



DEPARTMENT OF HOMELAND SECURITY
UNITED STATES SECRET SERVICE
WASHINGTON, D.C. 20223

Freedom of Information Act & Privacy Act Branch
Communications Center
245 Murray Lane, S.W., Building T-5
Washington, D.C. 20223

Date:

MAY 18 2015

William Marshall
Judicial Watch
425 Third Street, SW, Suite 800
Washington, DC 20024

File Numbers: 20141037 - 201401039

Dear Requester:

This is the final response to your Freedom of Information Act/Privacy Act (FOIA/PA) request, originally received by the United States Secret Service (USSS) on September 24, 2014, for information pertaining to the follow:

File Number 20141037: Operation Moonlight;

File Number 20141038: Any and all records of communication to or from Special Agent David Beach or Jim Donaldson regarding Michael Mulligan and

File Number 20141039: Any and all records of communication to or from Special Agent David Beach or Jim Donaldson regarding Brenda Kay Allen King.

Enclosed are approximately 87 pages of responsive documents from Secret Service records. In efforts to provide you with the greatest degree of access authorized by law, we have considered the reference material under the FOIA regulations, Title 5 U.S.C. § 552 and/or the PA regulations, Title 5 U.S.C. § 552a. Pursuant to the Acts, exemptions have been applied where deemed appropriate. The exemptions cited are marked below.

In addition, eight (8) page(s) were withheld in their entirety. An enclosure to this letter explains the exemptions in more detail.

If this box is checked, deletions were made pursuant to the exemptions indicated below.

Section 552 (FOIA)

(b) (1) (b) (2) (b) (3) Statute:
 (b) (4) (b) (5) (b) (6) (b) (7) (A) (b) (7) (B)
 (b) (7) (C) (b) (7) (D) (b) (7) (E) (b) (7) (F) (b) (8)

Section 552a (Privacy Act)

(d) (5) (j) (2) (k) (1) (k) (2) (k) (3) (k) (5) (k) (6)

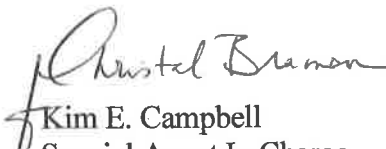
Fees: In the processing of this FOIA/PA request, no fees are being assessed.

Other: Please be advised that a FBI Rap Sheet is enclosed accompanied with a copy of the "Rules and Regulations" regarding production of identification records. Additionally, the identification records furnished to you may not be an accurate or current version of the record. In order to obtain a current copy, you must comply with the instructions as stipulated in the attached regulations.

As you have filed suit in this matter, the administrative appeal rights that normally accompany a FOIA response are not being provided.

If you have any questions or would like to discuss this matter, please contact Matthew Berns, United States Department of Justice, at (202) 616-8016.

Sincerely,


Kim E. Campbell

Special Agent In Charge
Freedom of Information Act & Privacy Act Officer

Enclosure:

FOIA and Privacy Act Exemption List
Rules and Regulations Document

**FREEDOM OF INFORMATION ACT
SUBSECTIONS OF TITLE 5, UNITED STATES CODE, SECTION 552**

Provisions of the Freedom of Information Act do not apply to matter that are:

- (b) (1) (A) specifically authorized under criteria established by an Executive Order to be kept secret in the interest of national defense or foreign policy and (B) are in fact properly classified pursuant to such Executive order;
- (b) (2) related solely to the internal personnel rules and practices any agency;
- (b) (3) specifically exempted from disclosure by statute (other than section 552b of this title), provided that such 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) establishes particular criteria for withholding or refers to particular types of matters to be withheld;
- (b) (4) trade secrets and commercial or financial information obtained from a person and privileged or confidential;
- (b) (5) inter-agency or intra-agency memorandums or letters which would not be available by law to a party other than an agency in litigation with the agency;
- (b) (6) personnel and medical files and similar files the disclosure of which would constitute a clearly unwarranted invasion of personal privacy;
- (b) (7) records or information compiled for law enforcement purposes, but only to the extent that the information: (A) could reasonable be expected to interfere with enforcement proceedings; (B) would deprive a person of a right to a fair trial or an impartial adjudication;; (C) could reasonably be expected to constitute an unwarranted invasion of personal privacy; (D) could reasonable be expected to disclose the identity of a confidential source, including a State, local, or foreign agency or authority or any private institution which furnished information on a confidential basis, and, in the case of a record or information compiled by a criminal law enforcement authority in the course of a criminal investigation, or by an agency conducting a lawful national security intelligence investigation, information furnished by a confidential source; (E) would disclose techniques and 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; (F) could reasonably be expected to endanger the life or physical safety of any individual;
- (b) (8) contained in or related to examination, operating, or condition reports prepared by, on behalf of, or for the use of an agency responsible for regulation or supervision of financial institutions;
- (b) (9) geological and geophysical information and data, including maps, concerning wells.

**PRIVACY ACT
SUBSECTIONS OF TITLE 5, UNITED STATES CODE, SECTION 552a**

The provisions of the Privacy Act do not apply to:

- (d) (5) material compiled in reasonable anticipation of civil action or proceeding;
- (j) (2) material reporting investigative efforts pertaining to enforcement of criminal law including efforts to prevent, control, or reduce crime or apprehend criminals;
- (k)(1) material is currently and properly classified pursuant to an Executive Order in the interest of national defense or foreign policy;
- (k) (2) material compiled during investigations for law enforcement purposes;
- (k) (3) material maintained in connection with providing protective services to the President of the United States or other individuals pursuant to section 3056 of Title 18;
- (k) (5) investigatory material compiled solely for the purpose of determining suitability, eligibility, or qualifications for Federal civilian employment, military service, Federal contracts, or for access to classified information, but only to the extent that the disclosure of such material would reveal the identity of the person who furnished information to the Government under an express promise that the identity of the source would be held in confidence, or prior to the September 27, 1975, under an implied promise that the identity of the source would be held in confidence;
- (k) (6) testing or examination material used solely to determine individual qualifications for appointment or promotion in the Federal service the disclosure of which would compromise the objectivity or fairness of the testing or examination process;

RULES AND REGULATIONS

(Order 556-73)
PART 16-PRODUCTION OR
DISCLOSURE OF
MATERIAL OR
INFORMATION

Subpart C-Production of FBI Identification Records in Response to Written Requests by Subjects Thereof

By order dated September 26, 1973, the Attorney General of the United States directed that the Federal Bureau of Investigation, hereinafter referred to as the FBI, publish rules for the dissemination of arrest and conviction records to the subjects of such records upon request. This order resulted from a determination that 28 U.S.C. 534 does not prohibit the subjects of arrest and conviction records from having access to those records. In accordance with the Attorney General's order, the FBI will release to the subjects of identification records copies of such records upon submission of a written request, satisfactory proof of identity of the person whose identification record is requested and a processing fee of \$18.00.

Since the FBI Identification Division is not the source of the data appearing in identification records, and obtains all data thereon from fingerprint cards or related identification forms submitted to the FBI by local, state, and Federal agencies, the responsibility for authentication and correction of such data rests upon the contributing agencies. Therefore, the rules set forth for changing, correcting or updating such data require that the subject of an identification record make application to the original contributing agency in order to correct the deficiency complained of.

The relevant provisions of the Administrative Procedure Act (5 U.S.C. 553) requiring notice of proposed rule making, opportunity for public participation and delay in effective date are inapplicable because the material contained herein relates to the interpretation of 28 U.S.C. 534 as allowing the granting of an exemption to subjects of identification records and relief of prior administrative restrictions on dissemination of such records to them. Furthermore, it is deemed in the public interest that there be no delay in effective date of availability of identification records to the subjects thereof.

By virtue of the order of the Attorney General, dated September 24, 1973, and pursuant to the authority

delegated to the Director, FBI by 28 CFR 0.85(b), Part 16 of 28 CFR Chapter I, is amended by adding the following new Subpart C:

§ 16.30 Purpose and scope

This subpart contains the regulations of the Federal Bureau of Investigation, hereafter referred to as the FBI, concerning procedures to be followed when the subject of an identification record requests production thereof. It also contains the procedures for obtaining any change, correction or updating of such record.

§ 16.31 Definition of identification record

An FBI identification record, often referred to as a "rap sheet", is a listing of certain information taken from fingerprint cards submitted to and retained by the FBI in connection with arrests and, in some instances, includes information taken from fingerprint cards submitted in connection with Federal employment, naturalization, or military service. The identification record includes the name of the agency or institution which submitted the fingerprint card to the FBI. If the fingerprint card concerns a criminal offense, the identification record includes the date arrested or received, the arrest charge, and the disposition of the arrest if known to the FBI. All arrest data included in an identification record are obtained from fingerprint cards, disposition reports and other reports submitted by agencies having criminal justice responsibilities. Therefore, the FBI Identification Division is not the source of the arrest data reflected on an identification record.

§ 16.32 Procedure to obtain an identification record

The subject of an identification record may obtain a copy thereof by submitting a written request via the U.S. mails directly to FBI.

CJIS DIVISION
ATTENTION: SCU, MOD-D-2
1000 CUSTER HOLLOW ROAD
CLARKSBURG, WEST VIRGINIA 26306

accompanied by satisfactory proof of identity, which shall consist of name, date and place of birth and a set of rolled-inked fingerprint impressions placed upon fingerprint cards or forms

commonly utilized for applicant or law enforcement purposes by law enforcement agencies.

§ 16.33 Fee for production of identification record

Each written request for production of an identification record must be accompanied by a fee of \$18.00 in the form of a certified check or money order, payable to the Treasury of the United States. This fee is established pursuant to the provisions of 31 U.S.C. 9701 and is based upon the clerical time beyond the first quarter hour to be spent in searching for, identifying, and reproducing each identification record requested as specified in § 16.10 of this part. Any request for waiver of the fee shall accompany the original request for the identification record and shall include a claim and proof of indigence.

§ 16.34 Procedure to obtain change, correction or updating of identification records

If, after reviewing his/her identification record, the subject thereof believes that it is incorrect or incomplete in any respect and wishes changes, corrections or updating of the alleged deficiency, he/she should make application directly to the agency which contributed the questioned information. The subject of a record may also direct his/her challenge as to the accuracy or completeness of any entry on his/her record to the Assistant Director of the FBI Identification Division, Washington, D.C. 20537-9700. The FBI will then forward the challenge to the agency which submitted the data requesting that agency to verify or correct the challenged entry. Upon the receipt of an official communication directly from the agency which contributed the original information, the FBI Identification Division will make any changes necessary in accordance with the information supplied by that agency.

Published in the Federal Register on
11/28/73; amended on 10/27/78,
10/27/81, 8/8/83, 5/6/86, 5/17/91, and
1/3/95.



OFFICE OF INSPECTOR GENERAL
Department of Homeland Security

Washington, DC 20528 / www.oig.dhs.gov

OCT 17 2014

MEMORANDUM FOR: The Honorable Jeh C. Johnson
Secretary

FROM: John Roth *John Roth*
Inspector General

SUBJECT: Allegations of Misuse of United States
Secret Service Resources

The Office of Inspector General is conducting an investigation into allegations that the United States Secret Service initiated a protection operation of one of its employees, resulting in Secret Service personnel, resources, and assets being utilized for activities outside the scope of the Secret Service mission. Specifically, we received allegations that the Secret Service used its personnel to protect a Secret Service employee at her home – described by the Secret Service as a “welfare check” – and that it conducted law enforcement database queries in conjunction with these visits. The investigation is substantially complete, and this memorandum details the investigative findings regarding these allegations.

We reviewed documents and Secret Service policies, interviewed the employee and Secret Service supervisors involved in approving the welfare checks, Secret Service Counsel, as well as all eight agents involved in conducting the checks.

Background

On June 30, 2011, a Secret Service employee, who was an assistant in the Office of the Director, was involved in an altercation with a neighbor. According to the employee, she had been harassed by her neighbor and the neighbor had assaulted her father, which resulted in the loss of several of her father’s teeth. The local police arrested the neighbor as a result. Early on the morning of July 1, 2011, the employee received an Interim Peace

RIF



OFFICE OF INSPECTOR GENERAL

Department of Homeland Security

Order against the neighbor in state court. This "Peace Order" directed the employee's neighbor to refrain from further harassment, not to contact the employee or her father, and not to go on the employee's property. On July 5, 2011 a Temporary Peace Order was issued against the neighbor.

Secret Service Response

On July 1, 2011, the employee related her situation to her supervisor, who was the Executive Assistant to the Director of the Secret Service. He, in turn, relayed it to Keith Prewitt, Deputy Director of the Secret Service, and the second in command at the Secret Service at the time (who has since retired). When we interviewed the employee, she told us that she considers Prewitt a friend of her family. Prewitt, in turn relayed the information to A.T. Smith, the Assistant Director for Investigations (who currently holds the position of Deputy Director) and told him that he thought that the Secret Service should do something to assist the employee. Smith told us that it was his idea to have agents go to her home to check on her. Smith directed the Special Agent in Charge (SAC) of the Washington Field Office to have agents conduct welfare checks on the employee. Secret Service Director Mark Sullivan and Prewitt were both made aware that the Washington Field Office agents were conducting these visits to the employee's home.

Officials in the Washington Field Office decided to utilize the Secret Service's "Prowler" team to conduct visits to the employee's home, located in rural Maryland. The Prowler assignment consists of a rotating team of two Special Agents assigned to the Washington Field Office who respond to suspicious persons and situations in and around the White House and the National Capital Region. The Prowler team agents use unmarked, fully-equipped Secret Service vehicles and wear civilian clothes without Secret Service identifiers. They are not part of the Presidential Protective Division, but rather assigned to the Washington Field Office Protective Intelligence Unit.

The operation, which was variously referred to as "operation moonlight" and "operation moonshine," commenced on July 1, 2011, when the employee was able to obtain an Interim Peace Order in Charles County, Maryland. The welfare checks consisted



OFFICE OF INSPECTOR GENERAL
Department of Homeland Security

of two agents driving to the employee's home, a 50 minute drive (without traffic) from the White House, and remaining in their car outside of her house, parked on the road that the employee and the neighbor shared. The agents would also sometimes call the employee shortly before or upon their arrival to determine if there were any issues. The duration of these visits could not accurately be determined. Some agents told us that they remained there between 15 minutes and 2 hours, to include drive time.

The log records¹ that we were able to obtain, however, show that on at least one occasion, on July 5th, two different teams of agents conducted welfare checks at different times and locations during the day, specifically her residence and the Charles County Court House in LaPlata, Maryland. Our investigation did not reveal any instances in which the Secret Service agents approached the neighbor involved in the dispute, nor could we conclude that the neighbor's house was ever under direct surveillance. As reportedly is their practice, the Secret Service conducted criminal history and commercial database checks on the neighbor, the results of which were given to the agents doing the welfare checks.

Recollection of the agents involved vary as to how long the operation lasted; some thought it had lasted approximately one week, others thought it had lasted up to two weeks, while one agent speculated that it lasted up to a month. The SAC of the Washington Field Office told us that the operation only lasted five days, from Friday to the following Tuesday. The employee told us that it had lasted only until she was able to obtain a Temporary

¹ We were able to find two different log records during our investigation. The first, entitled "Command Post Protectee Log," was a handwritten sign-in sheet, on a single sheet of paper, in which the assigned agents would list the times and activities in which they were engaged in the operation. This record reflected visits on July 1st, 2nd, 3rd, 4th, and 5th. The times of arrival and departure were incomplete. The second record we obtained was the "Prowler Daily Field Activity Report," a printed form, with a single page for each day, listing the activities, times and location of the agents assigned. Of the forms provided to us, only July 2nd, 3rd, and 5th appeared to include information relevant to the operation.



OFFICE OF INSPECTOR GENERAL
Department of Homeland Security

Peace Order, on Tuesday, July 5, 2011. Our review of the log sheets reflecting Prowler activity showed that visits were conducted on July 1st, 2nd, 3rd, 4th, and 5th. A Secret Service schedule of protectee movements for July 7th reflected a notation that the Prowler runs to the employee's area had been discontinued. From our review of the records provided by the Secret Service, we have no evidence that the welfare checks lasted beyond the receipt of the Temporary Peace Order on Tuesday, July 5th.

Secret Service Justification

Smith, who directed that these welfare checks be made, explained to us his rationale for the use of these resources. He explained that the rural location of the employee's residence, the lack of police coverage, and the employee's previous history with the neighbor presented concern for the welfare of the employee. These concerns, coupled with her status as a White House pass holder and her access to the Secret Service Director's Office were also determining factors, according to Smith.

The three main Secret Service officials involved -- Prewitt, the SAC of the Washington Field Office, and the supervisor of the Protective Intelligence Unit -- each told us that they believed that the assignment was within Secret Service policy and an appropriate use of Secret Service resources. Prewitt said he would make the same decision again, stating, "You look after your people."

The agents we interviewed were mixed in their beliefs as to the propriety of the assignment. Some thought it was an appropriate use of government resources and within Secret Service policy, while others thought that this was best left to the local police department.

None of the Secret Service personnel we interviewed -- supervisors or line agents -- believed that the actions compromised the security of the President or the White House.

We were unable to find Secret Service policy or regulation either approving or prohibiting the assignment of Secret Service resources



OFFICE OF INSPECTOR GENERAL
Department of Homeland Security

to protect an employee as a result of a matter unrelated to her status as a government employee.

Agency counsel was not consulted in advance of the assignment, but stated that such an action could be justified either under the Secret Service's authority to investigate violations of federal criminal law, involving assault on a federal employee, or under the broader context of a welfare check. Counsel thought that welfare checks were common practice among federal law enforcement agencies and that it was neither unusual nor improper for federal agents to look out for one another and for other agency employees. Counsel did not believe that the activities constituted an ethics violation, since it was not undertaken for personal gain.

Analysis

We examined whether the use of Secret Service resources to provide for welfare checks unrelated to an employee's official position violated the Office of Government Ethics, Standards of Ethical Conduct for Employees of the Executive Branch. Specifically, 5 CFR 2635.704 states that "An employee has a duty to protect and conserve Government property and shall not use such property, or allow its use, for other than authorized purposes." An "authorized purpose," in turn is defined as "those purposes authorized in accordance with law or regulation."

There is no specific statutory or regulatory authorization for the use of Secret Service resources to protect an employee involved in an unrelated private dispute. Title 18, United States Code, section 3056, entitled "Powers, authorities, and duties of United States Secret Service," lists the permissible activities of the Secret Service: protection of certain listed persons, including the President; investigating the violation of certain listed criminal statutes, including counterfeiting and fraud; coordinating events of national significance; and making arrests for federal felonies.

The Prowler agents were not investigating a potential assault on a government employee, which is a violation of 18 USC §115. The Secret Service has the power to arrest an individual for such an assault, but has no explicit statutory authority to investigate it.



OFFICE OF INSPECTOR GENERAL
Department of Homeland Security

(For example, assaults on Secret Service protectees are conducted by the FBI.) In any event, to be a federal crime, the assault would have to have occurred in the course of the employee's duties or as a result of being a federal employee. We did not find that to be the case here, and it was apparent to those involved that it was not the case. First, it was the employee's father, not the employee herself, who had been assaulted. Second, the employee acknowledged that the original incident was unrelated to her status as a federal employee, although the neighbor may have known of her status. Third, we found no evidence that the event was treated by the agents as an assault investigation - no reports were written, nor were there any investigative steps taken that would lead us to conclude that the agents were engaged in a criminal investigation. Moreover, none of the agents we interviewed said that they were conducting a criminal investigation.

The conduct is made more problematic by virtue of the employee's position within the Secret Service. She was a long-term employee of the Secret Service and at the time was an Assistant in the Director's office. Her husband was also a long-term employee of the Secret Service, and she considered Prewitt and the Assistant to the Director to be her personal friends.

Section 2635.101 of the Standards of Ethical Conduct states that "employees shall act impartially and not give preferential treatment to any private organization or individual," and further states that they must avoid any actions that create the appearance of violating ethical standards. Section 2635.702 of the Standards of Ethical Conduct states that a government employee shall not use his public position for his own private gain, or for the private gain of friends or relatives. Here, the employee's position as working in the Director's office and her friendship with high-level Secret Service officials created the appearance that it was that relationship, rather than furthering official government functions, that motivated the assignment of the Prowler team.

Every Secret Service employee we interviewed, without exception, maintained that their protective function was not compromised by assigning the Prowler team to this duty. Nevertheless, the Prowler team exists to provide roving support for the Secret Service's



OFFICE OF INSPECTOR GENERAL
Department of Homeland Security

protection mission and is within the Washington Field Office's Protective Intelligence Unit. The records we reviewed show that, other than the welfare checks, they focused primarily on the area around the White House. Based on the records we were able to obtain, the Prowler team was diverted for a considerable period of time: July 2nd - 3.5 hours; July 3rd - 5 hours; and July 5th - over 4 hours and 8 hours (in two shifts). In each of these instances, the Prowler team would have been unable to respond to exigencies at the White House. On at least two of the days in question (July 1st and July 5th), the President was in the White House at the same time that the Prowler team was engaged in welfare checks in rural Maryland, at least 50 minutes away.

WILLIAM HUDSON (NSH)

From: WILLIAM HUDSON (DIR)
Sent: Friday, July 01, 2011 12:34 PM
To: NICHOLAS TROTTA (OPO)
Subject: Re: Locator for Todd Hudson

Sir - thanks, I was on the phone with her, try, and the deputy earlier re: the same issue. I appreciate the assistance. Enjoy the weekend. Todd

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

From: NICHOLAS TROTTA (OPO)
To: WILLIAM HUDSON (DIR)
Sent: Fri Jul 01 11:22:12 2011
Subject: RE: Locator for Todd Hudson

Enjoy the extra few days. You deserve the break. FYI: we have been dealing with (b) and INV and WFO will be assisting.

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

From: WILLIAM HUDSON (DIR)
Sent: Friday, July 01, 2011 11:09 AM
To: dirstaff
Subject: Locator for Todd Hudson

I will be out of the office on friday, 7.1.11, returning on Tuesday. I am available via bb at (b)(6),(b)(7) Thank You, Todd

From: DAVID BEACH (WFO)
Sent: Friday, July 01, 2011 4:26 PM
To: MARK HUGHES (WFO)
Subject: Re: (b)(6),(b)

Thx. No leave them out of it

From: MARK HUGHES (WFO)
To: DAVID BEACH (WFO)
Sent: Fri Jul 01 14:46:56 2011
Subject: (b)(6),(b)(7)

(b)(6),(b)(7) has put a packet together and has made contact with (b). He has briefed his PI squad and has given (b) the direct number to the PI guys on the desk. The afternoon shift will make contact today. Any reason to notify Baltimore?

From: MARK HUGHES (WFO)
Sent: Friday, July 01, 2011 7:53 PM
To: (b)(6),(b)(7)(C) (WFO)
Subject: Re: Operation

That sounds good. They know that they cannot claim out of district per diem. Have they cleared.

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

From: (b)(6),(b)(7)(C) (WFO)
To: MARK HUGHES (WFO)
Sent: Fri Jul 01 19:50:51 2011
Subject: Operation

The PI Squad as named this "Operation Moonshine" thought you should know ATSAIC (b)(6).
(b)(6),(b)(7)(C) Washington Field Office
Cell (b)(6),(b)(7)(C)
Office: (b)(6),(b)(7)(C)

From: DAVID BEACH (WFO)
Sent: Saturday, July 02, 2011 2:57 PM
To: MARK HUGHES (WFO)
Subject: Re: Operation Moonshine

Nice...very creative

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

From: MARK HUGHES (WFO)
To: DAVID BEACH (WFO)
Sent: Sat Jul 02 13:58:51 2011
Subject: Operation Moonshine

Yes, PI has designated this mission as stated in the subject line. Contact was made shortly after 11:30 this morning. It was a quite night. No issues this AM.

From: (b)(6),(b)(7)(C) (WFO)
Sent: Saturday, July 02, 2011 9:24 PM
To: MARK HUGHES (WFO)
Subject: Re: Moonshine

We only have (b)(7)(E) of Prowler on the weekend. They went by this afternoon and spent a couple of hours there. She seemed fine when I talked to her at 8:00. I told her someone would be there tomorrow.

ATSAIC: (b)(6),(b)(7)(C)
Washington Field Office
Cell: (b)(6),(b)(7)(C)
Office: (b)(6),(b)(7)(C)

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

From: MARK HUGHES (WFO)
To: (b)(6),(b)(7)(C) (WFO)
Sent: Sat Jul 02 21:19:03 2011
Subject: Re: Moonshine

Roger thanks. Did the boys make an afternoon visit.

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

From: (b)(6),(b)(7)(C) (WFO)
To: MARK HUGHES (WFO)
Sent: Sat Jul 02 20:38:47 2011
Subject: Moonshine

I checked in with (b)(6),() and her and Dad are at the Commissioners office filing the assault paperwork. All is quiet.

ATSAIC: (b)(6),(b)(7)(C)
Washington Field Office
Cell: (b)(6),(b)(7)(C)
Office: (b)(6),(b)(7)(C)

From: MARK HUGHES (WFO)
Sent: Saturday, July 02, 2011 12:00 PM
To: (b)(6),(b)(7)(C) (WFO)
Subject: Re: Operation Moonshine Update

Thanks all clear.

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

From: (b)(6),(b)(7)(C) (WFO)
To: MARK HUGHES (WFO)
Sent: Sat Jul 02 11:53:06 2011
Subject: Operation Moonshine Update

Guys are there now all is quiet

ATSAIC (b)(6),(b)(7)(C)
Washington Field Office
Cell: (b)(6),(b)(7)(C)
Office (b)(6),(b)(7)(C)

Message: Moonshine

Full History:

Date	Event	Description	Author
7/3/2014 10:45:49 AM	Action Status	Relevant	(b)(6),(b)(7)(C) (NWK)
7/3/2014 10:45:28 AM	Action Status	Not Relevant	(b)(6),(b)(7)(C) (NWK)
7/3/2014 8:46:41 AM	Action Status	Not Relevant	(b)(6),(b)(7)(C) (IRM)

☑ Moonshine

From (b)(6),(b)(7)(C) (WFO) **Date** Saturday, July 02, 2011 8:39 PM

To MARK HUGHES (WFO)

Cc

I checked in with (b)(6) and her and Dad are at the Commissioner's office filling the assault paperwork. All is quiet.

ATSAIC (b)(6),(b)(7)(C)

Washington Field Office

Cell: (b)(6),(b)(7)(C)

Office (b)(6),(b)(7)(C)

Message: Re: Moonshine

Full History:

Date	Event	Description	Author
7/3/2014 10:45:51 AM	Action Status	Relevant	(b)(6),(b)(7)(C) (NWK)
7/3/2014 8:46:41 AM	Action Status	Not Relevant	(b)(6),(b)(7)(C) (IRM)

Re: Moonshine

From: (b)(6),(b)(7)(C) (WFO) **Date:** Saturday, July 02, 2011 9:24 PM
To: MARK HUGHES (WFO)
Cc:

We only have (b)(7)(E) of Prowler on the weekend. They went by this afternoon and spent a couple of hours there. She seemed fine when I talked to her at 8:00. I told her someone would be there tomorrow.

ATSAIC (b)(6),(b)(7)(C)

Washington Field Office

Cell: (b)(6),(b)(7)(C)

Office (b)(6),(b)(7)(C)

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

From: MARK HUGHES (WFO)
To: (b)(6),(b)(7)(C) (WFO)

Sent: Sat Jul 02 21:19:03 2011

Subject: Re: Moonshine

Roger thanks. Did the boys make an afternoon visit.

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

From: (b)(6),(b)(7)(C) (WFO)

To: MARK HUGHES (WFO)

Sent: Sat Jul 02 20:38:47 2011

Subject: Moonshine

I checked in with (b) and her and Dad are at the Commissioners office filing the assault paperwork. All is quiet.

Law Enforcement Sensitive - Do Not Disseminate

ATSAIC (b)(6),(b)(7)(C)

Washington Field Office

Cell: (b)(6),(b)(7)(C)

Office: (b)(6),(b)(7)(C)

WILLIAM HUDSON (NSH)

From: WILLIAM HUDSON (DIR)
Sent: Monday, July 04, 2011 7:46 PM
To: (b)(6),(b)(7)(C) (DIR)
Subject: Re:

(b) no worries. Good luck in the morning. Let me know if you need anything. Talk to you soon. Todd

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

From: (b)(6),(b)(7)(C) (DIR)
To: WILLIAM HUDSON (DIR)
Sent: Mon Jul 04 20:41:06 2011
Subject:

Hello Todd,

Hope you had a nice holiday weekend.

Wanted to send you a reminder note that I have to be in court tomorrow, Tue, 7/5 at 10a.

It is my intention to head into the office once I'm done.

When the DEP and I spoke over the wknd, he asked that I provide him an update, so I'll plan to call when I'm en rte.

Also, thanks for your vmail I appreciate it.

Have a nice evening and I'll talk with you tomorrow.

Thanks,

(b)(6),(b)

WILLIAM HUDSON (NSH)

From: WILLIAM HUDSON (DIR)
Sent: Monday, July 04, 2011 7:47 PM
To: KEITH PREWITT (DEP)
Subject: Fw:

Sir - good evening. See email message below from (b)(6) See you in the am. Todd

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

From: (b)(6),(b)(7)(C) DIR
To: WILLIAM HUDSON (DIR)
Sent: Mon Jul 04 20:41:06 2011
Subject:

Hello Todd,

Hope you had a nice holiday weekend.

Wanted to send you a reminder note that I have to be in court tomorrow, Tue, 7/5 at 10a.

It is my intention to head into the office once I'm done.

When the DEP and I spoke over the wknd, he asked that I provide him an update, so I'll plan to call when I'm en rte.

Also, thanks for your vmail I appreciate it.

Have a nice evening and I'll talk with you tomorrow.

Thanks,

(b)(6),(

WFO Incident Log

View Record

Incident Key: 35028
Incident Datetime: 7/5/2011 3:25 PM
Reported By: SA (b)(6),(b)(7)(C)
Incident: WFO Prowler out of district conducting liaison activity in La Plata, MD. JOC PID and ATSAIC notified 1615 hrs.
Resolution: WFO Prowler discontinued liaison assignment in La Plata at 1945 hrs and returned to district.
Remarks:
Priority: Low
Status: Closed
Created By: (b)(6),(b)(7)(C)
Created Datetime: 7/5/2011 3:26 PM
Updated By: (b)(6),(b)(7)(C)
Updated Datetime: 7/5/2011 8:20 PM

This database is managed by WFO IT, Information Technology Specialist, IRM.

EVERYTHING DATABASE ©2000-2004
 < application · architecture · branch >
 united states secret service

(b)(7)(E)

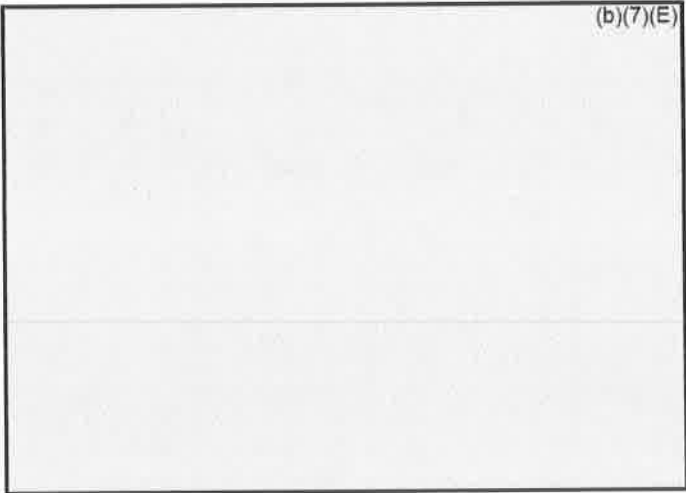
000012

3/10/2014

From: (b)(6),(b)(7)(C) (WFO)
Sent: Thursday, July 07, 2011 8:11 AM
To: (b)(6),(b)(7)(C) (WFO); (b)(6),(b)(7)(C) (WFO); (b)(6),(b)(7)(C) (WFO); (b)(6),(b)(7)(C) (WFO); (b)(6) (b)(6) (WFO); (b)(6) (b)(6) (WFO); (b)(6) (b)(6) (WFO); (b)(6) (b)(6) (WFO); (b)(6),(b)(7)(C) (WFO); (b)(6),(b)(7)(C) (WFO)
Subject: Re: MC Movements 07/07/11

I will push the desk a bit late (I will be in the Gym if you need me) and cover the FLOTUS OTR.
- (b)(6)

From: (b)(6),(b)(7)(C) (WFO)
To: (b)(6) (b)(6) (WFO); (b)(6),(b)(7)(C) (WFO); (b)(6),(b)(7)(C) (WFO); (b)(6),(b)(7)(C) (WFO); (b)(6),(b)(7)(C) (WFO); (b)(6) (b)(6) (WFO); (b)(6) (b)(6) (WFO); (b)(6) (b)(6) (WFO); (b)(6) (b)(6) (WFO); (b)(6) (b)(6) (WFO); (b)(6) (b)(6) (WFO); (b)(6) (b)(6) (WFO); (b)(6),(b)(7)(C) (WFO)
Sent: Thu Jul 07 05:57:46 2011
Subject: MC Movements 07/07/11



Prowler – No additional runs to La Plata per Gunny.

Call with questions.

KPA

(b)(6),(b)(7)(C)
Special Agent
US Secret Service
Washington Field Office
Protective Intelligence Squad
(202) 406-8600 - 24/7 Desk
(202) 406-8903 - Fax
(b)(6),(b)(7)(C) Cell
(b)(6),(b)(7)(C)

From: (b)(6),(b)(7)(C) (WFO)
Sent: Thursday, July 14, 2011 10:04 AM
To: MARK HUGHES (WFO); BRIAN LYNCH (WFO)
Subject: FW: Checking In

I checked in with (b)(6),(b)(7)(C) yesterday to see how things were going in La Plata. Just an FYI incase we are requested in the future.

From: (b)(6),(b)(7)(C) (DIR)
Sent: Thursday, July 14, 2011 9:10 AM
To: (b)(6),(b)(7)(C) (WFO)
Cc: MARK HUGHES (WFO)
Subject: RE: Checking In

Good Morning Mr. (b)(6),(b)(7)(C)

Thank you for your email and phone call yesterday. I really appreciate you checking up on us. The respondent(s)/aggressor(s)/perpetrator(s) continue to harass us all by disturbing the peace with their four wheelers. Although Mr. Mulligan has not yet personally violated his peace order, he dispatches his girlfriend and children to attempt to push our buttons. However, we remain non-confrontational and are documenting their behavior. Moving forward, we are scheduled to meet this evening with our attorney. His initial approach is to pursue federal charges in light of the fact that Mr. Mulligan was aware I am employed by the Secret Service...and still he targeted, stalked, harassed and terrorized me and my family. The final hearing for the peace orders is scheduled for next Tuesday (7.19) at 3pm, so we will certainly know more then. In the mean time, we certainly appreciate the support we have received from your shop. It really means a lot to know we have the backing of the agency.

Best Regards,

(b)(6),

(b)(6),(b)(7)(C)

Staff Assistant
Office of the Director
U.S. Secret Service
O - (b)(6),(b)(7)(C)
C (b)(6),(b)(7)(C)
F - 202.406.5246

(b)(6),(b)(7)(C)

From: (b)(6),(b)(7)(C) (WFO)
Sent: Wednesday, July 13, 2011 3:49 PM
To: (b)(6),(b)(7)(C) (DIR)
Cc: MARK HUGHES (WFO)
Subject: Checking In

(b)(6), (b)(7)(C)

I am just checking to see how things are going in La Plata. Please let us know if you need any additional assistance.

All the best, (b)(6), (b)(7)(C)

ATSAIC (b)(6), (b)(7)(C)

U.S. Secret Service

Washington Field Office

(b)(6), (b)(7)(C)

office (b)(6), (b)(7)(C)

Cell (b)(6), (b)(7)(C)

From: MARK HUGHES (WFO)
Sent: Thursday, July 14, 2011 10:30 AM
To: DAVID BEACH (WFO)
Subject: FW: Checking In

FYI

From: (b)(6),(b)(7)(C) (DIR)
Sent: Thursday, July 14, 2011 9:10 AM
To: (b)(6),(b)(7)(C) (WFO)
Cc: MARK HUGHES (WFO)
Subject: RE: Checking In

Good Morning Mr. (b)(6),(b)(7)(C)

Thank you for your email and phone call yesterday. I really appreciate you checking up on us. The respondent(s)/aggressor(s)/perpetrator(s) continue to harass us all by disturbing the peace with their four wheelers. Although Mr. Mulligan has not yet personally violated his peace order, he dispatches his girlfriend and children to attempt to push our buttons. However, we remain non-confrontational and are documenting their behavior. Moving forward, we are scheduled to meet this evening with our attorney. His initial approach is to pursue federal charges in light of the fact that Mr. Mulligan was aware I am employed by the Secret Service...and still he targeted, stalked, harassed and terrorized me and my family. The final hearing for the peace orders is scheduled for next Tuesday (7.19) at 3pm, so we will certainly know more then. In the mean time, we certainly appreciate the support we have received from your shop. It really means a lot to know we have the backing of the agency.

Best Regards,

(b)(6),(b)(7)(C)

(b)(6),(b)(7)(C)
Staff Assistant
Office of the Director
U.S. Secret Service
O - (b)(6),(b)(7)(C)
C -
F - 202.406.5246
(b)(6),(b)(7)(C)

From: (b)(6),(b)(7)(C) (WFO)
Sent: Wednesday, July 13, 2011 3:49 PM
To: (b)(6),(b)(7)(C) DIR
Cc: MARK HUGHES (WFO)
Subject: Checking In

(b)(6),(b)(7)(C)

I am just checking to see how things are going in La Plata. Please let us know if you need any additional assistance.

All the best [redacted]

ATSAIC [redacted]

U.S. Secret Service

Washington Field Office

[redacted]

office [redacted]

Cell [redacted]

From: MARK HUGHES (WFO)
Sent: Thursday, July 14, 2011 10:31 AM
To: (b)(6),(b)(7)(C) (WFO)
Subject: RE: Checking In

Thanks

From: (b)(6),(b)(7)(C) (WFO)
Sent: Thursday, July 14, 2011 10:04 AM
To: MARK HUGHES (WFO); BRIAN LYNCH (WFO)
Subject: FW: Checking In

I checked in with (b)(6),(b)(7) yesterday to see how things were going in La Plata. Just an FYI incase we are requested in the future.

From: (b)(6),(b)(7)(C) (DIR)
Sent: Thursday, July 14, 2011 9:10 AM
To: (b)(6),(b)(7)(C) (WFO)
Cc: MARK HUGHES (WFO)
Subject: RE: Checking In

Good Morning Mr. (b)(6),(b)(7)(C)

Thank you for your email and phone call yesterday. I really appreciate you checking up on us. The respondent(s)/aggressor(s)/perpetrator(s) continue to harass us all by disturbing the peace with their four wheelers. Although Mr. Mulligan has not yet personally violated his peace order, he dispatches his girlfriend and children to attempt to push our buttons. However, we remain non-confrontational and are documenting their behavior. Moving forward, we are scheduled to meet this evening with our attorney. His initial approach is to pursue federal charges in light of the fact that Mr. Mulligan was aware I am employed by the Secret Service...and still he targeted, stalked, harassed and terrorized me and my family. The final hearing for the peace orders is scheduled for next Tuesday (7.19) at 3pm, so we will certainly know more then. In the mean time, we certainly appreciate the support we have received from your shop. It really means a lot to know we have the backing of the agency.

Best Regards,

(b)(6),(b)(7)(C)

(b)(6),(b)(7)(C)

Staff Assistant
Office of the Director
U.S. Secret Service
O - (b)(6),(b)(7)(C)
C -
F - 202.406.5246

(b)(6),(b)(7)(C)

From: (b)(6),(b)(7)(C) (WFO)
Sent: Wednesday, July 13, 2011 3:49 PM
To: (b)(6),(b)(7)(C) (DIR)
Cc: MARK HUGHES (WFO)
Subject: Checking In

(b)(6),(b)(7)(C)

I am just checking to see how things are going in La Plata. Please let us know if you need any additional assistance.

All the best, (b)(6),(b)(7)(C)

ATSAID (b)(6),(b)(7)(C)

U.S. Secret Service

Washington Field Office

(b)(6),(b)(7)(C)

office (b)(6),(b)(7)(C)

Cell (b)(6),(b)(7)(C)

PROWLER DAILY FIELD ACTIVITY REPORT				
DATE: 7/2/11	DAY: Saturday	SHIFT: (b)(7)(E)	NAME: (b)(6),(b)(7)(C)	
TO: SAIC, WFO		FROM: (b)(6),(b)(7)(C)		
START TIME	END TIME	ACTIVITY	DISPOSITION	
1030	1400	Operation Moonshine – Charles County coverage	ADV	
DISPOSITIONS: FI (FI CARD COMPLETED); WFO PI (REFERRED TO WFOPI); CSUR (INCLUDED IN CSU DATA BASE); ADV (ADVISED AND SOW); LIA (LIAISON WITH UD/CSU)				
STATISTICS				
FI	WFO PI	CSUR	ADV	LIA
				1

PROWLER DAILY FIELD ACTIVITY REPORT				
DATE: 7/3/11	DAY: Sunday	SHIFT: (b)(7)(E)	NAME:	
TO: SAIC, WFO		FROM: SA (b)(6).(b)(7)(C)		
START TIME	END TIME	ACTIVITY	DISPOSITION	
1000	1315	Liaison La Plata MD		
1315	1800	WH Surveillance		
DISPOSITIONS: FI (FI CARD COMPLETED); WFO PI (REFERRED TO WFOPI); CSUR (INCLUDED IN CSU DATA BASE); ADV (ADVISED AND SOW); LIA (LIAISON WITH UD/CSU)				
STATISTICS				
FI	WFO PI	CSUR	ADV	LIA

PROWLER DAILY FIELD ACTIVITY REPORT				
DATE: 7/5/11	DAY: Tuesday	SHIFT: (b)(7)(E)	NAME: (b)(6),(b)(7)(C)	
TO: SAIC, WFO		FROM: SA (b)(6),(b)(7)(C)		
START TIME	END TIME	ACTIVITY	DISPOSITION	
1500	2300	Project Moonshine		
DISPOSITIONS: FI (FI CARD COMPLETED); WFO PI (REFERRED TO WFOPD); CSUR (INCLUDED IN CSU DATA BASE); ADV (ADVISED AND SOW); LIA (LIASION WITH UD/CSU)				
STATISTICS				
FI	WFO PI	CSUR	ADV	LIA

ASSAULTS ON SECRET SERVICE EMPLOYEES

The U. S. Secret Service (USSS) has been given the authority to investigate assaults against its employees.

This manual section focuses primarily on assaults upon sworn law enforcement personnel of this Service. This includes Officers, Physical Security Specialists, Special Agents, Special Officers, and Technicians of the USSS. However, any assault upon any USSS employee will be investigated and prosecuted by this Service.

Prosecution of suspects for assaults against Secret Service employees should be determined on a case-by-case basis with consultation between field office supervisors and representatives of the U.S. Attorney's office in the district where the assault occurred.

The specific Federal statute regarding assaults on Secret Service employees is Title 18, United States Code, Section 111. Other applicable statutes in cases of this nature are, 18 U.S.C § 115, 18 U.S.C. § 1114, and 18 U.S.C. § 2332(b).

The Secret Service will investigate assaults on Secret Service employees that occur during the performance of its employees' official duties, including transit to and from places of official duty, and assaults on Secret Service employees that occur while performing functions authorized by 18 USC §3056(c)(1) and 3056A(b)(1). NOTE: The Secret Service will also investigate assaults that occur on account of one's employment with the Secret Service, even if the employee is not on official duty at the time of the assault.

In such cases a local field office file number with an "S" suffix will be assigned. The Investigative Support Division (ISD) will be the controlling Headquarters division.

Bodily injury or hospitalization are not prerequisites for seeking authorization to charge offenders with assault (18 U.S.C. § 111, §115, or applicable local statutes). This Service takes these assaults and threats very seriously. Field supervisors are encouraged to vigorously pursue filing assault charges with the local U.S. Attorney's office, State, or District Attorneys offices as appropriate. This would mean that even though an assailant is charged with several other major offenses, the assault should not be disregarded. An assault includes verbal, as well as written threats, but does not include verbal abuse.

Assaults on employees of this Service are included in the "Uniform Crime Reports," which are published by the Federal Bureau of Investigations (FBI). This information is also incorporated into the Computerized Criminal History (CCH) files of offenders. ISD prepares the "Quarterly Assault Summary" for review by the Assistant Director (AD) - Office of Investigations.

Manual : Investigative
RO : ISD

Section : ISD-23
Date : 05/16/2010

Reporting Requirements for Assault Cases

The details of the investigation and any subsequent prosecution should be reflected in investigative reports. ISD should receive the initial assault notification and the subsequent investigative reports as soon as possible via official message for inclusion in the ISD Headquarters 812 case file.

Possession or use of weapons by suspects should be documented in the investigative reports. The report should include a brief description of the weapon and ammunition, where applicable.

Assaults on any Secret Service employees (Officers, Physical Security Specialists, Special Agents, Special Officers, and Technicians, as well as any support personnel) during the performance of their official duties, (including transit to and from places of official duty, or assaults that occur on account of one's employment with the Secret Service, even if the employee is not on official duty at the time of the assault) must be reported to ISD as soon as possible, via official message. Reference is also made to the Uniformed Division Manual, section UND-05, Notification Procedures, for reporting requirements regarding Uniformed Division assaults.

The assault notification official message must also be forwarded to the office of AD-Investigations, the office of AD-Professional Responsibility, the office of AD-Protective Research, the office of AD-Protective Operations, the office of AD-Government and Public Affairs, and the office of AD-Human Resources and Training. A copy of the official message should also be forwarded to the field office, resident office, or resident agency where the employee is assigned; e.g., out of district on protection, investigative, or administrative-related assignments.

After submitting the initial assault notification official message, assault cases should be opened under the name of the assailant. If circumstances warrant, cases can be opened under the title "Unknown Assailant." So as not to require excessive paperwork from the field, after forwarding the initial assault message under the office 812 case number, the investigative case report can be forwarded to ISD with the assault case being cross-referenced.

The closing investigative report on the assault case should be separate from the cross-referenced investigative report, specifically describing the judicial action pertaining to the assault. Whenever Secret Service employees are assaulted and the prosecuting attorney authorizes the filing of formal charges, an Arrest History record should be run in NCIC/NLETS for the investigative report and prosecuting attorney, and included in the case file. (For additional guidance regarding Arrest History investigative reporting requirements, see Investigative Manual, section INV-35 (Case Management) and INV-38 (Statistical Arrest Credit). When prosecution is authorized, all final disposition information should be reported in the closing investigative report for the assault case under the field office 812 case number. If prosecution is declined with regard to the assault, a copy of the declination letter should be forwarded to ISD with the closing investigative report. Additionally, the Master Central Index Manual, section MCI-15, provides guidance on how to enter information using the Arrest History Screen.

Judicial case requirements (see INV-21) remain the same, with the exception being that palm prints are no longer required in assault cases. Additionally, it is no longer required that copies of these items be forwarded to ISD. Please show in the closing investigative report where the items were sent (i.e., to the FBI, FSD, or MCI entry) for future reference.

Assault Reporting Format

Report assault information to the appropriate addressees via Official Message using the sample formats on the following pages.

Sample Official Message – Assault Notification, Assault on Secret Service

Manual : Investigative
RO : ISD

Section : ISD-23
Date : 04/10/2018

Employee Investigations

FIELD

FROM: FIELD OFFICE FILE:
TO: INVESTIGATIVE SUPPORT DIVISION
INFO: AD INVESTIGATIONS
AD PROFESSIONAL RESPONSIBILITY
AD PROTECTIVE RESEARCH
AD PROTECTIVE OPERATIONS
AD PUBLIC AFFAIRS
AD HUMAN RESOURCES AND TRAINING

SUBJ: ASSAULT ON SECRET SERVICE EMPLOYEE

1. NAME OF VICTIM: SPECIAL AGENT, OFFICER OR EMPLOYEE
2. LOCATION OF ASSAULT: CITY AND STATE
3. DEPARTMENT: U.S. SECRET SERVICE
4. DATE OF ASSAULT: MONTH, DAY, YEAR
5. TIME OF ASSAULT: HOUR (AM OR PM)
6. WEAPON USED IN ASSAULT: ANY INSTRUMENT OR MEANS TO CARRY OUT AN ASSAULT TO INCLUDE BUT NOT LIMITED TO HANDS, FEET, TEETH, LETTER, PHONE CALL, VEHICLE.
7. CIRCUMSTANCES: PROVIDE A BRIEF NARRATIVE OF THE FACTS SURROUNDING THE ASSAULT. INCLUDE WHEN APPLICABLE, THE SUBSTANTIVE CRIME WITH WHICH THE INDIVIDUAL COMMITTING THE ASSAULT ALSO MAY HAVE BEEN CHARGED.
8. INJURIES TO SECRET SERVICE EMPLOYEE(S).
9. NAME OF OFFENDER: FIRST, MIDDLE, LAST
10. DESCRIPTION OF OFFENDER: SEX, RACE, DATE OF BIRTH, SOCIAL SECURITY NUMBER.
11. JUDICIAL ACTION: CHARGES PENDING/BAIL SET; DECLINATION; DISMISSAL.

FIELD OFFICE

CASE AGENT/SUPERVISOR

AD PROFESSIONAL RESPONSIBILITY
AD PROTECTIVE RESEARCH
AD PROTECTIVE OPERATIONS
AD PUBLIC AFFAIRS
AD HUMAN RESOURCES AND TRAINING

Manual : Investigative
RO : ISD

Section : ISD-23
Date : 08/10/2010

Sample Investigative Report

FROM: NEW YORK FIELD OFFICE
TO: INVESTIGATIVE SUPPORT DIVISION

INVESTIGATIVE REPORT

ORIGIN: FIELD
OFFICE: NEW YORK
CASE NUMBER: 108-812-000000-S
CASE TITLE: PETER GIBBONS
CASE TYPE: ASSAULT ON A FEDERAL AGENT
(PROTECTION)
STATUS: CONTINUED
INVESTIGATION MADE AT: MANHATTAN, NEW YORK, NEW YORK
PERIOD COVERED: 09/30/2010-10/30/2010
DATE SUBMITTED: 10/30/2010
INVESTIGATION MADE BY: ATSAIC BOB PORTER, SPECIAL AGENT TOM SMYKOWSKI

SYNOPSIS:

On September 30, 2010, pursuant to his duties as shift leader for the prime minister of Jamaica detail Inspector Bill Lumbergh was assaulted by Peter Gibbons with an automobile

Gibbons was arrested and charged with violation of title 18 U.S.C. § 111 assault on a Federal agent.

On October 1, 2010, Gibbons was arraigned in the Southern District of New York and released on his personal recognizance. Preliminary hearing is scheduled for October 30, 2010

Case continued.

INTRODUCTION:

Reference is made to the notification of arrest official message, dated October 2, 2010, reporting the arrest of Gibbons.

Manual : Investigative
RO : ISD

Section : ISD-23
Date : 08/10/2010

Sample Investigative Report (Con't)

A reference is also made to the OM of Assistant Inspector Bill Lumbergh, under file number, 108-812-00000-S dated October 5, 2010.

DETAILS OF INVESTIGATION:

On September 30, 2010, Assistant Inspector (AI) Bill Lumbergh was assigned to the prime minister of Jamaica detail as a shift leader on the 4p-12m shift. At approximately 1845 hrs, the prime minister's motorcade was approaching The Initec Hotel, 123 Park Avenue, New York, New York. The follow-up vehicle was occupied by AI Bill Lumbergh (right front seat), SA Milton Waddams (driver), SA Michael Bolton, ICE (left rear) and Det. Bob Slydel, Assistant Superintendent Jamaican constabulary force (right rear).

The motorcade had begun to turn southbound onto Park Avenue from 62nd street, when the traffic light turned red. Concurrently, the traffic light for southbound traffic on Park Avenue turned green. To permit the remainder of the motorcade to finish the turn, the follow-up vehicle made a wide turn to block southbound traffic on Park Avenue. Because of heavy traffic, AI Lumbergh exited the follow-up in order to stop traffic, thereby facilitating the movement of the motorcade to the hotel entrance. According to all personnel working the Jamaican detail, all emergency light equipment, as well as headlights on all motorcade vehicles, were on and operational.

AI Lumbergh, after exiting the follow-up, walked between the follow-up and the limousine of the Jamaican Prime Minister to the vicinity of the left two lanes on the southbound side of Park Avenue. Southbound traffic on Park Avenue had begun to cross 62nd street when roach motioned with his hand for traffic to stop. All lanes of traffic stopped momentarily.

After the motorcade completed its turn, the follow-up still partially blocked the third lane. AI Lumbergh released the far left lane of traffic, but held the third lane from the curb. While facing the traffic, AI Lumbergh motioned with his right hand to the cars in the fourth lane, to pull ahead and extending his left hand, with palm open, to hold the traffic in the third lane from the curb.

At this time, however, the first car in the third lane from the curb, a Lincoln Mercury Marquis (gray/silver) license plate, NY 000-000, driven by Peter Gibbons, and also occupied by Mrs. Joanna Gibbons of 343 Filingers Road, Briar, New York, began to move forward toward AI Lumbergh. AI Lumbergh motioned with hand gestures that the car should stop, and when the car did not stop, verbally instructed the driver to stop the car.

The car continued to move forward and struck AI Lumbergh in the legs. AI Lumbergh stepped back and again ordered the driver to stop, but the car moved forward and struck him in the legs a second time. AI Lumbergh then slapped his hand on the car's hood, stated that he was a Federal agent and ordered the driver to stop the car.

Manual : Investigative
RO : ISD

Section : ISD-23
Date : 06/16/2010

Sample Investigative Report (Con't)

The car continued to move forward and struck Al Lumbergh in the legs a third time. Al Lumbergh then stepped around to the driver's side of the car, and through the partially open window, told the driver, later identified as Peter Gibbons, that he was under arrest for assaulting a Federal agent. Al Lumbergh then asked the driver to step out of the car. The driver, Mr. Gibbons, ignored Al Lumbergh's order to exit the car. Al Lumbergh, in an attempt to extricate Mr. Gibbons from the car reached through the open driver's side window to unlock the door. The car, which had stopped momentarily, resumed moving forward. In an attempt to clear himself from the moving vehicle, Al Lumbergh pulled his hand from inside the car. In doing so, Al Lumbergh lost his balance and grabbed hold of the window to regain it. The car dragged Al Lumbergh approximately 15 to 20 feet before the window shattered and Al Lumbergh fell backwards, but regained his balance so as not to fall to the ground.

The car finally came to a stop near the Jamaican Prime Minister's limousine. Peter Gibbons exited the car and was arrested by Al Lumbergh.

SA Bolton assisted with the arrest of Mr. Gibbons by placing him in the rear of the Secret Service follow-up vehicle, and verbally advised him of his constitutional rights. Mr. Gibbons responded that he understood his rights and agreed to speak with SA Bolton. Mr. Gibbons complained about his hands being cuffed behind him, so SA Bolton moved the handcuffs to the front of Mr. Gibbons. As SA Bolton was moving the handcuffs, he (SA Bolton) smelled alcohol on Mr. Gibbons's breath. SA Bolton asked Mr. Gibbons if he had been drinking. Mr. Gibbons responded he was at a cocktail party prior to the incident and that he had some wine.

At approximately 1900 hours this same day, I contacted FLAGSHIP Secret Service command post, after hearing a radio call requesting a Protective Intelligence (PI) team to respond to the location of the incident. ATSAIC Bob Porter and I responded to 123 Park Avenue, New York, New York. I spoke with Al Lumbergh, who reiterated the above incident to me. Al Lumbergh further complained of soreness in his legs and knees and cuts on his hands from the broken automobile window.

There were also three NYPD Uniformed Officers from the 10th Precinct on the scene upon my arrival. Sergeant Ronald Jeremy, the shift supervisor, was one of the officers.

When I saw Mr. Gibbons he was seated in the rear of the marked NYPD vehicle. I asked Mr. Gibbons if he was advised of his rights, and if he was in possession of a driver's license or identification. Mr. Gibbons responded yes to both questions. I removed a photo New York state driver's license from Mr. Gibbons's wallet, which pictured Mr. Gibbons along with a soundex number of ABCD-233629. I further advised Mr. Gibbons that he was being charged with violation of title 18 U.S.C. § 111, assaulting a Federal agent.

SA Smykowski arrived and took a written statement from Al Lumbergh. SA Bolton, along with SA Brian Chotchky (ICE) transported Mr. Gibbons to the New York Field office for processing. SA Chotchky read Mr. Gibbons his rights via SSF 1737, which was signed by Mr. Gibbons. Mr. Gibbons refused to make any further statements.

ATSAIC Bob Porter cleared the situation on the street in front of the Initec Hotel and transported both Al Lumbergh and SA Michael Bolton (ICE) to Bellevue Hospital Center. Al Lumbergh was treated for hand and leg injuries. A tetanus vaccine was administered by Dr. Samir Nagheenanajar. SA Bolton was also treated by Dr. Nagheenanajar for a knee strain which he suffered while exiting the follow-up to assist Al Lumbergh. Both were released on this date.

Manual : Investigative
RO : ISD

Section : ISD-23
Date : 09/16/2010

Sample Investigative Report (Con't.)

Between September 30, 2010, and October 1, 2010, I obtained written statements from witnesses to include: SA Milton Waddams, SA Michael Bolton, ICE, SA Brian Chotchky, ICE, and Det. Bob Sydel, Assistant Superintendent Jamaican constabulary force.

Also on September 30, 2010, I interviewed both Mrs. Joanna Gibbons, wife of the defendant, and Mr. Drew Phelps, doorman, The Initec hotel. Both refused to give written or signed statements.

Mrs. Joanna Gibbons stated she saw the "black van" (Secret Service follow-up) with DC license plates, turning right from East 62nd street onto Park Avenue (southbound). Mrs. Gibbons indicated that she and her husband were at the traffic light southbound on Park Avenue at East 62nd street. Mrs. Gibbons stated that she also saw the red emergency light on the top of the follow-up, but she was not sure that the light was on/operating. She mentioned that she and the defendant were traveling from their home, to an affair uptown. She said she observed Al Lumbergh come from the other side of the follow-up vehicle but was not certain he (Al Lumbergh) got out of the follow-up vehicle. She did comment, that while Al Lumbergh was blocking their lane of traffic with his body, he did allow the far lane (4th lane from the curb) to proceed. She further commented, that her husband was telling Al Lumbergh to move because they were in a hurry. She indicated that defendant was motioning to Al Lumbergh, with his hand, to move. Mrs. Gibbons's recollection of the placement of the vehicles was consistent with that of other eyewitnesses. This interview took place in the company of Mrs. Smith, a friend of the Gibbons's. It was Smith's suggestion that Mrs. Gibbons not sign or give a written statement to what was said above.

On September 30, 2010, at approximately 2230 hours, I interviewed Mr. Drew Phelps of #1 First Drive, Queens, New York, telephone (718) 555-1212, at The Initec hotel. Mr. Phelps said that all he observed was the automobile glass break and Mr. Gibbons being arrested. Mr. Phelps remarked that his view of the incident was obstructed by parked vehicles and the Secret Service follow-up. This statement is consistent with that of SA Milton Waddams.

Defendant/Suspect:

Peter Gibbons - (d)

Judicial Action:

On October 1, 2010, I prepared a complaint charging Peter Gibbons with assaulting Al Lumbergh with an automobile, under title 18 U.S.C. § 111. The complaint was signed by Federal magistrate Barbara Eden.

On October 3, 2010, AUSA Sipowitz, Southern District of New York, (SDNY), authorized the arrest of Peter Gibbons for violation of title 18 U.S.C. § 111, assault on a Federal agent. It should be noted that after Mr. Gibbons was processed he was released per order of AUSA Sipowitz, and ordered to return

On October 7, 2010, Gibbons is to be arraigned before a Federal magistrate (SDNY) for charges of assault.

Manual : Investigative
RO : ISD

Section : ISD-23
Date : 08/10/2010

Sample Investigative Report (Con't)

On 7, 2010, Mr. Gibbons appeared before Federal magistrate Barbara Eden, SDNY for arraignment. AUSA Sipowitz represented the government. Mr. Gibbons was represented by Lee Marvin and Adam West, telephone (212) 555-2020. Mr. Gibbons was released on personal recognizance bond, and a preliminary hearing date has been set for October 30, 2010, in the U.S. District court for the SDNY.

DISPOSITION:

Case continued pending further judicial action.

INCLUDE DATES THAT:

PERSONAL HISTORY & JUDICIAL DATA WERE ENTERED INTO MCI
PHOTOGRAPHS FORWARDED TO ISD
FINGERPRINTS FORWARDED TO FSD AND FBI

**The Honorable Darrell Issa
2347 Rayburn House Office Building
United States House of Representatives
Washington, D.C. 20515**

**The Honorable Jason Chaffetz
2464 Rayburn House Office Building
United States House of Representatives
Washington, D.C. 20515**

Dear Chairman Issa and Representative Chaffetz:

I am writing to follow up on my letter of May 23, 2014, and in further response to your letter of May 20, 2014. Enclosed please find copies of documents and communications located by the United States Secret Service (Secret Service) that appear to be responsive to your May 20, 2014 requests. These materials were located through an extensive search of Secret Service paper and electronic records systems and are provided as a supplement to those documents previously provided to you on May 30, 2014.

The search for documents and communications responsive to your requests included a search by sixty-five identified Secret Service employees who were asked to search both electronic and paper records for potentially responsive materials. These individuals included myself, the current Deputy Director, the Special Agent in Charge of the of the Washington Field Office at the time of the matter at issue, and Special Agents who were possibly involved in this matter. These employees were specifically instructed to search all locations reasonably likely to have relevant materials, to include emails, computer hard drives, databases, electronic calendars or notes, and any removable or portable electronic storage devices (e.g., thumb drives, cds). Additionally, a search of the Washington Field Office's agency files was conducted by field office personnel.

The Secret Service Information Resources and Management Division (IRMD), which is responsible for operating and managing the agency's IT system, was also tasked with electronically searching the available electronically stored information (ESI) of the identified individuals. This electronic search encompassed any existing, available email account, whether active or archived, all personal email folders, and accessible shared drives where electronic documents could be stored. The search conducted by IRMD also included any ESI that still existed for identified individuals who are no longer employed at the Secret Service. In total, IRMD searched the ESI of seventy-one current and former employees.

R I F

These searches returned a limited amount of responsive records, and no documents or communications responsive to requests number 5 and 6 were located. In regard to your request number 5, please note that as this matter remains under investigation by the Department of Homeland Security, Office of Inspector General, the Secret Service has not interviewed employees or conducted any internal investigation of this matter, other than the document search indicated above. Therefore, we are unable to create a comprehensive list of the individuals who may have been involved.

In providing you with these documents and information we note that the retrieved records reflect that Secret Service personnel went to Ms. Chohey's residence during a time period beginning July 1, 2011, and ending no later than July 6, 2011, to allow for state judicial action rather than the misinformation of months of surveillance reported by the Washington Post.

Sincerely,

Julia A. Pierson
Director
United States Secret Service

R I F

JAP:DLC: (b)(6),(b)(7)(C) ds 07/25/2014

WILLIAM HUDSON (NSH)

From: WILLIAM HUDSON (DIR)
Sent: Friday, July 01, 2011 12:34 PM
To: NICHOLAS TROTТА (OPO)
Subject: Re: Locator for Todd Hudson

Sir - thanks, I was on the phone with her, try, and the deputy earlier re: the same issue. I appreciate the assistance. Enjoy the weekend. Todd

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

From: NICHOLAS TROTТА (OPO)
To: WILLIAM HUDSON (DIR)
Sent: Fri Jul 01 11:22:12 2011
Subject: RE: Locator for Todd Hudson

Enjoy the extra few days. You deserve the break. FYI: we have been dealing with (b) (6) and INV and WFO will be assisting.

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

From: WILLIAM HUDSON (DIR)
Sent: Friday, July 01, 2011 11:09 AM
To: dirstaff
Subject: Locator for Todd Hudson

I will be out of the office on friday, 7.1.11, returning on Tuesday. I am available via bb at (b)(6)/(b)(7)(C) Thank You, Todd

From: DAVID BEACH (WFO)
Sent: Friday, July 01, 2011 4:26 PM
To: MARK HUGHES (WFO)
Subject: Re: (b)(6),(b)(7)

Thx. No leave them out of it

From: MARK HUGHES (WFO)
To: DAVID BEACH (WFO)
Sent: Fri Jul 01 14:46:56 2011
Subject: (b)(6),(b)(7)

(b)(6),(b)(7)(C) has put a packet together and has made contact with (b)(7). He has briefed his PI squad and has given (b)(7) the direct number to the PI guys on the desk. The afternoon shift will make contact today. Any reason to notify Baltimore?

From: MARK HUGHES (WFO)
Sent: Friday, July 01, 2011 7:53 PM
To: (b)(6),(b)(7)(C) (WFO)
Subject: Re: Operation

That sounds good. They know that they cannot claim out of district per diem. Have they cleared.

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

From: (b)(6),(b)(7)(C) (WFO)
To: MARK HUGHES (WFO)
Sent: Fri Jul 01 19:50:51 2011
Subject: Operation

The PI Squad as named this "Operation Moonshine" thought you should know ATSAIC (b)(6),(b)(7)
(b)(6),(b)(7)(C) Washington Field Office
Cell: (b)(6),(b)(7)(C)
Office: (b)(6),(b)(7)(C)

From: DAVID BEACH (WFO)
Sent: Saturday, July 02, 2011 2:57 PM
To: MARK HUGHES (WFO)
Subject: Re: Operation Moonshine

Nice...very creative

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

From: MARK HUGHES (WFO)
To: DAVID BEACH (WFO)
Sent: Sat Jul 02 13:58:51 2011
Subject: Operation Moonshine

Yes, PI has designated this mission as stated in the subject line. Contact was made shortly after 11:30 this morning. It was a quite night. No issues this AM.

From: (b)(6),(b)(7)(C) (WFO)
Sent: Saturday, July 02, 2011 9:24 PM
To: MARK HUGHES (WFO)
Subject: Re: Moonshine

We only have (b)(7)(E) of Prowler on the weekend. They went by this afternoon and spent a couple of hours there. She seemed fine when I talked to her at 8:00. I told her someone would be there tomorrow.

ATSAIC (b)(6),(b)(7)(C)
Washington Field Office
Cell: (b)(6),(b)(7)(C)
Office: (b)(6),(b)(7)(C)

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

From: MARK HUGHES (WFO)
To: (b)(6),(b)(7)(C) (WFO)
Sent: Sat Jul 02 21:19:03 2011
Subject: Re: Moonshine

Roger thanks. Did the boys make an afternoon visit.

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

From: (b)(6),(b)(7)(C) (WFO)
To: MARK HUGHES (WFO)
Sent: Sat Jul 02 20:38:47 2011
Subject: Moonshine

I checked in with Lisa and her and Dad are at the Commissioners office filing the assault paperwork. All is quiet.

ATSAIC (b)(6),(b)(7)(C)
Washington Field Office
Cell: (b)(6),(b)(7)(C)
Office: (b)(6),(b)(7)(C)

From: MARK HUGHES (WFO)
Sent: Saturday, July 02, 2011 12:00 PM
To: (b)(6),(b)(7)(C) (WFO)
Subject: Re: Operation Moonshine Update

Thanks all clear.

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

From: (b)(6),(b)(7)(C) (WFO)
To: MARK HUGHES (WFO)
Sent: Sat Jul 02 11:53:06 2011
Subject: Operation Moonshine Update

Guys are there now all is quiet

ATSAIC (b)(6),(b)(7)(C)
Washington Field Office
Cell: (b)(6),(b)(7)(C)
Office: (b)(6),(b)(7)(C)

Law Enforcement Report

(b)(6),(b)(7)(C)

Previous And Non-Verified Address(es):
38238 WALTER CT, CHARLOTTE HALL MD 20822-3204 ST MARY'S COUNTY (Dec 2010 - May 2011)

Name Associated with Address:

MICHAEL J MULLIGAN SR

Current Residents at Address:

(b)(6),(b)(7)(C)

MICHAEL JOHN MULLIGAN SR

(b)(6),(b)(7)(C)

Property Ownership Information for this Address

Property:

Parcel Number - 06-028221

Page - 482

Name Owner (b)(6),(b)(7)(C)

Property Address: - 38238 WALTER CT, CHARLOTTE HALL MD 20822-3204 ST MARY'S COUNTY

Owner Address: 38238 WALTER CT, CHARLOTTE HALL MD 20822-3204, ST MARY'S COUNTY

Sale Price - \$168,000

Total Market Value - \$329,100

Assessed Value - \$329,100

Land Value - \$115,900

Improvement Value - \$213,200

Year Built - 1978

Date Source - B

6008 HUNTT RD, LA PLATA MD 20646-5706, CHARLES COUNTY (Nov 2010 - Apr 2011)

Name Associated with Address:

MICHAEL J MULLIGAN SR

Current Residents at Address:

BRENDA KAY ALLEN

MICHAEL JOHN MULLIGAN SR

(b)(6),(b)(7)(C)

301-934-9428 ALLEN BRENDA

Property Ownership Information for this Address

Property:

Parcel Number - 09-038232

Book - 6388

Page - 158

Name Owner (b)(6),(b)(7)(C)

Property Address: - 6008 HUNTT RD, LA PLATA MD 20646-5706, CHARLES COUNTY

Owner Address: 5940 RIPLEY PARK DR, LA PLATA MD 20646-5700, CHARLES COUNTY

Sale Price - \$135,000

Land Usage - SINGLE FAMILY RESIDENTIAL

Total Market Value - \$235,480

Assessed Value - \$235,480

Land Value - \$174,050

Improvement Value - \$61,430

Year Built - 1942

Date Source - B

7175 ANNAPOLIS WOODS RD, LA PLATA MD 20646-5528, CHARLES COUNTY (May 2008 - Dec 2010)

Name Associated with Address:

MICHAEL J MULLIGAN SR

Current Residents at Address:

(b)(6),(b)(7)(C)

Property Ownership Information for this Address

Property:

Parcel Number -

Name Owner: HSBC BANK USA NA,

Property Address: - 7175 ANNAPOLIS WOODS RD, LA PLATA MD 20646-5528, CHARLES COUNTY

Owner Address: 12850 INGENUITY DR, ORLANDO FL 32828-2703, ORANGE COUNTY

Name of Seller: KING, BRENDA



District Court of Maryland for Charles County

Washington Ave., LaPlata, Maryland 20646

Case No.: 2402570177

Date: 7/1 2011

LISA CHOPEY vs MICHAEL JOHN MULLIGAN SR

Important Information

Upcoming Court Hearings in this Case

Temporary Peace Order Hearing. This case is set for a Temporary Peace Order hearing before a District Court judge on 07/06/2011 at 10:00 AM at the District Court at 11 Washington Ave., LaPlata, Maryland 20646

Final Peace Order Hearing. If a judge signs a Temporary Peace Order, the tentative date and time of the Final Protective Order hearing is 07/12/2011 at 10:00 AM in the same location. Hearing dates and places are subject to change, and you should call the District Court Clerk's Office at (301)934-5110 to be sure you know when and where your hearing(s) will occur. You are responsible for knowing when and where hearings will occur.

If you fail to appear at a hearing, the judge may still issue an order or take other action that affects you and you are responsible for obeying any orders issued in your absence.

To request a foreign language interpreter or a reasonable accommodation under the Americans with Disabilities Act, please contact the Court immediately.

Communicating With The Court

Any communication you wish to have with the Court about this case should be filed in writing at the Clerk's Office during business hours. Do not contact a commissioner or judge directly.

The Clerk's Office will use the address shown on the petition to send and serve any future papers or orders in this case. You are responsible for advising the Court of your current address and telephone number and if your address or telephone numbers change, you must advise the Clerk in writing. The Post Office will not forward District Court mail to you.

Information about Peace Orders

If someone seeks a peace order when the Clerk's Office is closed, a commissioner may issue an Interim Peace Order. Interim orders usually last until the Temporary Peace Order hearing, but not beyond the second business day after issue.

If someone seeks a peace order when the Clerk's Office is open, the petition goes before a judge for a Temporary Peace Order hearing.

Temporary Peace Orders last until the Final Peace Order hearing, but not beyond 30 days. A Final Peace Order may last as long as 6 months.

Any peace order (Interim, Temporary or Final) may order a respondent: not to commit or threaten to commit any prohibited act; not to contact, attempt to contact, or harass; to refrain from entering a residence; to remain away from a school, workplace or temporary residence. A Final Peace Order may also order counseling and mediation, and that the Respondent pay costs.

Violation of a peace order is a crime. With probable cause to believe a violation has occurred, an officer shall arrest the respondent and take him/her into custody, with or without a warrant.

RIF

Agency
Address

SHERIFF'S OFFICE LA PLATA; MD0090000;
BOX 189 10435 AUDIE LANE
LA PLATA, MD 20646
... END OF RECORD ...

Next >> Cancel

R I F

U. S. Secret Service NCIC/NLETS Response Display

ORI: DCSS15800

Response:

FROM(NLETS) ON 07/01/11 AT 15:51:23 DCSS15800

CN.VAII0000
12:51 07/01/2011 81117
12:51 07/01/2011 13082 DCSS15800

TXT
HI R/2L01-NCIYDCSS158000
A1N/SA (b)(6),(b)

THE FOLLOWING RECORD PERTAINS TO SID/VA657479
VIRGINIA CRIMINAL RECORD 07/01/2011 P

SID: VA657479 FBI: 216208A2
NAMES RECORDED IN VIRGINIA FILES: MULLIGAN MICHAEL J SEX RACE DATE OF N W 04/22/1

LAST REPORTED ADDRESS: 15412 MAIN BLVD
ACCOCKREEK, MD 20606

PLACE OF BIRTH: MARYLAND
SOCIAL SECURITY NO(S): 230-29-2846

(b)(6),(b)(7)(C)

CONTRIBUTOR/CASE	DATE	CHARGE/DISPOSITION
PD FAIRFAX CO VA ORI:VA0290100	05/25/1987	FINGERPRINTED OCA:8668J CHARGED WITH #001 FELONY LARCENY FAIRFAX CO 05/25/1987
FAIRFAX CO GEN DIST ORI:VA029013J CCN:NOT RECORDED DCN:D272916	06/09/1987	GUILTY MSDMR UNAUTHORIZED USE 0112/1370 0199/2588

PD FAIRFAX CO VA ORI:VA0290100	06/25/1987	FINGERPRINTED OCA:8668J CHARGED WITH #001 MSDMR CONCEALMENT OF MERCHANDISE FAIRFAX CO 05/25/1987
FAIRFAX CO GEN DIST ORI:VA029013J CCN:NOT RECORDED DCN:D287613	07/30/1987	GUILTY MSDMR CONCEAL MERCHANDISE 0120/2429 0194/3131

PD FAIRFAX CO VA ORI:VA0290100	07/21/1995	FINGERPRINTED OCA:808668J CHARGED WITH #001 FELONY POSSESS MARIJUANA FAIRFAX CO 07/21/1995
DCN:P619794		DISPOSITION NOT RECEIVED 1337/1262

FD FAIRFAX CO VA 08/16/1995 FINGERPRINTED
ORI:VA0290100 OCA:086683
CHARGED WITH

1001 MGDMMR
FAIL TO APPEAR/POSSESS MARIJUANA
FAIRFAX CO 08/02/1995

FAIRFAX CO JEN DIST 09/12/1995 DISMISSED
ORI:VA029013J
CCN:NOT RECORDED
DCN:F731739

1341/1651 1408/1740

RECORD AUTOMATED: 06/22/1987 LAST RECORD UPDATE: 03/01/1996
ALL ARREST ENTRIES CONTAINED IN THIS RECORD ARE BASED ON FINGERPRINT COMP
AND PERTAIN TO THE SAME INDIVIDUAL.

*** CAUTION ***

THIS RESPONSE IS BASED ON COMPARISON OF REQUESTOR FURNISHED INFORMATION
AGAINST DATA CONTAINED IN THE FILES OF THE VIRGINIA STATE POLICE CRIMINAL
RECORDS EXCHANGE ONLY AND DOES NOT PRECLUDE THE EXISTENCE OF OTHER CRIMIN
HISTORY INFORMATION WHICH MAY BE CONTAINED IN THE REPOSITORY OF OTHER LOC
STATE OR FEDERAL CRIMINAL JUSTICE AGENCIES.
CHANGES TO THIS RECORD MAY BE IN PROCESS. A NEW INQUIRY SHOULD BE MADE
SUBSEQUENT USE. THE RECIPIENT(S) IS RESPONSIBLE FOR MAINTAINING AN AUDIT
TRAIL OF ALL SECONDARY DISSEMINATION OF ANY OF THIS INFORMATION.

*** UNAUTHORIZED DISSEMINATION WILL SUBJECT THE DISSEMINATOR TO CRIMINAL
CIVIL PENALTIES. ***

THIS IS A MULTI-SOURCE RECORD. ADDITIONAL CRIMINAL HISTORY INFORMATION
IS INDEXED IN NCIC-III FOR OTHER STATE OR FEDERAL OFFENSES.
BASED ON FBI NUMBER ONLY
END OF RECORD

<< Previous | Next >> | Cancel



LOG

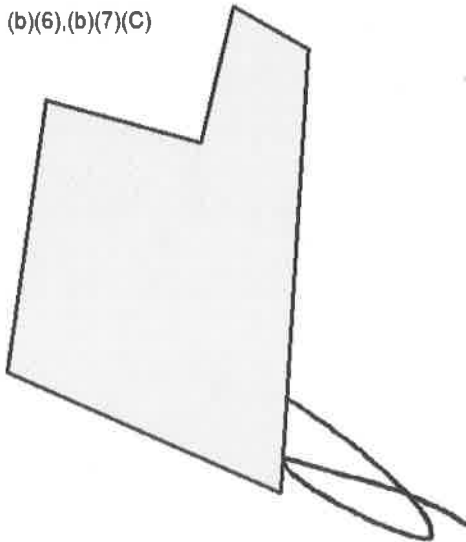
Please log the date and time that each visit has taken place.

Please contact Ms. (b)(6),(b)(7)(C) and make sure everything is alright.

Call ATSAIC (b)(6),(b)(7)(C) with any questions (b)(6),(b)(7)(C)

- 1630 - Arrived
~~1803~~ - departed area
• 1803

(b)(6),(b)(7)(C)



U. S. Secret Service NCIC/NLETS Response Display

ORI: IX'SS15800

Response:

FROM(NLETS) ON 07/01/11 AT 15:51:23 DCSS15800

CR.WVPBINF00
12:51 07/01/2011 14071
12:51 07/01/2011 11081 DCSS15800
TXT

HDR/2L01-NCIYDCSS158000

ATN/SA (b)(6),(b)(7)

..... CRIMINAL HISTORY RECORD

Data As Of 2011-07-01

..... Introduction

This rap sheet was produced in response to the following request:

FBI Number 216208A2

Request Id

Purpose Code

C

Attention

SA (b)(6),(b)(7)

The information in this rap sheet is subject to the following caveats:

This record is based only on the FBI number in your request-216208A2.

Because additions or deletions may be made at any time, a new copy should be requested when needed for subsequent use. (US; 2011-07-01)

All arrest entries contained in this FBI record are based on fingerprint comparisons and pertain to the same individual. (US; 2011-07-01)

The use of this record is regulated by law. It is provided for official use only and may be used only for the purpose requested. (US; 2011-07-01)

..... IDENTIFICATION

Subject Name(s)

MULLIGAN, MICHAEL JOHN

MULLIGAN, MICHAEL J (AKA)

Subject Description

FBI Number

State Id Number

216208A2

VA657479 (VA)

Social Security Number

230292846

(b)(6),(b)(7)(C)

Sex

Race

Male

White

Height

Weight

5'09"

125

Hair Color

Eye Color

Brown

Blue

Date of Birth

1969-04-22

Fingerprint Pattern

18P1PM17161715DI1917 (FPC)

18P1PM17161715DI1917 (FPC)

Scars, Marks, and Tattoos

Code

Description, Comments, and Images

TAT L RND

, TATTOO ON LEFT HAND

TAT UL ARM

, TATTOO ON UPPER LEFT ARM

Place of Birth

Citizenship

NY

US

Fingerprint Images

(b)(7)(E)

Photo Images
 Photo Image Available SHERIFF'S OFFICE LA PLATA MD0090000
 Available Image Other
 (No Photo Image Transmitted)
 Comment: Arresting agency has photo associated
 with arrest date of 1998/05/07)

Photo Image Available SHERIFF'S OFFICE LA PLATA MD0090000
 Available Image Other
 (No Photo Image Transmitted)
 Comment: Arresting agency has photo associated
 with arrest date of 1996/02/25)

Photo Image Available SHERIFF'S OFFICE LA PLATA MD0090000
 Available Image Other
 (No Photo Image Transmitted)
 Comment: Arresting agency has photo associated
 with arrest date of 1996/01/20)

Photo Image Available STATE POLICE HQ PIKESVILLE MDNSP0000
 Available Image Other
 (No Photo Image Transmitted)
 Comment: Arresting agency has photo associated
 with arrest date of 1994/09/18)

..... CRIMINAL HISTORY
 Cycle 001

 Earliest Event Date 1994-09-18

 Arrest Date 1994-09-18
 Arrest Case Number H14670
 Arresting Agency MDNSP0000 STATE POLICE HQ PIKESVILLE
 Charge 01
 Charge Literal POSS MARIJ
 Agency MDNSP0000 STATE POLICE HQ PIKESVILLE
 Severity
 Charge 02
 Charge Literal POSS PARAPH
 Agency MDNSP0000 STATE POLICE HQ PIKESVILLE
 Severity

..... Cycle 002

 Earliest Event Date 1995-06-20

 Arrest Date 1995-06-20
 Arrest Case Number 478705
 Arresting Agency DCMPD0000 POLICE DEPARTMENT WASHINGTON
 Charge 01
 Charge Literal DRIVING WHILE INTOXICATED
 Agency DCMPD0000 POLICE DEPARTMENT WASHINGTON
 Severity
 Charge 02
 Charge Literal CARRYING DANGEROUS WEAPON
 Agency DCMPD0000 POLICE DEPARTMENT WASHINGTON
 Severity

 Court Disposition (Cycle 002)
 Court Agency Unknown
 Charge 01
 Charge Literal DRIVING WHILE INTOXICATED
 Severity
 Disposition (Other ; 06-20-95, NO PAPER)

..... Cycle 003

 Earliest Event Date 1996-01-20

(b)(7)(E)

.....

Arrest Date 1996-01-20
 Arrest Case Number 146303
 Arresting Agency MD0090000 SHERIFF'S OFFICE LA PLATA
 Charge 01
 Charge Literal POSSESSION OF MARIJUANA
 Agency MD0090000 SHERIFF'S OFFICE LA PLATA
 Severity

Charge 02
 Charge Literal POSSESSION OF MARIJUANA
 Agency MD0090000 SHERIFF'S OFFICE LA PLATA
 Severity

Charge 03
 Charge Literal POSSESSION OF PARAPHERNALIA
 Agency MD0090000 SHERIFF'S OFFICE LA PLATA
 Severity

..... Cycle 004

Earliest Event Date 1996-02-25

.....

Arrest Date 1996-02-25
 Arrest Case Number 146303
 Arresting Agency MD0090000 SHERIFF'S OFFICE LA PLATA
 Charge 01
 Charge Literal CDS POSS MARIJUANA
 Agency MD0090000 SHERIFF'S OFFICE LA PLATA
 Severity

Charge 02
 Charge Literal POSS CDS PARA
 Agency MD0090000 SHERIFF'S OFFICE LA PLATA
 Severity

Charge 03
 Charge Literal RESISTING ARREST
 Agency MD0090000 SHERIFF'S OFFICE LA PLATA
 Severity

..... Cycle 005

Earliest Event Date 1998-05-09

.....

Arrest Date 1998-05-09
 Arrest Case Number 146303
 Arresting Agency MD0090000 SHERIFF'S OFFICE LA PLATA
 Charge 01
 Charge Literal CDS POSS W/INT DIST HEROIN
 Agency MD0090000 SHERIFF'S OFFICE LA PLATA
 Severity

..... INDEX OF AGENCIES

Agency Address FBI-CJIS DIV-CLARKSBG CLARKSBURG; WVFBIN00;
 1000 CUSTER HOLLOW RD
 CLARKSBURG, WV 26306

.....

Agency Address STATE POLICE HQ PIKESVILLE; MDNSP0000;
 1201 REISTERSTOWN RD
 PIKESVILLE, MD 21208

.....

Agency Address POLICE DEPARTMENT WASHINGTON; DCHPD00000;
 RM 5153 300 INDIANA AVE NW
 WASHINGTON, DC 200012106

(b)(7)(E)

Law Enforcement Report



Accurint for Law Enforcement

Important: The Public Records and commercially available data sources used on reports have errors. Data is sometimes entered poorly, processed incorrectly and is generally not free from defect. This system should not be relied upon as definitively accurate. Before relying on any data this system supplies, it should be independently verified. For Secretary of State documents, the following data is for information purposes only and is not an official record. Certified copies may be obtained from that individual state's Department of State. The unrecorded data in the product or service may include records that have been expunged, sealed, or otherwise have become inaccessible to the public since the date on which the data was last updated or collected.




Accurint does not constitute a "consumer report" as that term is defined in the federal Fair Credit Reporting Act, 15 USC 1681 et seq. (FCRA). Accordingly, Accurint may not be used in whole or in part as a factor in determining eligibility for credit, insurance, employment or another permissible purpose under the FCRA.

Your DPPA Permissible Use: Court, Law Enforcement, or Government Agencies
Your GLBA Permissible Use: Law Enforcement Purpose

Law Enforcement Report

Date: 07/01/11

Report Legend:

-  - Shared Address
-  - Deceased
-  - Probable Current Address

Subject Information: (Best Information for Subject)

Name: MICHAEL JOHN MULLIGAN SR DOB: 4/22/1969
SSN: 230-29-2846 issued in Virginia between 1/1/1983 and 12/31/1984

Age: 42

Names Associated With Subject:

MICHAEL J MULLIGAN SR DOB: 4/22/1969 Age: 42
230-29-xxxx issued in Virginia between 1/1/1983 and 12/31/1984
MICHAEL MULLIGAN DOB: 4/22/1969 Age: 42
230-29-xxxx issued in Virginia between 1/1/1983 and 12/31/1984
MIKE MULLIGAN SR DOB: 4/22/1969 Age: 42
230-29-xxxx issued in Virginia between 1/1/1983 and 12/31/1984
MICHAEL J MULLIGAN DOB: 4/22/1969 Age: 42
230-29-xxxx issued in Virginia between 1/1/1983 and 12/31/1984
MICHAEL MULLIGAN SR DOB: 4/22/1969 Age: 42
230-29-xxxx issued in Virginia between 1/1/1983 and 12/31/1984
MIKE MULLIGAN DOB: 4/22/1969 Age: 42
230-29-xxxx issued in Virginia between 1/1/1983 and 12/31/1984
MICHAEL MULLIGAN DOB: 4/1969 Age: 42
230-29-xxxx issued in Virginia between 1/1/1983 and 12/31/1984
MICHAEL J S MULLIGAN DOB: 4/22/1969 Age: 42
230-29-xxxx issued in Virginia between 1/1/1983 and 12/31/1984
MICHAEL MUL KING DOB: 4/22/1969 Age: 42
230-29-xxxx issued in Virginia between 1/1/1983 and 12/31/1984
MICHAEL MULLIGAN KING SR DOB: 4/22/1969 Age: 42
230-29-xxxx issued in Virginia between 1/1/1983 and 12/31/1984

Others Associated With Subject SSN:

DOES NOT include any type of bond or detainer
{None Found}

Address Summary:

38235 WALTER CT, CHARLOTTE HALL, MD 20622-3204, ST. MARY'S COUNTY (Dec 2010 - May 2011)
6005 HUNTT RD, LA PLATA, MD 20648-5708, CHARLES COUNTY (Nov 2010 - Apr 2011)
7175 ANNAPOLIS WOODS RD, LA PLATA, MD 20648-5528, CHARLES COUNTY (May 2008 - Dec 2010)

Law Enforcement Report

Law Enforcement Report

Name of Seller 2: MULLIGAN SR, MICHAEL
Data Source - B
Property:
Parcel Number -
Name Owner ACE SEC8 CORP 2808-ASAP4
Property Address: - 7175 ANNAPOLIS WOODS RD, LA PLATA MD 20648-8828, CHARLES COUNTY
Owner Address: 12859 INGENURTY DR, ORLANDO FL 32828-2783, ORANGE COUNTY
Name of Seller (b)(6),(b)(7)(C)

Data Source - A
7875 BENSVILLE RD, WALDORF MD 20803-4088, CHARLES COUNTY (Apr 2002 - Nov 2002)
Name Associated with Address:
MICHAEL MULLIGAN
Current Residents at Address:
(b)(6),(b)(7)(C)

Property Ownership Information for this Address

Property:
Parcel Number - 08-038743
Book - 6836
Page - 621
Name Owner (b)(6),(b)(7)(C)
Property Address: (b)(6),(b)(7)(C)
Owner Address: (b)(6),(b)(7)(C)
Land Usage - SINGLE FAMILY RESIDENTIAL
Total Market Value - \$338,848
Assessed Value - \$338,848
Land Value - \$201,000
Improvement Value - \$138,848
Year Built - 1983
Data Source - B

16317 MANNING RD W, ACCOKEEK MD 20807-9758, PRINCE GEORGE'S COUNTY (Jan 2001 - Apr 2002)
Name Associated with Address:
MICHAEL MULLIGAN
Current Residents at Address:

(b)(6),(b)(7)(C)

Property Ownership Information for this Address

Property:
Parcel Number - 08-0284678
Name Owner COUNTRY GOLD LLC
Property Address: - 16317 MANNING RD W, ACCOKEEK MD 20807-9758, PRINCE GEORGE S COUNTY
Owner Address: 2713 ROBINDALE DR, ROCKVILLE MD 20853, MONTGOMERY COUNTY
Sale Price - \$268,000
Total Market Value - \$285,900
Assessed Value - \$285,900
Land Value - \$73,700
Improvement Value - \$192,200
Land Size - 30800 SF
Year Built - 1998
Data Source - B

10 SANDRA CT 10, INDIAN HEAD MD 20640-1988, CHARLES COUNTY (Oct 2001 - Feb 2002)
Name Associated with Address:
MIKE MULLIGAN SR

Property Ownership Information for this Address

Property:
Parcel Number - 07-044818
Book - 6094
Page - 288
Name Owner (b)(6),(b)(7)(C)
Property Address: - 10 SANDRA CT, INDIAN HEAD MD 20640-1988, CHARLES COUNTY
Owner Address: (b)(6),(b)(7)(C)
Sale Price - \$218,000
Land Usage - TOWNHOUSE
Total Market Value - \$200,568
Assessed Value - \$200,568
Land Value - \$90,000
Improvement Value - \$110,568
Land Size - 4234 SF
Year Built - 1984

Law Enforcement Report

Data Source - B
058, ACCOKEEK MD 20807, PRINCE GEORGE S COUNTY (Sep 2000 - Feb 2001)
Name Associated with Address:
MIKE MULLIGAN SR
PO BOX 888, ACCOKEEK MD 20807-0888, PRINCE GEORGE'S COUNTY (Sep 2000 - Feb 2001)
Name Associated with Address:
MIKE MULLIGAN SR
25 2ND ST LOT J5, LOTHAN MD 20711-9511 ANNE ARUNDEL COUNTY (Sep 1999 - Feb 2001)
Name Associated with Address:
MICHAEL MULLIGAN
15412 MAIN BLVD, ACCOKEEK MD 20807-9780, PRINCE GEORGE S COUNTY (Mar 1982 - May 1988)
Name Associated with Address:
MIKE MULLIGAN SR
Current Residents at Address:

(b)(6),(b)(7)(C)

Property Ownership Information for this Address

Property:

Parcel Number - 05-0318804

Book - 13108

Page - 701

Name Owner

(b)(6),(b)(7)(C)

Property Address: - 15412 MAIN BLVD, ACCOKEEK MD 20807-9780, PRINCE GEORGE'S COUNTY

Owner Address: (b)(6),(b)(7)(C)

Sale Price - \$149,950

Land Usage - SINGLE FAMILY RESIDENTIAL

Total Market Value - \$238,200

Assessed Value - \$238,200

Land Value - \$98,800

Improvement Value - \$129,400

Year Built - 1986

Data Source - B

7427 SHIRLEY BLVD, PORT TOBACCO MD 20677-3113, CHARLES COUNTY (Mar 1994 - Nov 1994)

Name Associated with Address:

MIKE MULLIGAN SR

Current Residents at Address:

(b)(6),(b)(7)(C)

Property Ownership Information for this Address

Property:

Parcel Number - 01-018237

Book - 5548

Page - 334

Name Owner

(b)(6),(b)(7)(C)

Property Address: - 7427 SHIRLEY BLVD, PORT TOBACCO MD 20677-3113, CHARLES COUNTY

Owner Address: 7427 SHIRLEY BLVD, PORT TOBACCO MD 20677-3113, CHARLES COUNTY

Sale Price - \$322,000

Land Usage - SINGLE FAMILY RESIDENTIAL

Total Market Value - \$263,320

Assessed Value - \$263,320

Land Value - \$135,400

Improvement Value - \$117,920

Year Built - 1973

Data Source - B

6726 HOUNDMASTER RD, SPRINGFIELD VA 22152-2712, FAIRFAX COUNTY (Mar 1992)

Name Associated with Address:

MICHAEL J MULLIGAN

Current Residents at Address:

(b)(6),(b)(7)(C)

Property Ownership Information for this Address

Property:

Parcel Number - 089-1-06-00-0288

Book - 6388

Page - 732

Name Owner

(b)(6),(b)(7)(C)



District Court of Maryland for Charles County

11 Washington Ave., LaPlata, Maryland 20648



Case No.: 0402SP007872011

Date: 7/1/2011 2:22 a.m.

LISA CHOPEY vs MICHAEL JOHN MULLIGAN SR

PEACE ORDER ADDENDUM

Failure to provide information on this Addendum may prevent law enforcement from processing the Court's Protective Order. This may endanger your safety or the safety of another protected party. Please provide as much information as possible.

DESCRIPTION OF RESPONDENT (Alleged Abuser)

Full Name: MULLIGAN, MICHAEL JOHN SR
 Date of Birth: 04/22/1969
 Approximate Age: 42

Race:	Sex:	Height:	Weight:	Hair Color:	Eye Color:	Skin Tone (Light/Medium/Dark):
2	M	5'9"	180	BRN		

Scars, Tattoos (where on body and description):

Home Address
 4008 HUNTT ROAD
 City, State, Zip
 LA PLATA, MD 20648
 Telephone/Cell Number:

Employer:

Work Hours:

Work Address
 City, State, Zip

Telephone Number:

Vehicle Make: Year: Color: Type: State: Driver's License #:

Weapons:

Other locations or information about Respondent:

PETITIONER (Person Requesting Assistance)

Full Name: CHOPEY, LISA
 Date of Birth: Approximate Age:

Race:	Sex:	Height:	Weight:
-------	------	---------	---------

Signature

Date: 7/1/2011





DISTRICT COURT OF MARYLAND FOR

La Plata / Charles

Located at 11 Washington Ave La Plata Md 20646

Case No. 0402-SPOD 787-2011

Lisa Chopin (b)(6),(b)(7)(C)

Michael John Mullison, Sr 6005 Hunt Rd La Plata, MD 20646

PETITION FOR PEACE ORDER

(NOTE: Fill in the following, checking the appropriate boxes. If you need additional paper, ask the clerk.)

1. I want protection from Michael John Mullison, Sr The Respondent committed the following acts against Lisa Chopin

- within the past 30 days on the dates stated below. (check all that apply)
[] kicking [] punching [] choking [] slapping
[] shooting [] rape or other sexual offense (or attempt) [] hitting with object [] rabbing [] shoving [] threats of violence
[] harassment [] stalking [] detaining against will [] trespass [] malicious destruction of property [] other

The details of what happened are: (Describe injuries. State the date(s) and place(s) where these acts occurred. Be as specific as you can.) On Thursday, June 30, 2011 at approx 7:35am, I arrived at the entrance to Hunt Rd and stopped to check/pick-up my mail, I got back in my vehicle and proceeded down my road (Hunt Rd) to my residence

Table with 4 columns: Court, Kind of Case, Year Filed, Results or Status (if you know)

2. Describe all other harm the Respondent has caused you and give date(s), if known

- 4. I want the Respondent to be ordered:
[] NOT to contact or threaten to contact any of the acts listed in paragraph 1 against Lisa Chopin
[] NOT to contact, attempt to contact, or harass Lisa Chopin
[] NOT to go to the residence(s) at (b)(6),(b)(7)(C)
[] NOT to go to the school(s) at
[] NOT to go to the work place(s) at
[] To go to counseling. [] To go to mediation. [] To pay the filing fees and court costs.
[] Other specific relief:

I solemnly affirm under the penalties of perjury that the contents of this information, and belief. JUL 01 2011 (b)(6),(b)(7)(C)

NOTICE TO PETITIONER

Any individual who knowingly provides false information in a Petition for Peace Order is guilty of a misdemeanor and on conviction is subject to a fine not exceeding \$1,000 or imprisonment: not exceeding 90 days or both.



DISTRICT COURT OF MARYLAND FOR CHARLES COUNTY
 11 WASHINGTON AVENUE, LA PLATA MARYLAND 20646

CONTINUATION SHEET FOR CIVIL ORDER

PAGE 1 OF 1

CASE # 0402 - SP00787 - 2011

Lisa Chokey
 PETITIONER

vs Michael John Mulligan, Sr
 RESPONDENT

when ~~the~~ I saw a green four wheeler speed past me, ^{then he} turned around and came directly at me; I stopped my vehicle, and then he proceeded to circle my vehicle several times and when he stopped, I started proceeding towards my residence and at the bend he again sped up next to my vehicle, getting in front of me forcing me to stop. He then put it in gear and spinning his tires and throwing rocks at the vehicle while speeding towards my residence at my father, brother, and niece. I followed him and saw him circling my dad's house while driving so he was throwing rocks/gmail on my niece, swinging his arm at my dad. When he stopped the four wheeler, he yelled at my dad, then spinning his wheels throwing rocks/gmail on my father. I immediately called the police and 2 officers came to my residence.

(b)(6),(b)(7)(C)
 PETITIONER'S SIGNATURE

JUL 01 2011

DATE



District Court of Maryland for Charles County

11 Washington Ave., LaPlata, Maryland 20648



Case No.: 0402SP007872011

Date: 7/1/2011

2:22 a.m.

LISA CHOPEY vs MICHAEL JOHN MULLIGAN SR INTERIM PEACE ORDER

Considering the petition (which was filed when the office of the District Court was closed) and evidence, the Commissioner finds reasonable grounds to believe that Respondent:

1. Has committed the following act(s) against Petitioner within 30 days before the filing of the Petition:
Act(s) which placed Petitioner in fear of imminent serious bodily harm

Based on the foregoing findings, the Court hereby ORDERS:

1. That the Respondent SHALL NOT commit or threaten to commit any of the following acts against Petitioner: an act which causes serious bodily harm; an act that places the Petitioner in fear of imminent serious bodily harm; assault; rape, attempted rape, sexual offense, or attempted sexual offense; false imprisonment; harassment; stalking; trespass; or malicious destruction of property.
2. That the Respondent SHALL NOT contact (in person, by telephone, in writing, or by any other means), attempt to contact, or harass the Petitioner.
3. That the Respondent SHALL NOT enter the residence of the Petitioner at (b)(6),(b)(7)(C)
(b)(6),(b)(7)(C)
(Residence includes yard, grounds, outbuildings, and common areas surrounding the dwelling.)
4. This Order is effective until the end of the second business day after the date of signing below, or the Temporary Peace Order hearing, whichever occurs first.

JUL 01 2011

2:22 AM
Time

Date

Oliver Walls Dove 4060
 Commissioner 106
OLIVER WALLS DOVE 4060
OLIVER WALLS DOVE

Printed Name

See important information on Page 2 of this Order

- | | |
|-------------------------------------|-----------------|
| <input checked="" type="checkbox"/> | COURT ORIGINAL |
| <input checked="" type="checkbox"/> | PETITIONER |
| <input type="checkbox"/> | RESPONDENT |
| <input type="checkbox"/> | LAW ENFORCEMENT |

CAP014

Page 1

U. S. Secret Service NCIC/NLETS Response Display

ORI: DCSS15800

Response: FROM(NLETS) ON 07/01/11 AT 14:49:17 DCSS15800

IR.MDSIR0000
11:49 07/01/2011 10580
11:49 07/01/2011 12881 DCSS15800
TKT

* NLETS*IR * MARYLAND*CCH*INQUIRY*+* NAM/ MULLIGAN, MICHAEL

FROM ORI: SIR0000
TO ORI: 1) DCSS15800 2) 3) SA (b)(6),(b) 4) HSG-NO: 5)
TO: OPE/ AUTH: (b)(6),(b)(7)(C)
FROM: MSP PIKESVILLE FILE:

MSG-TITLE: NLETS RESPONSE SIGNATURE:
TEXT:
THIS IDENTIFICATION INFORMATION IS IN RESPONSE TO YOUR INQUIRY ON:
FOR: C ATM: SA (b)(6),(b)(7) NAM: MULLIGAN, MICHAEL

DOB: 19690422 SEX: M RACE: U SOC: MFO:

SID 1586928 LNAM/MULLIGAN , FNAME/MICHAEL
SSN: / RACE:W SEX: M DOB: 1969-04-22
FOUND BY NAME

Next >> Cancel

NCIC/NLETS Response

U. S. Secret Service NCIC/NLETS Response Display

ORI: DCSS15800

Response:

FROM(SLETS) ON 07/01/11 AT 14:47:12 DCSS15800

DR. MD002015V

11:47 07/01/2011 10510

11:47 07/01/2011 12872 DCSS15800

TXT

QUERY FORMAT: NAN/MICHAEL MULLIGAN.DOB/0422.SEX/M.NPY/99

NO RECORDS FOUND IN MVA.

GENERATED OLN/M-425-603-003-310

END OF RESPONSE - (0) RECORD(S) RETURNED

<< Previous

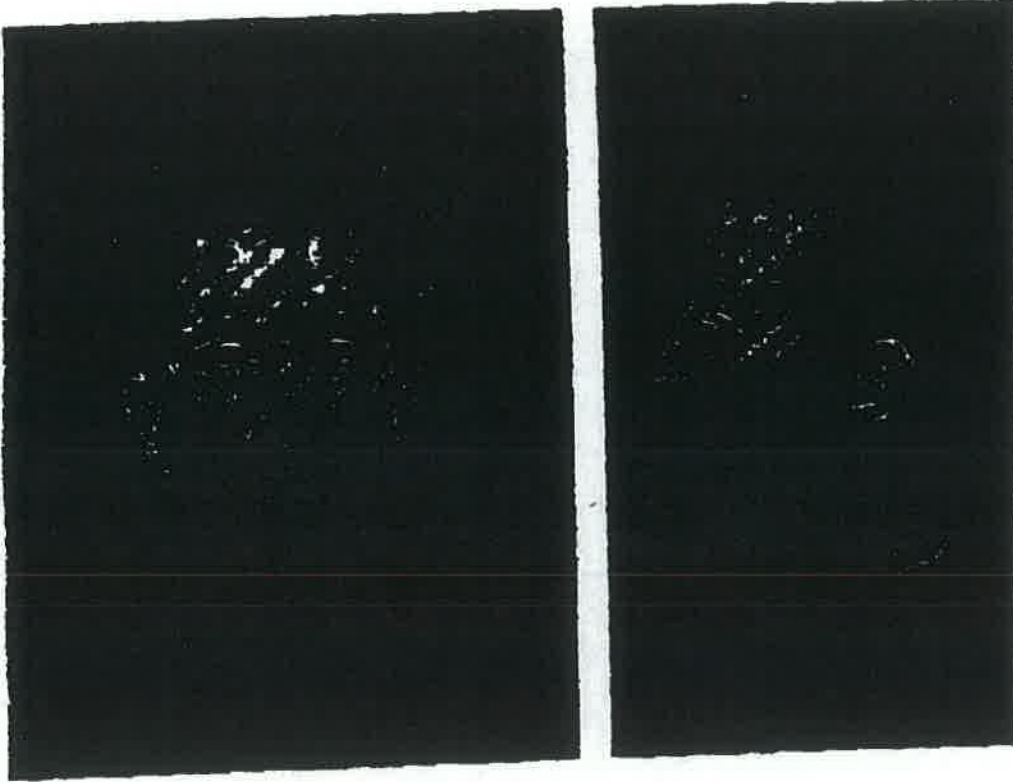
Next >>

Cancel

**BEST
AVAILABLE COPY**

1964

1964



MULLIGAN, MICHAEL JOHN

RIF

BL

(b)(6),(b)(7)(C)

(GPA)

From: Edwin Donovan (b)(6),(b)(7)(C)
Sent: Tuesday, March 05, 2013 9:58 AM
To: EDWIN DONOVAN (GPA) (b)(6),(b)(7)(C) (GPA)
Cc: (b)(6) (b)(6) (GPA); (b)(6),(b)(7)(C) (GPA)
Subject: Fwd: follow-up on Operation Moonlight
Attachments: Secret Service Afterword-1.docx; ATT00001.htm; Secret Service Mark Sullivan.pdf; ATT00002.htm

(b)(6),(b)(7)(C)

Received from Kessler this morning on my personal email. Can't read it very well on my phone. Will leave here to come in shortly.

Ed

Sent from my iPhone

Begin forwarded message:

From: Ronald Kessler (b)(6),(b)(7)(C)
Date: March 5, 2013, 8:49:24 AM EST
To: Edwin Donovan (b)(6),(b)(7)(C) "EDWIN DONOVAN (GPA)"
 (b)(6),(b)(7)(C)
Subject: follow-up on Operation Moonlight

I know you are a quick study, Ed, but I got the impression talking with you late yesterday that you had not fully understood a few of the points of the Operation Moonlight afterword I am working on to add to the paperback and ebook editions of "In the President's Secret Service." The checks on (b)(6),(b)(7)(C) and her father were not done by a field office patrol vehicle but by agents assigned to the Prowler team, which has a variety of functions such as watching for snipers when the Marine One and Marine Two helicopters take off and land. In addition, the assignment was unofficially called Operation Moonlight, even though that is not standard Secret Service terminology for a case, because it was supposed to be carried out in secret at the direction of Sullivan and was not part of official Secret Service duties.

To make everything clearer, I am attaching both a draft of the afterword and the unofficial Secret Service file on the operation. Besides the log which I already sent you, the file includes the law enforcement reports that agents retrieved at Sullivan's direction on the neighbor who had been harassing (b)(6) and her father, an obvious violation of law.

I gather that (b)(6),(b)(7)(C) did not explain the reason for my call to him yesterday: I was told he was the supervisor at the Washington field office who gave the orders to agents to leave their Prowler duties and watch (b)(6),(b)(7)(C) house. In addition, I called (b)(6) (b)(6),(b)(7)(C) who is the first agent listed on the log as having gone to (b)(6),(b)(7)(C) house. If you would talk with him and he tells you the truth, I think you will find that the afterword is accurate.

Based on all this, and after looking at the afterword and the Secret Service file, I would appreciate it if you would let me know if you still stand by your comment below or whether you would like to withdraw it. Thanks!--Ron (b)(6),(b)(7)(C) cell (b) (b)(6),(b)(7)(C)

"Any suggestion that assets were drawn away from other assignments or that it lasted more than several days is false," Donovan said. "This was not a 'secret' operation as described by these unnamed sources, but a rather mundane security check that many employees were aware of as it was ongoing."

Just Published: The Secrets of the FBI

www.RonaldKessler.com

AFTERWORD: OPERATION MOONLIGHT

The Marine One helicopter carrying President Obama and his family was preparing to lift off from the South Lawn of the White House when the order came in to the Washington Field Office from Secret Service Director Mark Sullivan: Instead of protecting the president by watching for potential assassins, as a personal favor to Sullivan's assistant Lisa L. Chohey, agents were to speed to southern Maryland to watch over her.

The secret assignment, called Operation Moonlight, continued for more than a month. It entailed dispatching two Secret Service agents on two daily eight-hour shifts to travel at taxpayer expense to check on the "welfare" of Chohey, 41, after she and her father were allegedly harassed by Michael J. Mulligan Sr., her 43-year-old neighbor.

As part of the personal favor, stunned agents were also instructed to retrieve confidential law enforcement and financial records of Mulligan. Sullivan's instruction to supervisors was that agents were not to tell anyone what they were doing, outside of their own 35-agent Protective Intelligence Squad in the Washington Field Office.

Chohey had already reported the altercation to the local sheriff's office, and officers had responded. The Secret Service has no authority to protect its own employees. Agents are prohibited by criminal law from retrieving confidential information for reasons unrelated to their official law enforcement duties. What's more, as a result of Sullivan's diversion of agents, critical posts for protecting President Obama and Vice President Joe Biden went unmanned during the summer of 2011.

Copies of Secret Service records kept at the Washington Field Office confirm the instruction to regularly go to the house of Chohey in La Plata, Maryland "to make sure everything is all right" after the altercation with Mulligan.

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Signed Secret Service logs from the file show that agents watched Chohey's home for two shifts a day, including when agents were diverted from conducting surveillance as Obama's helicopter lifted off from the South Lawn at 4:30 p.m. on Friday, July 1, 2011. The helicopter was transporting President Obama, Michelle Obama, and their two daughters to Camp David for the weekend.

The logs bear names with signed initials of agents who carried out Operation Moonlight for the first five days. After that, according to an agent, Secret Service agents refused to sign the log because they had recognized what they were doing was illegal and they did not want to incriminate themselves. The file includes copies of law enforcement and financial records that agents retrieved, including any arrest records, as part of a background investigation of Mulligan.

The Secret Service file on the clandestine assignment was kept separate from official files on a lower shelf at the supervisor's platform desk in the operations center on the sixth floor of the Washington Field Office at 1100 L Street NW. The file makes no mention of Sullivan, but an agent says the orders came from him through supervisors in the field office. Agents would not have responded to such an alarming order on behalf of Sullivan's assistant unless it had come from the director himself, an agent notes.

"Sullivan directed agents in the Washington Field Office to conduct a full background check of this guy when it had nothing to do with the Secret Service," an agent says. "It's illegal. You can't run NCIC [National Crime Information Center], Accurint for Law Enforcement, and discover all of this individual's financial records, background records, and criminal histories when it doesn't involve the agency for which you work."

Moreover, "Agents in the Protective Intelligence Squad knew what they were doing was wrong, and management knew it was wrong," an agent says. "The agents knew on a daily basis

they were doing something that did not involve the Secret Service with taxpayer dollars. They were told not to discuss this outside the squad. That they were going to take care of this themselves on the direction of the director."

As for continuing to sign the log, "Agents looked at each other and realized this was illegal," an agent says. "This was discussed every day in the office. They would close doors and say I'm afraid to do this because this is illegal. Agents simply refused to sign that log book. They were doing it, but they didn't put their names on the log because they were afraid of being criminally prosecuted."

Asked for comment, Secret Service spokesman Edwin Donovan confirmed that as a result of an assault on Chohey's father and the subsequent harassment of Chohey, a "Washington Field Office patrol vehicle, which is assigned to the Washington Field Office, made a handful of checks over the following weekend." Incomplete though it was, Donovan cited a copy of the U.S. Secret Service Command Post Protectee Log that I provided as confirming that the mission lasted less than a month.

"Any suggestion that assets were drawn away from other assignments or that it lasted more than several days is false," Donovan said. "This was not a 'secret' operation as described by these unnamed sources, but a rather mundane security check that many employees were aware of as it was ongoing."

Donovan did not cite any legal authority giving the Secret Service the right to provide protection to its employees or to check the criminal backgrounds of anyone who may have harassed them. Nor when asked for comment did Donovan deny that Sullivan ordered the mission or that he violated criminal laws in doing so. Instead, Donovan said, "The Secret Service

conducts hundreds of thousands of NCIC checks each year and is regularly audited by the Criminal Justice Information Service Advisory Policy Board."

The agents diverted to check on Chopey were on a team codenamed Prowler. Consisting of two agents per shift, Prowler conducts covert surveillance to detect any threats when Marine One lifts off or lands with the president and when Marine Two lifts off or lands with the vice president. Armed with Remington breaching shotguns and Heckler & Koch MP5 submachine guns as well as their handguns, the agents conduct surveillance from an unmarked truck, outside the White House or at the vice president's residence at the Naval Observatory.

Agents on those teams were told to leave their posts, drive to Chopey's home, and sit outside. Depending on traffic, the trip takes one to two hours. If Chopey was at work, they were instructed to call her on her cell phone to ask where she was and then watch over her father, Peter Tritola, until it was time to drive back to Washington to end their shifts.

When Prowler agents were occupied watching Chopey's house, no other agents were assigned to their duties. That left an open door to a potential attack on the president: A Stinger missile could have downed Marine One in the meantime. Yet an agent says that possibility seemed to be of no concern to Secret Service management.

The teams were also diverted from covering the motorcades of the president and vice president as they entered and left the White House grounds and from checking for suspicious persons around the White House and following up on and investigating threats to the president or vice president. If an attack occurred, the teams would not have been there to help repel it.

"If you had to cover the president or the vice president, that was secondary," an agent says. "It was to check on her house. We don't have any authority in Maryland. If something happened, we couldn't do anything anyway."

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Federal law makes it a crime to threaten or retaliate against a federal law enforcement officer while performing his or official duties. But beyond this limited set of circumstances, neither the Secret Service nor the FBI has authority to respond if an employee encounters a problem that requires police assistance.

Law enforcement officers are periodically fired and prosecuted for obtaining confidential records for their personal use or for misusing agency resources. In 2008, FBI supervisory agent Mark Rossini pleaded guilty to searching FBI records on behalf of his girlfriend. In 1993, President Clinton dismissed FBI Director William S. Sessions over his use of the FBI for enhancements to his home and other personal abuses disclosed in my book *The FBI: Inside the World's Most Powerful Law Enforcement Agency*.

"Mark Sullivan has come up through the career ranks," says John L. Martin, who headed the Justice Department's counter-espionage section for nearly twenty-five years and supervised the prosecution of seventy-six spies. "He of all people should know better than to misuse his official position for personal reasons. That is a crime, as is obtaining law enforcement or financial information for personal reasons." Martin says it is now up to the FBI to launch a criminal investigation.

As instructed, Secret Service agents on July 1, 2011 conducted a complete background investigation of Mulligan that included retrieving confidential information from the FBI's National Crime Information Center (NCIC) and Accurint for Law Enforcement. Printouts of the responses in the Secret Service file are dated the same day.

The retrieved reports plainly show they were requested by the Secret Service. They include Mulligan's Social Security number, date of birth, prior residences, photos of him,

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personal details of his life, and any arrest records. Two of the reports list the name of the agent who requested the information.

Attempts to locate Mulligan to obtain comment were not successful. Chohey declined to comment.

The Secret Service file includes an agency employee printout on Chohey. It shows a photo of the attractive woman, her cell phone number, her GS-13 federal salary level, and the fact that her position is staff assistant in the Office of the Director. She began working for the Secret Service in June 1993.

The new revelation of Sullivan's abuse of power is consistent with practices exposed in this book: Secret Service management dishonestly instructing agents to fill out their own physical fitness and firearms test scores, rigging law enforcement scenarios presented to members of Congress, and ordering agents to ignore critical protective security procedures, such as passing people through magnetometers at events. Under Sullivan, the Secret Service has been covering up a range of other failings that agents say threaten the safety of Obama, Biden, and future presidential candidates.

The Secret Service scandal involving prostitutes in Colombia, which I broke in the Washington Post, and the intrusion at a White House state dinner by three party crashers are more symptoms of the lax management culture. During President Obama's trip to Cartagena, a total of thirteen male Secret Service agents or officers had personal encounters with foreign women, and six of the women were paid for sex.

In addition, as reported by Fox News, Charles Edwards, the acting inspector general of the Department of Homeland Security, has referred to the Justice Department a report alleging that Sullivan perjured himself and obstructed Congress when testifying about the scandal in

Cartagena and the extent of previous agent misconduct. Sullivan's lawyer Joshua Hochberg has denied the allegation.

The Secret Service agents involved in Operation Moonlight were fully aware that they were breaking the law but felt their jobs were on the line, an agent says.

The agents "obtained all this information illegally and kept it and were told not to talk about it outside the squad," an agent says. "They kept records at the duty desk and made agents on every shift initial that they had gone all the way out to southern Maryland to check on the woman's welfare on the taxpayer dollar," the agent says. "We protect the president and his wife and daughters and do not have to initial that we have performed our duties."

A copy of the U.S. Secret Service Command Post Protectee Log shows that beginning on July 1, agents wrote their names and signed their initials with times and dates when they went to check on Chopey and her father. Agents were told the altercation with Mulligan occurred as Chopey was about to leave for work. Mulligan had had a previous dispute with Chopey's father, who lives with her, and had allegedly assaulted him. Mulligan subsequently entered an Alford plea, admitting the prosecution would likely prove its second degree assault charge against him. He was sentenced in Circuit Court for Charles County to a suspended jail term of six months and unsupervised probation for three years.

The Secret Service file includes a petition for a restraining order—known locally as a peace order—filed with the District Court of Maryland for Charles County against Mulligan. Signed by Chopey under penalty of perjury, the public document lists her address on (b)(6),(b)(7) in La Plata.

The petition says that around 7:35 a.m. on June 30, Chopey arrived at the entrance to (b)(6),(b)(7) and stopped to check her mail box there. She then returned to her vehicle and drove

toward her residence. A green all-terrain four-wheeler came speeding toward her, circled her vehicle several times, cut in front of her forcing her to stop, and spun its tires to throw rocks and gravel at her vehicle, according to her statement.

The four-wheeler then began circling her father, who had come outside. Spinning its wheels, it spewed rocks and gravel at him. Chohey said she called local police, and two officers arrived at her residence. She obtained a court order barring Mulligan from contacting her, entering the grounds of her home, or harassing her.

When the instruction to watch over Chohey came in, "A supervisor called the two agents scheduled to conduct surveillance of Marine One and told them to discontinue their assignment and come to the field office," an agent says. When they arrived on the sixth floor of the field office, they were given Google map directions from the Washington Field Office to Chohey's home and told to drive there and watch out for her. The Google map directions are contained in the Secret Service file, along with a handwritten notation to use a GPS tracking device instead.

"They gave these two agents a brief summary of what had happened that morning and said do a welfare check and make sure this individual is not near them," an agent says. "They're supposed to make sure she's okay and not being harassed by this gentleman. They went out there and were told to make telephonic contact with her each time."

The two agents "are presented with a difficult challenge, because they don't have any authority to do that," the agent says. "This [assignment] has nothing to do with the Secret Service, but to make this even worse, the supervisor tells the guys, by the way, you don't discuss this outside the Protective Intelligence Squad. This is a personal favor for the director, and we can't talk about this. It was at the direction of Director Sullivan, but his name is conveniently missing from the file, which was kept at the supervisor's desk on the sixth floor."

As an agent, "Your position does not entitle you to give Lisa Chohey personal protection by the Secret Service," the agent says. "The Congress, not the director, mandates to whom we give protection. You cannot pick and choose who you want to give protection to."

The order is a "direct example of the Secret Service management mindset, showing disregard for how serious our job really is," an agent says. "Because of a personal agenda to do a personal favor, the director used tax dollars, illegally violated a man's personal privacy, and endangered the president of the United States."

000011

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United States Secret Service Inspection Division Case Details

Case Number:	190-805-0000689	Type/Title:	Moonlight
Investigation Type:	Special Investigation	Nature of Allegation:	Non-Criminal - Other
Date of Incident:		Office of Incident:	
Location of Incident:	n/a	Date Opened:	02/10/2015
Lead Inspector:		Date Closed:	
Reviewing Supervisor:	MERLETTI, ROBERT L	Closed:	No
Judicial Action:	No	X-Refer Case No.:	
Date Case Went to Administrative Review:		Destroyed Date:	
Last Updated:	02/11/2015	Last Update By:	(b)(6),(b)(7)(C)

Synopsis

DHS/OIG investigation. I12-00975, I13-00318. Documents kept in ISP SAIC's safe.

Inspector Reviewed: _____

Supervisor Reviewed: _____

Feb 13, 2015

1

2:52:17 PM

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United States Secret Service Inspection Division Case Details

Individuals

#	Last Name	First Name	Middle Name	Interest Code	Employee Type
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1

R I F

Inspector Reviewed: _____ Supervisor Reviewed: _____

Feb 13, 2015

2

2:52:17 PM

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— Prowler Daily Activity Report Database
on WFO SHARED DRIVE

— WFO Incident log

- Received 3/11/14 from SAIC Michiko
- Notified (b)(6), (b)(7)(C) 3/11/14
- FAXED to him 3/13/14

PROWLER DAILY FIELD ACTIVITY REPORT

DATE: 7/4/11	DAY: Monday	SHIFT: (b)(7)(E)	NAME: (b)(6),(b)(7)(C)
TO: SAIC, WFO		FROM: SA (b)(6),(b)(7)(C)	

START TIME	END TIME	ACTIVITY	DISPOSITION
1000	1300	Secretary Welfare Check	NO PI Issues
1300	1400	Gate Caller	Subject Int &SOW
1400	1800	WH Zone	NO PI Issues

DISPOSITIONS: FI (FI CARD COMPLETED):WFO PI (REFERRED TO WFOPI): CSUR (INCLUDED IN CSU DATA BASE):
ADV (ADVISED AND SOW):
LIA (LIASION WITH UD/CSU)

STATISTICS

FI	WFO PI	CSUR	ADV	LIA
1	1			




DEPUTY
DIRECTOR

U.S. Department of Homeland Security
UNITED STATES SECRET SERVICE

Washington, D.C. 20223

MEMORANDUM FOR: The Office of Professional Responsibility
Inspection Division

FROM: A. T. Smith 
Deputy Director

SUBJECT: Clarification of Inspector General John Roth's
Memorandum of October 17, 2014

Reference is made to Inspector General John Roth's October 17, 2014, memorandum regarding "Allegations of Misuse of United States Secret Service Resources" and the related press release dated October 22, 2014. The facts set forth in Inspector General Roth's memorandum and press release were carefully selected to grab media headlines and justify a conclusion without factual or legal foundation. This clarifies those investigative findings and legal conclusions:

Presidential Protection was not Compromised

- The October 17, 2014, memorandum and press release each indicate that the OIG determined that the "welfare checks" were conducted at the "expense of Presidential protection." This claim is wholly unfounded and amounts to nothing more than media grandstanding.
- The memorandum repeatedly states that "none of the Secret Service personnel we interviewed – supervisors or line agents – believed that the actions compromised the security of the President or the White House. The OIG's investigation did not develop any objective facts to contradict this assessment.
- The claim that Presidential Protection was compromised appears premised on the assumption that the Washington Field Office has but one Prowler team. In fact, "Prowler" is a

(b)(7)(E)

This can occur when the Washington Field Office is requested to respond to more than one incident at a time. "Prowler"

(b)(7)(E)

- With regard to July 1 – 5, 2011, the special agents who conducted the “welfare checks” were assigned to the WFO’s Protective Intelligence Squad. While the memorandum states the obvious – those special agents in Charles County could not readily respond to incidents in the District of Columbia – it conveniently ignores the fact that those special agents were not the only WFO special agents on duty from July 1 – 5, 2011 nor were they a part of the Presidential Protective Division, the entity truly responsible for Presidential protection.

(b)(7)(E)

The conclusion that the absence of “two” special agents and a vehicle from the WFO resulted in a lapse in Presidential protection is preposterous.

The Welfare Checks were Appropriate

- It was a reasonable exercise of my authority as the Assistant Director of the Office of Investigations to request that the Washington Field Office conduct welfare checks on Ms. (b)(6),(b)(7)(C) during the limited period of July 1-5, 2011. Appropriations law provides the Secret Service with reasonable discretion as to how to allocate its resources. Under the necessary expense doctrine, the Secret Service may expend its appropriations on an object for which it does not have statutory authority as long as there is a “reasonable relationship between the object of the expenditure and the general purpose for which the funds were appropriated, so long as the expenditure is not prohibited by law.” Matter of Bureau of Engraving and Printing – Currency Reader Program, Comp. Gen. Dec. B-324588, at 4 (Jun. 7, 2013). As noted below, regardless of whether there was an assault on Ms. (b)(6),(b)(7)(C) and/or her father or a resulting criminal investigation, the welfare checks were an appropriate use of Secret Service resources.
- Inspector General Roth’s report acknowledges that there is no authority prohibiting “welfare checks.” In fact, “welfare checks” are a common practice within the law enforcement and intelligence communities. This is especially true with regard to employees with access to highly sensitive information and locations.
- As an almost thirty year veteran of the Secret Service and former police officer, I can attest from personal experience that this practice is the norm rather than the exception. As former Deputy Director Keith Prewitt is quoted as having said, “[y]ou look after your people.” Former Deputy Director Prewitt expressed the Secret Service’s interest in the wellbeing and safety of all of its employees, not just that of Ms. (b)(6),(b)(7)(C). This way of thinking is further demonstrated by the fact that at least some of the special agents who conducted the welfare checks thought the checks were an appropriate use of government resources and within Secret Service policy.
- Inspector General Roth does not dispute that Federal law protects Federal employees and their families from threats. Contrary to the claims of Inspector General Roth, the authority to investigate assaults on Secret Service employees is not vested with the Federal Bureau of Investigation but with the Secret Service in accordance with a longstanding agreement between the Department of Justice and the Department of the

Treasury. See U.S. Dep't of Justice, United States Attorneys' Manual (USAM) 9-01563 (1997); Secret Service Investigative Manual, section ISD-23.

- Ms. (b)(6),(b)(7)(C) reported the apparent attempted assault on herself and her father, as well as the resulting law enforcement contact, to her supervisor as she was required to do under Secret Service policy. Human Resources and Training Manual, SCD-02(01). Given the nature of Ms. (b)(6),(b)(7)(C) position and her access to sensitive information and locations, I did not find it unreasonable that then Deputy Director Keith Prewitt asked me to check into this matter.

In hindsight, it may appear obvious that this was a dispute between neighbors. At the time however, I was not fully informed of the facts of this situation. Based upon what I did know about the situation, it did not seem unreasonable to me that there could be some connection to Ms. (b)(6),(b)(7)(C) employment with the Secret Service. The welfare checks were therefore a reasonable, prudent reaction that allowed the Secret Service to ascertain that its employee and her father were safe for a short period of time over a holiday weekend.

There were no Violations of the Ethical Standards

- Inspector General Roth's memorandum leaves the impression that the Secret Service violated the Office of Government Ethics, Standards of Ethical Conduct for Employees of the Executive Branch (ethical standards). This is impossible. The ethical standards quoted throughout the Inspector General's memorandum apply only to violations committed by individual employees.
- Inspector General Roth's memorandum does not identify which, if any, Secret Service employees violated the ethical standards. While Inspector General Roth wrote of Ms. (b)(6),(b)(7)(C) friendship with "high-level officials" – implying more than one – in the background section, he indicated that Ms. (b)(6),(b)(7)(C) spoke only of former Deputy Director Prewitt as a personal friend. This appears to be yet another instance of his disingenuousness.
- The ethical standards provide that "[a]n employee shall not use his public office for his own private gain . . . or for the private gain of friends [or] relatives. 5 C.F.R. § 2635.702. The ethical standards further provide that "[e]mployees shall endeavor to avoid any actions creating the appearance that they are violating the law or ethical standards. . . . Whether particular circumstances create an appearance that the law or these standards have been violated shall be determined from the perspective of a reasonable person."

The Office of Government Ethics, in promulgating the regulation, stated that using the perspective of a "reasonable person with knowledge of the relevant facts" will provide "appropriate assurance to an employee that his or her conduct will not be judged from the perspective of the unreasonable, uninformed or overly zealous." Comments on 5 C.F.R. § 2635.101(b)(14) in Standards of Ethical Conduct for Employees of the Executive Branch, 57 Fed. Reg. 35,006 (Aug. 7, 1992) (final rule).

- There has clearly been no violation of the ethical standards using this as the standard for making such determinations. If Inspector General Roth is suggesting that I committed a violation of the ethical standards because I assisted Ms. (b)(6),(b)(7)(C) because of a personal friendship with her, he is mistaken. I requested that welfare checks be conducted on her at the direction of then Deputy Director Keith Prewitt and for the reasons described above which I considered appropriate based upon the limited information I had been provided about what appeared to be an increasingly volatile situation.

~~VBB~~

RIF

File of meaning of file
which should have
A VBS ISP
Case # 0088
referred to
the DBS-DIG
file #.

AD MARCHIO

ALSO THE FILE
SHOULD CONTAIN
IG BATS
Memo and
DBS Report
as well as
any documents
that ISP
should to
include the entire
work file



ROBERT MERLETTI (ISP)

From: ROBERT MERLETTI (ISP)
Sent: Friday, May 16, 2014 5:24 PM
To: (b)(6),(b)(7)(C) ISP (b)(6),(b)(7)(C)
Subject: DHS/OIG Information

(b)(6),(b)(7)(C)

Regarding your questions, I just spoke to (b)(6),(b)(7)(C) DHS/OIG, who provided the following information :

Case Number: I12-00975
Case Opened: August 2012 (case originally opened in WFO, but then transferred to SID; this is the original case number)
Associated Case Number I13-00318

(b)(6),(b)(7)(C) mentioned that they will be requesting ISP assistance to facilitate additional interviews.

Rob

Moonlight
Current case #: I12-00975 only one ever had

the case (b)(6), (b)(7)(C) dropped off MARCH 2013

Was there a prior case #? ~~was~~ From JUNE 2012 possible

Other associated case #s? - Nothing

• follow-up: I13-00318
lead to Kessler: separate to Moonlight

• WFO case, initially Aug 12 opened transferred to SLD

↳ Doing additional interviews re coordination -
reminds of folks who participated in it