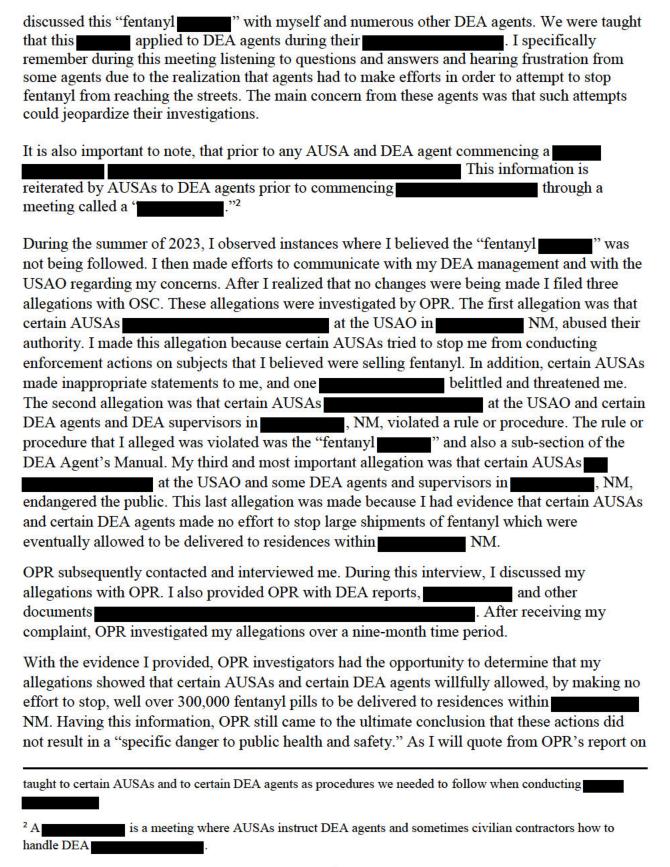
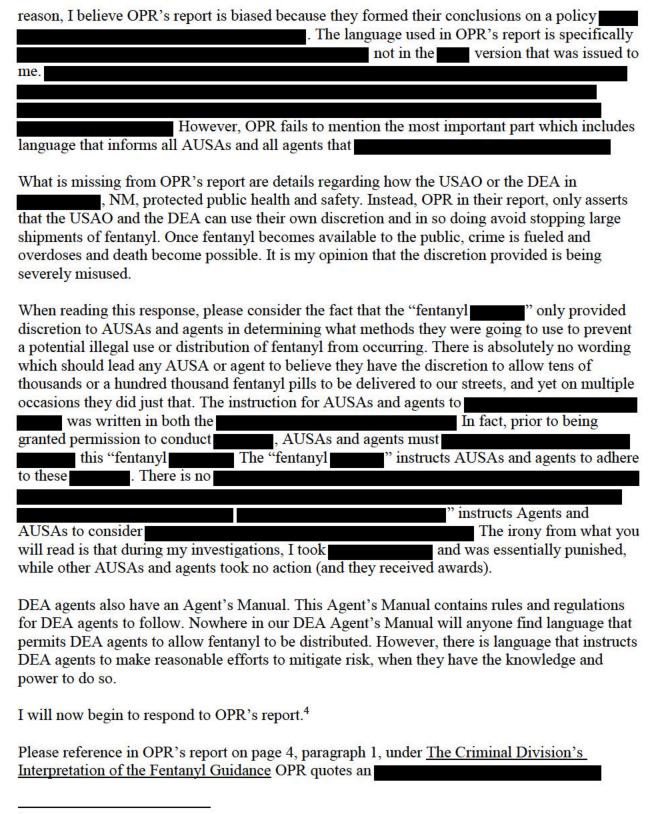
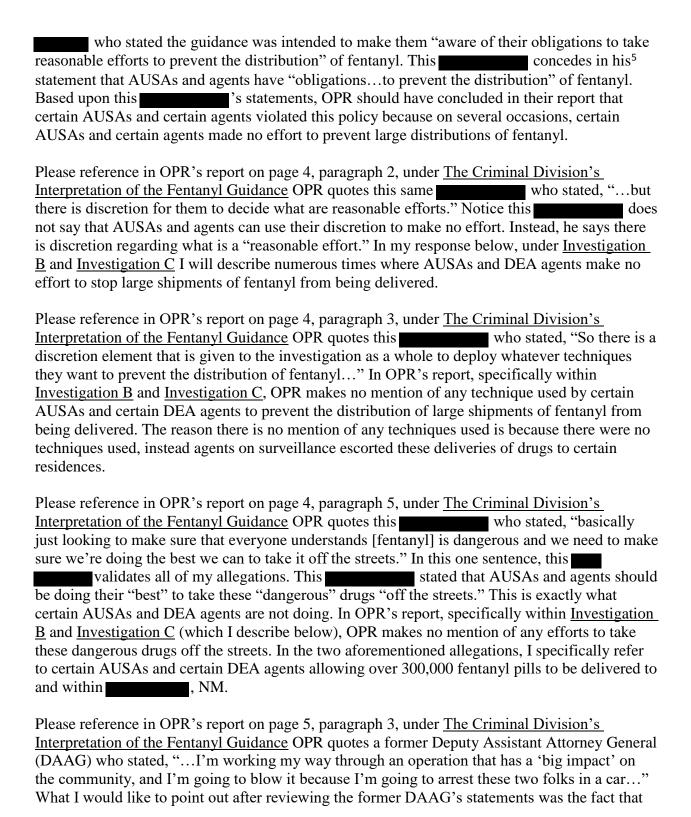
I, who am referred to as "the complainant" am issuing this response in reference to a Department of Justice (DOJ), Office of Professional Responsibility (OPR) report titled, "Report of Investigation of the Department's Fentanyl Guidance by the U.S. Attorney's Office,
District of New Mexico, and the Drug Enforcement Administration, New Mexico District Office dated September 3, 2024." This DOJ OPR report was filed under the Office of Special Counsel (OSC) File No. DI-24-000207.
I dedicate my response to all of the mothers, fathers, brothers, sisters, grandparents and to the other family members and friends of those who have lost a loved one to a drug addiction or to an accidental fentanyl poisoning. My response is also for all the residents of Mexico (NM), to include first responders, those in the medical field and to everyone else who is sick and tired of our community dying of drug overdoses and the never-ending crime that is plaguing our city.
I have been employed by the Drug Enforcement Administration (DEA) as a Special Agent for
As a DEA agent, I have experience with conducting long-term drug conspiracy investigations. I am well-versed in investigations that deal with heroin, cocaine, methamphetamine and fentanyl. In fact, in 2021, a U.S. District Judge qualified me as an "expert witness." From my experience, have developed skills in conducting both electronic and physical surveillance. I also have experience working
In November 2023, I submitted a whistleblower complaint to OSC. In December 2023, OSC forwarded my complaint to the Attorney General's Office who subsequently forwarded my complaint to DOJ OPR, for them to investigate. My complaint is specific to how the U.S. Attorney's Office (USAO) and the DEA in NM, handle NM, handle NM, use too much discretion in allowing dangerous amounts of fentanyl to be distributed. I believe these decisions endanger American lives.
Prior to responding to OPR's report, I will provide some background information to explain how this complaint came to be. At the DEA office where I work in the time, I attended a meeting which I believe took place in either late 2022 or in early 2023. During this meeting, attorneys from the Office of Enforcement Operations (OEO) introduced myself and numerous other DEA agents to a policy which is referred to as the "fentanyl"." These OEO attorneys
¹ The actual title of the "fentanyl is, " is was was
THIS



page 1, paragraph 2, under EXECUTIVE SUMMARY, "However, OPR also finds that in the cases it reviewed, such decisions were made with adequate oversight of USAO-NM personnel and appeared reasonable under the circumstances, and therefore, the conduct alleged by the complainant did not violate the fentanyl guidance or a law, rule, or regulation nor did it constitute an abuse of authority or a substantial and specific danger to public health and safety." The very fact that OPR ends up concluding that the USAO and the DEA in can use their discretion and thus make intentional decisions not to stop shipments of fentanyl in quantities which exceed a hundred thousand, should be of grave concern. Imagine providing one fentanyl pill to each person at a football stadium (with some to spare). After reading OPR's report, I found it very interesting that OPR made no mention in their report to the amounts of fentanyl which I alleged were allowed to be transported and distributed into , NM. I provided proof to OPR that certain AUSAs at the USAO and certain DEA agents in , NM, allowed hundreds of thousands of fentanyl pills to be distributed , NM, line investigations. During all of these instances, the USAO into and DEA had the ability to stop these shipments of fentanyl. However, no stops or seizures of fentanyl were made (not even an attempt at a stop was made). I believe that OPR's report lacks credibility for multiple reasons. First, in their report, OPR changed the word "to "guidance." The word "guidance" cannot be found in the ." However, the word " is found multiple times in the document. Second, in their report, OPR provides absolutely no evidence as to how the public health and safety of the general public was not endangered. OPR simply makes the assertion that there was not a "substantial and specific danger to public health and safety." How can it be said that these hundreds of thousands of fentanyl pills which were delivered to and within did not result in one specific danger to public health and safety? Third, there are several inaccuracies, missing information and misleading statements in OPR's report which I will detail in my response. If there is a Member of Congress that is interested in seeing this evidence, I would be happy to testify and explain my complaint in person. The American public may want to hear this story – and like me, they likely would come to the same common-sense conclusion, that American lives were put in danger. "³ and instead, As I previously stated, OPR's report specifically avoids the language they use a more forgiving tone and refer to the "assess" as "fentanyl guidance." At no time during our meeting did the attorneys who explained this "fentanyl " refer to this document as a simple guidance. . OPR subsequently based their findings from this "." I need to reiterate, this . For this to be followed in formal situations.



⁴ When reading my response, it may be best to have both my response and OPR's report open so that you can reference their report as you read my response.



⁵ The pronouns "he," "his" or "him" is used in my response regardless of the actual gender of the individual referenced.

this former DAAG does not discuss the other side of this argument. If you do not stop the car, and the car contains 40,000 fentanyl pills, what are the consequences from allowing this fentanyl to reach the streets? That is, after all, what we are discussing (not small amounts of fentanyl). If you read this former DAAG's response it appears his concerns seem directed more towards the investigation than towards the community. It is also a fallacy to say that law enforcement has to arrest the "two folks." Law enforcement can release targets of investigations with the intent of arresting them later on. I will demonstrate later in my response that traffic stops can be accomplished and seizures of fentanyl can be made without ruining investigations.

Please reference in OPR's report on page 6, paragraph 6, under <u>Application of the Fentanyl Guidance by DEA-NM Personnel</u> OPR quotes the NM, Assistant Special Agent in Charge (ASAC) who stated, "If we...have probable cause to believe...that there's fentanyl, we consult with our AUSAs; obviously, we consult with our management. We consult with our cocase agent. But...once we've done those things, we make reasonable efforts to prevent distribution..." This statement supports my allegations. The DEA ASAC in NM, openly admits that agents should "make reasonable efforts to prevent distribution."

The DEA reports I provided to OPR clearly show that no efforts were made to stop the distribution of fentanyl. Hence, OPR should have instead concluded that certain AUSAs and certain DEA agents actually did violate a policy and these policy violations most certainly contributed to a specific danger to public health and safety.

Please continue to reference in OPR's report on page 6, paragraph 7, under Application of the Fentanyl Guidance by DEA-NM Personnel OPR continues to quote the ASAC who stated, "And my understanding is...it's our discretion what efforts or what steps we take to mitigate [the public safety] risk, so long as...they're reasonable..." Again, the ASAC is correct, and again his statements prove my point. We do have some discretion with what efforts we take to mitigate risks to the public. The ASAC even admits that the steps taken need to be "reasonable." The problem with OPR's report is they fail to document any "reasonable efforts" taken by the USAO and the DEA. OPR fails to document what steps were taken to mitigate the risk of fentanyl reaching the streets of _______. This, in my opinion, is another reason OPR's report lacks credibility. They make assertions, while providing no evidence. The evidence instead will show that certain AUSAs and certain DEA agents did nothing to stop the distribution of hundreds of thousands of fentanyl pills from reaching ________ 's streets.

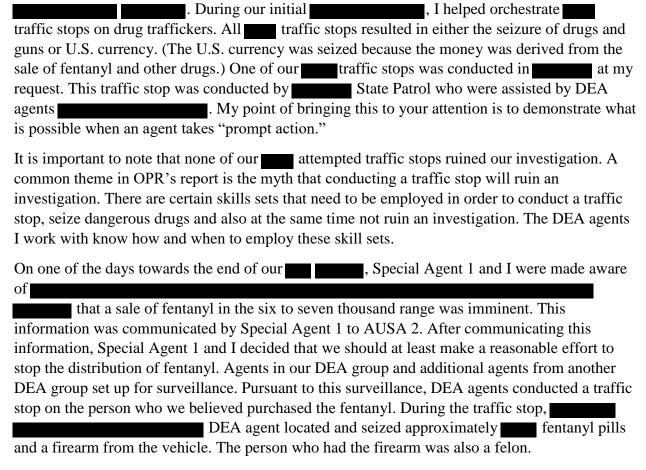
I will now respond to OPR's report regarding OPR's investigation into DEA enforcement operations. I believe I have the evidence to show that certain AUSAs abused their authority, how certain AUSAs and certain DEA agents disregarded the "fentanyl"," and how people in NM, were endangered.

During the spring of 2023, a DEA agent, who is referred to in OPR's report as Special Agent 1 a fentanyl trafficker. Prior to commencing DEA agents were instructed by AUSA 1 and AUSA 2 to follow the "fentanyl". "This "fentanyl" instructs AUSAs and agents how to deal with fentanyl when they Again, there is no language in this document which explicitly allows AUSAs or agents to allow

fentanyl to be distributed, it instead states that agents should make reasonable efforts to stop the distribution of fentanyl.

, I helped orchestrate

After we commenced our



After the traffic stop was conducted, Special Agent 1 told AUSA 1 that a traffic stop had been made which resulted with a seizure of fentanyl and a firearm. AUSA 1 responded, asking Special Agent 1, "Why'd you do that?" According to Special Agent 1, AUSA 1 appeared disappointed in our efforts which left him with the understanding that AUSA 1 was fearful that we were jeopardizing our investigation. OPR did not interview Special Agent 1.

Please reference in OPR's report on page 8, paragraph 3, under <u>Traffic Stop 1</u> OPR stated, "AUSA 1 told him to 'just get a license plate' [number]." OPR continues by stating, "that the AUSA did not specifically tell the agents not to stop the vehicle." This statement is technically accurate; however, it is also misleading. The statement "just get a license plate" is meant to be understood as only get a license plate (which can also be interpreted as do not stop the vehicle). Special Agent 1 later clarified with me that this statement was made to him by AUSA 1 after the traffic stop was conducted. Special Agent 1 also clarified by telling me that the statement was posed by AUSA 1 as more of a question, for example, "Why did you guys not just get a license plate?"

The question remains; how does "just get a license plate" constitute a "reasonable effort" to stop the distribution of fentanyl? The questions posed by AUSA 1 to Special Agent 1 shows that AUSA 1 did not want us to stop and interdict this fentanyl in any way. I also believe it was an abuse of AUSA 1's authority to question why agents seized this fentanyl, especially since the "fentanyl" instructed us to make a reasonable effort, which we did. In addition, this enforcement operation was approved by Group Supervisor 1 and the ASAC. In previously mentioned statements, both the and the ASAC were quoted in OPR's report as stating that we make "reasonable efforts" to "prevent distribution." By stopping this vehicle, Special Agent 1 and I were following our directives. I believe at the very least it was highly inappropriate for AUSA 1 to question the good faith efforts of law enforcement, especially considering the associated risks with allowing thousands of fentanyl pills to be distributed, when we had the ability to stop this from happening.

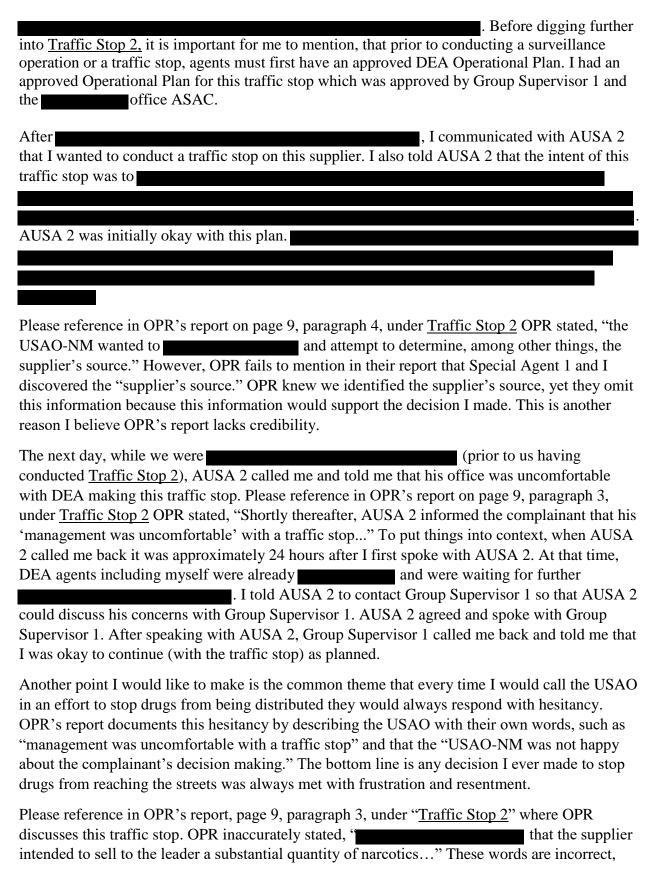
A few days after making this traffic stop, myself and Special Agent 1 were called in for a meeting at the USAO. This meeting was called by AUSA 1. At this meeting, AUSA 1 made inaccurate and inappropriate statements to myself and Special Agent 1. These comments were made in a critical manner in reference to the methods employed in how the traffic stop was conducted. AUSA 1 used language which strongly inferred that he did not want us to make any more traffic stops. At no point during this meeting did either AUSA 1 or AUSA 2 seem even slightly pleased or enthused that both fentanyl and a firearm were seized. I specifically remember that Special Agent 1 informed AUSA 1 that his guidance, by instructing agents to stop making traffic stops (involving fentanyl) could be considered a violation of our DEA Agent's Manual. AUSA 1 replied that our manual was "ridiculous." Belittling the DEA Agent's Manual and criticizing our law enforcement methods, in my opinion, demonstrated the "abuse of their authority." These statements were relayed to OPR and, to my surprise, OPR did not reference them in their report.

Special Agent 1 and I departed this meeting with the understanding that we should stop making traffic stops unless instructed to do so by AUSA 1 or AUSA 2. OPR stated in their report that "the AUSA did not specifically tell the agents not to stop the vehicle." This statement is technically accurate, however, the AUSA admonished our methods and strongly hinted for us to stop making traffic stops. (AUSA 2 later admitted to me privately that was pleased that we made these seizures.)

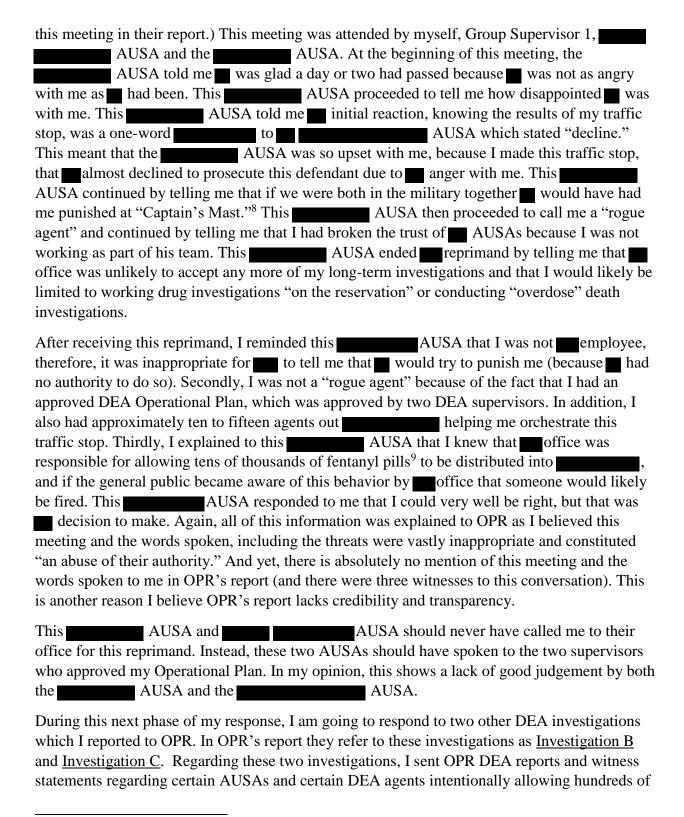
Please reference in OPR's report, on page 8, paragraph 4, under <u>Traffic Stop 1</u> where OPR interviews the AUSA and AUSA 2. OPR stated, "AUSA 2 told OPR that he discussed with the agents alternatives to the traffic stop to obtain information separate and apart from the and using that information for a search warrant on the customer's home." I remember this conversation; however, this was told to me at the USAO meeting, which was a few days after the traffic stop. Special Agent 1 also confirmed to me that those instructions were never communicated to him prior to us making our traffic stop.

⁶ This seizure of fentanyl corroborated and and charges could have been filed on this felon at a later date.

Please reference in OPR's report on page 9, paragraph 1, under <u>Traffic Stop 1</u> OPR stated, "T complainant, however, told OPR that although conducting surveillance and obtaining a search warrant for the customer's house 'could be done' he disagreed with that course of action due lack of manpower and his concern that the fentanyl could be distributed." This is true. We sind did not have the manpower to conduct surveillance on his lower-level customer. Besides this point, (as quoted by the and the ASAC) we needed to attempt a reasonable effort to stop the distribution. If we had allowed this fentanyl reach its destination there is no one that could have guaranteed that this fentanyl would ever be recovered. Here is an example of what could go wrong; what if thirty minutes after the fentany arrived to this residence, the same vehicle, or another vehicle departed from the target resident lake the fentanyl still in the residence? Did the person driving the vehicle away from the resident take the fentanyl to another customer? How would I or any other agent know if the fentanyl win that vehicle or still within the residence? The answer is, we would not know. This is precise why we stopped the vehicle, when we knew the fentanyl was still within the vehicle.	to a mply re to be nyl nce?
What OPR and the USAO fail to mention to you in their report and in their interviews was the the target, whom we detained and seized fentanyl and a firearm from, had a living with him. In fact, the fentanyl and the firearm were seized from a compartment located when the traffic stop was conducted. The target of this investigated picked up after picking up the fentanyl from the source of supply. Whis to say if I or another agent allowed this distribution of fentanyl that or another per would not be placed in danger from these drugs? Can anyone assure that no one would be hun from allowing this distribution? Of course not. Instead, we made the decision to stop the vehi and to seize all of the fentanyl. If myself and other agents had waited and attempted to develor future probable cause for a search warrant it is highly likely that some of this fentanyl would have been distributed to other drug users. However, as you can read in OPR's report, the AUSA and AUSA 2 appeared perfectly willing to take that risk. I also want to mention that during our meeting at the USAO, AUSA 1 told Special Agent 1 and I that the AUSA believed we traumatized during the traffic stop. This statement was void of facts, disrespectful and highly inappropriate as our efforts were to protect what is even more perplexing is this AUSA actually wanted used a search warrant at the residence where lived. A search warrant at residence would have traumatized much worse than a simple traffic stop, which resulted with a short detainment of	tion ho erson ert icle op
During the summer of 2023, Special Agent 1 was During the first two weeks OPR confirms this information on page 9, paragraph 4, un Traffic Stop 2 stating, " " In fact, there were conversations between myself and AUSA 2 regarding terminating	

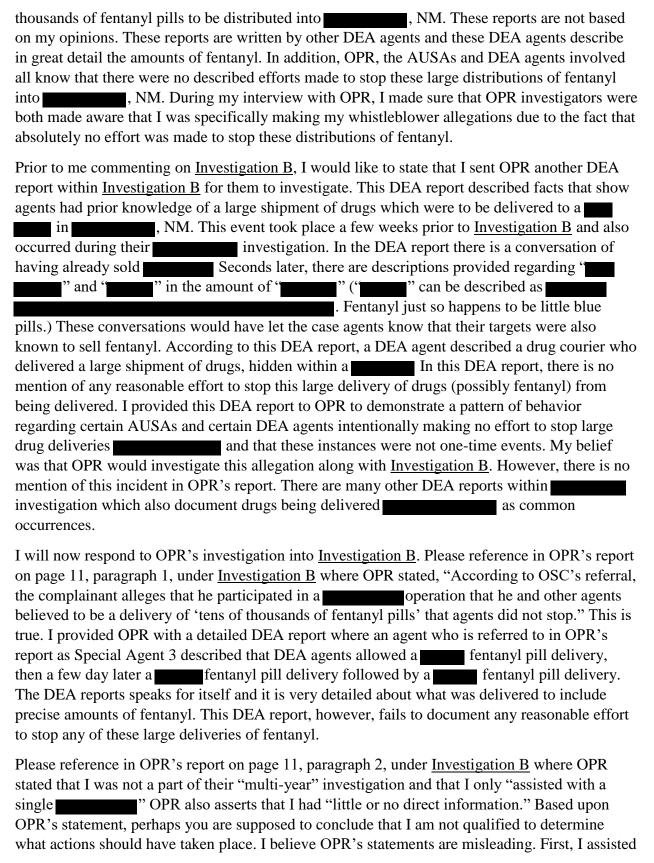


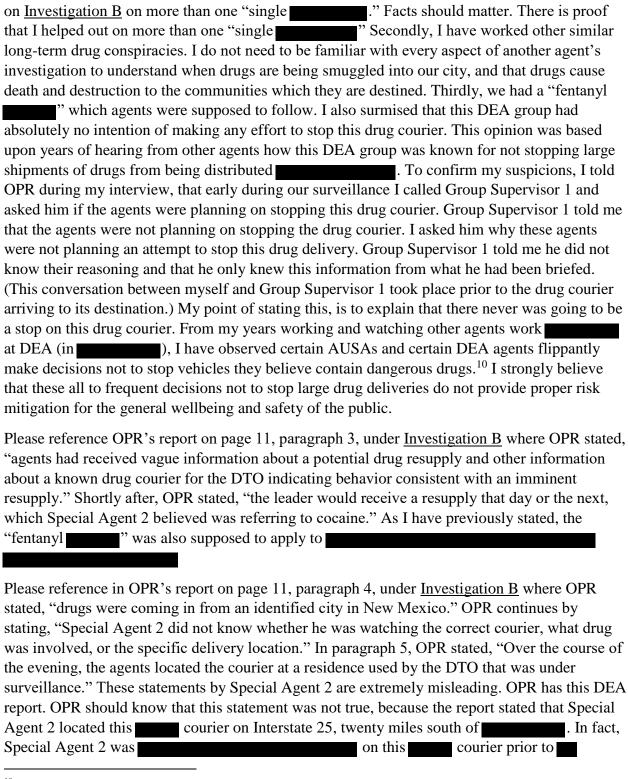
because the supplier would be higher up the chain of command than the person to whom he is supplying drugs. In other words, the supplier would be the leader and not the other way around. OPR is correct in saying
I did. OPR quoted earlier that the USAO "was not happy" about my decision making, yet this decision resulted with the seizure of a controlled substance, the seizure of a gun, and the arrest of a source of supply. This decision also led to information being developed which identified two new sources of supply. What is there not to be happy about?
Please reference in OPR's report on page 10, paragraph 2, under <u>Traffic Stop 2</u> OPR stated, "the AUSAs also advised the agents that if the stop was to be made, it should be made when the exchange was taking place, and both targets should be arrested." This information was never communicated to me. The first time I was made of aware of this information was when I read this OPR report. If this information had been communicated to me, I could have easily arranged for that to have taken place. OPR also stated in footnote 8 that "In the AUSAs views, this action would have taken both targets into custody at the same time, rather than allowing the leader to remain free for additional time" This statement is insulting to me because AUSA 2 knew that the purpose of the traffic stop was not to make an arrest, but In addition, after I made this arrest, I strongly insisted for AUSA 2 to allow me to arrest the remaining drug trafficker. Instead, the USAO did not give me permission to arrest this individual until four months later. In so doing, they allowed a fentanyl and cocaine distributor to remain on the streets for months. OPR has in their possession a which proves my statement is true.
Please reference in OPR's report on page 10, paragraph 3, under <u>Traffic Stop 2</u> OPR stated, "In addition, at the time, the investigators had no information about what type of narcotics were being transacted, and the complainant's assumption that it was fentanyl ultimately proved incorrect." This again shows the USAO attitude towards drugs being In their own words, they suggest that if we are not sure what drugs are to be distributed, that we should do nothing. I believe these details are describing a pattern of inappropriate and dangerous behavior at the USAO (in, NM). The USAO also used hindsight information against me. OPR and the USAO also fail to mention a directive in the "fentanyl" which
. It just so happens that the person selling this kilogram was doing so to a person who also sold fentanyl. So, according to the which I had at the time, I was completely validated to conduct this traffic stop.
A few days after making this arrest, the AUSA scheduled a meeting for me to come to office. (All of this information was communicated to OPR, and OPR made no mention of



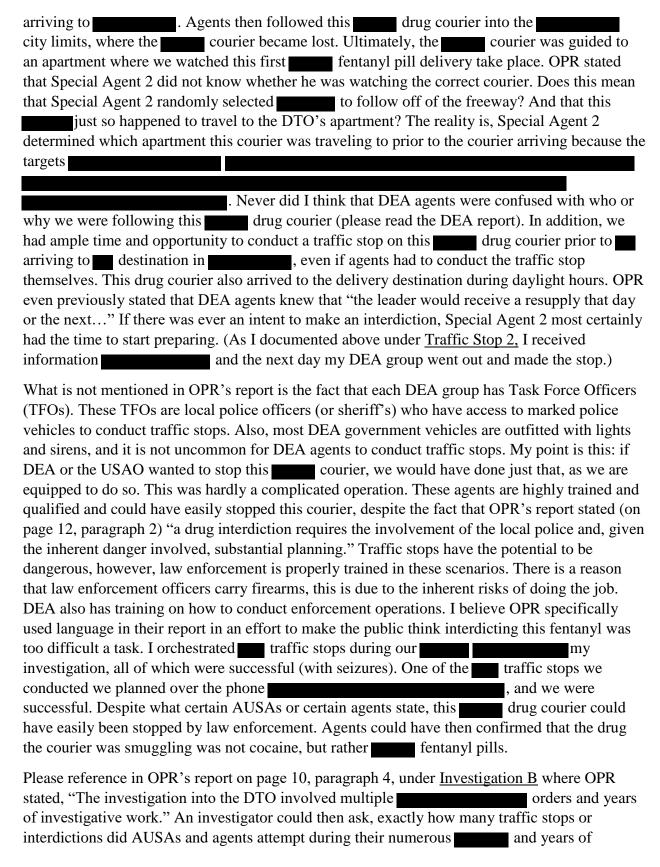
⁸ "Captain's Mast" is a term used in the Navy and Coast Guard to describe a non-judicial punishment process.

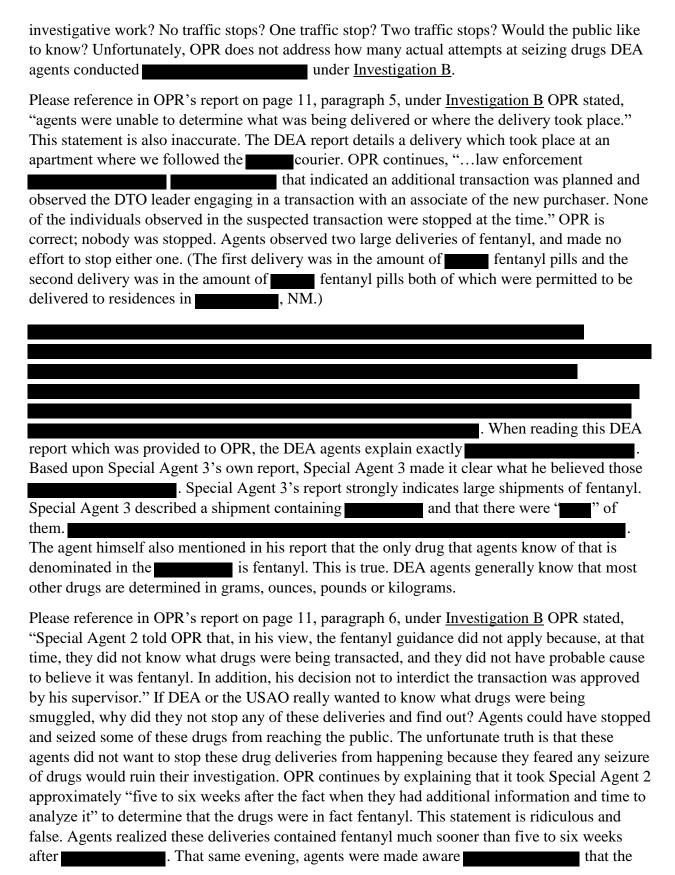
⁹ I later learned that the number was much higher and into the hundreds of thousands of fentanyl pills.

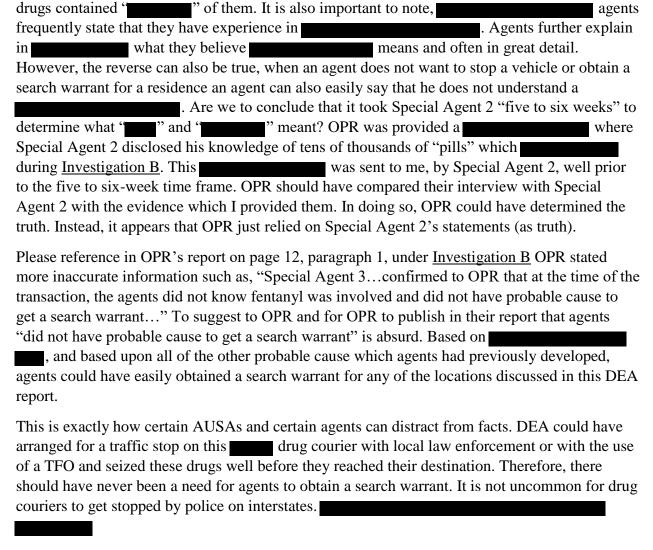




¹⁰ No agent believed this courier was transporting a load of marijuana. In other words, agents would be limited in their guessing to believe this courier was either transporting, cocaine, methamphetamine or fentanyl. All three of these drugs are considered dangerous. (Fentanyl has almost completely replaced heroin, this is why I am not mentioning heroin as a reasonable option.)







The hypocrisy continues on page 12, paragraph 2, under <u>Investigation B</u> where OPR stated, "agents did conduct additional surveillance and used the information obtained from that surveillance to obtain a warrant to track the purchaser's phone." The paragraph above just stated that agents "did not have probable cause to get a search warrant" and the paragraph below stated that agents did obtain a search warrant, however, just for a cell phone. Was there a search warrant conducted to retrieve any of the fentanyl? No. This makes my point. This on its own is a violation of policy. The truth is, this operation was never about seizing drugs from the streets. Instead, this was all about continuing the investigation no matter what unintended consequences were caused by allowing these large amounts of fentanyl to reach the public.

Please reference more weak excuse making in OPR's report on page 12, paragraph 2, under <u>Investigation B</u> as to why agents could not stop any of this fentanyl from being delivered. OPR actually stated in their report that Special Agent 2 did not want to arrest the drug dealers because it could have caused "risks to the public." What they are telling you, is because they are concerned for your safety, they let all of the fentanyl be delivered and they did not arrest any

drug traffickers, because they were concerned for your safety. OPR continues to document on page 12, paragraph 2, that one of the reasons DEA could not interdict this supply of fentanyl was because it was in the "evening." This is a nonsensical argument to be made because of the fact that DEA routinely conducts search warrants at 6:00 a.m., when it is still dark outside. This sort of excuse making is disingenuous.

Please reference in OPR's report on page 12, paragraph 3, under Investigation B where the AUSA stated, "that the potential danger to the public was a factor in the decision not to conduct any enforcement action on that date." This statement is just as absurd as the statement above and is extremely misleading. For the AUSA and Special Agent 2 to state that one of the reasons that they allowed all of this fentanyl to be distributed into , was because they were concerned for your safety is misleading. As I have stated above and have documented to OPR, Group Supervisor 1 knew well in advance (during daylight hours) that no interdiction was to take place. Anyone who had access to this information at the USAO and at DEA knows that we could have stopped this courier, or we could have obtained search warrants and went and seized some of the remaining fentanyl, even if we did so over the next few days. OPR's report even contradicts themselves, because they stated earlier in their report when they document how the AUSA wanted me to obtain a search warrant on my own investigation. Please refer back to page 8, paragraph 5, OPR stated, AUSA's version of events was consistent with AUSA 2's. He stated that his preference was for the agents to conduct additional surveillance on the customer's residence, surveil illicit activities there and stop other buyers, and use that new information...to obtain a search warrant." Why did this AUSA feel this was an appropriate action for me to take, and yet it was not an appropriate action for these other agents to take? This should especially be true given the fact that Investigation B had approximately ten times the amount of fentanyl. Should it not be even more of a priority to seize fentanyl pills rather than just fentanyl pills?

Please reference in OPR's investigation on page 12, paragraph 4, under Investigation B OPR stated, "OPR concluded that the decisions the DEA-NM made not to interdict the drugs, based on the information the agents had at the time, were reasonable and consistent with the fentanyl guidance." How so? OPR provides no example in their report how any AUSA or agent made any reasonable attempt to protect the public from fentanyl. OPR then continues on page 12, paragraph 4, stating "an attempted enforcement action could have tipped off the organization...potentially ruining years of work." This excuse can be made each and every time we do anything in law enforcement, it is the catch all phrase. We tell ourselves that we cannot do anything because any attempt to seize drugs could ruin the investigation. I cannot tell you how many times I have ran a poperation while conducting a investigation and a target spots law enforcement and then communicates this information to his coconspirators. Almost everything we do in law enforcement carries a certain risk. Even after encountering setbacks during investigations, agents still have the ability to rebound, make corrections, and continue on.

Please reference in OPR's report on page 12, paragraph 4, under <u>Investigation B</u> OPR stated that DEA eventually had a "massive law enforcement operation" where fentanyl was seized. This is true, however, the fentanyl which was seized, pales in comparison to the fentanyl that the USAO and DEA allowed to be distributed to the general public. In one DEA report within Investigation B, a DEA agent documents a large drug delivery (possibly in the amount of pills). In a second DEA report within Investigation B, another DEA agent documents deliveries of fentanyl which totaled fentanyl pills. In all of these instances, there were no documented attempts to seize any of these drugs. OPR had this information. With this information, OPR still somehow concluded that all of these inactions did not constitute "a substantial and specific danger to the public health and safety" (and they do so with no evidence to support their claims). I will now respond to OPR's investigation into <u>Investigation C</u>. Please reference OPR's report on page 13, paragraph 1, specifically Investigation C. In this allegation I reported to OPR that DEA agents, with their own words, told me that separate shipments of fentanyl were allowed to be delivered in and around , NM. The first delivery was in the amount of fentanyl pills and the second delivery was in the amount of fentanyl pills. I alleged that these fentanyl pills were allowed to be delivered in , NM, and that there was no effort of seizing any of this fentanyl. OPR vaguely describes these events in their report on page 13. To make matters worse, agents definitely knew in advance that these drug traffickers were going to deliver these amounts of fentanyl, because they openly discussed what they were going out to observe informed OPR that another Group Supervisor stated out loud that they were going out on a "pill drop." The very mention of "pill," would indicate that fentanyl was involved and the word "drop" meant the pills were to be delivered. (This person stated, "pill drop" not "pill stop.") I told OPR that I had a witness to this statement. Instead of using any of this information, or interviewing any of these people, OPR instead makes the assertion that I was not present on so therefore I am somehow unqualified to determine what action should have been conducted. OPR further concludes, that these fentanyl pills did not constitute "a specific danger to public health and safety." I find it puzzling that OPR fails to mention in their report the amounts of fentanyl which agents told me were delivered within agents who openly discussed these deliveries had been previously briefed by the case agent. including the specific amounts of fentanyl to be distributed. This information was received from and the "fentanyl "should have absolutely applied. Also, of note, none of the agents in Investigation C were interviewed, neither were their AUSAs. At the end of this investigation, DEA conducted search warrants and seized no fentanyl pills (though they did seize another drug). And yet, the public is to be assured that somehow the USAO and the DEA made the correct decisions. How so? Based on what facts? The reality is there are no facts to support OPR's conclusions. OPR fails to document how these large amounts of fentanyl being allowed to be distributed to and within was a good decision. OPR also fails to mention the lack of fentanyl seizures at the end of this investigation. Because OPR did not interview the case agent, neither the AUSA involved, and did not interview the person who said "pill drop" and their lack of candor to the amounts of fentanyl I alleged were

distributed are all reasons that lead me to believe that OPR's report lacks credibility. OPR could have easily interviewed and asked the case agent if he had made the statements regarding those specific amounts. OPR could easily have asked the Group Supervisor what he meant when he used the words, "pill drop." It is my belief that OPR specifically avoided these interviews in order to come to their conclusions.

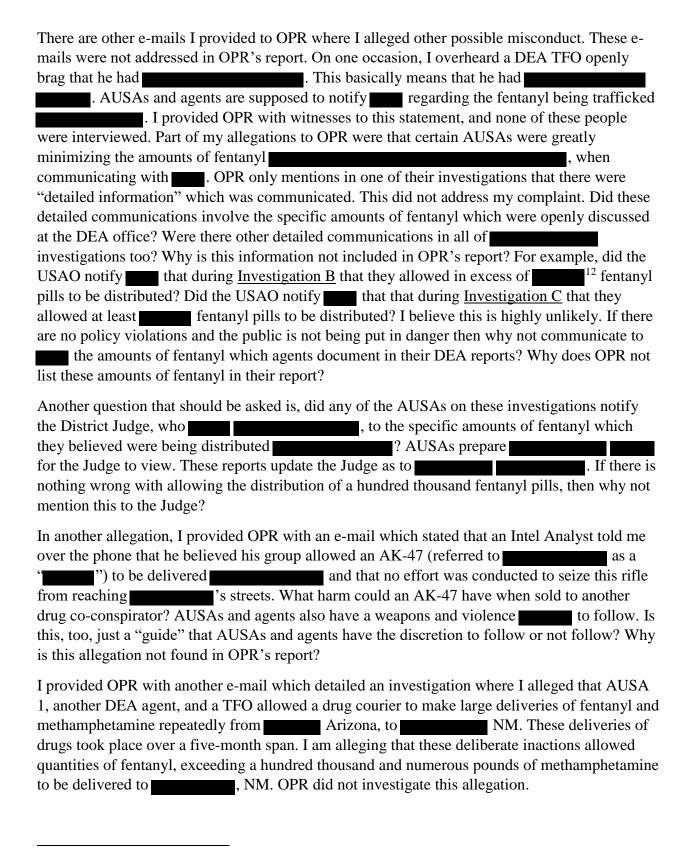
I also notified OPR that the lead case agent on <u>Investigation C</u>, during a meeting with numerous attorneys and DEA agents (including OPR who was present on speaker phone) openly stated, and I quote, "Yes, we walk¹¹ fentanyl, and our AUSAs are aware." This agent openly admitted that our AUSAs knew that this behavior was happening. I made sure OPR was made aware of these comments, in case they did not hear the comments over the phone. Yet, there is no mention of this statement in their report. This statement alone could be construed as a danger to the public, because it shows that certain agents at DEA and certain AUSAs at the USAO in NM, intentionally allow fentanyl to be delivered.

Please reference OPR's report on page 13, paragraph 4, under <u>Conclusions</u>. At the end of their investigation, OPR (with all the information I provided them) concludes that all of the decisions and oversight "appeared reasonable and therefore" there was no "specific danger to public health and safety." After documenting these hundreds of thousands of fentanyl pills which were distributed into ______, NM, how can OPR say with certainty that there was no "specific danger to public health and safety?" Not one person overdosed? Not one person died? Where is OPR's evidence to support this claim? OPR was made aware through _______ DEA reports and witness statements that hundreds of thousands of fentanyl pills were delivered to and around ______, and still they assert the public was not endangered by these deliberate inactions. The truth is OPR's statements are just words on a document. Meanwhile the people of ______, NM, deal with the death and crime fueled by fentanyl and other dangerous drugs. I believe, by using just a little common sense, one can easily determine, at the very least, that a person or perhaps people probably died from these large amounts of fentanyl.

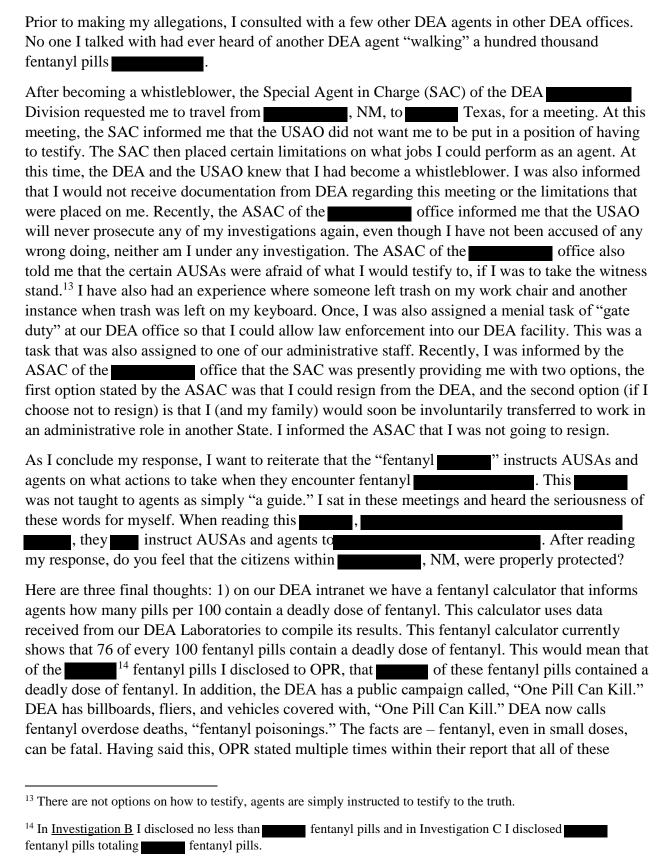
In my opinion, if OPR wanted to have some credibility they should have at least admitted that they were unable to determine what harm was caused to the public. OPR could have even stated that perhaps the "fentanyl "provides AUSAs and DEA agents with too much discretion. According to OPR's report and conclusions, a Supervisory AUSA or a DEA supervisor anywhere in the country can now use their discretion and allow the distribution of a hundred thousand fentanyl pills to be delivered to your city. However, these supervisors do not necessarily deal with the consequences from their decision making. Unfortunately, you have to take their word that they were looking out for your city's best interests.

After all of my reporting, I find it astonishing that OPR informed OSC that after considering all of these reported incidents that not one AUSA abused their authority, not one agent violated policy, and that there was not one specific danger to public health and safety. Is not fentanyl that specific danger? Perhaps, OPR should turn on the news.

¹¹ The term "walk" means to allow to be distributed with no effort of stopping.



¹² These amounts add up to no less than fentanyl pills.



deadly doses of fentanyl (all of this poison) somehow resulted with no "specific danger to public health and safety." You can process this information as you see fit. 2) I have no anger or personal vendettas against any of these agents mentioned, neither with the USAO. I simply take issue that DEA with one hand provides plaques to mothers who have lost loved ones to drug overdoses and with the other hand we cover our eyes and look the other way as we construct excuses not to stop vehicles we believe contain dangerous drugs, such as fentanyl. 3) In the year 2020, a fentanyl pill in NM, sold for twenty dollars per pill. Today, agents buy fentanyl in bulk for sixty cents a pill. In fact, in a DEA report which I provided to OPR, a DEA agent stated in his report that fentanyl was believed to have been sold for forty-five cents (per pill). Based on these facts, I would suggest that our strategy is ineffective. I do believe in catching the "bigger fish," just not at the expense of placing the general public in danger, and to our shame, that is exactly what we did.

I affirm that all of the information I have stated and provided is true to the best of my knowledge and belief.

Sincerely,

dated September 17, 2024.