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U.S. Department of Homeland Security
500 12th St., SW
Washington, D.C. 20536



U.S. Immigration
and Customs
Enforcement

July 27, 2018

John Greenwald
The Black Vault
27305 W. Live Oak Rd., Suite #1203
Castaic, CA 91384

**RE: ICE FOIA Case Number 2018-ICFO-26451
OIG FOIA Case Number 2017-IGFO-00118**

Dear Mr. Greenwald:

This is the final response to your Freedom of Information Act (FOIA) request to U.S. Department of Homeland Security (DHS) Office of the Inspector General (OIG) dated July 06, 2017. You are seeking a copy of records, electronic or otherwise, of the final report for DHS/OIG Investigation: I14-BP-TUC-16379, investigating a DHS Employee from the Tuscon, Arizona US Border Patrol.

A search of OIG for records responsive to your request produced records that originated from U.S. Immigration and Customs Enforcement (ICE). OIG referred these records to ICE for review and processing under the FOIA, 5 U.S.C. § 552.

After review of the records referred by OIG, I have determined that portions of the documents will be withheld pursuant to Exemptions of the FOIA. The specific Exemptions applied are identified within the enclosed documents. Descriptions of those Exemptions are enclosed.

You have a right to appeal the above withholding determination. Should you wish to do so, you must send your appeal and a copy of this letter, within 90 days of the date of this letter following the procedures outlined in the DHS FOIA regulations at 6 C.F.R. Part 5 § 5.8, to:

U.S. Immigration and Customs Enforcement
Office of the Principal Legal Advisor
U.S. Department of Homeland Security
500 12th Street, S.W., Mail Stop 5900
Washington, D.C. 20536-5900

Your envelope and letter should be marked "FOIA Appeal." Copies of the FOIA and DHS regulations are available at www.dhs.gov/foia.

If you need any further assistance or would like to discuss any aspect of your request, please contact the FOIA office and reference the ICE FOIA case number in the subject line of this letter. You may send an e-mail to ice-foia@ice.dhs.gov, call toll free (866) 633-1182, or you may contact our FOIA Public Liaison, Fernando Pineiro, in the same manner. Additionally, you have a right to right to seek dispute resolution services from the Office of Government Information Services (OGIS) which mediates disputes between FOIA requesters and Federal agencies as a non-exclusive alternative to litigation. If you are requesting access to your own records (which is considered a Privacy Act request), you should know that OGIS does not have the authority to handle requests made under the Privacy Act of 1974. You may contact OGIS as follows: Office of Government Information Services, National Archives and Records Administration, 8601 Adelphi Road-OGIS, College Park, Maryland 20740-6001, e-mail at ogis@nara.gov; telephone at 202-741-5770; toll free at 1-877-684-6448; or facsimile at 202-741-5769.

Sincerely,

A handwritten signature in black ink, appearing to read "Catrina M. Pavlik-Keenan". The signature is fluid and cursive, with a long horizontal flourish extending to the right.

Catrina M. Pavlik-Keenan
FOIA Officer

FOIA Exemption 3 protects information specifically exempted from disclosure by another statute, if the statute (A) requires that the matters be withheld from the public in such a manner as to leave no discretion on the issue, or (B) established particular criteria for withholding or refers to particular types of matters to be withheld.

FOIA Exemption 5 protects from disclosure those inter- or intra-agency documents that are normally privileged in the civil discovery context. The three most frequently invoked privileges are the deliberative process privilege, the attorney work-product privilege, and the attorney-client privilege. The deliberative process privilege protects the integrity of the deliberative or decision-making processes within the agency by exempting from mandatory disclosure opinions, conclusions, and recommendations included within inter-agency or intra-agency memoranda or letters. The release of this internal information would discourage the expression of candid opinions and inhibit the free and frank exchange of information among agency personnel. The attorney work-product privilege protects documents and other memoranda prepared by an attorney in contemplation of litigation. The attorney-client privilege protects confidential communications between an attorney and his client relating to a legal matter for which the client has sought professional advice. It applies to facts divulged by a client to his attorney, and encompasses any opinions given by an attorney to his client based upon, and thus reflecting, those facts, as well as communications between attorneys that reflect client-supplied information. The attorney-client privilege is not limited to the context of litigation.

FOIA Exemption 6 exempts from disclosure personnel or medical files and similar files the release of which would cause a clearly unwarranted invasion of personal privacy. This requires a balancing of the public's right to disclosure against the individual's right to privacy. The privacy interests of the individuals in the records you have requested outweigh any minimal public interest in disclosure of the information. Any private interest you may have in that information does not factor into the aforementioned balancing test.

FOIA Exemption 7(C) protects records or information compiled for law enforcement purposes that could reasonably be expected to constitute an unwarranted invasion of personal privacy. This exemption takes particular note of the strong interests of individuals, whether they are suspects, witnesses, or investigators, in not being unwarrantably associated with alleged criminal activity. That interest extends to persons who are not only the subjects of the investigation, but those who may have their privacy invaded by having their identities and information about them revealed in connection with an investigation. Based upon the traditional recognition of strong privacy interest in law enforcement records, categorical withholding of information that identifies third parties in law enforcement records is ordinarily appropriate. As such, I have determined that the privacy interest in the identities of individuals in the records you have requested clearly outweigh any minimal public interest in disclosure of the information. Please note that any private interest you may have in that information does not factor into this determination.

FOIA Exemption 7(E) protects records compiled for law enforcement purposes, the release of which would disclose techniques and/or procedures for law enforcement investigations or prosecutions, or would disclose guidelines for law enforcement investigations or prosecutions if such disclosure could reasonably be expected to risk circumvention of the law. The disclosure of certain law enforcement sensitive information contained within the responsive records could reasonably be expected to risk circumvention of the law. Additionally, the techniques and procedures at issue are not well known to the public.

 <p>DEPARTMENT OF HOMELAND SECURITY Immigration and Customs Enforcement</p> <p>REPORT OF INVESTIGATION</p>		<p>1. CASE NUMBER [redacted]</p> <p>PREPARED BY [redacted]</p> <p>2. REPORT NUMBER 001</p>
<p>3. TITLE [redacted] / BORDER PATROL AGENT [redacted] Other Criminal/TUCSON, PIMA, AZ</p>		
<p>4. FINAL RESOLUTION</p>		
<p>5. STATUS Initial Report</p>	<p>6. TYPE OF REPORT Allegation</p>	<p>7. RELATED CASES</p>
<p>8. TOPIC Border Patrol Agent [redacted] allegedly involved with distribution of child pornography</p>		
<p>9. SYNOPSIS On September 26, 2014, Senior Special Agent (SSA) [redacted] Office of Professional Responsibility, Tucson, AZ (OPR/Tucson) received information from Special Agent (SA) [redacted] [redacted] Homeland Security Investigations, Tucson, AZ (HSI/Tucson) via electronic mail (e-mail) detailing an allegation of misconduct, in which Tucson Border Patrol Agent (BPA) [redacted] [redacted] is alleged to be involved with the illegal manufacture and distribution of child pornography.</p> <p>This report documents receipt of the initial allegation.</p>		
<p>10. CASE OFFICER (Print Name & Title) [redacted] ICE-OPR Special Agent</p>	<p>11. COMPLETION DATE 26-SEP-2014</p>	<p>14. ORIGIN OFFICE ICE OPR RAC Tucson-1</p>
<p>12. APPROVED BY(Print Name & Title) [redacted] ICE-OPR Special Agent Supervisor</p>	<p>13. APPROVED DATE 26-SEP-2014</p>	<p>15. TELEPHONE NUMBER No Phone Number</p>
<p><small>THIS DOCUMENT IS LOANED TO YOU FOR OFFICIAL USE ONLY AND REMAINS THE PROPERTY OF THE DEPARTMENT OF HOMELAND SECURITY. ANY FURTHER REQUEST FOR DISCLOSURE OF THIS DOCUMENT OR INFORMATION CONTAINED HEREIN SHOULD BE REFERRED TO HEADQUARTERS, DEPARTMENT OF HOMELAND SECURITY, TOGETHER WITH A COPY OF THE DOCUMENT.</small></p>		
<p><small>THIS DOCUMENT CONTAINS INFORMATION REGARDING CURRENT AND ON-GOING ACTIVITIES OF A SENSITIVE NATURE. IT IS FOR THE EXCLUSIVE USE OF OFFICIAL U.S. GOVERNMENT AGENCIES AND REMAINS THE PROPERTY OF THE DEPARTMENT OF HOMELAND SECURITY IT CONTAINS NEITHER RECOMMENDATIONS NOR CONCLUSIONS OF THE DEPARTMENT OF HOMELAND SECURITY. DISTRIBUTION OF THIS DOCUMENT HAS BEEN LIMITED AND FURTHER DISSEMINATION OR EXTRACTS FROM THE DOCUMENT MAY NOT BE MADE WITHOUT PRIOR WRITTEN AUTHORIZATION OF THE ORIGINATOR.</small></p>		

 <p style="text-align: center;">DEPARTMENT OF HOMELAND SECURITY</p> <p style="text-align: center;">REPORT OF INVESTIGATION CONTINUATION</p>	1. CASE NUMBER (b)(7)(E)
	PREPARED BY (b)(6);(b)(7)(C)
	2. REPORT NUMBER 001

10. NARRATIVE

DETAILS OF INVESTIGATION:

On September 26, 2014, SSA (b)(6);(b)(7)(C) OPR/Tucson, received information from SA (b)(6);(b)(7)(C) HSI/Tucson, via e-mail detailing an allegation of misconduct, in which Tucson BPA (b)(6);(b)(7)(C) is alleged to be involved with the illegal manufacture and distribution of child pornography.

Please see attached e-mail and Microsoft Word document from SA (b)(6);(b)(7)(C) detailing the circumstances of this allegation.

 <p>DEPARTMENT OF HOMELAND SECURITY</p> <p>REPORT OF INVESTIGATION Exhibit List</p>	1. CASE NUMBER
	(b)(7)(E)
	PREPARED BY
	(b)(6);(b)(7)(C)
	2. REPORT NUMBER
	001
None	

(b)(6);(b)(7)(C)

From: (b)(6);(b)(7)(C)
Sent: Friday, September 26, 2014 2:34 PM
To: (b)(6);(b)(7)(C)
Subject: Synopsis
Attachments: OPR Notification.doc

(b)(6);(b)(7)(C)

It's kind of a long "synopsis" but it is a cut and paste job from my ROI. The only thing in the ROI that I did not include in this is my description of some of the images that were downloaded.

As I mentioned on the telephone, this came to us as a collateral form Wilmington, Delaware. Their case number is

(b)(7)(E) and my case number is obviously then (b)(7)(E)

Let me know if you have any questions or concerns.

Thanks,

(b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)

Special Agent
Homeland Security Investigations

DSAC Tucson

(O) 520-229 (b)(6);(b)(7)(C)

(C) 520-266 (b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)

In September of 2010, HSI RAC Wilmington, Delaware initiated (b)(7)(E)
(b)(7)(E)

(b)(7)(E) This project targets individuals and groups involved in the illegal manufacture and distribution of child pornography.

This collateral case is being opened by HSI DSAC Tucson to investigate the individual or individuals identified by RAC Wilmington who reside in the Tucson area of operations and have distributed child pornography via this peer to peer network.

This report documents the initiation of the investigation by RAC Wilmington and the follow-up investigation conducted by the DSAC Tucson

1. This investigation initiated from the Homeland Security Investigations (HSI) Resident Agent in Charge (RAC) Wilmington, Delaware office. RAC Wilmington is conducting an ongoing investigation of child exploitation violations on private peer to peer (P2P) file sharing networks.

2.

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(b)(6);(b)(7)(C);(b)(7)(E)

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(b)(6);(b)(7)(C);(b)(7)(E)

9. IRS (b)(6);(b)(7)(C) immediately notified SA (b)(6);(b)(7)(C) that the target of investigation was possibly a DHS employee. (b)(6);(b)(7)(C);(b)(7)(E)
(b)(6);(b)(7)(C) According to the DHS contact list, (b)(6);(b)(7)(C) is a United States Border Patrol Agent assigned to the Tucson, Arizona Border Patrol Station.

10.

(b)(6);(b)(7)(C);(b)(7)(E)

11. On September 26, 2014, SA (b)(6);(b)(7)(C) notified Group Supervisor (GS) (b)(6);(b)(7)(C) of the possible misconduct of a DHS employee. GS (b)(6);(b)(7)(C) then notified DSAC Tucson management and the Office of Professional Responsibility (OPR) Assistant Special Agent in Charge (ASAC), in Tucson, Arizona

DEPARTMENT OF HOMELAND SECURITY ICE		TECS ACCESS CODE	(b)(7)(E)
REPORT OF INVESTIGATION		PAGE	1
		CASE NUMBER	(b)(7)(E)
TITLE: (b)(7)(E)			
CASE STATUS: INIT RPT			
REPORT DATE 092614	DATE ASSIGNED 091814	PROGRAM CODE (b)(7)(E)	REPORT NO. 001
RELATED CASE NUMBERS:			
COLLATERAL REQ:			
TYPE OF REPORT: INVESTIGATIVE FINDINGS OTHER INFORMATION			
TOPIC: DSAC TUCSON INVESTIGATION INTO SUBSCRIBER OF IP ADDRESS			(b)(6);(b)(7)(C)

SYNOPSIS:

In September of 2010, HSI RAC Wilmington, Delaware initiated (b)(7)(E)

(b)(7)(E)

(b)(7)(E) This project targets individuals and groups involved in the illegal manufacture and distribution of child pornography.

This collateral case is being opened by HSI DSAC Tucson to investigate the individual or individuals identified by RAC Wilmington who reside in the Tucson area of operations and have distributed child pornography via this peer to peer network.

This report documents the initiation of the investigation by RAC Wilmington and the follow-up investigation conducted by the DSAC Tucson.

DISTRIBUTION: ASCTU SACPX RACWM SACPH	SIGNATURE: (b)(6);(b)(7)(C)
	(b)(6);(b)(7)(C) SPECIAL AGENT
	APPROVED: (b)(6);(b)(7)(C) OI GRP SUPERVISOR
ORIGIN OFFICE: TU TUCSON, AZ - ASC	TELEPHONE: 520 229 (b)(6);(b)(7)(C)
	TYPIST: (b)(6);(b)(7)(C)

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REPORT OF INVESTIGATION CONTINUATION	CASE NUMBER (b)(7)(E)
	REPORT NUMBER: 001

CASE PROGRAM CODES:

(b)(7)(E))	Child Exploitation a INTERNET CHILD PORNO	(b)(7)(E)
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	CASE NUMBER (b)(7)(E)
	REPORT NUMBER: 001

DETAILS OF INVESTIGATION

1. This investigation initiated from the Homeland Security Investigations (HSI) Resident Agent in Charge (RAC) Wilmington, Delaware office. RAC Wilmington is conducting an ongoing investigation of child exploitation violations on private peer to peer (P2P) file sharing networks.

2.

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(b)(6);(b)(7)(C);(b)(7)(E)

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	CASE NUMBER (b)(7)(E)
	REPORT NUMBER: 001

7.

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(b)(6);(b)(7)(C);(b)(7)(E)

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DEPARTMENT OF HOMELAND SECURITY ICE REPORT OF INVESTIGATION CONTINUATION	PAGE 5
	CASE NUMBER [REDACTED] (b)(7)(E)
	REPORT NUMBER: 001

[REDACTED]

(b)(6);(b)(7)(C);(b)(7)(E)

10.

11. IRS [REDACTED] (b)(6);(b)(7)(C) immediately notified SA [REDACTED] (b)(6);(b)(7)(C) that the target of investigation was possibly a DHS employee. [REDACTED] (b)(6);(b)(7)(C);(b)(7)(E) According to the DHS contact list, [REDACTED] (b)(6);(b)(7)(C) is a United States Border Patrol Agent assigned to the Tucson, Arizona Border Patrol Station.

DEPARTMENT OF HOMELAND SECURITY ICE REPORT OF INVESTIGATION CONTINUATION	PAGE 6
	CASE NUMBER (b)(6);(b)(7)(C)
	REPORT NUMBER: 001

12.

(b)(6);(b)(7)(C);(b)(7)(E)

13. On September 26, 2014, SA (b)(6);(b)(7)(C) notified Group Supervisor (GS) (b)(6);(b)(7)(C) of the possible misconduct of a DHS employee. GS (b)(6);(b)(7)(C) then notified DSAC Tucson management and the Office of Professional Responsibility (OPR) Assistant Special Agent in Charge (ASAC), in Tucson, Arizona.

INVESTIGATION CONTINUES

DEPARTMENT OF HOMELAND SECURITY ICE REPORT OF INVESTIGATION	TECS ACCESS CODE (b)(7)(E)
	PAGE 1
	CASE NUMBER (b)(7)(E)

TITLE: (b)(7)(E)			
CASE STATUS: INTERIM RPT			
REPORT DATE 101514	DATE ASSIGNED 091814	PROGRAM CODE (b)(7)(E)	REPORT NO. 002

RELATED CASE NUMBERS:

COLLATERAL REQ:

TYPE OF REPORT:
INVESTIGATIVE FINDINGS

TOPIC: (b)(6);(b)(7)(C);(b)(7)(E)

SYNOPSIS:
In September of 2010, HSI RAC Wilmington, Delaware initiated (b)(7)(E)
(b)(7)(E)
(b)(7)(E) This project targets individuals and groups involved in the illegal manufacture and distribution of child pornography.

This collateral case is being opened by HSI DSAC Tucson to investigate the individual or individuals identified by RAC Wilmington who reside in the Tucson area of operations and have distributed child pornography via the peer to peer network.

This report documents (b)(6);(b)(7)(C);(b)(7)(E)
(b)(6);(b)(7)(C)

DISTRIBUTION: ASCTU SACPX RACWM SACPH	SIGNATURE: (b)(6);(b)(7)(C)	(b)(6);(b)(7)(C)
	APPROVED: (b)(6);(b)(7)(C)	
	ORIGIN OFFICE: TU TUCSON, AZ - ASC	TELEPHONE: 520 229 (b)(6);(b)(7)(C)
		TYPIST: (b)(6);(b)(7)(C)

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REPORT OF INVESTIGATION
CONTINUATION

CASE NUMBER (b)(7)(E)

REPORT NUMBER: 002

CASE PROGRAM CODES:

(b)(7)(E)
) Child Exploitation a
INTERNET CHILD PORNO

(b)(7)(E)

DEPARTMENT OF HOMELAND SECURITY ICE	PAGE 3
REPORT OF INVESTIGATION CONTINUATION	CASE NUMBER (b)(7)(E)
	REPORT NUMBER: 002

DETAILS OF INVESTIGATION

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(b)(6);(b)(7)(C);(b)(7)(E)

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REPORT OF INVESTIGATION
CONTINUATION

CASE NUMBER (b)(7)(E)

REPORT NUMBER: 002

6.

7.

(b)(6);(b)(7)(C);(b)(7)(E)

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INVESTIGATION CONTINUES

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DEPARTMENT OF HOMELAND SECURITY ICE REPORT OF INVESTIGATION	TECS ACCESS CODE	(b)(7)(E)
	PAGE	1
	CASE NUMBER	(b)(7)(E)

TITLE: (b)(7)(E)			
CASE STATUS: INTERIM RPT			
REPORT DATE 101614	DATE ASSIGNED 091814	PROGRAM CODE (b)(7)(E)	REPORT NO. 003
RELATED CASE NUMBERS:			

COLLATERAL REQ:

TYPE OF REPORT:
SEARCH WARRANT REPORT /

TOPIC: SERVICE OF SEARCH WARRANT AT (b)(6);(b)(7)(C) TUCSON, AZ

SYNOPSIS:
In September of 2010, HSI RAC Wilmington, Delaware initiated (b)(7)(E)

(b)(7)(E)

(b)(7)(E) This project targets individuals and groups involved in the illegal manufacture and distribution of child pornography.

This collateral case is being opened by HSI DSAC Tucson to investigate the individual or individuals identified by RAC Wilmington who reside in the Tucson area of operations and have distributed child pornography via this peer to peer network.

This report documents the attempt to interview (b)(6);(b)(7)(C) and the subsequent service of a search warrant at (b)(6);(b)(7)(C) Tucson, Arizona, 85743.

DISTRIBUTION: ASCTU SACPX RACWM SACPH	SIGNATURE: (b)(6);(b)(7)(C)	(b)(6);(b)(7)(C)	NT
	APPROVED: (b)(6);(b)(7)(C)		RVISOR
	ORIGIN OFFICE: TU TUCSON, AZ - ASC		TELEPHONE: 520 229 (b)(6);(b)(7)(C)
			TYPIST: (b)(6);(b)(7)(C)

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DEPARTMENT OF HOMELAND SECURITY
ICE

PAGE 2

REPORT OF INVESTIGATION
CONTINUATION

CASE NUMBER [REDACTED] (b)(7)(E)

REPORT NUMBER: 003

CASE PROGRAM CODES:

(b)(7)(E) Child Exploitation a
INTERNET CHILD PORNO

[REDACTED] (b)(7)(E)

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REPORT OF INVESTIGATION CONTINUATION	CASE NUMBER (b)(7)(E)
	REPORT NUMBER: 003

DETAILS OF INVESTIGATION

1. On October 3, 2014, Homeland Security Investigations (HSI) Special Agent (SA) (b)(6);(b)(7)(C) assigned to the Deputy Special Agent in Charge (DSAC) Tucson, Arizona office, applied for and obtained a federal warrant to search the residence located at (b)(6);(b)(7)(C) Tucson, Arizona, 85743 for evidence of the possession and distribution of child pornography.
2. (b)(6);(b)(7)(C);(b)(7)(E)
(b)(6);(b)(7)(C) During the course of the investigation it was determined that (b)(6);(b)(7)(C) is employed by the United States Border Patrol (USBP) and is assigned to the Tucson, Arizona Border Patrol Station.
3. Due to the fact that there would be at least one firearm in the residence if the warrant were served while (b)(6);(b)(7)(C) was present, it was determined that the warrant service should take place when (b)(6);(b)(7)(C) was at work. It was further suggested that in order to foster goodwill and possible cooperation with the investigation, agents would ask (b)(6);(b)(7)(C) for the keys to his residence. Using the keys to make entry into the home would avoid the damage created by normal breaching techniques.
4. On October 6, 2014, SA (b)(6);(b)(7)(C) and Department of Homeland Security (DHS) Office of Inspector General (OIG) SA (b)(6);(b)(7)(C) notified USBP Tucson Sector Chief (b)(6);(b)(7)(C) and USBP Tucson Station Patrol Agent in Charge (PAIC) (b)(6);(b)(7)(C) of the impending search of an agent's residence. SA (b)(6);(b)(7)(C) and SA (b)(6);(b)(7)(C) requested that (b)(6);(b)(7)(C) be assigned to the alien processing center on the day of the warrant service, October 7. This request was made for two reasons: the first was to ensure that (b)(6);(b)(7)(C) would be present at the station when agents arrived to contact him and the second was that a processing assignment would require (b)(6);(b)(7)(C) to secure his firearm in a locker.
5. On October 7, 2014, at approximately 0855 HRS HSI SA (b)(6);(b)(7)(C) SA (b)(6);(b)(7)(C) SA (b)(6);(b)(7)(C) and DHS-OIG SA (b)(6);(b)(7)(C) contacted PAIC (b)(6);(b)(7)(C) at the Tucson Border Patrol Station. SA (b)(6);(b)(7)(C) and SA (b)(6);(b)(7)(C) accompanied PAIC (b)(6);(b)(7)(C) to the processing center to retrieve (b)(6);(b)(7)(C). Once (b)(6);(b)(7)(C) was located, SA (b)(6);(b)(7)(C) and SA (b)(6);(b)(7)(C) identified themselves and asked if (b)(6);(b)(7)(C) would accompany them to an empty office in the administration building so that they could talk in a private setting. Once they arrived at the office of the Deputy Patrol Agent in Charge SA (b)(6);(b)(7)(C) informed (b)(6);(b)(7)(C) of the investigation and the fact that a search warrant was going to be served on his residence later that morning. SA (b)(6);(b)(7)(C) provided (b)(6);(b)(7)(C) with a copy of the warrant so that

DEPARTMENT OF HOMELAND SECURITY ICE	PAGE 4
REPORT OF INVESTIGATION CONTINUATION	CASE NUMBER (b)(7)(E)
	REPORT NUMBER: 003

he could review it. SA (b)(6);(b)(7)(C) asked (b)(6);(b)(7)(C) if he was willing to provide a key to his residence and (b)(6);(b)(7)(C) said that he was. (b)(6);(b)(7)(C) advised the agents that his house key was on a ring with a leather fob which was located in his personal vehicle. SA (b)(6);(b)(7)(C) asked for and received permission to retrieve the key from the vehicle.

6. SA (b)(6);(b)(7)(C) then explained to (b)(6);(b)(7)(C) that he was not under arrest and that he could voluntarily leave the office if he wished. SA (b)(6);(b)(7)(C) informed (b)(6);(b)(7)(C) that they would like to ask him some questions but that first SA (b)(6);(b)(7)(C) would advise him of his Miranda rights. At approximately 0905 HRS (b)(6);(b)(7)(C) invoked his right to an attorney before SA (b)(6);(b)(7)(C) read him the rights from the rights form. Since (b)(6);(b)(7)(C) is a DHS employee, SA (b)(6);(b)(7)(C) advised him of his Garrity rights and had him sign the form signifying that he understood those rights. The form was then signed by SA (b)(6);(b)(7)(C) with SA (b)(6);(b)(7)(C) and SA (b)(6);(b)(7)(C) signing as witnesses. SA (b)(6);(b)(7)(C) returned with the key ring and verified which of the two keys was for the front door to the residence. All of the agents then left the Border Patrol station and travelled to the search warrant staging location.

7. While on the way to the staging location SA (b)(6);(b)(7)(C) realized that he had forgotten to ask (b)(6);(b)(7)(C) if there was anyone present at his residence or if he had pets that would be a reason for concern. SA (b)(6);(b)(7)(C) attempted to call (b)(6);(b)(7)(C) on his cell phone but the call went to voicemail. SA (b)(6);(b)(7)(C) then called PAIC (b)(6);(b)(7)(C) to ask him if he could get the requested information from (b)(6);(b)(7)(C). PAIC (b)(6);(b)(7)(C) contacted SA (b)(6);(b)(7)(C) a few minutes later and informed him that (b)(6);(b)(7)(C) had said that there was nobody staying at the house and that he did not have pets. PAIC (b)(6);(b)(7)(C) also informed SA (b)(6);(b)(7)(C) that they had secured (b)(6);(b)(7)(C) service firearm and he had placed (b)(6);(b)(7)(C) on leave status for the rest of the shift.

8. At approximately 1002 HRS, HSI SA (b)(6);(b)(7)(C) knocked on the front door of the residence and announced the presence of the police with a search warrant. After a second knock and announcement the agents unlocked the door and made entry into the residence. HSI SA (b)(6);(b)(7)(C) performed a room by room sweep of the residence and at approximately 1012 HRS declared that the scene was secure and there were no people found in the residence. The entry team informed SA (b)(6);(b)(7)(C) that during the sweep they noted at least three empty firearm boxes indicating that (b)(6);(b)(7)(C) possibly had access to other firearms beside his service issued firearm. (AGENT'S NOTE: During the search a loaded pistol was found under the mattress in the Master Bedroom. This pistol was left on the kitchen counter once the search was completed.)

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9.

(b)(6);(b)(7)(C);(b)(7)(E)

10.

11. A thorough search of the residence was conducted and nothing of evidentiary value was noted in rooms (b)(7)(E). A total of eight line items of evidence were seized from rooms (b)(7)(E). The following is a description of the seized items, the corresponding Line Item number (LI#) and the room in which the evidence was discovered:

LI#1- Dell Inspiron N5010 Laptop computer (b)(6);(b)(7)(C);(b)(7)(E)
(b)(7)(E)

LI#2- Systemax Venture Computer Tower (b)(6);(b)(7)(C);(b)(7)(E)
(b)(7)(E)

LI#3- Microsoft Surface Tablet Computer (b)(6);(b)(7)(C);(b)(7)(E)
(b)(7)(E)

LI#4- Samsung Android Tablet Computer (b)(6);(b)(7)(C);(b)(7)(E)
(b)(7)(E)

LI#5- SD Flash Memory Cards, (b)(7)(E)

LI#6- Digital Camera (b)(6);(b)(7)(C);(b)(7)(E)

LI#7- Maxell DVD RW, (b)(7)(E)

LI#8- Miscellaneous Documents, (b)(7)(E)

For further information on the exact location of each item please refer

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to the photographs, photo log and sketch which are maintained in the investigative case file.

12. After the search was completed, SPS (b)(6);(b)(7)(C) prepared an inventory list of items seized. This list and a copy of the search warrant were left on the kitchen counter of the residence.
13. Before securing the residence, SA (b)(6);(b)(7)(C) took overall photos of the interior and exterior of the residence to document the condition in which the residence was left. SA (b)(6);(b)(7)(C) then locked the front door with the keys provided by (b)(6);(b)(7)(C). SA (b)(6);(b)(7)(C) contacted (b)(6);(b)(7)(C) to determine where the keys could be left at the residence. (b)(6);(b)(7)(C) asked that the keys be placed in the closed garage by sliding them under the garage door via a crack in the door's weather stripping. (AGENT'S NOTE: (b)(6);(b)(7)(C) had previously told agents that he usually enters his home through the garage door which has an automatic opener controlled by a remote in his vehicle.)
14. At approximately 1135 HRS the residence was secured and all personnel departed the area.

INVESTIGATION CONTINUES

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	CASE NUMBER (b)(7)(E)

TITLE: (b)(7)(E)

CASE STATUS: INTERIM RPT

REPORT DATE 102014	DATE ASSIGNED 091814	PROGRAM CODE (b)(7)(E)	REPORT NO. 004
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RELATED CASE NUMBERS:

COLLATERAL REQ:

TYPE OF REPORT:
INVESTIGATIVE FINDINGS
COMPUTER FORENSICS INFO

TOPIC: COMPUTER FORENSIC PREVIEW OF DIGITAL MEDIA

SYNOPSIS:

On September 8, 2014, U.S. Immigration and Customs Enforcement (ICE) Homeland Security Investigations (HSI) Resident Agent in Charge (RAC) Wilmington, Delaware agents (b)(7)(E)

(b)(6);(b)(7)(C);(b)(7)(E)

(b)(7)(E) On October 7, 2014, Deputy Special Agent in Charge (DSAC) Tucson, Arizona agents served a search warrant at the residence of (b)(6);(b)(7)(C) located at (b)(6);(b)(7)(C) Sacramento Hill Drive, Tucson, AZ 85743. The agents seized one desktop computer, one Dell Inspiron laptop, a Samsung soft Surface tablet, a Lexar SD card, and XD card from (b)(6);(b)(7)(C) all DVD.

Special Agent (SA) (b)(6);(b)(7)(C) conducted a (b)(6);(b)(7)(C) the Desktop computer, the Dell Inspiron laptop, the Lexar SD card, and the the Maxell DVD.

DISTRIBUTION: ASCTU SACPX RACWM SACPH	SIGNATURE: (b)(6);(b)(7)(C) SPECIAL AGENT
	APPROVED: (b)(6);(b)(7)(C) SPECIAL AGENT
	ORIGIN OFFICE: TU TUCSON, AZ - ASC
	TYPIST: (b)(6);(b)(7)(C)

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REPORT OF INVESTIGATION
CONTINUATION

CASE NUMBER [REDACTED] (b)(7)(E)

REPORT NUMBER: 004

CASE PROGRAM CODES:

(b)(7)(E) Child Exploitation a
INTERNET CHILD PORNO

[REDACTED] (b)(7)(E)

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DETAILS OF INVESTIGATION

On September 8, 2014, U.S. Immigration and Customs Enforcement (ICE) Homeland Security Investigations (HSI) Resident Agent in Charge (RAC) Wilmington, Delaware agents (b)(7)(E)

(b)(6);(b)(7)(C);(b)(7)(E)

(b)(7)(E) On October 7, 2014, Deputy Special Agent in Charge (DSAC) Tucson, Arizona agents served a search warrant at the residence of (b)(6);(b)(7)(C) located at (b)(6);(b)(7)(C) (b)(6);(b)(7)(C) Tucson, AZ 85743. The agents seized one desktop computer, one Dell Inspiron laptop, a Samsung tablet, a Microsoft Surface tablet, a Lexar SD card, and XD card from a camera, and a Maxell DVD.

(b)(6);(b)(7)(C);(b)(7)(E)

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SA [REDACTED] (b)(6);(b)(7)(C) found numerous non-child pornography images in the Dell Inspiron laptop and the Desktop computer. Numerous photos that appear to match the driver's license photo of [REDACTED] (b)(6);(b)(7)(C) were found in both computers.

The computer forensic investigation is ongoing.

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TITLE: (b)(7)(E)			
CASE STATUS: INTERIM RPT			
REPORT DATE 102014	DATE ASSIGNED 091814	PROGRAM CODE (b)(7)(E)	REPORT NO. 005
RELATED CASE NUMBERS:			
COLLATERAL REQ:			
TYPE OF REPORT: OTHER INFORMATION			
TOPIC: CORRECTION OF INFORMATION CONTAINED IN ROI# 1			

SYNOPSIS:

In September of 2010, HSI RAC Wilmington, Delaware initiated (b)(7)(E)

(b)(7)(E)

(b)(7)(E) This project targets individuals and groups involved in the illegal manufacture and distribution of child pornography.

This collateral case is being opened by HSI DSAC Tucson to investigate the individual or individuals identified by RAC Wilmington who reside in the Tucson area of operations and have distributed child pornography via the peer to peer network.

This report is submitted to document a correction to ROI #1.

DISTRIBUTION: ASCTU SACPX RACWM SACPH	SIGNATURE:	(b)(6);(b)(7)(C)
	(b)(6);(b)(7)(C)	SPECIAL AGENT
	APPROVED:	(b)(6);(b)(7)(C)
	(b)(6);(b)(7)(C)	SPECIAL AGENT
	ORIGIN OFFICE: TU TUCSON, AZ - ASC	TELEPHONE: 520 229 (b)(6);(b)(7)(C)
		TYPIST: (b)(6);(b)(7)(C)

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REPORT OF INVESTIGATION
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CASE NUMBER [REDACTED] (b)(7)(E)

REPORT NUMBER: 005

CASE PROGRAM CODES:

[REDACTED] (b)(7)(E) Child Exploitation a
INTERNET CHILD PORNO

[REDACTED] (b)(7)(E)

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DETAILS OF INVESTIGATION

On September 26, 2014 Homeland Security Investigations (HSI) Special Agent (SA) (b)(6);(b)(7)(C) submitted a report titled "DSAC Tucson Investigation into Subscriber of IP Address (b)(6);(b)(7)(C);(b)(7)(E)

(b)(6);(b)(7)(C);(b)(7)(E)

INVESTIGATION CONTINUES

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