilized by the EWG in its efforts to utilize the economic model developed by Dr. Sweeney.

Sweeney Whistleblower Claims

27. After his removal from the Study in February 2000, the former lead economist, and the creator of the economic modeling system that is contingent on an appropriate N-value, filed an affidavit with the U.S. Office of Special Counsel accusing Corps officials of altering Study data in order to justify major capital improvements to the navigation system.

28. Specifically, the former lead economist charged that MUDD and others had intentionally altered the proposed N-value of 1.5 to 1.2 in order to support additional capital improvements on the navigation system.

29. Based solely upon this affidavit, the U.S. Office of Special Counsel found a substantial likelihood that the Corps violated regulations and wasted millions of dollars of taxpayer funds and requested that the Department of Defense investigate the allegations contained in the affidavit.

Investigations

30. In the Spring of 2000, the Department of the Army Inspector General ("DAIG") began an investigation into the alleged misconduct of Corps officials.

31. Also during this time, various environmental groups, who generally opposed any major capital improvements to the navigation system, assisted the lead economist in gaining wide media coverage of his allegations.

32. This large media coverage lead to hearings being called by Congress regarding the Study in the Spring of 2000. The Congressional hearings did not yield any allegations of fraud or criminal intent by any Corps officials, including MUDD. In fact, subsequent

Congressional findings indicate the exact opposite that Corps officials acted appropriately in attempting to fix a fundamentally flawed economic model.

33. In June of 2000, the National Academy of Sciences initiated a review of the Corps' methodology for the conduct of the Study, particularly the methodology being utilized in the economic model proposed by the former lead economist, which was initially scheduled to be released in November of 2000.

34. On September 1, 2000, MUDD retired from the Army and received an honorable discharge.

Release of the Report

35. On September 28, 2000, the Secretary of the Army approved the DAIG Report of Investigation (the "DAIG Report") and forwarded the same to the Secretary of Defense. Clearly printed at the bottom of each page of the DAIG Report was the language "For Official Use Only. Dissemination Is Prohibited Except As Authorized By AR 20-1."

36. The Report indicated among other things that MUDD took or directed actions which he knew, or reasonably should have known, would contribute to the production of a feasibility study failing to meet standards established in law and regulation.

37. On November 13, 2000, the Secretary of Defense forwarded the DAIG Report to the Office of the Special Counsel with an admonition that the Report contained information that may be considered as a basis for adverse actions against individuals and therefore it should only be distributed to those whose duties and official responsibilities required access to it in order to protect the privacy of those individuals and witnesses who requested confidentiality.

38. On November 17, 2000, the Department of the Army responded to an inquiry from the Office of Special Counsel regarding the timeline for the release of the National

Academy of Sciences review and informed the Office of the Special Counsel that the National Academy of Sciences had requested a three month extension within which to release the results of its investigation. Consequently, the National Academy of Sciences was not going to release the results of its investigation until February of 2001 at the earliest.

39. On November 20, 2000, the Office of Special Counsel gave a copy of the DAIG Report to Dr. Sweeney for his review and comments, which he placed in writing on December 1, 2000.

40. MUDD was not given a copy of the DAIG Report prior to its release, nor was he given the opportunity to comment on all of the allegations against him contained in the DAIG Report prior to it being released to the media.

41. On December 6, 2000, the Office of Special Counsel held a press conference whereby it released copies of the complete DAIG Report to all of the members of the press that were present and the Office also posted a complete copy of the DAIG Report on the Internet on its web-site.

42. By correspondence dated December 12, 2000, MUDD received a Memorandum of Admonishment from General John M. Keane, the Vice Chief of Staff for the Army. According to the Memorandum of Admonishment, MUDD was admonished for improperly taking or directing actions which he knew, or reasonably should have known, would contribute to the production of a feasibility study that would fail to meet standards established in law and regulation. General Keane did not officially admonish MUDD because he believed that MUDD's decision to change the N-value in the study was based on methodology that MUDD believed was more appropriate and reasonable.

43. By correspondence dated December 14, 2000, MUDD was informed by the DAIG that the investigation was concluded, that the findings had been approved by the Secretary of the Army and that the Vice Chief of Staff for the Army would be taking action that he deems appropriate.

44. In February of 2001, the National Academy of Sciences released its report finding that the economic model developed by Dr. Sweeney was fundamentally flawed.

MUDD Follow-Up

45. Both before its release by the Office of Special Counsel, and after, MUDD filed four separate requests with ARMY to receive a copy of the completed Report and copies of the transcripts of his own testimony in the investigation. Each of these requests were forwarded also to the Office of Special Counsel. Ultimately, MUDD was informed that the DAIG could not provide him with a copy of the Report, but was directed by a representative of ARMY to download a copy of the Report from the web-site for SPECIAL COUNSEL. Copies of these requests and responses are attached hereto at Tabs D and E of Composite Exhibit "1".

46. By correspondence dated January 28, 2001, MUDD informed ARMY that the Report was posted on the web-site for the Office of Special Counsel. ARMY did nothing to protect MUDD's rights to privacy regarding the improper dissemination of his private information. A copy of this correspondence is attached hereto at Tab G of Composite Exhibit "1".

47. By correspondence dated March 10, 2001, MUDD appealed his admonishment and the findings of the DAIG Report to the Vice Chief of Staff of the Army, in light of the findings of the National Academy of Sciences and provided additional materials that appeared to have been overlooked by the DAIG during its investigation. A copy of this correspondence is

attached hereto at Tab A of Composite Exhibit "1". As the issuing officer of the Memorandum of Admonishment and the individual in the chain of command that oversees the activities of the DAIG, the Vice Chief of Staff of the Army is the appropriate individual to receive MUDD's appeal. MUDD received no response to his appeal.

48. By correspondence dated January 3, 2003, MUDD advised the Vice Chief of Staff of the Army that he had received no response to his earlier appeal and requested a response. MUDD received no response to his appeal. A copy of this correspondence is attached hereto at Tab B of Composite Exhibit "1".

49. By correspondence dated April 16, 2003, MUDD, by and through the undersigned counsel, again appealed his admonishment and the findings of the DAIG Report to the Vice Chief of Staff of the Army. A copy of this correspondence is attached hereto at Tab H of Composite Exhibit "1".

50. By correspondence dated June 6, 2003, ARMY finally responded to MUDD's appeal with notice that his concerns were being reviewed. A copy of this correspondence is attached hereto at Tab I of Composite Exhibit "1".

51. By correspondence dated July 31, 2003, MUDD provided ARMY with additional support for his appeal in the form of notice that after two years of study and review, the Corps had determined that MUDD's N-value of 1.2 was an appropriate value for the elasticity of grain on the navigation system. A copy of this correspondence is attached hereto at Tab J of Composite Exhibit "1".

52. By correspondence dated October 2, 2003, MUDD provided ARMY with additional support for his appeal which corroborated the information contained in the July 31,

2003 correspondence. A copy of this correspondence is attached hereto at Tab K of Composite Exhibit "1".

53. After receiving no updates from ARMY since June 6, 2003, MUDD again contacted ARMY by correspondence dated December 9, 2003, requesting an update on the status of the appeal. A copy of this correspondence is attached hereto at page 1 of Tab L of Composite Exhibit "1".

54. By correspondence dated December 16, 2003, ARMY finally responded that the DAIG had completed its review of MUDD's appeal on September 26, 2003, but in light of the additional information provided in October, there was a delay in responding as they considered the additional evidence. A copy of this correspondence is attached hereto at page 2 of Tab L of Composite Exhibit "1".

55. Finally, by correspondence dated January 26, 2004, ARMY responded that the information provided by MUDD did not merit a change in the findings of the DAIG Report. A copy of this correspondence is attached hereto at page 3 of Tab L of Composite Exhibit "1".

56. MUDD attempted to informally achieve a resolution of this matter, but his efforts were rebuffed.

57. By correspondence dated August 10, 2004, because he had never received any response from the Vice Chief of Staff of the Army, the only individual who could effect a change in his admonishment and/or the DAIG Report findings, MUDD attempted one last effort to appeal the findings to the Vice Chief of Staff of the Army. A copy of this correspondence is attached hereto as Composite Exhibit "1".

58. By correspondence dated October 1, 2004, ARMY again denied MUDD's attempts to appeal his Memorandum of Admonishment and the DAIG Report findings. A copy of this correspondence is attached hereto as Exhibit "2".

59. As demonstrated by the above correspondence, MUDD has exhausted his administrative remedies.

Additional Studies

60. In August of 2003, the United States Department of Agriculture released a study of the elasticity of grain on the navigation system and found it, contrary to the assumptions of Dr. Sweeney and the EWG prior to the questioning by MUDD, to be highly inelastic.

61. In April of 2004, the Tennessee Valley Authority also released the results of a study that examined the economic model developed by Dr. Sweeney, and particularly his concept of the elasticity of grain on the navigation system, and found that the elasticity assumptions of Dr. Sweeney and the EWG, prior to the questioning by MUDD, were inaccurate.

62. Also in April of 2004, the Corps released its draft Study Report. Interestingly, despite the admonition of the National Academy of Sciences in February of 2001, the Corps continued to utilize the economic model developed by Dr. Sweeney. Moreover, the elasticity values utilized by the Corps in the draft Study Report are exactly the same as the N-value of 1.2 adopted by MUDD, and for which he was admonished.

63. In late 2004, after the appropriate public comment periods, the Corps issued its Final Report which continues to utilize the N-value adopted by MUDD.

Review Process

64. Once a draft feasibility report is issued by the Corps district responsible for the study, there is a two to three month public review and comment period for the draft report.

65. Once the public review and comment period is completed, the Corps then reviews the public comments and make appropriate adjustments, if any are required, to the draft and a final report is issued by the Corps district responsible for the study.

66. Upon issuance of a final report by the district, there is a second public review and comment period for one to two months. During this time, there are additional reviews of the final report by various state and federal agencies.

67. At the conclusion of the two review phases, the Corps Division Commander submits a final report to Corps headquarters, where it undergoes yet another review before the Chief of Engineers for the Corps issues a final report containing recommendations for improvement to the navigation system.

68. This final report is then reviewed by the Department of the Army, the Department of Defense and the Office of Management and Budget prior to any recommendations arising out of the report are submitted to the Congress.

69. Consequently, in 2000, when Dr. Sweeney first raised his claims, the Corps had not even begun to prepare its draft report, nor had any of the work been subjected to any public review or comments.

70. MUDD has retained the law firm of Porter, Wright, Morris & Arthur, LLP to represent him with regard to his claims in this action and is responsible to pay it fees for the services it provides in connection with the representation.

## COUNT I – VIOLATIONS OF PRIVACY ACT

71. This is an action for violations of the Privacy Act, 5 U.S.C. § 552a, for damages.

72. MUDD realleges the allegations set forth in paragraphs 1 through 70 as if fully set forth herein.

73. On December 6, 2000, SPECIAL COUNSEL held a press conference where it released the complete DAIG Report to members of the media and posted the complete report on its web-site.

74. The DAIG Report contained personal information of MUDD's that is protected by the Privacy Act.

75. SPECIAL COUNSEL did not request prior permission from MUDD to release the protected information contained in the DAIG Report, nor has MUDD ever given SPECIAL COUNSEL permission to release his personal information to any third-party.

76. SPECIAL COUNSEL improperly released this personal information for the express purpose of injuring MUDD's reputation.

77. Prior to its release, SPECIAL COUNSEL was advised by the Secretary of Defense that disclosure of the DAIG Report should be limited to protect MUDD's personal information.

78. At all times relevant herein, the employees of SPECIAL COUNSEL were acting within the scope of their employment.

79. As a direct result of SPECIAL COUNSEL's improper release of MUDD's personal information, MUDD has suffered damages and continues to suffer damages.

WHEREFORE, Plaintiff JAMES V. MUDD demands judgment against Defendant UNITED STATES OFFICE OF SPECIAL COUNSEL pursuant to 5 U.S.C. § 552a for damages, attorneys' fees and costs, and for such other and further relief as this Court deems just and proper.

## COUNT II – VIOLATIONS OF PRIVACY ACT

80. This is an action for violations of the Privacy Act, 5 U.S.C. § 552a, for damages.

81. MUDD realleges the allegations set forth in paragraphs 1 through 70 and 73 through 79 as if fully set forth herein.

82. After SPECIAL COUNSEL released MUDD's personal information in violation of the Privacy Act, DOD and ARMY were advised by MUDD that his personal information was being improperly disseminated by SPECIAL COUNSEL.

83. Shortly thereafter, ARMY notified MUDD that it could not release the DAIG Report to him, nor could it release its investigation materials to him pursuant to the Privacy Act, but that he could obtain the complete DAIG Report containing his personal information on the Internet on the SPECIAL COUNSEL's web-site.

84. Upon receiving notice of this improper release of MUDD's personal information, neither DOD nor ARMY took any actions to halt the unauthorized release of the information.

85. DOD and ARMY refused to halt the improper release of MUDD's personal information with the intent of injuring MUDD's reputation.

86. At all times relevant herein, the employees of DOD and ARMY were acting within the scope of their employment and/or acting in the line of duty.

87. As a direct result of DOD's and ARMY's refusal to stop the improper release of MUDD's personal information, MUDD has suffered damages and continues to suffer damages.

WHEREFORE, Plaintiff JAMES V. MUDD demands judgment against Defendants UNITED STATES ARMY and the UNITED STATES DEPARTMENT OF DEFENSES pursuant to 5 U.S.C. § 552a for damages, attorneys' fees and costs, and for such other and further relief as this Court deems just and proper.

**COUNT III – FAILURE TO FOLLOW ARMY REGULATIONS**

88. This is an action for damages for failure to follow Army Regulations.

89. MUDD realleges the allegations set forth in paragraphs 1 through 70 as if fully set forth herein.

90. Pursuant to paragraph 8-6 of Army Regulation 20-1, a suspect or subject is entitled to be told of any unfavorable information uncovered during the Inspector General's investigation and is to be given the opportunity to comment on the unfavorable information.

91. MUDD was never told of the unfavorable information contained in the DAIG Report, nor was he given an opportunity to comment on the unfavorable information prior to its being improperly released to the media.

92. Moreover, pursuant to Army Regulation 20-1, the DAIG report was not to be distributed beyond those individuals whose duties and official responsibilities require access to it to protect the privacy of the individuals and witnesses who requested confidentiality.

93. Contrary to Army Regulation 20-1, ARMY allowed the DAIG report to be released to the general public and did not protect the privacy of MUDD.

94. As a direct result of ARMY's failure to allow MUDD to comment on the unfavorable information prior to it being issued in final form, or to provide additional information to the investigators prior to the DAIG Report being issued in final form, MUDD has suffered and continues to suffer damages to his personal and professional reputation.

95. As a direct result of ARMY's failure to protect MUDD's privacy, he has suffered damages and continues to suffer damages to his personal and professional reputation.

WHEREFORE, Plaintiff JAMES V. MUDD demands judgment against Defendant UNITED STATES ARMY for damages, and for such other and further relief as this Court deems just and proper.

## JURY DEMAND

Plaintiff JAMES V. MUDD hereby demands a trial by jury on all issues so triable.

Dated this 1st day of April, 2005.

Porter, Wright, Morris & Arthur LLP

By: _____

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