



DEPARTMENT OF THE AIR FORCE
WASHINGTON DC

Office of the Secretary

July 5, 2018

MEMORANDUM FOR THE DIRECTOR OF OVERSIGHT, INVESTIGATIVE POLICY
AND OVERSIGHT, OFFICE OF THE INSPECTOR GENERAL,
DEPARTMENT OF DEFENSE

FROM: SAF/IGX
1140 Air Force Pentagon, Suite 5B919
Washington DC 20330-1140

SUBJECT: Investigation of Air Force Member Active Shooting and Criminal History
Reporting (DoD OIG Project No. 2018C004) (Data Call 1)

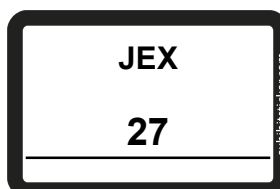
Attached is the Air Force's partial response to your request for information dated
November 15, 2017, which completes production for this request.

Information responsive to Item 1 was provided by the Air Force Office of Special
Investigations. AFOSI's point of contact is Special Agent David I. Priest, who can be
reached at (571) 305-8075 or David.Priest@us.af.mil. AFOSI Report of Investigation
17HQCDI-062 is the "AFOSI internal investigation concerning Kelley and the reporting of
his criminal history information into FBI databases."

If you have any questions about this submission, please contact me at (703) 695-
3045 or at Richard.L.Miller6.civ@mail.mil.

RICHARD L. MILLER
Acting Director of Special Investigations

Attachment
AFOSI ROI 17HQCDI-062 (115 pages)



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DODOIG 006689

JEX 0027-0001

USA00015525



File No: 17HQCDI-062

Report of Investigation

REPORT BY: SA GLEN GIBSON

FILE NO: 17HQCDI-062

PERIOD OF REPORT: 6 Nov 17 – 23 Mar 18

DATE OF REPORT: 10 Apr 18

MATTER INVESTIGATED: Facts and circumstances surrounding AFOSI's failure to index Civ DEVIN PATRICK KELLEY, subject of AFOSI investigation 225-C-128-G-32329111651413

STATUS: Referred for Action. Action Authority or designee must report to AFOSI all dispositions on investigated offenses and specifications (AFI 71-101, Volume 1).

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Date: 2018.04.10 19:17:38 -04'00'

TIMOTHY A. ZOERLEIN, Colonel, USAF
AFOSI/IG Investigating Officer

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JEX 0027-0002

USA00015526



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1. SUMMARY OF INVESTIGATION

This investigation was initiated on 6 Nov 17 to investigate the facts and circumstances surrounding AFOSI's failure to criminally index Civ DEVIN KELLEY, subject of AFOSI investigation 225-C-128-G-32329111651413 conducted at AFOSI Det 225, Holloman AFB, NM. On 7 Nov 12, D. KELLEY was convicted of assaulting his toddler son, Art 128, UCMJ, and sentenced to one year confinement. A December 2017 review of D. KELLEY's National Crime Information Center (NCIC) record reflected no record of any USAF convictions.

AFOSI records revealed the case was final closed on 14 Dec 12 by the Special Agent-in-Charge, SA (Ret) RANDALL TAYLOR, Lancaster, CA, and sent to archive on 10 Apr 13 by the Superintendent, SA LYLE BANKHEAD, 6 FIR, Joint Base Pearl Harbor-Hickam, HI. The final 21 of 22 activities between April 2012 and October 2012 were created or conducted by SA YONATAN HOLZ, Det 522, Incirlik AB, Turkey. The physical casefile contained completed fingerprint cards, an unsigned casefile coversheet, and an incomplete closed case file checklist with the block ensuring subjects were indexed unchecked. Interview Records reflected D. KELLEY was interviewed and fingerprinted on 9 Jun 11 and 8 Jun 12, but there were no criminal booking activities in the Investigations and Information Management System.

AFOSIMAN 71-121, *Processing and Reporting Investigative Matters*, in place during the D. KELLEY investigation, required units submit fingerprints to NCIC for qualifying offenses when it was determined probable cause existed that the subject committed the qualifying offense, which included Assault. After completion of disciplinary action, the unit was required to submit a Form R-84 updating the NCIC record with the final disposition. The manual provided an Investigative Sufficiency Checklist, which was recommended for use during monthly case reviews and directed leadership to ensure fingerprints were taken and submitted to the FBI.

USAF Special Investigations Academy lesson plans and practical exercises reflected agents interviewed during this CDI were provided a minimum of two hours of instruction on how and when to submit fingerprints to the FBI.

Interviews disclosed AFOSI personnel assigned to Det 225 during the D. KELLEY investigation had no specific memory of taking or submitting fingerprints. Leadership inherited and attempted to archive a significant backlog of resolved cases at Det 225, but were hampered by above average operations tempo, leadership gaps, and overall lack of experience. Additionally, TAYLOR and BANKHEAD recalled holding fingerprint cards with the case file until all appeals were exhausted. 2 FIR leadership was aware of Det 225's experience level and case backlog but were confident in TAYLOR and believed he was able to correct the case backlog.

Final closed investigations at Det 225 from Jan 11 – Feb 12 reflected that of the 95 subjects qualified to be indexed into NCIC, 22 of them were not indexed. From Jan 11 – Feb 12, 27 of 32 subjects of Det 225 cases who were tried by Courts Martial had NCIC records accurately reflect their results of trial (16% failure rate). 2 FIR during this timeframe maintained a 22% failure rate.



2. INVESTIGATIVE ACTIVITIES

Background

2-1. On 5 Nov 17, Civ DEVIN KELLEY, New Braunfels, TX murdered 26 people at the First Baptist Church, 216 4th St, Sutherland Springs, TX and then succumbed to gunshot wounds sustained while fleeing the scene. D. KELLEY was the subject of AFOSI case # 225-C-128-G-32329111651413, violation of Article 128, Uniformed Code of Military Justice (UCMJ), Assault. In August 2012, D. KELLEY was convicted of assaulting his toddler son and spent approximately one year in prison. After his release and discharge in 2014, D. KELLEY purchased multiple firearms. He was cleared to purchase weapons via the National Instant Criminal Background Check System (NICS) due to no record of arrest or conviction in the National Crime Information Center (NCIC) database. This investigation was initiated on 6 Nov 17, in an effort to identify circumstances surrounding the failure of AFOSI Detachment (Det) 225, Holloman AFB (HAFB), NM to index D. KELLEY in the NCIC database in 2012 during the course of the investigation and after he was incarcerated.

The following list of AFOSI personnel provided investigative support to D. KELLEY investigation, or acted in a leadership/oversight capacity for Det 225 or AFOSI 2nd Field Investigations Region (FIR), Joint Base (JB) Langley-Eustis (JBLE), VA during the D. KELLEY investigation:

SA (Ret) VINCE BUSTILLO, Rockledge, FL; USAF Special Investigations Academy (USAFSIA) graduation 15 Mar 95
- Det 225 Special Agent-in-Charge (SAIC), 20 Oct 09 - 31 Oct 11
SA (Ret) RANDALL TAYLOR, Lancaster, CA; USAFSIA graduation 15 Jun 05
- Det 225 SAIC, 8 Dec 11 - 31 May 14
SA JAMES HOY; EDET 2405, Bagram Airfield, Afghanistan; USAFSIA graduation 15 Jul 08
- Det 225 Superintendent, 24 Jul 08 - 31 Jul 12
SA LYLE BANKHEAD, AFOSI 6 FIR, JB Pearl Harbor-Hickam (JBPHH), HI; USAFSIA graduation 13 May 11
- Det 225 Superintendent, 10 Apr 09 - 31 Oct 13
SA (Separated) LENORA MADISON, Lancaster, CA; USAFSIA graduation 15 Jul 06
- Det 225 Civilian Agent, 30 Sep 07 - 16 Jun 12
SA CLINTON MILLS, Det 334, Pentagon, Washington, DC; USAFSIA graduation 15 Jul 10
- Det 225 Enlisted Agent 14 Aug 10 - 10 Jul 13
SA YONATAN HOLZ, Det 522, Incirlik AB, Turkey; USAFSIA graduation 15 May 10
- Det 225 Enlisted Agent, 30 Jul 10 - 30 Apr 14
SA (Ret) JAYSON HUINKER, Algonquin, IL; USAFSIA graduation 15 Jul 11
- Det 225 Enlisted Agent 29 Aug 11 - 28 Jul 14
SA (Ret) GREGORY HARPER, Alamogordo, NM; USAFSIA graduation 15 Sep 06
- Det 225 Enlisted Agent (fired as Superintendent) 2 Mar 09 - 31 Jul 14
SA DWAYNE HARRIS, USAFSIA, Glynnco, GA; USAFSIA graduation 1 May 13



- Det 225 Joint Drug Enforcement Team member May 2011 - May 2013
SA JAMES WILLIAMS, Criminal (Crim) Investigations Subject Matter Expert (SME), 8 FIR, Peterson AFB, CO; USAFSIA graduation 15 Dec 94
- Det 225 TDY SAIC November 2011 - December 2012
SA ALEX MEUSBURGER, Commander, Det 305, JB Lewis-McChord, WA; USAFSIA graduation 15 Dec 08
- Det 225 TDY Commander July 2011 - October 2011
SA MATTHEW PEAK, Crim Integrations Desk Chief, AFOSI ICON, Quantico, VA; USAFSIA graduation 15 May 01
- Det 225 TDY SAIC 23-29 Oct 11
SA (Ret) ADAM ARNOLD, Palm Bay, FL; USAFSIA graduation 1 May 13.
- Det 225 TDY SAIC, December 2012
SA ROBERT GRABOSKY, Crim Investigations SME, 5 FIR, Ramstein AB, Germany; USAFSIA graduation 15 Dec 97
- 2 FIR Crim SME, February 2011 - December 2014
SA MATTHEW VELTRI, SAIC, Det 322, Fairchild AFB, WA; USAFSIA graduation 15 Nov 06.
- 2 FIR Crim Desk Officer, August 2010 - June 2014
SA (Ret) KIM GOEHL, Windsor, VA; USAFSIA graduation 15 Sep 04
- 2 FIR Crim Desk Officer; Summer 2007 - Summer 2013
SA (Ret) JENNIFER HILL, Unicoi, TN; USAFSIA graduation 15 Nov 04
- 2 FIR Crim Desk Officer; November 2010 - August 2013
SA (Ret) SHAWN CASSIDY, Summerville, SC; USAFSIA graduation 15 Mar 07
- 2 FIR Crim Desk Officer; 2010 - June 2014
SA (Ret) STEPHEN MINGER, Leesburg, FL; USAFSIA graduation 15 Apr 71
- 2 FIR Director of Operations; September 2008 - April 2013
Col (Ret) HUMBERTO MORALES, New Braunfels, TX; USAFSIA graduation 15 Jun 88
- 2 FIR Commander, August 2010 - May 2012
Col JAMES HUDSON, SAF/IGX, Pentagon, Washington, DC; USAFSIA graduation 15 Jun 93
- 2 FIR Commander, June 2012 - July 2014
SA JAQUELINE ALBRIGHT, HQ AFOSI, Quantico, VA; USAFSIA graduation 15 Jun 89
- 2 FIR Deputy Director, June 2007 - June 2013
CMSgt (Ret) ANDREW JOHNSON, Stafford, VA; USAFSIA graduation 15 Apr 97
- 2 FIR Superintendent, June 2012 - September 2014
CMSgt (Ret) KEN SALLINGER, HQ AFOSI, Quantico, VA; USAFSIA graduation 15 Mar 89
- 2 FIR Superintendent, August 2010 - June 2014



Case File/I2MS Reviews

2-2. On 6 and 7 Nov 17, SA GLEN GIBSON, HQ AFOSI/IGL, Quantico, VA reviewed the Investigations and Information Management System (I2MS) database for the D. KELLEY investigation, AFOSI case # 225-C-128-G-32329111651413, which disclosed the following information: On 15 Jun 11, SA HOY submitted and approved the file to be opened. On 14 Dec 12, TAYLOR submitted the casefile for closure and closed it on 14 Dec 12. On 10 Apr 13, SA BANKHEAD The file was submitted to archive on 10 Apr 13 by. The file contained two subject interview activities associated to D. KELLEY dated 9 Jun 11 and 8 Jun 12.

2-3. On 6 Nov 17, SA GIBSON received and reviewed the hardcopy case file for the D. KELLEY investigation, AFOSI case # 225-C-128-G-32329111651413 which disclosed the following information: The AFOSI Form 2, Case File Coversheet (**Exhibit 1**), was unsigned and the closed file checklist (**Exhibit 2**) was incomplete when the boxes associated to Forms FD-249 and R-84 submissions were not marked. Two completed Forms FD-249 for D. KELLEY were filed in the AF Form 3986, case file along with two blank Forms R-84.

2-4. On 7 Nov 17, SA GIBSON reviewed the I2MS database for the D. KELLEY Investigation, AFOSI case # 225-C-128-G-32329111651413 which disclosed the following: The Internal Data Page inserts (**Exhibit 3**) did not mention fingerprint submissions, disposition updates to NCIC or coordination with local JA regarding probable cause determination. The Reports Tab contained a loaded AF Form 1359, Report of Result of Trial (**Exhibit 4**), dated 7 Nov 12 which disclosed D. KELLEY was found guilty of two specifications related to Art 128, Assault. He was sentenced to 12 months confinement, a reduction to E-1 and a bad conduct discharge.

2-5. On 7 Nov 17, SA GIBSON received and reviewed an I2MS history audit (**Exhibit 5**), conducted by Civ Wayne Combs, HQ AFOSI/XI, Quantico, VA related to case closure of the D. KELLEY investigation. The audit indicated on 14 Dec 12, TAYLOR clicked the "ok" button on the case closure checklist window in I2MS when the manual checkboxes were marked, in the affirmative, which stated, "Has the Fingerprint Card FD-249 been sent to the FBI?" and "Has the Disposition R-84 been sent to the FBI?". The I2MS casefile was submitted for closure and final closed by TAYLOR on 14 Dec 12 and sent to archives by SA BANKHEAD on 10 Apr 13.

2-6. On 21 Feb 18, SA GIBSON reviewed the published D. KELLEY Report of Investigation which disclosed the following pertinent information:

The investigation was conducted 9 Jun 11 – 1 Oct 12 and published 5 Oct 12. The title page of the report listed SA HOLZ as the author and was signed by TAYLOR as the SAIC.

On 9 Jun 11, D. KELLEY was interviewed for the first time by BUSTILLO and SA HOY. Further review of the AF Form 3985, *Interview Record*, indicated D. KELLEY's fingerprints were taken at the conclusion of the interview, which was signed by SA HOY. Two hardcopies of the prints from this date were located in the hardcopy case file.



On 30 Apr 12, SA HOLZ reviewed the D. KELLEY confession video.

On 8 Jun 12, D. KELLEY was interviewed a second time, by HARPER and SA MILLS. The Interview Record indicated D. KELLEY's fingerprints were taken at the conclusion of the interview, which was signed by SA MILLS. Investigators were unable to locate hardcopy or digital fingerprints associated to this interview.

The final 21 of 22 investigative activities conducted 30 Apr 12 – 1 Oct 12 were created and/or authored by SA HOLZ. The activities included reviewing D. KELLEY's confession video, and conducting and producing leads for additional victim interviews.

The Internal Data Page (IDP) reflected a note created on 12 Mar 12, by HUINKER, "When SUBJECT D. KELLEY was being fingerprinted by SA YONATAN HOLZ, AFOSI Det 225, HAFB, NM, he related something to the effect of: I gave them two hours to see [sic] wha thty (SA BUSTILLO and SA JAMES HOY, AFOSI Det 225, HAFB, NM) had before I requested a lawyer" This comment was created 12 Mar 12 but referenced an incident that occurred 9 Jun 11. It is possible HUINKER reviewed the interview video to make this insert.

2-7. On 21 Feb 18, SA GIBSON reviewed the reviewer notes associated to the D. KELLEY investigation located in the I2MS database. The casefile was reviewed 20 times between 29 Jun 11 and 31 Oct 12 with at least one review occurring each month the case was open except November 2011. Reviews were conducted by TAYLOR (10), BANKHEAD (1), HOY (4), VELTRI (1), MEUSBURGER (3), and HILL (1). None of the reviewer notes referred to anything related to fingerprinting or indexing.



AFOSI Policy Review

2-8. On 9 Nov 17, SA FRANK MOSURA, HQ AFOSI/IGI, Quantico, VA reviewed AFOSIMAN 71-118V4 IC-2, *General Investigative Methods*, dated 31 Mar 11, which disclosed the following: Paragraph 4.7 indicated all Subjects of investigation must be fingerprinted on the FD-249, which are usually obtained following the subject interview for certain offenses.

SA MOSURA also reviewed AFOSIMAN 71-121 IC-4, *Processing and Reporting Investigative Matter*, dated 13 Oct 10, which indicated it was clarifying guidance on submitting Subject fingerprints to the FBI.

Paragraph 5.14.2.1 indicated units will submit Criminal History Data (CHD) utilizing the FD-249 upon determination, following coordination with the servicing Staff Judge Advocate (SJA) that probable cause exists to believe the subject committed a qualifying offense listed in attachment 8 of the same publication. The coordination must be documented in I2MS.

Paragraph 5.14.2.2 stated, in part, units will submit the CHD update via the R-84 within 15 calendar days after final disposition of military judicial or non-judicial proceedings.

Attachment 8, paragraph A8.1.29, listed Article 128, Assault as a reportable offense.

Additionally, paragraph 5.14.2.1.2 and 5.14.2.1.3 appear to slightly contradict the aforementioned probable cause determination standard, in that it leads the reader to assume the data on the DD Form 458, Charge Sheet and the AF Form 3070A-C, Record of Non-Judicial Punishment should be utilized to report the charges on the FD-249. There was no change bar adjacent to these paragraphs indicating they were left over from the previous version of the publication.

Paragraph 4.24, *File Reviews*, contained the following pertinent data: Para 4.24.1.3 stated, "Case File investigations will be reviewed monthly. This review will occur from the date the allegation or complaint was received until closed and the AFOSI Form 2 is forwarded to HQ AFOSI/XILI for retention. This is because judicial and administrative actions, as well as any subsequent investigative actions, following investigative closure must be accurately documented in an activity or maintained in the AF Form 3986. For example, the FBI's R-84, *Final Disposition Report*, for updated charges, disposition and date; final military judicial or NJP disposition documents; AFOSI Form 158; for evidence disposition; and AF Forms 52, if required. Unit leadership is responsible for establishing a program to ensure every Case File investigation is reviewed monthly. The case agent and a supervisory or senior agent will ensure every Case File investigation is reviewed monthly to ensure investigative sufficiency, progress, and data integrity between the ROI and activity Narrative and Note fields. See AFOSIMAN 90-101 for the Quality ROI metric and measures." Para 4.24.4 stated, "Use the AFOSI Investigative Sufficiency Checklist (Attachment 7) or a more comprehensive checklist, such as a Region Case Review checklist as a guide for reviews. Do not fill out the checklist or maintain it in the AF Form 3986. Merely use it as a guide for discussion during the review."



2-9. On 14 Dec 17, SA GIBSON reviewed AFOSIMAN 90-101, *Operational Performance Management*, dated 31 Oct 07. The manual provided “guidance on the Command Metrics Program-Phase I, which is meant to determine the effectiveness and efficiency of AFOSI’s Conduct Major Criminal Investigations core capability.” Chapter 2 outlined the case review process at headquarters and regions. At headquarters, one closed case file per week was prescribed to be reviewed using the closed case file checklist. The case was randomly chosen. At the region level, reviews were focused on “significant investigations generated in their respective regions. Significant investigations are those investigations that, if conducted poorly, affect the Air Forces’ ability to preserve good order and discipline, deter and neutralize internal and external threats, and bring unfavorable attention to the command. Regions will determine which high visibility cases they are able to review during the monthly period. Region reviewers will use the Region Case Review Checklist for their case reviews but may expand on it as needed based on unique local requirements or procedures.”

In November 2010, the command published AFOSIMAN 90-101, GM 1 which introduced Operational Directives and more fidelity regarding case quality metrics and standards. Specifically, para 6.2.1 defined “quality” as “whether cases are being run the right way. The quality measures will consist of timeliness, completion of unit case reviews, case resolution, and investigative sufficiency. For criminal, fraud, and CI cases, this will encompass an assessment of the final ROI or collection activity product together with data within I2MS or CI2MS.” Para 6.2.3 further defined “case reviews” by requiring units to conduct “monthly case reviews for all open cases, operations, and collections and document reviews IAW AFOSIMAN 71-121, para 4.24.4.1. This will be verified through the quality review process.” This GM also addressed timeliness in para 6.2.2. Specifically, “units may take as long as necessary to resolve a case but must ensure that any unreasonable or unexplained investigative gaps greater than four business days are adequately explained in ROI IDP’s.”

AFOSIMAN 90-101, GM 1.1 and 1.2, dated June 2011 and December 2011, respectively, did not make any significant changes to case quality and timeliness reviews/metrics.

In July 2012, the command published AFOSIMAN 90-101, GM 1.3. This publication further detailed timeliness via three phases of case management: Case Initiation, Subsequent Investigative Steps and Investigative Closure. Case initiation focused on required steps within the first 14 days, Subsequent Investigative Steps focused exclusively on what did or did not qualify as an investigative gap and how to document them and Investigative Closure provided a timeline for case signing and publication.

Additionally, para 7, stated the case file reviews conducted at HQ AFOSI/XRJA were done using the Case Assessment Tool (CAT). Reviews were conducted on 15% of substantive case investigatively closed in the prior month.



2-10. On 14 Dec 17, SA GIBSON reviewed the CATs from 2012 and 2013 (**Exhibits 6 and 7**) utilized by HQ AFOSI during case reviews. One particular item of review was pertinent to this investigation, "Were all monthly reviews conducted and documented as a 'Reviewer Note'?" (AFOSIMAN 71-121, para 4.24.1.3 & 4.24.4.1). The CAT did not specifically mandate a review of criminal history indexing (Ref para 2-5 for information regarding AFOSIMAN 71-121, para 4.24.1.3)

2-11. On 15 Dec 17, SA GIBSON reviewed an audit of Det 225 booking/fingerprint activities in I2MS from January 2010 - December 2013. The audit disclosed the earliest date of digital fingerprinting was completed on 14 Apr 10, however only 8 of 58 fingerprint activities utilized digital printing until Det 225 used WebI2MS beginning around April 2012. After April 2012, 76 of 78 fingerprinting activities were completed digitally. There were no individual booking activities for the D. KELLEY investigation. (AGENT NOTE: AFOSI conducted subject interviews of D. KELLEY on 9 Jun 11 and 8 Jun 12.)

2-12. On 10 Jan 18, SA GIBSON reviewed the AFOSI Investigative Sufficiency Checklist to AFOSIMAN 71-121, dated 13 Oct 10 (**Exhibit 8**). Para 4.24.4 stated, "Use the AFOSI Investigative Sufficiency Checklist (Attachment 7) or a more comprehensive checklist, such as a Region Case Review checklist as a guide for reviews. Do not fill out the checklist or maintain it in the AF Form 3986. A copy may be maintained in the record copy investigative file (six part folder) to meet this purpose, see paragraph 4.17.1." (AGENT NOTE: Although not required by instruction, there were no copies of the Investigative Sufficiency Checklist maintained in the D. KELLEY case file sent to archive.)

Checklist items 22 and 23 were pertinent to this investigation. Item 22 stated, "Did unit leadership must [sic] review all FD-249s (both hard copy and electronic when accomplished) and R-84s for accuracy and completeness?" and Item 23 stated, "Were fingerprint cards submitted accurately based upon military judicial and NJP proceeding considerations?"



External Database Reviews

2-13. On 7 Nov 17, SA GIBSON reviewed the Individual Case Report (ICR) from the Automated Military Justice Analysis and Management System (AMJAMS) associated to the D. KELLEY investigation, AFOSI case # 225-C-128-G-32329111651413 which disclosed the following information and timeline: Capt BRETT JOHNSON, U.S. Army Judge Advocate General School, Charlottesville, VA was the base SJA POC and TAYLOR was the Investigation POC. Charges were preferred on 26 Jul 12, the Article 32 hearing was held 2 Aug 12, the Article 32 report was completed 8 Aug 12 and the case was referred to General Courts Martial on 27 Aug 12. On 8 Jun 12, AFOSI advised the SJA that D. KELLEY attempted to purchase a handgun from the Base Exchange on 7 Jun 12. The report did not contain any reference to probable cause determination related to indexing.

2-14. On 19 Dec 17, SA GIBSON conducted a review of D. KELLEY's NCIC report, 18 Dec 17 (**Exhibit 9**). The report contained one charge of marijuana possession from November 2006. The report did not contain any record of D. KELLEY's Air Force conviction.

2-15. On 31 Jan 18, SA GIBSON reviewed manning authorizations for Det 225 from February 2011 - January 2014 provided by Civ RICHARD CISSEL, HQ AFOSI/DP, Quantico, VA. Manning snapshots were captured for February, April, July, and October 2011; January, April, July, October 2012; January, April, July, October 2013; and January 2014. The manning during these time periods ranged from 8-9 personnel assigned with no Special Agent vacancies. The unit 3D position was vacant from Fall 2011 to Spring 2012.



Interview of Det 225 Personnel

2-16. On 7 Nov 17, SA MICHAEL MINNICK, HQ AFOSI/IGL, Quantico, VA, conducted a telephonic interview with SA MILLS who verbally provided essentially the following: During July 2010, SA MILLS arrived at his first AFOSI assignment, Det 225. BUSTILLO was the SAIC when he arrived (AGENT NOTE: BUSTILLO retired in July 2011), but he believed BUSTILLO departed Det 225 before the initiation of the D. KELLEY investigation, AFOSI case # 225-C-128-G-32329111651413. SA MILLS recalled TAYLOR was the SAIC and SA HOY was the superintendent and SA HOLZ was the case agent during the D. KELLEY investigation. SA MILLS could not recall significant details regarding the investigation. SA MILLS remembered assisting with interviews, however, he could not recall which ones. SA MILLS provided the following names of former Det 225 members who may have worked on the D. KELLEY case: HARPER, SA HARRIS, and HUINKER.

SA MILLS stated during the D. KELLEY investigation, each agent at his detachment was running at least ten cases. Due to the high case load and low manning, it was common for the agents to help each other with various investigative activities. SA MILLS described SA HOLZ as a very capable agent who ran good cases and was detail oriented. SA MILLS said he did not understand how the FD-249 Fingerprint card and the R-84 Disposition form were not submitted to the FBI. SA MILLS related that after a case was ready for closure, the case agent would utilize the AFOSI Form 2 case closure checklist. The case file was sent to the superintendent for review after the case agent was confident the AFOSI Form 2 checklist was complete. Once the superintendent was confident all items were present in the case file it would go to the SAIC for final review and signature. SA MILLS opined that the case closure process was thorough and effective, and doubted TAYLOR or SA HOY would have "pencil whipped" the process.

SA MILLS related SA HOLZ may have departed for language school before the case file was closed. SA MILLS did not know who closed the file after SA HOLZ departed.

(AGENT NOTE: An I2MS audit of the D. KELLEY investigation disclosed SA MILLS did not access the file.)

2-17. On 29 Feb 18, SA GIBSON and SA NICHOLAS re-interviewed MILLS pertaining to his interview of D. KELLEY from June 2012. A review of the D. KELLEY case file disclosed MILLS annotated on the AF Form 3985, *Interview Record*, that D. KELLEY was fingerprinted and photographed at the conclusion of the June 2012 interview, however, no records exists (hardcopy or digital) of D. KELLEY's fingerprints from that interview. Subsequent to Article 31 rights advisement, SA MILLS confirmed it was his handwriting on the Interview Record, and that if he annotated that D. KELLEY's prints were taken then they likely were. However, he could not recall who took the prints, if they were digital or hardcopy, or what might have happened to the prints once they were taken. MILLS could not provide any additional details regarding this matter.



2-18. On 8 Nov 17, SA GIBSON interviewed TAYLOR at PJ Det 7, Palmdale, CA, who verbally provided essentially the following: TAYLOR was the SAIC of Det 225 from December 2011 - February 2014. TAYLOR became an AFOSI agent in 2005 and was subsequently assigned to Det 111, Edwards AFB, CA where he completed his probationary time. After two years TAYLOR was promoted to Superintendent and deployed. After his return, TAYLOR departed Permanent Change of Station (PCS) to 4 FIR, JB San Antonio (JBSA)-Randolph, TX where he reviewed death investigations. After graduating the Senior NCO Academy (SNCOA), he departed PCS to HAFB, NM as the Det 225 SAIC.

TAYLOR assumed the SAIC role after a period of time where other agents had been filling in after BUSTILLO, the previous SAIC, retired (AGENT NOTE: BUSTILLO retired in July 2011). TAYLOR admitted his working knowledge of criminal investigations was lacking after arriving to Det 225 due to his previous deployment, time at the SNCOA and work at 4 FIR reviewing death cases. Upon arrival, TAYLOR found agents wore blue jeans and tee-shirts, which was inconsistent with agent attire. TAYLOR instituted agent attire (suit and tie) shortly after arriving. The detachment opened 36-40 cases per year, and TAYLOR recalled the detachment being severely behind in closing out old cases (AGENT NOTE: A review of SMART OSI disclosed that from 2011 to 2014, Det 225 initiated 140 substantive investigations). TAYLOR described it as a "bottomless pit" that was impossible to dig out from given the old cases on hand and the amount of new cases being opened. He also recalled cases stacked up in the conference room in various stages of closure. TAYLOR specifically recalled his time at Det 225 was during the change to UCMJ Article 120 and AFOSI's responsibility to conduct all sexual assault investigations, which significantly increased Det 225's case load (AGENT NOTE: On 25 Jan 13, DoD policy changed requiring the appropriate Military Criminal Investigative Organization to open a substantive investigation on all sexual assault allegations). Additionally, TAYLOR stated the unit was not conducting the required indexing for Security Forces Investigations cases when he arrived (AGENT NOTE: AFOSI enters information into the Defense Central Index of Investigations on behalf of Security Forces Investigations). TAYLOR gave this backlog to the Security Forces Joint Drug Enforcement Team (JDET) members assigned to Det 225 to enter into I2MS. TAYLOR stated it appeared BUSTILLO was a personable leader, popular with the rest of the detachment, but did not uphold case management standards.

HARPER filled the role as the NCOIC/Superintendent just prior to TAYLOR's arrival, but was removed from the position and assigned to the counterintelligence (CI) branch. HARPER told TAYLOR he did not know why he was removed and TAYLOR attempted to find out, but was not given an answer. TAYLOR was still unable to say why HARPER was removed, but stated HARPER's attention to detail and documentation were lacking over the course of TAYLOR's assignment to Det 225. SA HOY, a recent probationary agent, became the new NCOIC after HARPER until he was reassigned as the Protective Service Advisor to the Commander, US Transportation Command. TAYLOR was unsure when SA HOY's reassignment took place. TAYLOR described SA HOY as an excellent trainer, but required development in his ability to review source dossiers and cases. SA BANKHEAD became the next NCOIC after HOY was reassigned.



TAYLOR stated the manning at Det 225 was often below 100% due to deployments and other training obligations and TAYLOR believed the transition from the deployed environment to running cases for the agents redeploying from theater was a tough transition. CMSgt (Ret) A. JOHNSON and CMSgt (Ret) SALLINGER were aware of the manning challenges at Det 225 (AGENT NOTE: A. JOHNSON and SALLINGER were 2 FIR Region Superintendents). Additionally, TAYLOR had personal issues during his time at Det 225, which included institutionalizing his son from Halloween to Thanksgiving 2012 and his mother battling cancer in the Spring 2013. TAYLOR often traveled out of town October 2012 – November 2012 to visit his son. After Thanksgiving, TAYLOR's son returned to live with TAYLOR but still required his attention at home. 2 FIR sent ARNOLD to fill in as the SAIC for two weeks during the in-patient treatment of TAYLOR's son. When ARNOLD was not available, the unit was run by a combination of SA HOY, SA BANKHEAD, and HARPER.

TAYLOR recalled reviewing cases upon his arrival and noted significant deficiencies, which he relayed to the case agents. TAYLOR initially gave specific feedback on cases in the IDP notes of the case file, but was told not to do so by Region Crim Desk personnel. Instead, TAYLOR was instructed to provide the specifics directly back to the case agent. Thus, many review notes in I2MS essentially read, "this case was reviewed and the comments were provided to the case agent." Overall, TAYLOR stated he believed in the "trust but verify" method and treated the agents like professionals, but admitted he sometimes lacked in the "verify" component. TAYLOR believed after he asked an agent to accomplish something it was then completed, but there were occasions where it "came back to bite" him. There was not a Standard Operating Procedure for reviewing cases while they were ongoing, when they were being closed after command action, or during archiving. TAYLOR stated he believed they were conducting reviews in line with AFOSI instructions. TAYLOR could not recall formal roles distinguished between him and the NCOICs with respect to case reviews. TAYLOR attributed the lack of assigned responsibilities to the high ops tempo occurring at the unit. He did recall that limiting "investigative gaps" during cases was a Command and Region priority and this was something he tasked SA HOY to oversee (AGENT NOTE: an investigative gap was defined as a 4-5 day period where no investigative activity was conducted on a particular case). TAYLOR did not recall how much SA HOY was involved with closed case reviews. SA BANKHEAD was given more guidance to review on-going investigations after he replaced HOY as the NCOIC and TAYLOR stated he completed most of the reviews for cases going to archive. 2 FIR was frequently involved with ongoing cases, but did not recall their involvement in closed file reviews unless it was done electronically via I2MS. If 2 FIR did perform virtual reviews, he was not aware of when it occurred or which cases they reviewed. TAYLOR recalled SA GRABOSKY traveled from 2 FIR on a Staff Assistance Visit where he inspected "guns, funds and evidence" and maybe one other area that was a normal IG No Notice Inspection item. SA GRABOSKY did not review cases. This was the only time TAYLOR recalled region coming to inspect Det 225.

Det 225 held weekly staff meetings with base legal. Legal arrived 30 minutes into the Det staff meeting where legal and detachment personnel reviewed a spreadsheet containing all the cases,



case status, the last investigative step, the next step and any notes. After the meeting, case agents were tasked with updating the spreadsheet with any information from the meeting. However, TAYLOR did not recall any discussions regarding probable cause determinations or indexing with JA.

Since the news of the Texas shooting broke, TAYLOR spoke with SA BANKHEAD, HUINKER and MADISON and received positive support over text and social media.

TAYLOR did not recall many specifics from the D. KELLEY investigation, and it was not until he spoke with SA BANKHEAD on/about 6 Nov 17 after seeing news of the Texas shootings, that he recalled the investigation at all. TAYLOR initially confused the investigation with another where a husband and wife killed their child. However at the time of TAYLOR's interview, he recalled not much was done with the case until a DVD arrived with D. KELLEY's confession/admission. After that, TAYLOR recalled D. KELLEY was committed for psychiatric help and later escaped. D. KELLEY was apprehended again and brought to Det 225 where he was interviewed for the second time. From the interview, TAYLOR only recalled agents attempted to get D. KELLEY'S phone passcode from him and believed, "with confidence," D. KELLEY was electronically fingerprinted. TAYLOR noted the "live scan" fingerprint system was inoperable when he arrived at Det 225 in December 2011, but was working at the time of D. KELLEY'S second interview (AGENT NOTE: On 9 Nov 17, Det 225 reviewed the computer used to conduct fingerprinting and stated D. KELLEY's prints were not found. The computer was reimaged twice since 2012 and all information was deleted at that time). TAYLOR recalled HARPER may have completed the electronic fingerprinting of D. KELLEY. TAYLOR did not recall anything from the D. KELLEY's courts-martial. He did not recall anyone testifying or any other details from the trial.

SA GIBSON provided TAYLOR with copies of the closed file checklist, which accompanied the D. KELLEY case to archives, and the AFOSI Form 2 coversheet from the D. KELLEY investigation. TAYLOR expressed surprise that the checklist was incomplete and the AFOSI Form 2 was not signed. TAYLOR stated that would have been his responsibility. TAYLOR also expressed his surprise and disappointment that the hardcopy FD-249's (fingerprint cards) for D. KELLEY were also found in the hardcopy file mailed to archive. SA GIBSON also showed the I2MS audit of the closed file checklist produced by HQ AFOSI/XI. TAYLOR stated he could not recall the I2MS closure checklist exactly, but admitted that if the audit showed the boxes were marked, then they likely were. TAYLOR could not recall specifically, but he would have checked with the case agent, SA HOLZ, to ensure the checked boxes were true, but he may not have verified it himself by looking in the case file.

(AGENT NOTE: An I2MS audit of the D. KELLEY investigation disclosed TAYLOR accessed the case file on numerous occasions, almost monthly, 31 Dec 11 – 24 Jun 12)

2-19. On 9 Nov 17, SA GIBSON conducted a follow-up telephonic interview of TAYLOR, who verbally provided essentially the following: TAYLOR did not recall receiving any training on



fingerprint submissions at any time other than some on-the-job training given by HUINKER after the "live scan" fingerprint machine was set up at Det 225. This training consisted of how to physically roll the prints and poor prints may be rejected, but TAYLOR did not recall it covering the submission of the prints to NCIC.

TAYLOR was not aware which crimes should be submitted to NCIC and did not believe there was a list to draw from. He did not recall having any discussions with anyone regarding how to determine if a subject should be indexed. The case agent had the responsibility to submit the prints. At the time he was assigned to Det 225, TAYLOR believed indexing was to be completed after final appeals were exhausted and recollected a vague anecdote where a subject's offenses were overturned resulting in him being erroneously indexed prior to the appeal. This anecdote influenced his memory of only indexing after appeals. TAYLOR also believed the R-84 and the FD-249 were the same item.

Regarding case reviews, when TAYLOR arrived, the older cases needing closure were piled on the conference room table. They were later moved to SA BANKHEAD's office where TAYLOR's expectation was that he would review them and prepare them for final closure and archiving. TAYLOR stated sometimes he would see the final, closed cases before being archived and sometimes SA BANKHEAD would send them in without TAYLOR ever seeing them. TAYLOR did not have any answer for why the D. KELLEY investigation was overlooked for NCIC submission. SA TAYLOR did not recall any specific checklist he used when closing/archiving cases, but he always sought to be compliant with AFOSI instructions and therefore would have tried follow policy or any available checklist contained in the instructions.

TAYLOR had regular communications with his region leadership including A. JOHNSON and Col HUDSON (who was then the 2 FIR Commander) regarding the lack of experience at the detachment and personal issues affecting various members and himself. The Region was empathetic to the situation, but did not send assistance other than ARNOLD while TAYLOR attended to his son. TAYLOR mentioned SA BANKHEAD also went through a divorce due to an unfaithful spouse, which was a significant emotional event for SA BANKHEAD. TAYLOR could not recall when the divorce took place.

2-20. On 9 Nov 17, SA JASON ENGHOLM, HQ AFOSI/IGI, Quantico, VA and SA RYAN PFEIFER, 4 FIS, Vogelweh Cantonment, GE interviewed SA HOLZ at AFOSI 4 FIS, Vogelweh Cantonment, GE. Subsequent to Article 31 rights advisement, SA HOLZ verbally provided essentially the following: He enlisted in the USAF in August 2005, graduated The Federal Law Enforcement Training Center (FLETC) in May 10 and arrived at Det 225 in July 2010. SA HOLZ advised that his probationary agent training period began at Det 216, Seymour Johnson AFB, NC, while he attended Airman Leadership School and ended approximately one year later at Det 225. He was not extended any significant length of time and his accreditation package was processed quickly to meet deployment requirements. SA HOLZ began pre-deployment training in October 2010 and continued on and off until he deployed from August 2011 to February 2012.



BUSTILLO was the SAIC and HARPER was the Superintendent when SA HOLZ arrived at Det 225. Once settled after his PCS, SA HOLZ was given 11 cases (narcotics, sexual assault, fraud, etc.) to oversee and was provided little, if any, training or guidance on what to do with them, or how to proceed. Upon review of the files, SA HOLZ discovered they had been transferred from one agent to another as the agents deployed, departed PCS or left for training. The cases ranged from new allegations to files that were over a year old. Some cases were still under investigation, others were waiting for evidence or judicial proceedings and some awaited final closure. The unit leadership's expectation was for the new case agents to "figure it out on your own" or find the answers in the instructions by themselves. Although SA HOLZ was deployed for nearly seven months, his name was not changed as the case agent from the D. KELLEY investigation. HUINKER conducted superficial investigative activities to keep the D. KELLEY investigation "warm" enough to prevent investigative gaps. This was a common occurrence in Det 225. The D. KELLEY investigation was essentially dormant until D. KELLEY's wife re-interviewed in her backyard and provided D. KELLEY's "recorded confession." After he returned from deployment, SA HOLZ had limited involvement as an administrative support agent with all of the cases including the D. KELLEY investigation. SA HOLZ explained his activities consisted of serving as the evidence custodian, conducting Defense Central Index of Investigations (DCII) and NCIC checks for base contractors, attending family advocacy meetings, conducting pro-active source operations and working with the DEA/FBI on an illegal ultralight aircraft border crossing case.

Training conducted at Det 225 was limited, ineffective and of minor value. SA HOLZ recalled a few sessions of officer response tactics (ORT) or defensive tactics type training but nothing else substantial. SA HOLZ characterized the unit's training as trial by fire. HARPER was a terrible superintendent and trainer. SA HOLZ believe HARPER made a conscious effort to disguise his incompetence and lack of knowledge. SA HOLZ clarified that HARPER made up policy or procedures on the fly that did not exist in AFOSI publications as justification or explanation for his actions or guidance. SA HOLZ felt FLETC trained him to perform investigative actions (statements, evidence collection, search warrants), but not case management or meet AFOSI administrative requirements. SA HOLZ was not trained on criminal indexing or the use a Form R-84.

SA HOLZ described Det 225 as a black hole, where people were sent to fail. After SA HOLZ returned from deployment in February 2012, four of the seven assigned agents were experiencing family issues. Three were facing divorce and other family matters due to the unit operations tempo, lack of training and case load. SA HOLZ's wife filed for divorce, HUINKER's wife threatened to leave and HARPER and his wife had issues. SA HOLZ advised this period of his life was the most miserable in his AFOSI career and he considered separating. HARPER was removed from his position as superintendent and moved to CI because he was unable to complete superintendent tasks, train, mentor or guide the assigned agents. SA HOY subsequently replaced HARPER as the superintendent forcing him to transition from worker bee to leader. SA HOY was more stern and involved with case execution and direction, which increased the overall productivity and quality of the detachment. SA HOLZ felt BUSTILLO was forced to retire because he could not manage or document fast enough. He also felt AFOSI eliminated empty billets within Det 225, reducing



them to the total number of agents assigned at that time (AGENT NOTE: Ref. Para. 2-15 for a review of manpower allocations at Det 225). After SA HOLZ did not know when TAYLOR was assigned to Det 225, but noted he was the SAIC after SA HOLZ returned from recuperation leave in March 2012. TAYLOR showed SA HOLZ the current case load of Det 225 which exceeded that of Det 206, Nellis AFB, NV, and was comparable to 11 FIS, JBSA-Lackland, TX. Both units had much higher manning levels than Det 225. TAYLOR highlighted to SA HOLZ that some agents were running up to 14 cases at the same time. SA HOLZ advised he was unable to keep up with his assignments or administrative support. TAYLOR expected investigative steps every three days causing most duty days to last longer than 12 hours. SA HOLZ described the work as harder than his time deployed. SA HOLZ disliked TAYLOR because he refused to support SA HOLZ's OFCO package and told him to he wanted SA HOLZ to give him a solid six months of work and training of probationary agents before we would reconsider the package. Additionally, TAYLOR advised he was sent to Det 225 to fix the Det and make Chief. In 2012, SA HOY departed PCS to be on the protective security detail lead for TRANSCOM/CC and SA BANKHEAD was promoted from within replacing SA HOY. SA BANKHEAD was recruited by SA HOLZ and was still a rookie agent. Unit leadership philosophy at the time was "do more with less."

SA HOLZ advised he was not trained on performing case closure actions and denied ever completing I2MS or physical case file closure reviews. Det leadership generally conducted all case reviews and verbally informed case agents what needed to be done or made the appropriate IDP entry. SA HOLZ believed HARPER may have "ghost wrote" (made up justification) some IDP notes involving leadership reviews and explanations for investigative gaps. He was not aware of any ghost written investigative activity. Most notes the leadership instructed the case agents to enter into the IDP dealt with explaining investigative timeline gaps; this was the most significant focus during and case review. Little if any follow-up for these directions were conducted (fire and forget). 2 FIR also frequently reviewed cases and directed field units to address investigative timeline gaps or add clarifying IDP notes. Some of these IDP notes were entered months after the investigative activity occurred or at the conclusion of the case (e.g. the Mar 12 IDP comment concerning SA HOLZ collecting D. KELLEY's fingerprints after his first interview.) SA HOLZ felt the unit was overwhelmed and could not finish a case because another case always popped up and became the new priority. SA HOLZ surmised that "final case closure became the eighth or ninth priority." SA HOLZ was asked, but denied knowing what checklists leadership used to assess or review cases for closure. Case agents generally completed tasks they were told by the superintendent or SAIC to do. Additionally, agents did sections of case closure they knew how to do as a group effort (i.e someone did evidence disposition, another did I2MS updates, others handled administrative elements, etc.). Any products sent to HARPER were poorly reviewed or not reviewed. SA HOLZ did not perform any of the D. KELLEY case closure checklist or closure items. He also denied ever seeing the AFOSI Closed Investigation File Checklist or AFOSI Form 2 for the D. KELLEY investigation. SA HOLZ denied closing any cases while assigned to Det 225 and never sent any case files to archive or fingerprint cards to the FBI. Unit administrative personnel were not involved with case closure or file shipment to the archive. The unit commonly had a file cabinet filled with case files to include files over three years old. In 2015, SA HOLZ



and two other agents from 2 FIR were sent for approximately two weeks to Det 225 for a manning assist to close (conduct IDP entries and explain investigative gaps) the back log of case files originating from 2011 and 2012. SA HOLZ experienced logistics and scheduling issues and was only available to complete one full review and closure (a 25 year old sexual assault allegation). None of the cases SA HOLZ reviewed were his previously.

SA HOLZ did not recall any discussion about criminal indexing for the D. KELLEY case. SA HOLZ did not specifically recall fingerprinting D. KELLEY, but admitted he was in the area during the interview and remembered talking with him. SA HOLZ denied writing anything on the FD-249 and said the data was not in his handwriting. SA HOLZ consented to handwriting exemplars if needed. He believed the handwriting was D. KELLEY's as the subject in the person fingerprinted block, SSN block and block letters of the name of subject block. The demographic blocks (D.O.B, height etc.) were too neat for his handwriting and may have been completed by SA HOY. Additionally, he was not trained to the detail and accuracy of the scars/tattoo and residency blocks at the time of print collection. SA HOLZ felt he may have been directed to collect the prints for training as the task was beneath the superintendent and SAIC. SA HOLZ denied participating in D. KELLEY's June 2012 interview (SA HOLZ thought D. KELLEY was represented by a lawyer) and doubted if prints were taken during that interview because they were already collected in June 2011.

The unit's normal procedures were to collect subject photos, fingerprints and Deoxyribonucleic Acid (DNA) samples immediately after the subject interview. The prints were kept in the AF Form 3986 until SJA or the unit leadership told the case agents to do something with them. The trigger for this action was typically the subject was convicted or charged with a crime. SA HOLZ believed unit leadership, possibly HARPER, did not want to index "innocent" people and that the cards were only submitted when the unit was sure he or she was guaranteed to be charged, was guilty, or convicted. SA HOLZ felt that the manual prints cards may have also been scanned into the I2MS file as well. Det 225 collected manual prints until early 2012, then attempted to switch to electronic collection. The machine frequently did not work and they reverted back to manual. SA HOLZ stated he did nothing with the prints once they were placed in the case file envelope. SA HOLZ advised that the administrative data on the FD-249s was always completed before placement in the AF Form 3986. SA HOLZ opined he collected 5-10 sets of fingerprints during his Det 225 assignment. SA HOLZ was never trained on the use of R-84s and believed until recently that I2MS and other databases were linked.

The D. KELLEY investigation was not special and was handled like every other case. SA HOLZ's participation in the August 2012, D. KELLEY Article 32 centered around presenting testimony of his interviews of the doctors from June 2011 and his work with the evidence collection. SA HOLZ disclosed he was preparing to PCS to the Defense Language Institute (DLI) and move his ex-wife's belonging to St Louis, MO, so he was not in the detachment much during that time (14 Aug 12 – 26 Sep 12). SA HOLZ's last action on the case was 17 Oct 12 (AGENT NOTE: SA HOLZ did not state how he knew this date exactly, however, a review of the D. KELLEY I2MS file showed this was the date SA HOLZ last accessed the file). SA HOLZ heard rumors D. KELLEY agreed to a



pre-trial agreement while he was at DLI in November/December 2012. SA HOLZ assumed the case agent (HUINKER) submitted the prints. SA HOLZ never saw the D. KELLEY report of trial, AF Form 1359.

SA HOLZ denied any knowledge of IDP #10 dealing with D. KELLEY's first subject interview and a subsequent conversation during fingerprinting. He did not know why the note was added nine months late by HUINKER, or who provided the detailed information as he and HUINKER did not speak about the IDP entry.

The unit met weekly with SJA to provide case status updates and the legal office provided direction on ways forward for the unit's cases, mentorship and guided to progress of cases.

SA HOLZ admitted to talking about the D. KELLEY murders (case and situation) with SA BANKHEAD on Sunday (5 Nov 17) and Monday (6 Nov 17). On Tuesday (7 Nov 18) or Wednesday (8 Nov 17) he talked about the case with SA MILLS and they wondered aloud why the prosecution, mental health issues or I2MS data were not extracted or pulled by the Federal system.

(AGENT NOTE: An audit of I2MS for the D. KELLEY investigation disclosed SA HOLZ accessed the file regularly beginning 29 Jun 11 through 17 Oct 12 with a gap from Jun 11 – Mar 12 which coincided with this deployment.)

2-21. On 10 Nov 17, SA GIBSON and SA ALICIA PITTS, 6 FIS, JBPHH, HI interviewed SA BANKHEAD at 6 FIR, JBPHH, HI. Subsequent to Article 31 rights advisement, SA BANKHEAD verbally provided essentially the following: SA BANKHEAD was recruited from the "Ammo" (aka Munitions) career field into AFOSI while stationed at HAFB, NM. After approximately one month as an agent trainee he attended FLETC, graduated in May 2011, and returned as a probationary agent to Det 225. SA HARPER was the Superintendent when SA BANKHEAD left for FLETC, but was removed in the interim, after which SA HOY took over. SA HOY remained the Superintendent until he departed PCS in 2012. SA BANKHEAD attended pre-deployment training May 2012 - August 2012, but was told during training he was not deploying and was returning to take the Superintendent position at Det 225. SA BANKHEAD had mixed emotions regarding this decision. He was excited for the challenge, but was looking forward to leaving HAFB due to personal issues. After returning from pre-deployment training, his wife told him she wanted a divorce. SA BANKHEAD tried to save their marriage from approximately August 2012 – January 2013, but the couple ultimately filed for divorce in January 2013 and finalized the divorce in February 2013.

Upon arriving at Det 225, SA BANKHEAD believed there were approximately 85 open cases that required some type of investigative activity to close. This equaled approximately 12 cases per agent. Additionally, there was a high backlog of cases that needed to be closed and archived. SA BANKHEAD recalled in addition to the active cases being ran, there was a safe full of those cases needing closure. Overall, SA BANKHEAD characterized the detachment as just trying to stay



afloat and gave the example at one point they had seven consecutive months of opening at least one death investigation and believed their case load was greater than Det 206, Nellis AFB, NV which was a large detachment in a metropolitan area. Additionally, it took twice as long to accomplish investigative activities due to the lack of experience in the unit. All the criminal case agents were on probation. SA BANKHEAD did not recall how TAYLOR and SA HOY divided the work of closing cases. He did not recall closing any cases himself or being exposed to any closed case checklists while on probation. After he took over the Superintendent role, SA BANKHEAD was mainly in charge of overseeing active investigations, but occasionally reviewed and closed case files. When he reviewed and closed files he utilized the checklist in I2MS and the closed case file checklist in AFOSIMAN 71-121. He physically inspected the AF Form 3986 files to ensure the items inside matched what was labeled on the outside and he reviewed and signed the AFOSI Form 2. Any discrepancies were noted to the case agents for reconciliation. Files were normally sent to archive in batches versus a single case at a time. SA BANKHEAD did not recall any training on closing out files and did not recall any operating instruction for the unit regarding case management or formalized processes for closing and archiving investigatively closed cases. SA GIBSON showed SA BANKHEAD the unit history reports to which SA BANKHEAD said he did not help author, but did state the training listed therein was somewhat accurate. He generally recalled unit training on investigative items, but did not specifically recall any training related to fingerprinting or case management. As the Superintendent, he conducted monthly case reviews which were annotated in I2MS as completed, but did not list specific findings of the review. He provided direct feedback to the case agents on items that needed to be addressed. SA BANKHEAD preferred to do the feedback in person, but did sometimes send the feedback via email.

Regarding fingerprint submission, SA BANKHEAD stated the unit did not receive electronic fingerprinting capability until mid-2012 at the earliest. He only recalled doing hardcopy prints himself while running cases and did not recall fingerprinting anyone after becoming the Superintendent. The unit policy was to wait until all appeals were exhausted to send fingerprints to the FBI. SA BANKHEAD understood the purpose of sending prints to the FBI at the time of the D. KELLEY case, but stated TAYLOR came across some information (NFI) that made him want to hold the fingerprint cards until appeals were completed. Since the TX shooting, SA BANKHEAD reviewed the AFOSI policies in place during the D. KELLEY case and now understands that TAYLOR's policy for indexing after appeals was incorrect. SA BANKHEAD could not reconcile why TAYLOR strayed from policy as he was very compliance oriented.

SA BANKHEAD only recalled being involved in two investigative steps for the D. KELLEY case which included interviewing D. KELLEY's spouse and one additional interview. He did not participate in the trial and did not recall reviewing the D. KELLEY file specifically upon closing. SA GIBSON provided SA BANKHEAD the incomplete closed file checklist and the unsigned AFOSI Form 2 which SA BANKHEAD did not recall specifically. He stated he could not identify with certainty that he started to complete the closed file checklist, but stated he normally used checkmarks instead of X's. He did not specifically recall sending the D. KELLEY file to archive. He stated it was the superintendent and SAIC's job to ensure everything was completed on the



checklist as required, but that the practical application was that the case agents were tasked to complete items and there was little follow up to ensure they had done so. SA BANKHEAD believed SA HOLZ was the case agent during the final portions of the D. KELLEY investigation, but was not certain. However, if SA BANKHEAD reviewed the file, he would have provided the feedback regarding the closure to the case agent. He did not recall reviewing the D. KELLEY investigation specifically after becoming the Superintendent, mainly because he felt familiar with the case since it was opened after he was assigned to Det 225. He recalled the case got passed around frequently due to deployments and members departing PCS. SA BANKHEAD attempted to have cases handed off in a formal fashion as people left for extended periods, but could not say for certain if it happened all the time. The unit did the best they could with what they had at any given time.

SA BANKHEAD communicated frequently with 2 FIR and they were happy with the criminal cases. They were not as happy with the CI program and told Det 225 to focus on improving in that area. 2 FIR did send out help occasionally, but it did not have much effect overall. SA BANKHEAD said process improvement for case management might have helped early on, but at the time they were just trying to address the backlog in the det.

(AGENT NOTE: An audit of I2MS for the D. KELLEY investigation disclosed SA BANKHEAD accessed the file regularly 13 Jul 11 - 10 Apr 13 with a gap from Feb 12 – Sep 12)

2-22. On 10 Nov 17, SA ENGHOLM and SA PFEIFER interviewed SA HOY at AFOSI 4 FIS, Vogelweh Cantonment, GE. Subsequent to Article 31 rights advisement, SA HOY verbally provided essentially the following: SA HOY joined the USAF on 28 May 02 as a Security Forces member. He attended the FLETC for AFOSI training and graduated in July 2008 and was assigned to Det 225, HAFB, NM, from July 2008 to approximately June/July 2012. December 2009 to June/July 2010, SA HOY deployed to Kirkuk, Iraq, and assigned to the JDET program after returning. When he returned BUSTILLO was the SAIC and SA (Ret) SARENA CARMAN was Superintendent, but was soon replaced by HARPER when she departed PCS. The overall leadership experience decreased overall when BUSTILLO and HARPER filled the leadership roles. SA HOY characterized BUSTILLO as an “agent’s agent” who promoted fun and exciting proactive operations, but was weak on administrative details and oversight. Det 225 was always behind on case management and fell further behind as the case load grew. SA HOY felt there was a time where they opened a death investigation every month. Every agent had a full case load ranging from four to eight cases per agent, varying in complexity. The cases ranged from cases pending archive actions, investigatively closed files, mid investigation cases and new active allegations. In most situations, the files were passed from agent to agent due to PCS, deployment, training or other priorities. Probationary agents carried a significant case load and unit leadership pressured each agent to open more new, proactive cases. SA HOY advised there was no tolerance to stop the case load to close old cases. One example that stood out to SA HOY was a death investigation that was dropped on his desk in a banker’s box and he was told to figure it out. He described the box as a “big box of paper”, but explained it was loaded with AF Form 3986s. In late 2011, BUSTILLO retired and was replaced by TAYLOR (SA MEUSBERGER filled the gap).



Throughout SA HOY's assignment the unit had a turn-over churn of SAICs, superintendents and agents. The case load and operations tempo was very high which resulted in family stress and a constant feeling of being behind or overwhelmed. BUSTILLO had a different wife or girlfriend when SA HOY returned from deployment, SA HOLZ got divorced, SA MILLS remarried his ex-wife, SA BANKHEAD divorced and most of the other assigned agents endured some type of family stressors.

After HARPER was relieved of duty in approximately October/November 2010, SA HOY was promoted to superintendent with a total of two years AFOSI experience. SA HOY was surprised HARPER was removed, but understood the reasoning behind the change which was poor administrative skills. HARPER was "a good guy to have a beer with, but not to run cases." SA HOY disclosed he was overwhelmed by the work and tasks required by the position and had a lot of things to "wrap his head around." The Det 225 training and evidence programs were previously identified as weak during region and IG compliance inspections. The det training program was not stressed by detachment leadership and was a low, ad hoc priority. On-the-job training (OJT) was the norm as rookies were paired with experienced agents to do real world activities and learn procedures. The investigation was more important than quality training. When the unit conducted training sessions, they practiced combative tactics, AF form 52 completion, E-Funds documentation, etc. SA HOY felt FLETC provided adequate training on common core tasks i.e. conducting interviews and promoting an investigative mindset; but was not adequate to develop administrative and case management skills. SA HOY indicated FLETC did not prepare agents for cradle-to-grave case management and many items were left for the dets to teach. Additionally, FLETC did not teach proper or current (when he attended) fingerprint collection techniques. SA HOY said they squirted some ink on the table and manually rolled some fingerprints. FLETC talked about subject indexing, but SA HOY could not recall any specifics. He felt AFOSI improved over the years due to technological advances, and published training and guidance distributed after a command booking activity review stand-down day (AGENT NOTE: This was believed to be a day in 2016).

Although Det 225 was sent electronic fingerprint machines on numerous occasions, the unit only collected manual fingerprints during SA HOY's assignment because the machines were never reliable and. After subject interviews, seasoned agents taught rookies how to collect and process the prints during OJT sessions. The unit had print-outs of AFOSIMAN 71-121 on display as reference to complete demographic blocks such as hair and eye color, weight, race, etc. Subject photographs, two FD-249s and the R-84 were completed immediately after each subject interview. Normally the interviewing agents performed these tasks, but it was also common for an all hands effort as well. The administrative data was annotated on each card before it was placed in the AF Form 3986 and the FD-249s were retained in the case file until final case disposition. SA HOY further clarified that final case disposition was defined as the case was investigatively closed, command action (courts martial, non-judicial punishment, etc.) was taken with no pending appeals and the case was closed. SA HOY advised that cases with misdemeanor and felony charges meeting the requirement for fingerprint card submission. The unit did not have a formal process in place to determine when the cards would be submitted. SA HOY felt there were possible cases



where the R-84 was sent earlier in the process, but he was unsure and could not definitely say. (AGENT NOTE: This is another instance where SA HOY confused the FD-249 and R-84 which indicated a lack of training or knowledge in 2011/2012 of criminal indexing requirements. He was able to articulate most aspects of the guidance today.) SA HOY recalled seeing fingerprint outer envelopes in outgoing mail, but could not say for certain if they contained FD-249 or R-84s, nor could he determine what stage the case was in to which the cards may have been associated. The status of the case they were submitted against. The unit never consulted with SJA to determine the appropriate time to submit the FD-249s for indexing. SA HOY denied that he ever heard someone say fingerprint cards should not be sent in because the subject may be found innocent later.

SA HOY did not receive specific training or official guidance in how to perform superintendent duties or conduct case review and closures. SA HOY reviewed active case files once per week and provided feedback to the case agents verbally or via e-mail. He did not actively follow-up with case agents on the feedback and assumed that the case agent fixed the identified issues. SA HOY stated he placed IDP notes documenting the reviews, but did not include specific details of the nature of the feedback or findings. His practice was to discuss cases with the SJA weekly and update the hard copy or electronic investigative plan as required. The unit was notified of charge preferal/referral and Article 32s at this time. SA HOY believed the SJA may have sent copies of the charging sheets, but could not definitely confirm this. For case closure, the unit employed checklists directed by the Region such as the command CAT, the AFOSI Closed Investigation File Checklist (AFOSIMAN 71-121, Attachment 4) and the checklist printed on the back of the AFOSI Form 2. Det 225 did not have unit produced checklists or procedures. Case agents were responsible for day-to-day file upkeep and review and the initial case closure checklist review. It was rare for final case closure actions to be initiated before command action was received. Once ready, the file was moved to either the superintendent or SAIC (they did not define roles and worked interchangeably). The leadership reviewer evaluated the file against the checklist and AFOSIMAN 71-121 requirements, corrected any identified deficiencies (fix minor errors themselves and major ones with case agent help if needed), sign the AFOSI Form 2 and prepare the case file for archive. The leadership team did not double check or quality check each other and each signature was equal to the other in the review process. SA HOY acknowledged the quality of the review varied depending on the reviewer. SA TAYLOR was by the book and high on attention to detail allotting time for an in-depth review. Additionally, SA HOY admitted he did not always have the regulations open during reviews. SA HOY advised he personally handled each piece of paper and ensure the various forms were completed/signed, in the proper order, and documented correctly and chronologically on the AF Form 3986s (This was his style until he turned over his duties to SA BANKHEAD in May/June 2012). Additionally, he specifically looked for FD-249s and R-84s to ensure they were processed and or submitted correctly (AGENT NOTE: based on the conversation, SA ENGHOLM did not believe he understood these forms should be submitted for indexing much earlier in the case life cycle). SA HOY estimated he final closed and signed the AFOSI Form 2 for 12 cases during his time as superintendent. After final closure, the unit professional staff or the assigned case agent shipped the file to the file repository.



SA HOY felt the D. KELLEY case occurred near the end of his time at Det 225, but in reality it began in June 2011 and was opened approximately one year before he departed PCS. The case did not particularly stand out in his mind at the time and was not handled any differently than their other active cases. In June 2011, SA HOY opined the unit had 30-50 case files with two agents assigned to CI, four criminal agents, an NCOIC and SAIC. SA HOY recalled key attributes of the case included it began as a child abuse case where the boy “fell in the crib,” D. KELLEY had a webcam in his house to watch his wife while he was at work, and D. KELLEY displayed signs of control issues. BUSTILLO and SA HOY conducted the interview, but SA HOY did not recall taking D. KELLEY’s fingerprints or photographs (AGENT NOTE: Other case records indicate SA HOLZ probably collected the fingerprints and the day was an all hands on deck detachment surge event). SA HOY stated it was “hard to say who did what.” SA HOY denied the handwriting or notes on D. KELLEY’s FD-249 were in his handwriting. The unit never discussed submitting D. KELLEY’s print cards for indexing. SA HOY felt D. KELLEY’s interview met criminal indexing requirements with today’s optics, but was unsure if the unit would have recognized that fact in 2011. SA HOY served in an administrative oversight role and recalled small bits and pieces of the investigation over the next few months, but could not provide any significant details and the investigation proceeded as a secondary priority to more recent cases. It would not be out of the ordinary for the FD-249s to be in the case file during that time. SA HOY opined he discussed the D. KELLEY case during SJA meetings and conducted required monthly reviews, but could not recall any specific details. SA HOY did not know why SA HOLZ was assigned as the case agent (he thought it was a little odd as he had other duties), but indicated it may have been because SA HOLZ was the duty agent at the time (AGENT NOTE: this may also explain why SA HOLZ responded to the hospital rather than conducting the subject interview). SA HOY had a spreadsheet on the detachment file server of case file lead agent assignments that was more accurate than I2MS lead agent case assignments.

During spring 2012 through June 2012 when the D. KELLEY case had its big break, SA HOY’s focus was on NCOA, required PCS actions, and packing out his household goods. SA BANKHEAD was just accredited from probation and recently promoted to MSgt so TAYLOR decided to appoint him to superintendent and not request a replacement for SA HOY. SA HOY performed a limited turn-over with SA BANKHEAD in May/June 2012 and relied on TAYLOR to do in-depth preparation with him. SA HOY and SA BANKHEAD discussed case updates and what to try to do in the new position, but had no formal training sessions. TAYLOR told him the unit had a major backlog of cases and SA BANKHEAD was struggling to keep up. Furthermore, he assessed SA BANKHEAD as an average learner was not prepared by FLETC training for the administrative side of the job.

SA HOY could not recall the last activity he performed on the D. KELLEY case and believed he departed the area on 18 Jun 12. SA HOY did not participate in the 12 Jun 12 interrogation, the preferral/referral of charges, the Article 32 hearing, D. KELLEY’s courts martial, or any file closure actions or preparation of the case for archive. Unlike the checklist in the D. KELLEY case, he thought he used checkmarks rather than an X when he accomplished final case review checklists but could not definitely recall. He did not know if a second set of print cards were



collected subsequent to the second interview of D. KELLEY, but doubted the unit would have done a second sets as completed cards were already in the file.

SA HOY believed subjects were indexed when their name was entered into I2MS and the case was opened. He also believed I2MS automatically performed these actions in 2011. He felt fingerprint cards supplemented I2MS data, and served as an update to the federal system and NCIC.

SA HOY first heard about the D. KELLEY murders via the national news. Shortly after, he received a text message from SA HARRIS asking if he recognized D. KELLEY. SA HOY initially confused the case with another, but then realized the facts and circumstances of the D. KELLEY case. Several members of the unit to include SA HOY, TAYLOR and BUSTILLO began reminiscing about the case and asking each other why the federal system did not have D. KELLEY's criminal history from the Air Force. Before flying to Germany, SA HOY ceased watching the news coverage and responding to social media discussions and texts. SA HOY asked SA HOLZ if he was ok via text, upon arrival to Germany. The text was sent after SA HOLZ's interview. They did not discuss the interviews and SA HOY attempted to reassure SA HOLZ of the main focus of AFOSI's review.

(AGENT NOTE: An audit of I2MS for the D. KELLEY investigation disclosed HOY accessed the file regularly 14 Jun 11 - 27 Jun 12)

2-23. On 14 Nov 17, SA DAVID PRIEST, Deputy Inspector General, HQ AFOSI, Quantico, VA conducted a telephonic interview of BUSTILLO, who verbally provided essentially the following: He was the SAIC for Det 225, HAFB, NM from October 2009 to August 2011 when he retired from active duty.

BUSTILLO did not recall the D. KELLEY investigation at all until a former unit member called him and informed him that BUSTILO had assisted with the first subject interview. Based on that conversation, he vaguely remembered a child abuse interview; however, they had others of that same case-type at the unit. The reason he did not recall the interview is that he retired in 2011 and the story was referring to the conviction in 2012 and 2013.

BUSTILLO discussed the process within his unit for case management, whereby it was essentially the superintendent who managed the case closure of the files. Either he or the Superintendent would do case reviews and provide feedback to the agent conducting the investigation. He reviewed and signed the final report of investigation and then closure/archive of the files would be either him or the superintendent. There was no Superintendent when he arrived at the unit, but HARPER was promoted to Master Sergeant, so he asked him to take the position. Sometime later, he was not happy with HARPER and consulted with 2 FIR and removed him from that position. BUSTILLO ultimately moved SA HOY into the Superintendent position, even though he was not all that experienced. BUSTILLO thought he did a good job.



The unit process was to fingerprint the subject at the time of their interview, then place the FD-249 fingerprint card in the case file and send one off immediately. The R-84 was used for criminal indexing when final disposition was received on the investigation. He followed the I2MS case closure checklist as well as a flow chart for indexing processes in one of the AFOSI instructions.

He recalled the automated fingerprinting system and felt it was in place while he was at Det 225. He recalled there were the normal problems with a new system. He felt the agents appeared to understand the system and the indexing and fingerprinting process. He did not recall any specific training for those areas while he was there. He said he would receive feedback from 2 FIR on his investigations but he did not remember feedback concerning fingerprinting and indexing.

(AGENT NOTE: An audit of I2MS for the D. KELLEY investigation disclosed BUSTILLO accessed the file 15 Jun 11 - 21 Jun 11)

2-24. On 14 Nov 17, SA DAVID NICHOLAS, HQ AFOSI/IGL, Quantico, VA contacted HARPER via telephone to schedule an in-person interview. HARPER initiated a profanity riddled tirade saying he did not want to speak with SA NICHOLAS, or anyone else from the AFOSI after SA NICHOLAS identified himself and the nature of the interview. HARPER continued his tirade exclaiming "75% of cases are not disposed of correctly anyway" and "I am not going to be anyone's [expletive] scapegoat!" After he calmed down, HARPER agreed to meet SA NICHOLAS at 0800 on 15 Nov 17 at his house in Alamogordo, NM, as long as SA NICHOLAS did not wear his firearm to the interview. SA NICHOLAS declined HARPER's request to conduct an unarmed, in-person interview at HARPER's address after conferring with SA PRIEST and Col TIMOTHY ZOERLEIN, Inspector General, HQ AFOSI, Quantico, VA. HARPER once again became agitated and yelled he would only meet with anyone from AFOSI on his terms.

On 15 Nov 17, HARPER contacted SA NICHOLAS and apologized for his behavior the previous evening. HARPER explained he was not willing to conduct a telephonic interview, but would like to meet at the McDonald's on HAFB.

On 15 Nov 17, SA NICHOLAS interviewed HARPER at McDonald's on HAFB wherein HARPER verbally provided essentially the following: HARPER was assigned to only two assignments while in AFOSI. First, he was assigned to Det 225, then he departed PCS to Kuwait for one year, and returned to Det 225 afterwards. When HARPER was selected for promotion to Master Sergeant, BUSTILLO asked HARPER to be Det 225's Superintendent, to which HARPER declined. HARPER was placed in the superintendent position against his will, because he was the only Master Sergeant in the detachment. HARPER explained he did not want to be the Superintendent because he did not know what the job entailed and he did not trust BUSTILLO. HARPER could not explain why he did not trust BUSTILLO. BUSTILLO did not assist HARPER with managing case files. When HARPER asked BUSTILLO for advice on an administrative processes, BUSTILLO always told him to call his peers or the Chief. HARPER was "fired" from the Superintendent position after being in the position for approximately one year. Shortly after



HARPER was fired, BUSTILLO was told he would be fired as the SAIC and opted to retire. All of this occurred about the same time Det 225 initiated the D. KELLEY investigation.

HARPER did not remember the D. KELLEY investigation very well and admittedly confused it with another case where a husband and wife killed their child. HARPER explained he was the only "fully accredited" agent in the detachment so he managed all of the major programs including evidence.

HARPER did not remember much about the case closure process and did not believe he ever closed a case. When pressed on the issue, HARPER explained there was no guidance on how to close a case.

HARPER also claimed he did not remember how to process fingerprints as part of the booking process. HARPER believed Det 225 was always the last detachment to get new equipment, and he did not remember receiving training on the digital fingerprint system. When asked if he compared the disposition provided from the legal office to the fingerprint cards, HARPER said "yes." When asked if he remembered submitting the green fingerprint card (R-84) once command action was received, HARPER said "no." HARPER also did not understand why HQ AFOSI would want fingerprints on someone who was already court-martialed.

2-25. On 27 Nov 17, SA NICHOLAS telephonically interviewed HUINKER who related verbally as follows: He arrived PCS to Holloman AFB on 11 Sep 11 after graduating from FLETC. This was his first, and only assignment with AFOSI because he was medically retired in 2014. He arrived in September 2011 but did not receive his badge and credentials until 12 Apr 12. During this time, he was not authorized to conduct agent activities. HUINKER had a vague recollection of the fingerprinting process because he had been out of AFOSI since 2014. HUINKER explained Det 225 used both the digital fingerprint system and the hard copy forms. The hard copy forms consisted of a set with blue lines, but that form was not used for subjects of criminal investigations, but was used for security investigations. The white form with red lines was used for subjects of criminal investigations. HUINKER did not remember the R-84. HUINKER was not able to remember anything about indexing a subject of a criminal investigation.

HUINKER spoke to both TAYLOR and TSgt (Res) STEVEN BOUGHTON AFOSI 8 FIR, Peterson AFB, CO, after the news broke about the Texas Church Shooting. They discussed whether or not they remembered the case, and neither HUINKER nor BOUGHTON remembered the case.

(AGENT NOTE: An audit of I2MS for the D. KELLEY investigation disclosed HUIKNER accessed the file 29 Feb 12 - 12 Mar 12)

2-26. On 28 Nov 17, SA NICHOLAS telephonically interviewed SA (Separated) LENORA D. MADISON, 6648 W. Avenue L4, Lancaster, CA, who verbally provided essentially the following: MADISON was assigned as a Special Agent at Det 225, HAFB, NM in September 2007 – June



2012. While at HAFB, MADISON's mission focus was CI support to research, development, and acquisition of military systems. However, there were times when she assisted the agents conducting general criminal investigations.

MADISON did not remember too much about the D. KELLEY investigation except that she was the duty agent for the initial call and had to respond to El Paso, TX to photograph victim's injuries. She also remembered the DNA kit collected on T. KELLEY was returned to the detachment, but she could not remember why.

MADISON vaguely recalled the fingerprinting process specifically keeping one set of the "red cards" (FD-249), sending the other off to the FBI upon booking, and the green card (R-84) was used for final disposition. The digital fingerprint system at Det 225 rarely worked, but the detachment got it working right before she left in June 2012. At one point the det conducted a stand down to process the backlog of cases. In January 2015, MADISON resigned her position as a Special Agent with AFOSI to pursue an opportunity in her father's business.

(AGENT NOTE: An audit of I2MS for the D. KELLEY investigation disclosed MADISON accessed the file 14 Jun 11, 21 Jun 11 and 31 Jan 12)

2-27. On 9 Jan 18, SA PRIEST telephonically interviewed SA HARRIS who verbally provided essentially the following: He was assigned to HAFB, NM from 2008 to July 2013 as a Security Forces member and was assigned to Det 225 as JDET member from May 2011 to May 2013 when he departed for cross training to AFOSI. As part of the det team he assisted unit members with interviews outside of just drug investigations based on workload and agent availability.

BUSTILLO was the SAIC when SA HARRIS arrived at the unit; however, BUSTILLO departed approximately one month later and was followed by several temporary SAICs until TAYLOR arrived as the permanent SAIC. The Superintendent was SA HOY at first, but then transitioned to SA BANKHEAD. SA HARRIS could not recall if SA BANKHEAD was the Superintendent before or after he departed for FLETC. SA BANKHEAD was a probationary agent at Det 225 and was scheduled to deploy after completing probation; but, the deployment was cancelled and he was made the Superintendent.

He assisted with the D. KELLEY investigation strictly as a second/assisting interviewer on one occasion with the spouse and responding to the hospital to take photographs of the baby immediately after the child was admitted to the hospital.

He did not recall going into the D. KELLEY I2MS file; but might have based on the one interview and to review the activities he supported prior to Court Martial. (AGENT NOTE: An I2MS audit reflected SA HARRIS only accessed the D. KELLEY file twice for brief periods each time in April 2012 and October 2012).



File No: 17HQCDI-062

During the summer of 2012, SA HARRIS recalled that SA TAYLOR requested INV RICHARD SCHNELL 49th Security Forces Squadron, HAFB, NM index D. KELLEY and two other subjects for differing offenses (AGENT NOTE: D. KELLEY escaped a mental health facility in June 2012) (Ref. Para. 2-70, Interview of SCHNELL). HARRIS specifically remembered it was Security Forces, not local law enforcement. He did not recall SA BANKHEAD being involved with this indexing attempt as he thought SA BANKHEAD was away for deployment training. He later learned no local indexing could be conducted. For D. KELLEY, he was informed the indexing could not be done at the time for purposes of mental health issues because D. KELLEY voluntarily admitted himself rather than being "ordered."

SA HARRIS did not know when the D. KELLEY investigation was indexed. He could not recall policy or standard from any AFOSI level, and his normal process was to take fingerprints when he did the subject interview, maintain the prints in the case file and then send the fingerprint cards when the file was closed and sent to HQ AFOSI. SA HARRIS qualified that by saying most of his investigations were drug related and were not open very long.

He was at HAFB for the D. KELLEY trial and the following month he went to FLETC then departed PCS.

After the shooting incident in Texas he exchanged instant messages and Facebook message with some of the former detachment members but did not have any lengthy discussions concerning anyone's role in the investigation.

(AGENT NOTE: An audit of I2MS for the D. KELLEY investigation disclosed HARRIS accessed the file 26 Apr 12 and 12 Oct 12)

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Interviews of Personnel TDY to Det 225

2-28. On 13 Nov 17, SA GIBSON and SA NICHOLAS interviewed SA MEUSBURGER. Subsequent to Article 31 rights advisement, MEUSBURGER verbally provided essentially the following: SA MEUSBURGER was the acting Commander at Det 225 from approximately July 2011 – October 2011. MORALES, the 2 FIR Commander, sent him there from 2 FIR OL-C, Barksdale AFB, LA to fill in after BUSTILLO abruptly retired and a full time replacement was not anticipated for some time. SA MEUSBURGER was assigned to the AFOSI unit at Beale AFB prior to Barksdale. SA MEUSBURGER was a 1LT with three years AFOSI experience at the time of the assignment to Det 225 and thought MORALES gave him the opportunity to grow as a young officer. Based on his discussions with MORALES, SA MEUSBURGER understood his job as the commander was to keep detachment operations moving forward, improve the case backlog, and assist in the high case tempo the unit was experiencing. When he arrived, he only had a few hours of turnover with BUSTILLO, who only provided personal information regarding the assigned agents. HARPER was recently removed as the Superintendent and SA HOY took his place. The unit criminal investigations branch was composed of junior agents including SA BANKHEAD, HUINKER, and two other agents (SA HOLZ and SA MILLS) who were deployed or at training during most of SA MEUSBURGER's time at Det 225. The unit had a significant backlog of investigatively closed cases, current/active cases and anticipated a high influx of new cases over the summer months.

SA MEUSBURGER stated there were no written policies in place regarding who conducted case file reviews or closure actions. Rather, he and SA HOY took it on a day to day basis and worked to clear the backlog by closing the oldest cases first. During his reviews for case closure, SA MEUSBURGER utilized the existing AFOSI closed case checklist, case sufficiency checklist, and went through the AF Form 3986's. When he conducted monthly case reviews, he reviewed the digital case file, annotated his review in I2MS, and provided feedback to the case agents directly on items to fix or update. He did not review the AF Form 3986's while cases were actively being investigated. SA MEUSBURGER did not recall seeing fingerprint cards in the AF Form 3986s he reviewed, but could not recall any of the specific cases. He did not specifically recall the D. KELLEY investigation, but knew it was opened approximately one month prior to his arrival. He did not believe there was much investigative activity on the file while he was there and recalled something happened later that broke the case open. SA MEUSBURGER did not recall reviewing the D. KELLEY investigation or recall seeing the fingerprint cards in the case file. His recollection of policy at that timeframe was to maintain the fingerprint cards in the case file until command action was determined, therefore, even if he saw fingerprint cards in the D. KELLEY casefile he would not consider it odd because the case was still active.

Regarding training, the majority of training was OJT at the time it was necessary. He did not recall any formal training in the unit while acting as the DetCo and specifically did not recall any focus on fingerprinting. SA MEUSURGER was unsure if the electronic fingerprinting machine was hooked up or working during his time at Det 225. He did not recall anyone from 2 FIR visiting



during his time there, but was comfortable he maintained good communications with 2 FIR and they were aware of the manning and caseload issues at the det.

(AGENT NOTE: An audit of I2MS for the D. KELLEY investigation disclosed SA MEUSBURGER accessed the file regularly 15 Jun 11 - 23 Oct 11)

2-29. On 22 Nov 17, SA NICHOLAS interviewed SA MATTHEW PEAK, Criminal Integration Desk Chief, AFOSI ICON, Quantico, VA at HQ AFOSI, Quantico, VA. SA PEAK verbally provided essentially the following: SA JAQUELINE ALBRIGHT, HQ AFOSI/IG, Quantico, VA, the former 2 FIR Deputy Director asked SA PEAK to go TDY to Det 225 from 23-29 Oct 11. SA PEAK's role was to and work on a congressional inquiry regarding an infant death case and fill a leadership gap between SA MEUSBURGER and SA WILLIAMS. At the time of his TDY, SA PEAK was an AFOSI Special Agent for approximately 10 years. Due to his short time at Det 225, SA PEAK did not make an effort to implement long term changes. He described the administrative process for closing cases was a disaster; cases were stacked throughout the detachment and there was a huge backlog.

Most of the agents were young and inexperienced. They accomplished investigative steps, but did not document their efforts appropriately. SA PEAK also noted the high operational tempo the detachment experienced while he was present. There was an unusual amount of sexual assault investigations initiated during the week he was there. SA PEAK did not remember the D. KELLEY investigation and did not remember reviewing the case in I2MS.

(AGENT NOTE: And I2MS audit disclosed SA PEAK did not access the D. KELLEY investigation)

2-30. On 27 Nov 17, SA NICHOLAS telephonically interviewed SA WILLIAMS, who verbally provided essentially the following: SA WILLIAMS was sent to Det 225 on 11 Nov 11 to fill a five week gap between temporary and permanent SAICs. At the time, SA WILLIAMS had approximately 15-years of experience as an AFOSI Special Agent. Before he departed his duty station, SA WILLIAMS spoke to SA (Ret) STEPHEN MINGER, then the 2 FIR Director of Operation, and asked what he should focus on while he was there. MINGER told SA him to focus on administrative items such as closing cases and documenting investigative activities. When SA WILLIAMS arrived, he noticed approximately 30 case files in various phases of closure stacked on the floor in the SAICs office. The cases were in terrible shape, there was not a lot of documentation explaining the amount of work completed and there was not always an activity associated with agent notes. When SA WILLIAMS reviewed closed cases, he looked at the case to determine if the AFOSI Form 2 was signed and the checklist was complete. If it was not, he reviewed the case in its entirety comparing documented items to I2MS. During the five weeks SA WILLIAMS was TDY to HAFB, he did not remember receiving command action that would require submitting an R-84 to the FBI.



File No: 17HQCDI-062

During his first week at HAFB, the detachment opened two death cases and one case involving a sexual misconduct with an underage person. The detachment was very busy with very unique cases, and the agents were motivated to do the right thing, but they did not have the leadership present to teach them how to properly document their activities.

SA WILLIAMS did not remember Det 225's fingerprinting process. He speculated they were still using the old red cards (FD-249) and the R-84s to submit fingerprints and disposition to the FBI, but did not remember witnessing agents fingerprint subjects or the process they used. SA WILLIAMS believed the digital fingerprinting stations were in their initial stages with AFOSI at the time and there were initial complications that prevented agents from being effective with the system. SA WILLIAMS did not personally submit any prints to the FBI while at Det 225.

(AGENT NOTE: An audit of I2MS for the D. KELLEY investigation disclosed SA WILLIAMS accessed the file 29 Nov 11 and 8 Dec 11)

2-31. On 26 Jan 18, SA GIBSON telephonically interviewed of SA (MSgt-Ret) ARNOLD who verbally provided essentially the following: He went TDY to Det 225 for approximately 20-30 days before Christmas 2012. He was the Superintendent at AFOSI Det 206, Nellis AFB, NV at the time. ARNOLD did not recall anything specific regarding the D. KELLEY investigation, but recalled the detachment was buried under death cases that were "years old." He spoke with 2 FIR who agreed his time at the detachment was best spent reviewing and closing the death cases. ARNOLD did not find anything out of the ordinary regarding processes or procedures, but did not have any direct interaction with agents conducted fingerprinting or indexing of subjects.

(AGENT NOTE: An audit of I2MS for the D. KELLEY investigation disclosed ARNOLD did not access the file)

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Interviews of 2 FIR Personnel

2-32. On 7 Nov 17, SA LYNDSLEY BANKS, HQ AFOSI/IGI, Quantico, VA conducted a telephonic interview of SA MATTHEW VELTRI, SAIC, Det 322, Fairchild AFB, WA, who verbally provided essentially the following: SA VELTRI worked on 2 FIR staff as a Desk Officer from approximately August 2010 – June 2014. SA VELTRI's primary responsibility was to review Sexual Assault cases. Initially, there was not a specific methodology for conducting case reviews. He started his case reviews by reading the Report of Investigation (ROI) and then going through I2MS and looking for specific activities such as logical witness interviews, mandatory records reviews, law enforcement checks, and consultations with legal and FSCs. Afterwards, SA VELTRI emailed any findings to the Det Commander, SAIC, or Superintendent for resolution prior to case closure. SA VELTRI's process for case reviews also evolved in terms of timing. Initially, he conducted reviews at random times during the investigation. Then, this changed to conducting reviews upon case initiation and reviewing for initial documents and coordination. Finally, 2 FIR established a 30, 45, and 60 day review of cases. As the process became more structured, SA VELTRI felt as though he was reviewing cases constantly. He was not aware of the specific time frames these structured changes took place and did not remember if it was a requirement to review cases prior to investigative closure. SA VELTRI recalled contacting units to remind them to submit fingerprints prior to investigatively closing a case, but did not remember if it was a 100% requirement for all cases or something he performed solely for Sexual Assault cases.

At the time SA VELTRI started reviewing cases, the criminal booking process occurred at the local level via hardcopy FD-249. SA VELTRI believed case agents were initially required to annotate in the IDP section of the case file in I2MS when they submitted the FD-249s for criminal history and R-84s for disposition. SA VELTRI's sufficiency review of cases did not initially include looking for fingerprint submission annotations in the IDP section. However, SA VELTRI recalled this IDP documentation progressed to including the name of the SJA with whom the agent coordinated the existence of probable cause to submit the fingerprints. Once the booking process became electronic, he started reviewing the booking activities in I2MS to validate agents checked the Integrated Automated Fingerprint Identification System (IAFIS) tab for documented coordination with the SJA. Lastly, SA VELTRI recalled the initiation of the AFOSI Form 115 for documenting coordination with the SJA for probable cause to submit the SUBJECT's fingerprints in IAFIS. SA VELTRI did not know whether all criminal cases involved a review of the booking activity or if the review only pertained to Sexual Assault cases.

After a case was investigatively closed, SA VELTRI did not typically review it again. At one point he may have looked back at a case's disposition, but he remained primarily focused on active investigations. From what SA VELTRI could recall, there was no requirement to review investigatively closed cases, and any reviews of cases in this status was either a spot check, completed upon request, or out of curiosity.

SA VELTRI visited Det 225 to complete a Staff Assistance Visit (SAV). During the visit, he primarily focused on assessing their evidence and weapons. However, SA VELTRI noticed



TAYLOR had a large volume of case files in his office. He believed TAYLOR was trying to get on top of the backlog of closed cases. SA VELTRI shared that Det 225 was excellent at running cases and operations, but the unit struggled with the administrative process; especially when BUSTILLO was the SAIC.

SA VELTRI deployed from July 2011 to December 2011. When he worked at 2 FIR, MINGER was the Director of Operations and SA ROBERT GRABOSKY, 5 FIR, Ramstein AB, Germany, SA (Ret) KIM GOEHL, and SA (Ret) SHAWN CASSIDY were desk officers.

(AGENT NOTE: An audit of I2MS for the KELLEY investigation disclosed SA VELTRI accessed the file regularly 6 Mar 12 – 9 Aug 12)

2-33. On 13 Nov 17, Col ZOERLEIN interviewed SALLINGER at HQ AFOSI, who verbally provided essentially the following: He was assigned as the 2 FIR Superintendent from May or June 2010 until he went on terminal leave for retirement in August 2012. When he arrived, the 2 FIR Commander was MORALES. Immediately before retirement, SALLINGER served for a few months under Col HUDSON as the 2 FIR Commander. The Region Deputy Director during his tour was SA ALBRIGHT.

Det 225 was a source of great frustration to him because he believed the unit possessed a great deal of potential but the Det's management of investigative paperwork was very poor. BUSTILLO was the enlisted SAIC during that period until about June 2011 when he retired, and HARPER was the Superintendent.

Prior to that, over time, SALLINGER saw Det 225 was not functioning well under the leadership of BUSTILLO and HARPER. Over the phone/email and during at least one visit, he and MORALES expressed their displeasure regarding the Det's poor investigative documentation. Under BUSTILLO's leadership, the detachment had potentially very good cases but their case management negatively impacted them. He recalled Det 225 had problems in the area of documentation such as maintaining proper interview logs or completely filling in witness/subject/victim statements. Some of this could have been attributed to the high level of reactive crime investigations the detachment had at the time. This only made it more difficult for the detachment to keep up with investigative paperwork. BUSTILLO blamed HARPER for the det's case management shortfalls and successfully lobbied to have him removed and replaced with SA HOY, a more junior agent in the det. After this, SALLINGER and MORALES visited Det 225 and provided SA HOY and BUSTILLO their expectations. They also separately informed BUSTILLO he would be removed if he and MORALES did not see improvement.

Unfortunately, the unit continued to struggle with BUSTILLO operationally fixated to the detriment of completing necessary case documentation. BUSTILLO did not appear to value the need for documentation and preferred to view himself as the "cool ops guy" who could not be bothered with paperwork. One event that crystalized the need to remove BUSTILLO was a significant investigation that involved tracking a fugitive and required agent support from outside



the det—especially in light of existing workload. When the region began to surge staff to support Det 225, BUSTILLO became indignant and forcefully told the region staff they were not welcome. SALLINGER called BUSTILLO and he reacted the same way driving SALLINGER to become directive toward him. SALLINGER subsequently talked with MORALES and advised they needed to put a plan in place to remove and replace BUSTILLO. BUSTILLO subsequently chose to retire and began terminal leave later that summer.

SALLINGER believed BUSTILLO pushed back against assistance from the region because he thought he possessed superior investigative abilities and did not need or want their assistance. This was despite the fact Det 225 required more oversight and was in a group of three or four dets requiring special attention from the region staff.

After BUSTILLO retired, there was a lengthy gap until TAYLOR arrived as his replacement. To fill the leadership gap, 2 FIR sent other leaders from around the region to assist, such as SA WILLIAMS and SA MEUSBURGER among others. The feedback they received from these individuals who were temporarily filling in was Det 225 had serious problems. Of the many problems SALLINGER recalled from observations or conversations at that time, none specifically involved documentation related to indexing or fingerprinting of subjects—it was more of an overarching concern about the det's investigative documentation.

He attributed the problems at Det 225 under BUSTILLO to the inability to follow AFOSI rules on case administration during the investigation and documentation after all investigative steps were complete. Ultimately, the myriad problems with documentation drove MORALES (and SALLINGER agreed) to remove BUSTILLO and HARPER.

During his time at 2 FIR, the roll out of the electronic/on line fingerprinting was under way. As with any new system/capability it had its own set of challenges but he did not recall any particular issues at Det 225. He believed the importance of properly fingerprinting and indexing subjects was a point stressed by the region in a variety of ways. For instance, the region tracked training and implementation at the various dets. When he and MORALES visited dets with the new fingerprinting stations, one of their first comments when they walked into the detachment was, "Show us your new booking stations." As a new capability for the Command, they often found themselves speaking with dets about the importance of the new technology and the need to train or practice on the new booking station.

Closed cases were reviewed by 2 FIR staff during his tour but usually on an ad hoc basis instead of a deliberate programmed review. Most of the reviews were done by SA GRABOSKY or SA VELTRI, but occasionally he or MORALES reviewed cases. The reviews were focused on investigative sufficiency, which was a priority in the Command at the time, and not on issues related to final closing a case such as fingerprinting or indexing.



SALLINGER did not specifically recall the details of the D. KELLEY case. He may have received case updates while the case was open but did not recall any. Likewise, he did not recall providing any guidance or direction on the case.

SALLINGER advised the region did not have a formal training program related to appropriate actions needed to close out cases such as fingerprinting and indexing. However, on an ad hoc basis, the region provided training in case administration and documentation at region level conferences where detachment leaders were in attendance.

One area of training, in general, that concerned him during his time at 2 FIR was that recent graduates of FLETC sometimes were better trained than their detachment leadership in some skills such as source documentation, case administration or tactics such as exploiting cell phones. He worked with Col (Ret) KRISTINE BLACKWELL, former USAFSIA Commander, to discern methods to spread the new/fresh training beyond just recent FLETC graduates. However, none of these efforts involved fingerprinting or indexing to the best of his recollection.

When TAYLOR eventually arrived to replace BUSTILLO, SALLINGER believed TAYLOR was beginning to make progress cleaning up the mess he inherited. Before SALLINGER's retirement in the summer of 2012 he even sent a short note to TAYLOR complimenting his team for starting to turn the detachment around.

Prior to November 2017, he was not aware of DoD/IG efforts to review AFOSI fingerprinting/indexing issues.

(AGENT NOTE: An audit of I2MS for the D. KELLEY investigation disclosed SALLINGER did not access the file)

2-34. On 13 Nov 17, Col ZOERLEIN interviewed Col HUDSON at HQ AFOSI, who verbally provided essentially the following: He was the 2 FIR Commander from June 2012 to July 2014. During that period, SA ALBRIGHT was the 2 FIR Deputy Director until summer 2013 followed by Col TERRY L. BULLARD, Vice Commander, HQ AFOSI, Quantico, VA who was the vice commander until Col HUDSON departed. His Region Chief was SALLINGER for a few months and A. JOHNSON for the remainder of his tour.

Upon taking command of 2 FIR, his assessment was that Det 225 was at the "middle of the pack" in terms of performance compared to other units in the region. He knew Det 225 was a source of problems for his predecessor, MORALES and understood the previous enlisted SAIC, BUSTILLO, was either removed or asked to retire. The region sent agents TDY to fill in as leaders at the detachment until TAYLOR was in place as the new permanent SAIC. Col HUDSON believed TAYLOR was a solid SNCO who was hand-selected to fix Det 225. TAYLOR seemed organized and he remembered TAYLOR used a local checklist for managing cases, which Col HUDSON provided (AGENT NOTE: The checklist did not address closed case actions such as submitting fingerprints for indexing). When Col HUDSON arrived he thought they had a large



number of open and investigatively closed cases awaiting final disposition. He remembered writing a note to TAYLOR asking he focus on reducing the number of cases pending or awaiting final closure. Despite these issues, TAYLOR appeared engaged and doing his best to move the cases along. He visited Det 225 in about July 2012 and left feeling confirmed the detachment was “doing okay” and their performance was average compared to others in 2 FIR. The local wing commander was happy with the detachment and they seemed to have a very good working relationship with local law enforcement. One lasting impression of his visit to Det 225 was A. JOHNSON, his Region Chief, spent a great deal of time talking to an agent in the detachment named HARPER. He only recalled HARPER was dissatisfied for some reason and wanted to get out of AFOSI (AGENT NOTE: HARPER was removed as the detachment superintendent and replaced by SA HOY prior to Col HUDSON’s tenure as 2 FIR Commander).

Col HUDSON attributed any struggles Det 225 had under TAYLOR to the fact that they were a “small detachment with a big mission.” Similar to other units in 2 FIR and AFOSI, he believed they had more mission than available manpower. Despite this, he did not recall Det 225 leadership asking for manpower assistance due to their workload. On one occasion, Col HUDSON sent SA PETE VANDAMME, Superintendent, 10 FIS, Wright Patterson AFB, OH, an experienced CI agent) to Det 225 to provide CI training because the detachment lagged behind other 2 FIR units in that area.

Col HUDSON did not interact much with SA HOY, Det 225 Superintendent who he recalled was at the detachment for a number of years.

While he had confidence in the detachment, a couple issues surface later that concerned him. In August 2013, HQ AFOSI/IG conducted a No-Notice Compliance Inspection (NNCI) at Det 225 in which a key program was assessed as not in compliance. (AGENT NOTE: HQ AFOSI/IG NNCI files disclosed the detachment was assessed as “Not In Compliance” in the area of E-Funds; the evidence program and the weapons program were assessed as “In Compliance.” Those were the only three areas assessed during the NNCI per policy at that time). He also recalled that Det 225 scored low on a HQ CAT for two of their cases but the cases reviewed were not related to the allegations against D. KELLEY.

Col HUDSON did not remember the D. KELLEY case. He periodically sent emails to his detachments to ask about “good news stories” or updates on court convictions related to cases the detachments were running. He did not recall getting any such updates from Det 225.

During his time, the 2 FIR staff conducted case reviews on open and closed cases from subordinate detachments. Their focus was normally on sexual assault and death investigations. Each month he personally reviewed sexual assault cases with his region staff due to the attention they received within the command. The region staff selected the cases for review and the focus was on investigative sufficiency, not addressing case administration or issues such as ensuring proper indexing of the subject. The day after these reviews Col HUDSON reached out to specific detachment leaders to ensure they had a plan to address problem areas identified.



With regard to training, he did not recall indexing as a specific area covered. Case management for investigations were recurring topics at region-wide meetings for detachment leaders. He also focused efforts in this area with region-wide emails and on one occasion in September 2012 he directed a 2 FIR stand down to improve investigative sufficiency on sexual assault investigations.

Col HUDSON was an instructor at USAFSIA in the late 1990s and taught the block of instruction on documenting fingerprint submission in CACTIS (AGENT NOTE: CACTIS was the investigative database used by AFOSI prior to I2MS) and the associated actions required to index the subject in NCIC. Col HUDSON provided a detailed explanation of the process, which was broadly similar to what was required by AFOSI Instructions in place during the D. KELLEY investigation timeframe.

The roll out of "on line indexing" caused some turbulence across the Command, including 2 FIR, but he did not recall anything specific to Det 225.

He did not recall any information related to SAVs conducted by the region staff at Det 225 during his tenure.

Prior to November 2017, he was not aware of DoD/IG efforts to review AFOSI fingerprinting/indexing issues.

(AGENT NOTE: An audit of I2MS for the D. KELLEY investigation disclosed Col HUDSON did not access the file)

2-35. On 13 Nov 2017, Col ZOERLEIN interviewed SA ALBRIGHT who verbally provided essentially the following: She was the 2 FIR Deputy Director from June 2007 to June 2013 and served under 2 FIR Commanders MORALES and Col HUDSON. She also served with 2 FIR Superintendents SALLINGER and A. JOHNSON. Her portfolio as Deputy Director involved day-to-day management of the region staff, especially on issues involving resources and discipline. She rarely oversaw individual cases because there was usually a Director of Operations in place during her tenure at 2 FIR.

She remembered Det 225 was a chaotic environment under BUSTILLO and the Region staff spent considerable time dealing with the issues there. She recalled BUSTILLO was not an effective leader who was not accountable for his actions. She did not remember the exact circumstances however, eventually BUSTILLO retired, but not under the best of circumstances. The transition from BUSTILLO to TAYLOR left a gap filled by leaders within 2 FIR such as SA WILLIAMS, SA MEUSBURGER, and SA PEAK. She did not remember TAYLOR very well, but was certain he inherited a mess from BUSTILLO at Det 225.

Her duties did not include oversight of Det 225 investigations so she did not recall the specific investigative issues that were a problem at Det 225. She never visited Det 225 during her tenure



but assumed their problems were due to heavy turnover and BUSTILLO's poor leadership. A previous Superintendent was also replaced due to performance issues and the duties went to SA HOY, then SA BANKHEAD who were relatively inexperienced as Superintendents.

She did not conduct case reviews as part of her duties. Usually case reviews were conducted by SA GRABOSKY or SA VELTRI on an ad hoc basis most likely on sexual assault or death cases.

She did not remember the D. KELLEY case at Det 225 and did not provide any direction or guidance for it.

She remembered Region 2 efforts to ensure proper indexing and fingerprinting of subjects but did not recall any information related to those efforts at Det 225. She did not recall the DoD/IG review on indexing

(AGENT NOTE: An audit of I2MS for the D. KELLEY investigation disclosed SA ALBRIGHT did not access the file)

2-36. On 14 Nov 17, SA PRIEST telephonically interviewed A. JOHNSON who verbally provided essentially the following: JOHNSON replaced SALLINGER as the 2 FIR Superintendent and held the position from July 2012 to September 2014. Upon arrival, Col HUDSON was his 2 FIR commander and SA ALBRIGHT was the Deputy Director. During summer 2013, SA ALBRIGHT departed PCS and was replaced by Col BULLARD who became the deputy commander until Col HUDSON left and he assumed the role of 2 FIR commander.

He recalled Det 225 was probably one of the average production units in 2 FIR. He knew they had hard times and BUSTILLO, the former SAIC, probably should not have been there (he was not a good fit to be SAIC). TAYLOR was sent to the unit as the SAIC when BUSTILLO retired and did a decent job. A. JOHNSON knew the unit struggled with Superintendents as they moved a Master Sergeant from the Superintendent role, to the CI section. The superintendents were inexperienced; however, that was normal in the Command for a small unit with an experienced Senior NCO as the SAIC so the superintendent or NCOIC would be relatively inexperienced. He believed they sent someone from the region staff to assist or review what was going on at Det 225, but was unable to recall the specifics. A. JOHNSON made one trip to Det 225 and felt TAYLOR had a grasp but was struggling with the high volume of open cases and the administrative aspects of closing cases. He could not isolate any one or two things causing problems at Det 225 other than they did not have a lot of experience and they moved a Master Sergeant out of the Superintendent position and a younger Master Sergeant, recently off probation (SA HOY), into it. He knew the process was changing with the fingerprinting and indexing and there was new equipment. As with everything else new, there were issues with the automated fingerprinting system and he was not certain if Det 225's system was functioning at the time of the D. KELLEY investigation. He did not recall any specific training for indexing or fingerprinting. He knew about some issues with indexing but he thought they were instances related to over-indexing of



subjects of investigations. After he arrived at HQ AFOSI, he heard about the DoD/IG review of indexing criminal subjects as it was after he left 2 FIR.

(AGENT NOTE: An audit of I2MS for the D. KELLEY investigation disclosed A. JOHNSON did not access the file)

2-37. On 30 Nov 17, SA NICHOLAS telephonically interviewed SA GRABOSKY. SA GRABOSKY verbally related essentially the following: SA GRABOSKY was the 2 FIR Crim Chief from 14 Feb 11 – 27 Dec 14. At the time of his assignment at 2 FIR, SA GRABOSKY had approximately 13 years of experience in AFOSI as an active duty member, contractor, and civilian Special Agent. As the Crim Chief, SA GRABOSKY's roles and responsibilities included, but were not limited to monitoring open cases, reviewing cases, reviewing and approving operational activity, and reviewing cases to determine if specialized support such as FSCs, Technical Service agents, and Polygraph support could be utilized to help prove or disprove the allegation. Additionally, SA GRABOSKY or another assigned member of 2 FIR reviewed open cases at the 30-day mark and determined if they were investigatively progressing as expected.

SA GRABOSKY explained AFOSI's focus at the time was ensuring timely case progression and investigative sufficiency. On 13 Oct 11, MORALES published his Commander's Intent and Expectations wherein he explained the focus of conducting sufficient investigations in a timely manner. The tool AFOSI used to measure timeliness and investigative sufficiency was known as the CAT. The second bullet of the CAT asked if at least one investigative step was conducted every four days. To ensure cases progressed in a timely manner, HQ AFOSI mandated investigative activity was to be conducted every four days per AFOSIMAN 90-101 GM-1, para 6.2.2. If the case agents did not conduct investigative activity within four business days, they were required to annotate the reason in the IDP. Upon case closure, SA GRABOSKY reviewed the case to determine if it was investigatively sufficient and the case agent conducted all logical investigative leads. SA GRABOSKY did not remember the details of the D. KELLEY case nor remember accessing the case file in I2MS.

During his assignment to 2 FIR, neither HQ AFOSI nor 2 FIR focused on reviewing case files to determine if dispositions were reported correctly to the FBI. A review of the CAT made no mention of fingerprint cards being submitted to the FBI for indexing into NCIC. However, at that time, there was no logical way to determine if the case agents submitted the fingerprints to the FBI because the dets were geographically separated from the regions and the fingerprint cards were maintained at the det. There was one toggle button in I2MS that the case agent was required to select confirming they submitted the fingerprint cards to the FBI and but if the case agent selected that button, the region staff would not know if the case agent did not submit the fingerprints.

SA GRABOSKY did not remember the date, but sometime during his assignment to 2 FIR, he conducted a SAV on Det 225. SA GRABOSKY did not remember the details of the SAV, but remembered he followed the HQ AFOSI/IG checklist and focused on the weapons, e-funds, and evidence programs. He also remembered TAYLOR was "swamped," because BUSTILLO left



him with a huge backlog of investigatively closed cases when he retired. SA GRABOSKY described BUSTILLO as good at solving cases, but not good at the case administration.

In December 2014, SA GRABOSKY departed PCS to Ramstein AB, GE to be the 5 FIR Criminal Investigations SME. At the time he arrived, Col HUDSON emphasized closing cases properly and submitting fingerprints to the FBI for indexing. In February 2016, Col HUDSON hosted a leadership conference and the 2 FIR staff presented a briefing on the booking process and indexing into DCII and NCIC.

(AGENT NOTE: An audit of I2MS for the D. KELLEY investigation disclosed SA GRABOSKY accessed the file 14 Jun 11, 12 Apr 12, 7 Jun 12 and 16 Jan 13)

2-38. On 21 Dec 17, SA PRIEST telephonically interviewed Col MORALES who verbally provided essentially the following: He was the 2 FIR Commander from August 2010 to May 2012. During that period, SA ALBRIGHT was the Deputy Director and SALLINGER was the 2 FIR Chief.

Upon taking command of 2 FIR, he issued his Commander's intent which included case management, proactive operations, and he created an "operational desk" concept which he had SA MINGER manage. MORALES admitted his memory faded due to the passing of six years since he departed 2 FIR, but, he remembered Det 225 struggled operationally and administratively. At the time, BUSTILLO, the SAIC was a good operations agent, but, struggled with the unit administration. He assessed Det 225 as one of his weakest CONUS units and recalled sending staff from 2 FIR to Det 225 to assist. At one point it became necessary to relieve the Superintendent. While he could not recall the specific reasons, he knew the former Superintendent struggled to keep pace with requirements for the unit's investigations. Due to unit leadership failures BUSTILLO retired and TAYLOR replaced him. He could not recall having any specific concerns with TAYLOR and actually felt Det 225 went a bit further off his scope based on the size of Col MORALES' Command. He felt TAYLOR tried to get the unit in order, he knew the unit was weak in experience, as were many of his CONUS units, but did not recall any specific problems after TAYLOR's his arrival.

MORALES emphasize case management and sufficiency during his tenure. His goal was to get cases opened, ran well and closed in a timely manner. He knew the criticality of a properly closed investigation, knew fingerprinting was being conducted and was concerned with getting cases archived appropriately. He did not recall any reports or concerns expressed about criminal indexing or disposition and did not recall any training meetings specifically around that topic. He brought his Commanders, SAICs and Superintendents to working conferences and discussed case management at every meeting. He was at 2 FIR when the new electronic fingerprinting system was introduced. He knew they were fraught with problems, to which he described placing new technology/systems on an old network; the process was not smooth or consistent.



(AGENT NOTE: An audit of I2MS for the D. KELLEY investigation disclosed Col MORALES did not access the file)

2-39. On 22 Jan 18, SA GIBSON telephonically interviewed MINGER who verbally advised essentially the following: He was the 2 FIR Director of Investigations and Director of Operations from September 2008 – April 2013, when he retired. He did not have daily or regular interaction with cases and left the reviews and case oversight to his desk officers including GRABOSKY, VELTRI, GOEHL and SA JIMMIE TODD, . Death and sexual assault cases were the main focus for 2 FIR at that time. MINGER believed there was a review process for cases and that indexing was a reviewed item, but it was handled by the crim desk officers. 2 FIR did not review all cases. MINGER did recall the D. KELLEY investigation, but could not recall any specifics and could not provide any information why D. KELLEY was not indexed as a result of that investigation.

(AGENT NOTE: An audit of I2MS for the D. KELLEY investigation disclosed MINGER did not access the file)

2-40. On 22 Jan 18, SA GIBSON telephonically interviewed CASSIDY who verbally advised essentially the following: He was assigned to the 2 FIR economic crimes/fraud desk from sometime in 2010 until June 2014, when he retired. His desk also reviewed some sex assault cases to augment the crim desk. He did not recall the D. KELLEY investigation, but did recall conducting a Staff Assistance Visit to Det 225 in 2011 while BUSTILLO was the SAIC. CASSIDY described the detachment as “broken,” stating BUSTILLO had lost control of the detachment. He provided one example of two fraud cases that had not been worked on for quite some time. When BUSTILLO was asked about this, he claimed he had told HARPER about it, but that it was impossible to get him (HARPER) to do anything. CASSIDY could only speak to the economic crime/fraud cases, but he believed the reviewers used the investigative sufficiency checklist contained within the AFOSI regulations to conduct case reviews.

(AGENT NOTE: An audit of I2MS for the D. KELLEY investigation disclosed CASSIDY did not access the file)

2-41. On 22 Jan 18, SA GIBSON telephonically interviewed SA VANDAMME who verbally provided essentially the following: He was assigned to the 2 FIR counterintelligence desk from August 2011 to June 2014, when he departed PCS. He did not travel to Det 225 to visit because their CI program was so bad he eventually gave up and moved on to other detachments that wanted to improve. He visited Det 206, Nellis AFB, NV; Det 218, Davis-Monthan AFB, AZ; and Det 223, Tyndall AFB, FL. SA VANDAMME stated someone else on his desk may have traveled to Det 225, specifically SA MIKE HASSAN, Det 310, JB Charleston AFB, SC; SA (Separated) MEGHAN COMASKEY (AGENT NOTE: Further investigative steps disclosed COMASKEY was not in OSI during the period of time pertinent to this investigation) or SA MICHAEL WHITE, HQ AFOSI/XRC, Quantico, VA



(AGENT NOTE: An audit of I2MS for the D. KELLEY investigation disclosed SA VANDAMME did not access the file)

2-42. On 22 Jan 18, SA GIBSON conducted a telephonic interview of SA HASSAN who verbally provided essentially the following: SA HASSAN was the 2 FIR CI Branch Chief February 2006 – July 2012, when he departed PCS. SA HASSAN did not recall any TDY assignments to Det 225 during this timeframe and did not recall any of his co-workers making any trips to Det 225.

(AGENT NOTE: An audit of I2MS for the D. KELLEY investigation disclosed SA HASSAN did not access the file)

2-43. On 23 Jan 18, SA WHITE stated, via email, that he did not travel to Det 225 during his time at 2 FIR.

(AGENT NOTE: An audit of I2MS for the D. KELLEY investigation disclosed SA WHITE did not access the file)

2-44. On 27 Feb 18, SA GIBSON conducted a telephonic interview with SA HILL who verbally provided essentially the following: SA HILL was assigned to 2 FIR November 2010 – August 2013 and primarily reviewed death cases and some sexual assault cases. SA HILL stated she never traveled to Det 225 and did not have any recollection of the D. KELLEY investigation or any fingerprinting or NCIC reporting issues.

(AGENT NOTE: An audit of I2MS for the D. KELLEY investigation disclosed SA HILL did not access the file)

2-45. On 27 Feb 18, GOEHL provided the following information to SA GIBSON via Facebook Messenger: She was assigned to 2 FIR Summer 2007 – Summer 2013 primarily focused on death investigations and did not have any recollection of the D. KELLEY investigation or recall any information pertaining to fingerprinting or NCIC reporting issues.

(AGENT NOTE: An audit of I2MS for the D. KELLEY investigation disclosed GOEHL did not access the file)



Interview of JA Personnel

2-46. On 27 Nov 17, SA NICHOLAS telephonically interviewed B. JOHNSON. B. JOHNSON verbally provided essentially the following: In September 2012, B. JOHNSON arrived at HAFB and was the assistant trial counsel to Maj MATTHEW NEIL, AFLOA, Chief Senior Trial Counsel, Central Circuit, JBSA-Lackland, TX for the D. KELLEY case. However, due to his September 2012 arrival, D. KELLEY was already in pre-trial confinement on HAFB and the Article 32 was complete with a recommendation for a General Courts-Martial. B. JOHNSON claimed he just had to get the case ready for court. D. KELLEY accepted the terms of a pre-trial agreement so all B. JOHNSON had to do was argue sentencing. B. JOHNSON explained some of the charges were dropped because T. KELLEY was not willing to testify against D. KELLEY. Additionally, T. KELLEY had credibility issues (NFI) wherein B. JOHNSON did not think she would do well testifying in court.

B. JOHNSON described his relationship with the agents assigned to Det 225 as strong. He recognized the agents lacked experience, but made up for it in their effort to accomplish investigative activities. B. JOHNSON also recognized there was a high operational tempo while he was assigned to HAFB, especially with sexual assault cases. B. JOHNSON was not aware of Det 225's process for fingerprinting and reporting CHD to the FBI. B. JOHNSON was not assigned to HAFB when the probable cause determine was made to send the prints to the FBI for indexing, however, he did not know if the paralegals provided Det 225 agents with the final disposition. B. JOHNSON admitted he was not involved with the process to send case disposition to AFOSI as that responsibility fell on the paralegals.

2-47. On 1 Dec 17, SA NICHOLAS telephonically interviewed Col OWEN W. TULLOS, SJA, 14 AF, Vandenberg AFB, CA. Col TULLOS verbally provided essentially the following: Col TULLOS was the SJA from July 2012 – July 2014 at HAFB, NM. When Col TULLOS arrived at HAFB, D. KELLEY was detained in pre-trial confinement. Col TULLOS was not aware of AFOSI's process for indexing subjects into NCIC and did not partake in any conversations related to probable cause for indexing purposes. However, Col TULLOS did explain that D. KELLEY's conviction would have triggered a requirement for D. KELLEY's indexing into NCIC.

Col TULLOS provided SA NICHOLAS a digital copy of the D. KELLEY General Court – Martial Order.

2-48. On 19 Dec 17, SA NICHOLAS telephonically interviewed Civ PHIL COUNTRYMAN, El Paso, TX. COUNTRYMAN verbally related essentially as follows: COUNTRYMAN was assigned to HAFB, NM from April 2010 – September 2012 and assumed the position of assistant SJA. He was one of the prosecutors in the D. KELLEY case but left HAFB for another assignment before the court-martial occurred. While COUNTRYMAN was involved with the investigation, the Article 32 hearing had not taken place. COUNTRYMAN did not understand AFOSI's policy and procedures for indexing subjects of investigations into NCIC and did not recall any probable cause conversations for NCIC indexing with Det 225 Special Agents.



COUNTRYMAN had a very positive opinion of the AFOSI Special Agents assigned to Det 225 and the work they accomplished.

Review of Training

2-49. On 14 Nov 17, SA GREGY LYNCH, Deputy Director, USAFSIA, Glynco, GA conducted a review of applicable training materials associated to this investigation which resulted in the following data:

The USAFSIA executes basic training at the FLETC in Glynco, GA. From 2007 through 2016, students were provided basic prisoner processing and booking procedures when they attended the Criminal Investigator Training Program (CITP) taught by the Department of Homeland Security and receive follow on agency specific training while attending the AFOSI Basic Special Investigators Course (BSIC). The CITP training is consistent with the standard process for taking fingerprints and documenting relevant data on the FD-249 and R-84. No specific procedures for submission are identified other than stating the "form is submitted to the FBI CJIS."

The BSIC expands on what the trainees are taught in CITP and students are required to conduct a booking activity and send fingerprints and associated information to the FBI / IAFIS via the standalone training I2MS. Students utilized the I2MS User Manual 4.6.5 and I2MS Fingerprinting Guide 4.6.5 from August 2006. In 2006 and 2007 students were provided classroom lectures regarding the overall process and system. The lesson was followed up with a hands on activity concluding with the students taking fingerprints and sending them to the FBI via the standalone training I2MS. This was taught via a hands-lesson titled "IAFIS" (June 2006). The lessons were still presently conducted in a similar manner utilizing classroom lectures regarding the subject matter with a practical exercise where the students take fingerprints and submit the data to the FBI / IAFIS for inclusion in the NCIC database via the I2MS training database. This was taught via PowerPoint titled "I2MS" (January 2010).

To assist in keeping the field abreast of changes in training, the USAFSIA provides online training and procedure updates to the field through the use of the Virtual Library. The Virtual Library resides on the AFOSI SharePoint site and is accessible by anyone on the AFOSI network. The site allows USAFSIA to respond quickly, and provide information to the field, to changes in policy, investigative requirements and techniques. The site contains PowerPoint lessons, videos and Adobe files regarding a range of procedure, policy and investigative training.

Below are reviews of the pertinent lesson plans/materials taught at CITP and BSIC:

CITP 2007- Lessons taught at the FLETC in the CITP in the 2007 prisoner processing lesson plan (lesson plan ID number 2191) indicated students were trained on how to complete a FD-249 and R-84 "Final Disposition Report". No specific details regarding the actual curriculum was provided.



CITP 2011- The FLETC CITP provided a student text to all CITP students in the program. The text provides instruction regarding how to complete an FD-249, the Automated Fingerprint Identification Systems (AFIS), the FBI Criminal Justice Information Services Division (CJIS) and associated systems, as well as the R-84, Final Disposition Report. The Student Text, Volume 1, dated 2011 detailed on page 471, the process for the Final Disposition Report (R-84 Form), which outlined how to complete and process the form and ends by advising "The form is the submitted to the FBI CJIS".

CITP 2016- The FLETC CITP lesson plan (lesson plan ID number 2191 dated March 2016). The lesson plan is similar to the instruction provided in 2007 and 2011. The handling of the R-84 form states "the R-84 for is submitted to the prosecutor having jurisdiction over the charges. The prosecutor or court should complete the final disposition data on the right side of the form upon final court action. The form is then submitted to FBI CJIS."

AFOSI BSIC 2006- The I2MS User Manual, provided electronically to AFOSI students, discusses Fingerprint Activity as well as IAFIS Activity and the FD-249. The manual details how to take fingerprints using the live scan system. (I2MS User Manual 4.6.5)

AFOSI BSIC 2006- The I2MS Fingerprinting Guide, provided electronically to AFOSI students, discusses how to take fingerprints in I2MS as well as how to send the fingerprint package to IAFIS. (I2MS Fingerprinting Guide 4.6.5)

AFOSI BSIC 2007- From the Detachment Advisors Guide, students were required to follow the I2MS Fingerprinting Guide, fingerprint each other and "submit the fingerprints to the FBI." (IAFIS June 2006)

AFOSI BSIC 2010- Lesson plan for I2MS systems, details that I2MS feeds various systems to include the NCIC. (I2MS System Overview January 2010)

AFOSI BSIC 2011- Lesson plan for I2MS systems, details that I2MS feeds various systems to include the NCIC. (I2MS System Overview March 2011)

NOTE: AFSIA did not have data dating to 2004 when TAYLOR attended and graduated.

2-50. On 14 Dec 17, SA BANKS conducted a review of AFOSI training documents and regulations that provided case agents and agent trainees instructions on fingerprinting SUBJECTs and conducting criminal booking activities. The following is a summary of the training documents and which topics, with respect to fingerprinting and criminal booking, each item addressed:

A FLETC Lesson Plan entitled Prisoner Processing Lab, dated November 2007, included the following Enabling Performance Objective (EPO): agent trainees must roll a classifiable, 10-finger fingerprint card from an arrested subject, complete an R-84, and take a Polaroid photograph of an



arrested SUBJECT. The instructor must review each set of prints, the R-84, and the photographs to ensure they were acceptable.

The I2MS User Manual Version 4.6.5, published on 28 Aug 06, included a section on the Fingerprint Activity. Paragraph 5.6.12 of the manual specifically covered the creation of the Fingerprint Activity and the collection of Criminal and Applicant fingerprints for the purposes of investigations or employment respectively. The section addressed the tabs located in the activity and the purpose of the FD-249. Additionally, the section provided instructions on completing the data entries in the Integrated Automated fingerprint Identification System (IAFIS) sub tab. This instruction does not address when to submit fingerprints.

The I2MS Fingerprinting Guide 4.6.5, published on 28 Aug 06, provided step-by-step instructions on administratively completing the fingerprinting activity in I2MS, capturing fingerprints, sending the fingerprint package, viewing the FD-249 card, viewing the FD-258 card, addressing missing fingerprint issues, downloading fingerprints, maintaining the Live Scan System, and troubleshoot recommendations for errors with the Live Scan System. Paragraph 1.1.3 specifically addresses sending the fingerprint package via IAFIS. This instruction does not address when to submit fingerprints.

A Detachment Advisor Guide during the BSIC, dated January 2007, covered the utilization of IAFIS. Given a scenario, agent trainees were required to enter fingerprints in I2MS and follow the instructions contained in the I2MS Fingerprinting Guide to submit fingerprints to the FBI. Every agent trainee was required to conduct a fingerprint entry.

A USAFSIA Lesson Plan, dated January 2008, which listed the following EPO: Identify the critical nature of informational accuracy in I2MS in relation to indexing individuals in the Defense Central Index of Investigations (DCII). During this portion of the lesson, the instructor addressed the function of indexing individuals in DCII was the responsibility of the case file approval authority. Specifically, the investigative agent was not allowed to make this determination but must ensure the facts are accurately provided to the Approval Authority.

An I2MS PowerPoint presentation entitled, *I2MS*, dated 7 Jan 10, provided training on the importance of data integrity, specifically as it related to NIBRS, DIBRS coding. The accuracy of this information ensures pertinent information is retrievable during future law enforcement and security inquiries. AFOSI subjects and decedents of Non-Homicide Investigations were to be indexed into DCII immediately when credible information exists indicating the person committed the offense under investigation. This action should occur at the initiation of an investigation. The training provided in this presentation also addressed I2MS activities were to be used to document fingerprints in order to accomplish NCIC indexing or to process AFOSI applicants. Lastly, the training addressed the case agent's responsibilities to report accurate and timely information as these entries would affect other external databases, customers, and users – specifically NIBRS, DIBRS, NCIC, and DCII.



Additionally, SA BANKS reviewed the Career Field Education Training Plan (CFETP), dated 17 Jul 12, which listed the following were core tasks: Fingerprinting and Photographing SUBJECT and Submitting Fingerprints to the FBI. Submitting Criminal History Data to the criminal information database was not a core task.

2-51. On 9 Feb 18, SA LYNCH emailed SA NICHOLAS and explained USAFSIA provides two hours of training on the booking process per class. One hour of classroom lecture and one hour involves multiple hands-on exercises which take place both after the lecture and throughout training in scenarios involving processing role players. The agent trainees have the opportunity to book role players in training scenarios multiple times throughout the course of BSIC for various infractions.



Review of Staff Assistance Visit and Inspection Reports

2-52. On 7 Nov 17, SA BANKS reviewed Consolidated Unit Inspection reports which included evaluation of Det 225. The detachment received an adjective rating of “Satisfactory” for inspections in April 2010, May 2012 and May 2014. (AGENT NOTE: Indexing of CHD was not an inspection item during this time period). The May 2012 inspection report identified TAYLOR as the SAIC and listed Det 225 manpower as eight authorized and nine personnel assigned. The report stated the detachment had personnel deployed for 640 man-days during the inspection period (May 2010 to May 2012). The inspection report listed all programs as incompliance except Communications and Information (records management), which was not in compliance. The May 2012 report rated four 2 FIR units as “Excellent,” nine units (including Det 225) as “Satisfactory” and one unit as “Unsatisfactory.”

2-53. On 7 Nov 17, SA BANKS reviewed four documents pertaining to an HQ AFOSI/IG No-Notice Compliance Inspection (NNCI) Report, dated 28 Aug 13, for Det 225, which revealed the unit received an overall rating of “RED” (Not In Compliance) which mandated a re-inspection within 90-180 days. The unit was not in compliance with its cash on hand for their emergency and expeditionary funds (E-Funds). This along with other oversights in their E-Funds program created a significant deficiency within the program and ultimately led to the unit’s overall “Not In Compliance” rating. The unit was directed to correct the deficiencies and report back to the Region upon completion. Upon notification the issues were remedied, AFOSI HQ/IG conducted a re-inspection in November 2013 and found the unit to be in compliance (GREEN).

2-54. On 7 Nov 17, SA BANKS reviewed a SAV Inspection Report dated 4-6 Oct 10, which included a review of Det 225 Investigative Data Integrity. The review of I2MS case files and hard copy six-part folders revealed a common trend throughout Det 225’s data integrity review. The trends included incomplete activities, investigative gaps, missing attachments, missing forms, little details in inserts, and missing documentation on issuance of DD Forms 2701. Overall, the items and activities did not match between the six-part folder and the I2MS case file. Some of the more major concerns included missing/erroneous AF Form 3985 Subject Interview Logs – either not completed, incomplete, or completed but not attached in I2MS. One case had all investigative steps completed but remained open for approximately one year with some forms missing signatures (e.g. complaint form). Based on the SAV team’s observations, the leadership team’s process for monthly case reviews was deemed insufficient. This was directly attributed to a significant lack of oversight and peer review regarding administrative duties. Additionally, the SAV team also noticed case files were located throughout the detachment office versus one consolidated area, and it was difficult for the SAV team to determine what review/tracking process was utilized by the detachment. The SAV team recommended the detachment leadership initiate new processes to ensure proper oversight is given to administrative actions. The SAV team also recommended the SAIC and Superintendent utilize the more experienced agents to oversee evidence seizure and I2MS documentation. The SAV team recommended using peer reviews for ROIs and other documentation prior to the superintendent’s review.



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2-55. On 8 Nov 17, SA BANKS reviewed a memorandum written in response to the SAV findings on 4-6 Oct 10 (Ref. Para 2-9). BUSTILLO responded to the findings and primarily listed administrative and coordination oversights as the cause for the findings. Namely, the missing documentation in I2MS was filed in the AF Form 3986 or it was completed by the local Security Forces Squadron. Additionally, any previously incomplete forms identified during the SAV were corrected and agents were briefed on completing AF Forms 3985 during subject interviews.

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HQ AFOSI Case Reviews

2-56. On 3 Jan 18, SA NICHOLAS telephonically interviewed SA LARRY RUNK, Crim SME, 3 FIR, Scott AFB, IL. SA RUNK verbally provided essentially as follows: SA RUNK was assigned to HQ AFOSI/XRG, Quantico, VA from December 2010 – June 2017. While assigned to HQ AFOSI, SA RUNK was responsible for conducting case reviews on investigatively closed cases. Cases were selected randomly and were reviewed by either SA RUNK, SA (Ret) CHARLES BRITTAIN, Fredericksburg, VA, or SA JOHN SCHOTH, HQ AFOSI/XR, Quantico, VA. SA RUNK and his team focused on determining if the case was investigatively sufficient. From 2011 – 2012, there was no effort to review fingerprint cards or determine if they were submitted to the FBI. However, from June 2014 – September 2015, SA RUNK and his team added three questions to the closed case review to focus on fingerprint cards. The questions were as follows: Were finger prints taken? Were the fingerprints submitted? Was the Combined DNA Index System (CODIS) submitted? The team reviewed approximately 300 cases for fingerprinting and identified problems, but could not provide solutions to fix the problems. This project was later tasked to other to another office in HQs, but SA RUNK was not clear on which office the task was assigned.

SA RUNK provided a list of the cases his team reviewed and the D. KELLEY case was not among those provided.

2-57. On 12 Jan 18, SA SPENCER provided data regarding cases *final closed* (all action completed) by Det 225 from 1 Jan 11 – 28 Feb 13, which encompassed the D. KELLEY investigation. A review of the data provided the following information:

- Total cases: 70
- Total subjects: 95
 - o Correctly Indexed by Det: 29
 - o Correctly Indexed by Local LE: 13
 - o Correctly Not Indexed by Det (no PC): 30
 - o Indexed for non-indexible offense: 1
 - o Not Indexed: 22 (includes the D. KELLEY investigation)
 - 22 subjects over 20 distinct investigations
 - In one instance, one subject of a case was properly indexed and one subject of the same case was not indexed
 - Offenses included UCMJ Articles 107 (False Official Statement), 112 (Drugs), 120 (Sex Crimes), 126 (Arson) and 128 (Assault)

2-58. HQ AFOSI assessed all AFOSI cases from 2002 - 2017 and discovered 31,864 cases (some with more than one subject) where the matter investigated included an offense that should have been indexed. AFOSI/CC established a Task Force to assess the 31,864 cases to determine if they were in compliance with DoDI 5505.11, *Fingerprint Card and Final Disposition Report Submission Requirement*. As of 23 Mar 18, the Task Force completed reviews of 20,907 cases



and found 3,063 with deficiencies; 2,102 of those cases have been corrected. A file was found "deficient" if the subject of the investigation met the criteria for indexing, but was not indexed by AFOSI.

2-59. On 2 Feb 18, SA GIBSON interviewed SMSgt DAVID MAHALA, NCIC Task Force Supervisor, AFOSI ICON, Quantico, VA, who was responsible for reviewing the NCIC status of all subjects of AFOSI investigation from 2002 to 2017. The Task Force triaged the list of subjects and reviewed the status for only those subjects convicted at court martial. This subset of subjects was then assigned to a Task Force member to review, 100 subjects at a time. The subjects were organized numerically by social security number, not by year of case or handling unit or region, so the subjects are not reviewed chronologically by the Task Force. However, the Task Force database created solely for this process did have the ability to sort completed work in this manner, therefore the information that had been reviewed by the task force can be sorted by region, field unit and/or date of case opening.

2-60. On 22 Mar 18, SMSgt MAHALA provided the following information: An audit of Det 225 cases where the subjects were tried by courts martial for NCIC qualifying offenses from January 2011 – February 2012 resulted in identifying 32 subjects, of which 27 were correctly indexed (16% (5/32) were not indexed). During the same time frame and for subjects tried by courts martial throughout 2 FIR (consisting of 12 total detachments including Det 225), correctly indexed 207/268 subjects (22% (59/268) were not indexed).



Department of Defense Inspector General Reviews of Criminal History Indexing

2-61. On 13 Feb 18, SA NICHOLAS reviewed DoD IG report, "Evaluation of Department of Defense Compliance with Criminal History Data Reporting Requirements" dated 12 Feb 2015. DoD IG inspected the compliance of DoD Military Criminal Investigative Organizations (MCIOs) and other DoD law enforcement organizations in reporting criminal history data collected from service members, convicted of qualifying offenses, to the Federal Bureau of Investigations (FBI) Criminal Justice Information Services (CJIS) Division IAW DoD policy for inclusion in the Integrated Automated Fingerprint Identification System (IAFIS) (known as the Next Generation Identification (NGI) database). During this inspection, DoD IG sampled 358 qualifying convictions reported by the USAF (AFOSI and Security Forces) from 1 Jun 10 to 31 Oct 12. Of the 358, 110 were missing fingerprint cards and 113 were missing disposition data entries. AFOSI responded with specific data for 261 of the 358 convictions identified as being associated to AFOSI investigations which disclosed 16 fingerprints and 17 final dispositions were not submitted to IAFIS IAW DoD Instructions. However, this resulted in an approximately 94% compliance rate in fingerprint and disposition data. HQ USAF/A4S responded regarding the remaining 97 convictions, but did not address compliance percentages)

2-62. On 13 Feb 18, SA NICHOLAS reviewed DoD IG report, "Evaluation of Fingerprint Card and Final Disposition Report Submissions by Military Service Law Enforcement Organizations" dated 4 Dec 17. DoD IG evaluated whether all Military Service Law Enforcement Organizations (LEOs) submitted fingerprint cards and final disposition reports for Military Service members convicted by court-martial of qualifying offenses, for inclusion in NGI as required by DoD instruction. The evaluation covered the period 1 Jan 15 to 31 Dec 16. During this review, DoD IG reviewed 588 of AFOSI qualifying convictions and AFOSI correctly submitted 576 (98%) to NGI. (AGENT NOTE: On 8 Jan 18, Col TERRY BULLARD, Vice Commander, HQ AFOSI, Quantico, VA stated AFOSI submitted the 12 fingerprint cards and final disposition in the NGI, in response to DoD IG.



Other Investigative Activities

2-63. On 20 Nov 17, SA PRIEST interviewed Capt GUSTY VOUK, HQ AFOSI/XILI, Quantico, VA who stated employees of the AFOSI File room did not alter or QC files that arrived to the file room during the timeframe of the D. KELLEY investigation.

2-64. On 7 Nov 17, SA MINNICK spoke with Civ SKYLAR HART, Systems Engineer, HQ AFOSI, Quantico, VA, regarding the possibility of recovering emails from Det 225 between 2011 - 2013. HART related the emails were no longer available because the AFOSI email server was migrated into the Air Force network. DoD policy only required email backups be maintained for three years, which expired.

2-65. On 7 Nov 17, SA BANKS conducted a review of Det 225 History Reports dated from January 2011 - December 2013, which revealed the following information: SA HOLZ and SA MILLS were deployed sometime between July and September 2011. Additionally, BUSTILLO retired on 22 Jul 11. After his retirement, SA MEUSBURGER filled in as an interim detachment commander. SA PEAK and SA WILLIAMS also assisted in filling in as unit leadership during the leadership gap of a permanent SAIC. On 8 Dec 11, TAYLOR arrived and took over as the permanent SAIC at Det 225.

Additional training TDY's were noted as follows:

1 Jul 11 – 30 Sep 11: 8 Authorized, 8 Assigned, 2 deployed (HOLZ/MILLS)

- SA MILLS attended MCC 25 Jul 11– 26 Aug 11
- SA HOY attended AGCIC 22 Aug 11– 2 Sep 11
- HARPER attended CI workshop 12-17 Sep 11

1 Oct 11 – 31 Dec 11: 9 Authorized, 8 Assigned, 2 deployed (SA HOLZ/SA MILLS)

- SA HOY and TAYLOR attended 2 FIR leadership conference 14-18 Nov 11
- SA HOY attended LCF from 16-28 Oct 11

1 Apr 12 – 30 Jun 12: 9 Authorized, 8 Assigned

- SA BANKHEAD attended 2 FIR fraud conference 9-13 Apr 12 and CI Collections Course 6 Jun 12 -27 Jul 12
- HUINKER attended a Conference on Sexual Assault 2-4 Apr 12 and Child Forensic Interview Course 3-9 May 12

1 Jul 12 – 30 Sep 12: 8 Authorized, 8 Assigned

- SA BANKHEAD attended MCC and CTOC 6 Jun 12 – 23 Aug 12
- HARPER attended AFCIC 16-27 Jul 12
- SA MILLS attended Economic Crimes Course 6-17 Aug 12
- SA HOLZ attended Sexual Assault Response Coordinator and Investigators TDY 18-21 Sep 12



1 Oct 12 – 31 Dec 12: 8 Authorized, 6 Assigned

- TAYLOR and SA BANKHEAD attended 2 FIR leadership workshop 22-26 Oct 12

1 Jan 13 – 31 Mar 13: 8 Authorized, 7 Assigned

- HUINKER attended forensic course 7-17 Jan 13

1 Apr 13 – 30 Jun 13: 8 Authorized, 8 Assigned

- SA BANKHEAD attended LCF 6-16 May 13

2-66. On 7 Nov 17, SA GIBSON coordinated with SA KRISTIAN GRIPP, 2 FIR, JBLE, VA for any record of disciplinary action/issues at Det 225 from 1 Jan 11 to 31 Dec 13. SA GRIPP stated 2 FIR only maintained records dating back to 2012 and there were no entries associated to anyone at Det 225 during that timeframe.

2-67. On 8 Nov 17, SA BANKS reviewed two memorandums for record, dated 1 Apr 13 and 21 Oct 13, which revealed the AFOSI agents of Det 225 conducted a hot wash of AFOSI Case Files 225-C-112AA-33716130101359 and 225-C-125-C-33400121011833. In each case, the local SJA office was also present during this hot wash. The results of this meeting revealed the SJA was pleased at the expediency of their receipt of the investigative activities and associated narratives. The SJA believed their office received all the required documents and information in a timely manner and there were no further investigative steps that could have been taken. No additional issues with respect to case sufficiency were identified during this meeting.

2-68. On 15 Nov 17, SA PRIEST reviewed case files received by the AFOSI file repository on/about the same date as the D. KELLEY investigation. The D. KELLEY investigative case file was received at the HQ AFOSI file repository on 23 Apr 13. A review of the receipt documents disclosed two separate boxes were received from Det 225 with a total of 13 investigative case files, in addition to the D. KELLEY file. The case files had final closure dates ranging between February 2011 through December 2012.

A review of the 13 files disclosed that three had appropriately signed and completed AFOSI Form 2A coversheets and five had appropriately completed closure checklists. SA JONATHAN HOLYCROSS and SA ROBERT SPENCER, HQ AFOSI/XI, Quantico, VA reviewed the files and determined all subjects associated to the 13 case files were appropriately indexed in NCIC.

2-69. During the period 14 - 15 Nov 17, SA LARRY HEBDON, Digital Forensic Consultant, 3 FIS, JBSA-Lackland, TX, processed a request for computer media analysis from SA NICHOLAS. SA NICHOLAS requested the examination of a Western Digital 500 GB Hard Drive, S/N: WMAYUS761304, MDL: WD5000AAKX-603CA0 for files related to NCIC finger printing station located at Det 225 and created during July 2011.



A review of the Windows Registry associated with the fingerprint station showed the operating system, Windows 7 Enterprise, was installed on 29 Jul 15, at 04:35:38 PM. There were 34 files discovered which were created during July 2011. All discovered files were determined to be system files and not related to the fingerprinting software.

2-70. On 14 Dec 17, SA GIBSON reviewed unit assignment and deployment histories and FLETC graduation dates for Det 225 personnel associated to the D. KELLEY investigation. This information was drawn from unit history reports and AFOSI Warfighter and Personnel Directorates information.

2-71. On 9 Jan 18, SA PRIEST telephonically interviewed SCHNELL who verbally provided essentially as follows: He recalled the AFOSI office approached him for assistance with indexing some subjects of investigations, but felt it revolved around preventing an individual from getting a weapon, but could not recall if it was in regards to D. KELLEY. He did not recall a lot of specifics but he did recall contacting CJIS and asking for assistance with how to index someone, but couldn't recall what answer he received. He knew SFOI assisted in a very small degree by issuing a BOLO for D. KELLEY at the time he left the mental health facility.

2-72. On 22 Jan 18, SA GIBSON reviewed materials provided by Col HUDSON after his 13 Nov 17 interview which resulted in the following pertinent information:

Commanders Expectation MFR (30 May 12)

“a. Be competent: I fully expect you to know your job inside and out. Spend time learning the areas in which you may be weak and then perform your duties to the best of your ability at all times. In short, perform!

i. Ask for help: I expect all you to ask for help when you need it. There is no shame in admitting you can't handle something. We are a team; we will work as a team and succeed as a team. I expect none of us will let anyone falter or fail purposefully but we must know you need help to act. Don't suffer in silence.”

Commanders Intent MFR (5 Jul 12)

“2. Operations/Investigations: It should come as no surprise that my number one focus area is in Operations/Investigations; specifically our Region's performance in conducting operations and completing investigations.

a. Quality/Sufficiency: This remains my #1 priority across the investigative spectrum and you'll hear me continue to speak to this issue. We are doing fairly well... but we can do better. This speaks directly to the Pride element I referred to in my expectations letter. Currently within this area, my overarching concern and focus is on our Sexual Assault investigations. We must do better to ensure that these investigations are 100% sufficient and exhibit the level of quality



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associated with a premier Federal Law Enforcement agency. We must be proud to put our names on all of our investigative reports and products.”

18 Sep 12 Email from Col HUDSON to 2 FIR Field Leadership:

“4. I need your help. I was hoping you picked up on that in my email from last week but if not... here it is again in more plain language. This is ABSOLUTELY the time for you and your Superintendents to roll up your sleeves and get into your cases....every one of them ... old or new...and conduct a 100% thorough review of where you are and where you're going. If YOU personally do not have "eyes-on" YOUR cases and YOUR investigative plans and are not talking with YOUR agents daily you're missing the entire intent of this exercise. Folks we've pretty much arrived at a "back to basics" point in how we conduct investigations. Forget about the technology for a bit and start having daily dialog (face-to-face...across the desk) with your agents on their cases!”

AF Form 932, Performance Feedback Worksheet, from Col HUDSON to TAYLOR, dated 25 Oct 12 (Exhibit 10)

“Quality: No sig issues with your overall job knowledge – I appreciate your aggressive approach to the mission. You need to keep your eyes on quality of products – Spot check – demand excellence!

Leadership/Team Building: No apparent morale issues with your Det. WG seems happy with your work thus far – continue working on processes for max efficiency.”

Investigative Plan Template Created by TAYLOR

The template did not contain information related to submitting or taking fingerprints or indexing subjects into NCIC.

Email from Col HUDSON to TAYLOR, dated 1 Nov 12 (Exhibit 11):

“Randy, Since we talked last week, thought I'd just send you my notes, observations from the monthly Det Ops review we conducted here yesterday.

Overall, doing well – holding steady but a few items to focus on: Crim: digging out from a bunch of bad cases (death cases) you inherited – you've been there a while so hopefully this is getting closer; continue to put eyes on your products for quality – overall you guys are doing some good, hard work.

30 day plan – Crim: may want to consider a ‘stand down’ day to get a game-plan together to close out all the old stuff; if you need TDY support to help w/ backlog we can discuss that but would like to see what your [sic] faced with first and what your plan would be.”

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2-73. On 25 Jan 18, SA DONALD HUGHES, SAIC, Det 225, HAFB, NM conducted a review of local electronic document storage locations at Det 225 for any checklists or materials pertaining to the D. KELLEY investigations. The search resulted in documents related to evidence disposition, but nothing pertinent to this investigation.

2-74. On 26 Jan 18, SA GIBSON reviewed documents provided by SA GRABOSKY including a Commanders Intent and Expectations, dated 13 Oct 11, from Col MORALES regarding Quality Assessments sent to 2 FIR field leadership. The document notified members of the newly established HQ Peer Case Review Team (PCRT) tasked with randomly reviewing investigatively closed cases on a monthly basis and assessing them for quality using the Case File Assessment Tool. "In order to ensure Region 2 Detachments meet the high standards expected of our investigations, it is my expectation that detachment leadership (Detachment Commander, SAIC, or Superintendent) conduct a quality case review, utilizing the appropriate KFAT, prior to closing all substantive investigations. Upon completion of the assessment, an IDP note will be entered for the corresponding case certifying the assessment was accomplished and all identified deficiencies were resolved or properly addressed. The completed KFAT look, signed by the reviewer and DetCo or Supt, will be uploaded into the I2MS case file."



3. EXHIBITS

The following items are appended to this report (cross-referenced):

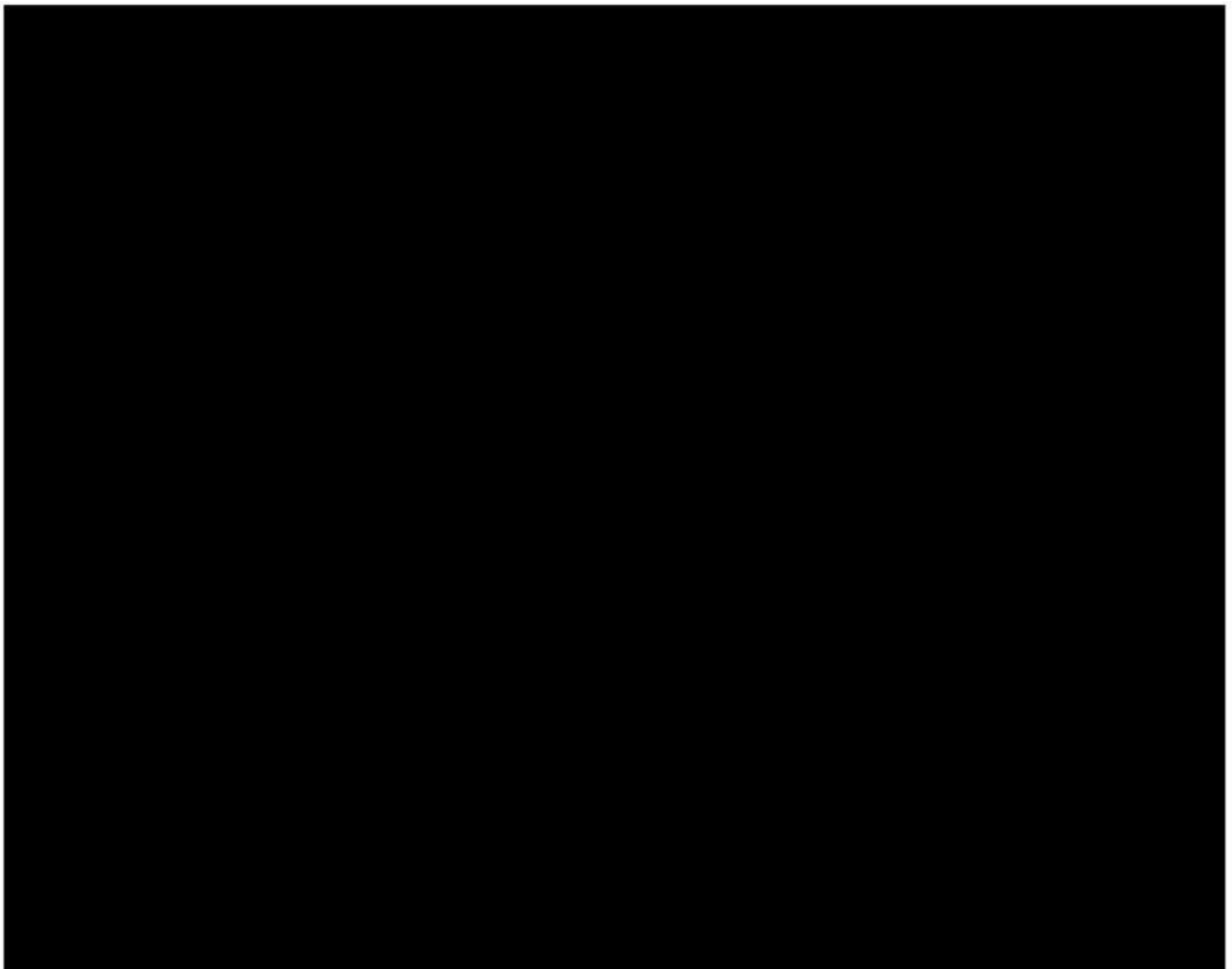
1. Casefile Coversheet for D. KELLEY Investigation (para 2-3)
2. Closed Casefile Checklist for D. KELLEY Investigation (para 2-3)
3. D. KELLEY Investigation Internal Data Page (para 2-4)
4. D. KELLEY Report of Trial (para 2-4)
5. D. KELLEY I2MS History Audit (para 2-5)
6. 2012 Case Assessment Tool (CAT) (para 2-10)
7. 2013 CAT (para 2-10)
8. AFOSI Investigative Sufficiency Checklist (para 2-12)
9. D. KELLEY NCIC Record (para 2-14)
10. TAYLOR Performance Feedback Worksheet (para 2-72)
11. E-mail from Col Hudson to TAYLOR (para 2-72)
12. D. KELLEY Investigative Timeline



4. FINDINGS

4-1. Based on the facts and circumstances detailed above, the Investigating Officer (Col Zoerlein) finds sufficient evidence to assert the following: 1) Det 225 personnel were derelict in their duties to properly index D. KELLEY's criminal history data; 2) improper indexing was a widespread problem in AFOSI at the time of the D. KELLEY investigation; 3) Command policy and training appeared adequate but key Det 225 personnel did not know/understand AFOSI policy with regard to indexing; 4) indexing Criminal History Data was not an AFOSI focus area or the target of any Command metrics; 5) 2 FIR leadership actions were appropriate but it is *possible* more attention would have disclosed CHD indexing shortfalls

NOTE: In the discussion which follows below, HQ AFOSI/JA has provided legal analysis for Item 1. [REDACTED]





2) Improper indexing was a widespread problem in AFOSI at the time of the D. KELLEY investigation

Though not the focus of this investigation, it is evident there were widespread problems with CHD indexing in AFOSI from 2002 to 2017, which included the period of the D. KELLEY investigation. After the tragic events of November 2017 (Ref para 2-58), HQ AFOSI established a Task Force to review CHD for 31,864 cases from 2002 to 2017 where the matter investigated required criminal indexing. As of 22 Mar 18, the Task Force reviewed 20,907 of the cases and found 3063 not properly indexed resulting in a failure rate of 15 percent.

A snapshot of 32 cases from Det 225 (Ref para 2-60), which should have been properly indexed from January 2011 – February 2012 disclosed a failure rate of 16 percent. The 2 FIR failure rate was 22 percent for the same timeframe.

A DoD/IG review of Service efforts to index CHD (Ref para 2-61 and 2-62) also disclosed problems in the AFOSI cases sampled in 2010-2012 and 2015-2016 timeframes.

3) Command policy and training appear adequate but key Det 225 personnel did not know/understand AFOSI policy with regard to indexing

AFOSI appeared to have adequate policy and training in place (Ref para 2-8, 2-49, 2-50, and 2-51) with regard to criminal indexing during the period of the D. KELLEY investigation. However, testimony above suggests key AFOSI personnel with direct oversight of the D. KELLEY investigation did not adequately understand the policy. Interviews of TAYLOR (Ref para 2-18 and 2-19), SA BANKHEAD (para 2-21), HOLZ (para 2-20), SA HOY (para 2-22) and HARPER (para 2-24) disclosed either a fundamental misunderstanding of policy or a preference for a more convenient operating procedure such as waiting to index CHD upon the exhaustion of all appeals. Both SA HOY and SA BANKHEAD, fairly inexperienced at the time of the D. KELLEY investigation, were able to *now* articulate the appropriate indexing policy and identify the process *then* at Det 225 as incorrect.

4) Indexing Criminal History Data was not an AFOSI focus area or the target of any Command metrics

Interview of various personnel during this investigation disclosed indexing CHD was not a focus area or the target of Command metrics within AFOSI during the time period of the KELLEY investigation. While not tracked Command-wide like investigative cycle time is tracked today within AFOSI, the timeliness of open investigations was the focus of much effort by leadership and field agents within the Command. For instance, AFOSI policy required (ref para 2-9) explanation in the Internal Data Page for investigative gaps in excess of four days. TAYLOR and



HOLZ identified these investigative gaps as an area of focused attention by the Command and 2 FIR during that period. The October 2010 Staff Assistance Visit conducted by 2 FIR focused on key programs (weapons, investigative funds, evidence) as well as investigative gaps but not the CHD indexing in Det 225 cases. More generally stated, the focus in AFOSI, 2 FIR and Det 225 was on investigations until they were investigatively closed. At 2 FIR, the two primary individuals responsible for reviewing the cases of subordinate detachments accessed the D. KELLEY case file numerous times but only once after it was investigatively closed in October 2012 (in any event, they would not have been able to verify proper CHD indexing with the version of I2MS available at that time).

None of the various HQ AFOSI Inspector General inspections reviewed CHD indexing during that time period.

HQ AFOSI reviewed a sample of closed cases during this time period using the Case Assessment Tool. However, the focus of this review was on investigative sufficiency and did not address indexing CHD until June 2014.

5) 2 FIR leadership actions were appropriate but it is *possible* more attention would have disclosed CHD indexing shortfalls

During the period prior to and during the D. KELLEY investigation, 2 FIR leadership and staff were well aware Det 225 had serious challenges with detachment leadership, agent experience levels and administrative processes. In light of this, 2 FIR leadership focused efforts on Det 225 to include leadership visits, Staff Assistance Visits, and manning assistance during gaps in leadership. According to testimony, a SAIC and a superintendent at Det 225 were replaced by 2 FIR leadership due to performance that did not meet expectations. 2 FIR also dedicated resources to reviewing Det 225 investigations. However, prior to full implementation of electronic fingerprinting, oversight of CHD indexing was difficult due to I2MS limitations.

Despite 2 FIR's leadership action regarding Det 225, it is *possible* more aggressive follow up on the detachment's administrative processes would have revealed inconsistent handling of indexing CHD. This speculation notwithstanding, indexing of CHD was not a focus area within the Command. If 2 FIR had chosen to emphasize indexing, it would have represented a *unique* effort within AFOSI.



File No: 17HQCDI-062

Exhibit #1

Case file Coversheet for D.
KELLEY Investigation

Exhibit #1

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DODIG 006760

JEX 0027-0072

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FILE SUBJECT TO THE PRIVACY ACT OF 1974



225-C-128-G--32329111651413

UNITED STATES
AIR FORCE OFFICE OF
SPECIAL INVESTIGATIONS

I2MS Case FILE

225-C-128-G--32329111651413

LOCATION: **DET 225 Holloman AFB, NM**

DATE OPENED: 20110615

DATE CLOSED: 20121214

SEE ALSO NOS. 04031110691835

AUTHENTICATION OF FILE BY:

DATE:

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DDOIG 006761

JEX 0027-0073

USA00015597



File No: 17HQCDI-062

Exhibit #2

Closed Casefile Checklist for D.
KELLEY Investigation

Exhibit #2

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JEX 0027-0074

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Attachment 4

AFOSI CLOSED INVESTIGATION FILE CHECKLIST

<i>File/Activity/Participant/Notes:</i>	YES	NO	N/A
1. Is final, signed, published ROI and SCR attached to the file?	X		
2. Are all draft ROIs deleted from the file level?			
3. Do file level dispositions match civilian, military judicial, NJP, no action disposition reports?			
4. Is a Coordination activity associated documenting permission was obtained from a foreign, state, or local agency when it was necessary to incorporate an investigative report into an AFOSI file? (paragraph 8.2.2.1.1.)			
5. Are Reviewer Note(s) present documenting proper file review? (paragraph 4.24.4.1.).			
6. Is a Coordination activity associated or IDP note present documenting AUSA declination and explanation?			
7. Is an IDP note present documenting evidence retention? (Appellate Review etc).			
<i>Closed Short (Administrative Closure):</i>			
8. Informational, Developmental, A&P, TM Files Only. Are all record copy investigative file and AF Form 3986 documents scanned and readable? If the investigation was Close Short (Administrative Closure),			
9. Case File Investigation Only. Is a Coordination activity associated or IDP note present documenting Region or Program Manager concurrence?			
<i>AFOSI Form 2:</i>	YES	NO	N/A
10. Is final, signed, published ROI present with complete IDP including any note added after the ROI was distributed?	X		
11. Is signed SCR Present?	X		
12. Do all undercover operations AFOSI Form 2s contain copies of the following? a. Post-Operations Tradecraft Assessment Reports (POTAR). b. Operation plans. c. Documents that request assistance from internal and external Air Force organizations.			X
13. Are AF Form 3986s present and properly marked?	X		

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<i>Does the AF Form 3986 Contain?:</i>	YES	NO	N/A
14. Are all documents listed on the AF Form 3986 filed therein?	X		
15. Are all documents inside the AF Form 3986 correctly annotated and AF Form 3987, Investigation File Inner Envelope , used when appropriate?	X		
16. If electronic media is included in the AF Form 3986/3987 is it properly marked?	X		
17. FD-249 (Hardcopy or I2MS generated)			
18. R-84			
19. Investigative Plan?	X		
20. Civilian Prosecutive Authority Declination Letter?			
21. No Action Disposition Report (Action Authority)?			
22. AF Form 3070 (A, B, C,) Record of Nonjudicial Punishment Proceedings?			
23. AF Form 3212, Record of Supplementary Action Under Article 15, UCMJ?			
24. Plea Agreement?			
25. Sentencing or Acquittal Report?			
26. Article 32 Investigating Officer Appointing Letter?			
27. DD Form 458, Charge Sheet?			
28. AF Form 1359, Report of Results of Trial?			
29. Copy of the appellate action and letter to FBI requesting a change or correction if appellate actions changed the final disposition?			
30. AFOSI Form 158 (Evidence Disposition Request)?			
31. AF Form 52, Evidence Tag(s)?			
32. AFOSI CLOSED INVESTIGATION FILE CHECKLIST?	X		

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JEX 0027-0076

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File No: 17HQCDI-062

Exhibit #3

D. KELLEY Investigation Internal
Data Page

Exhibit #3

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JEX 0027-0077

USA00015601

1. Note from: Activity: 30433111741254 - Det 225: (KELLY) Investigative Plan Review; 17 Jun 11; jgi

Note Created by JOSEPH, JANICE G on 23 Jun 11

On 17 Jun 11, SA JANICE JOSEPH, FIR 7/FIS 12/SFB/FSC, Buckley AFB, CO, reviewed the investigative plan for this investigation. SA JOSEPH recommended that interviews of friends, coworkers and relatives be included in the IP. SA JOSEPH also recommended that VICTIM's medical records be reviewed for prior injuries or signs of neglect.

2. Note from: Activity: 30433111741424 - Det 225: (KELLY) Photos of VICTIM's Injuries; 17 Jun 11; jgi

Note Created by JOSEPH, JANICE G on 23 Jun 11

SA JOSEPH reviewed the photos of VICTIM's injuries that were taken on the day the case was initiated and the photos that were taken a couple days later. Photos of SUBJECT 1 & 2's hands were also submitted for review.

SA JOSEPH recommended submitting the photos for analysis to see if it can be determined whose hand prints were on VICTIM's face.

3. Note from: File: 32329111651413 - D. KELLEY (S); T. KELLEY (S); L [REDACTED] (V); Violation of Art 128G, UCMJ, Assault of Child Under the Age of 16

Note Created by HARPER, GREGORY B. on 8 Jul 11

On 7 Jul 2011, SA HARPER sent Yahoo! Inc. an evidence preservation letter, pending legal action on this case. A letter was not sent to AT&T wireless; AT&T has no record of text messaging and keeps phone records for one year.

4. Note from: File: 32329111651413 - D. KELLEY (S); T. KELLEY (S); L [REDACTED] (V); Violation of Art 128G, UCMJ, Assault of Child Under the Age of 16

Note Created by MEUSBURGER, ALEX D on 1 Aug 11

On 1 Aug 11, SA MEUSBURGER sent SUBJECTS' wedding rings to USACIL (Registered Mail RA 596 776 826 US) for comparison against photographs of VICTIM's injuries.

5. Note from: File: 32329111651413 - D. KELLEY (S); T. KELLEY (S); L [REDACTED] (V); Violation of Art 128G, UCMJ, Assault of Child Under the Age of 16

Note Created by MEUSBURGER, ALEX D on 12 Aug 11

On 12 Aug 11, USACIL notified SA MEUSBURGER the evidence submitted on 1 Aug 11 was received and was currently being processed by the digital evidence branch as "ROUTINE." No estimated date of completion was provided.

6. Note from: Activity: 33197112281612 - Witness Interview of: KELLEY, R [REDACTED] (Mother of KELLEY, DEVIN P.)

Note Created by TODD, MICHAEL C on 8 Sep 11

On 8 Sep 11, SA MICHAEL TODD, AFOSI 11 FIS, Lackland AFB, TX spoke with Civ R [REDACTED] KELLEY and setup an interview at her house [REDACTED] [REDACTED] 78132 at 1400 on 9 Sep 11.

7. Note from: Activity: 33197112281612 - Witness Interview of: KELLEY, R [REDACTED] (Mother of KELLEY, DEVIN P.)

Note Created by TODD, MICHAEL C on 13 Sep 11

On 13 Sep 11, SA TODD completed this lead and sent all hard-copies Attn: SA LYLE I. BANKHEAD, AFOSI Det 225, 640 Delaware Ave (Bldg 293), Holloman AFB, NM 88330.

8. Note from: File: 32329111651413 - D. KELLEY (S); T. KELLEY (S); L [REDACTED] (V); Violation of Art 128G, UCMJ, Assault of Child Under the Age of 16

Note Created by MEUSBURGER, ALEX D on 21 Sep 11

On 20 Sep 11, Det 225 received the wedding bands sent out for analysis to USACIL. USACIL was unable to process the items to compare them against the injury photos and advised Det 225 to send to another agency capable of completing the comparison.

9. Note from: File: 32329111651413 - D. KELLEY (S); T. KELLEY (S); L [REDACTED] (V); Violation of Art 128G, UCMJ, Assault of Child Under the Age of 16

Note Created by HOLZ, YONATAN on 6 Mar 12

On 5 Mar 12, it was noted during a review of this case that SUBJECT T. KELLEY was re-approached on 24 Jun 11 by SA HOLZ and INV HARRIS. On 24 Jun 11, SUBJECT T. Kelley was not interviewed for the same matters she previously requested a lawyer for. The first matter was the alleged offense of aggravated assault of her child, the reason SUBJECT T. KELLEY was talked to again was the alleged assault of SUBJECT T. KELLEY by her husband. Charges were brought forth by SUBJECT T. KELLEY's older sister alleging SUBJECT D. KELLEY had beat up SUBJECT T. KELLEY and also attempted to choke her. At the time we hadn't received a letter of representation for SUBJECT T. KELLEY nor were we aware she was being represented.

10. Note from: Activity: 33039111611433 - Interview of: KELLEY, DEVIN PATRICK

Note Created by HUINKER, JAYSON on 12 Mar 12

During the interview SUBJECT D. KELLEY became noticeably emotional when an emphasis was placed on him being VICTIM's father. At one point during the interview SUBJECT D. KELLY became very emotional, started to cry, leaned forward, looked down and said "ok" as if he was about to confess something to SA VINCENT BUSTILLO, AFOSI Det 225, HAFB, NM. After a short time SUBJECT D. KELLEY appeared to have collected himself, leaned back in his chair, and stared at SA BUSTILLO without talking. Shortly after that incident SUBJECT D. KELLEY requested legal counsel and the interview was terminated. SUBJECT D. KELLEY declined to provide a written statement. Note: When SUBJECT D. KELLEY was being fingerprinted by SA YONATAN HOLZ, AFOSI Det 225, HAFB, NM, he related something to the effect of: I gave them two hours to see what they (SA BUSTILLO and SA JAMES HOY, AFOSI Det 225, HAFB, NM) had before I requested a lawyer.

11. Note from: File: 32329111651413 - D. KELLEY (S); T. KELLEY (S); L [REDACTED] (V); Violation of Art 128G, UCMJ, Assault of Child Under the Age of 16

Note Created by HOLZ, YONATAN on 26 Mar 12

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On 26 Mar 12, SA YONATAN HOLZ consulted Capt. PHIL COUNTRYMAN, 49th WG/JAG, HAFB, NM, regarding SUBJECT D. KELLEY. HOLZ asked COUNTRYMAN if SUBJECT D. KELLEY had talked to his First Sergeant alleging SUBJECT T. KELLEY was the one that inflicted the damage on VICTIM. SA HOLZ asked COUNTRYMAN to find out if SUBJECT D. KELLEY was being represented by an attorney because we would be interested in interviewing him again. COUNTRYMAN stated he would find out if SUBJECT D. KELLEY was represented and would try to set up a meeting.

12. Note from: File: 32329111651413 - D. KELLEY (S); T. KELLEY (S); L [REDACTED] (V); Violation of Art 128G, UCMJ, Assault of Child Under the Age of 16
Note Created by HOLZ, YONATAN on 26 Mar 12

On 26 Mar 12, SA LYLE BANKHEAD e-mailed a copy of VICTIM's medical report to Maj. SHELLY MARTIN, Child Abuse Pediatrician, San Antonio Military Medical Center, Ft. Sam Houston, Tx. MARTIN e-mailed SABANKHEAD on 16 Feb 12 requesting a copy of the medical report but due to complications with the HIPPA request, Detachment 225 was unable to obtain the full report till March 12.

13. Note from: File: 32329111651413 - D. KELLEY (S); T. KELLEY (S); L [REDACTED] (V); Violation of Art 128G, UCMJ, Assault of Child Under the Age of 16
Note Created by HOLZ, YONATAN on 27 Mar 12

On 27 Mar 12, Capt PHIL COUNTRYMAN, 49th WG/JA, provided SA YONATAN HOLZ with a copy of SUBJECT D. KELLEY's most recent PIF containing new Letters of Reprimand. COUNTRYMAN coordinated with SUBJECT D. KELLEY's lawyer (Capt. MARK ROSENOW, ADC) to attempt scheduling a witness interview between AFOSI and SUBJECT D. KELLEY pertaining to the alleged offense of SUBJECT T. KELLEY assaulting VICTIM. ROSENOW stated they would not agree to an interview between AFOSI and SUBJECT D. KELLEY, but would agree to answer questions turned in by AFOSI in writing.

14. Note from: File: 32329111651413 - D. KELLEY (S); T. KELLEY (S); L [REDACTED] (V); Violation of Art 128G, UCMJ, Assault of Child Under the Age of 16
Note Created by HOLZ, YONATAN on 30 Apr 12

On 30 Apr 12, SA YONATAN HOLZ coordinated with Dr. SHELLEY MARTIN, Child Abuse Pediatrician, San Antonio Military Medical Center, Ft Sam Houston, TX regarding her progress reviewing VICTIM's medical reports. MARTIN stated she had reviewed the medical records provided by Det 225 but she needed VICTIM's medical records from visits to non-military hospitals. MARTIN requested records from Gerald Champion Medical Center, Providence Memorial Hospital and Williams Beaumont Army Medical Center.

15. Note from: File: 32329111651413 - D. KELLEY (S); T. KELLEY (S); L [REDACTED] (V); Violation of Art 128G, UCMJ, Assault of Child Under the Age of 16
Note Created by HOLZ, YONATAN on 30 Apr 12

On 30 Apr 12, SA YONATAN HOLZ left a voicemail message for R [REDACTED] P [REDACTED], Customs and Border Patrol Agent, El Paso, TX. P [REDACTED]'s son may have information pertaining to SUBJECT D. KELLEY's involvement in the alleged abuse of VICTIM. P [REDACTED]'s wife is SUBJECT T. KELLEY's aunt and is currently seeking foster care over VICTIM.

16. Note from: File: 32329111651413 - D. KELLEY (S); T. KELLEY (S); L [REDACTED] (V); Violation of Art 128G, UCMJ, Assault of Child Under the Age of 16

Note Created by HOLZ, YONATAN on 2 May 12

On 1 May 12, SA YONATAN HOLZ coordinated with Capt STEVEN L. SPENCER, 49th WG/JA, HAFB, NM, regarding re-contacting SUBJECT T. KELLEY for a follow up interview. SA HOLZ wanted to re-interview SUBJECT T. KELLEY after a review of SUBJECT D. KELLEY's recorded confession on 30 Apr 12. SPENCER agreed that SAHOLZ should re-approach SUBJECT T. KELLEY and conduct a witness interview as soon as possible.

17. Note from: File: 32329111651413 - D. KELLEY (S); T. KELLEY (S); L [REDACTED] (V); Violation of Art 128G, UCMJ, Assault of Child Under the Age of 16

Note Created by HOLZ, YONATAN on 2 May 12

On 2 May 12, SA YONATAN HOLZ and SA CLINTON MILLS spoke with SUBJECT T. KELLEY at her workplace (KMART, 3201 North White Sand Boulevard, Alamogordo, NM 88310). SA HOLZ told SUBJECT T. KELLEY we had reviewed SUBJECT D. KELLEY's recorded confession referencing the physical abuse of VICTIM. SA HOLZ also told SUBJECT T. KELLEY we had spoken to her family members in El Paso, Texas. SUBJECT T. KELLEY's family members told SA HOLZ about SUBJECT T. KELLEY being physically abused by SUBJECT D. KELLEY in multiple occasions. SA HOLZ asked SUBJECT T. KELLEY if she could make time to speak to AFOSI Det 225 agents to answer follow up questions. SUBJECT T. KELLEY was hesitant to speak to SA HOLZ and SA MILLS and told SA HOLZ she would need to speak to her attorney before speaking with AFOSI Det 225 agents. SUBJECT T. KELLEY also stated she did not want to go to OSI's building on base. SUBJECT T. KELLEY provided SA HOLZ with her attorney's name and number (TODD HOLMES, 1123 Indiana Ave, Alamogordo, NM 575-430-2801).

18. Note from: File: 32329111651413 - D. KELLEY (S); T. KELLEY (S); L [REDACTED] (V); Violation of Art 128G, UCMJ, Assault of Child Under the Age of 16

Note Created by HOLZ, YONATAN on 3 May 12

On 2 May 12, at approximately 2000 hours, SUBJECT T. KELLEY contacted SA YONATAN HOLZ via cellphone. SUBJECT T. KELLEY stated she wanted to talk to SA HOLZ as soon as possible regarding the confession of VICTIM's abuse by SUBJECT D. KELLEY. SUBJECT T. KELLEY told house that initially she had been hesitant to speak to SA HOLZ or any other AFOSI Agent, but she had thought about it further and wanted to share some details she initially thought were vague but now made more sense. SA HOLZ told SUBJECT T. KELLEY we would try to set up an interview on 3 May 12, but since she was represented, we would need to coordinate with her attorney. SUBJECT T. KELLEY asked for the interview to be off-base at a private yet public location.

19. Note from: File: 32329111651413 - D. KELLEY (S); T. KELLEY (S); L [REDACTED] (V); Violation of Art 128G, UCMJ, Assault of Child Under the Age of 16

Note Created by HOLZ, YONATAN on 3 May 12

On 2 May 12, at approximately 2100 hours SA YONATAN HOLZ coordinated with Capt STEVEN L. SPENCER, 49th WG/JA, HAFB, NM, in regards to the conversation held between SA HOLZ and SUBJECT T. KELLEY on 2 May 12 at approximately 2000 hours. SPENCER agreed we needed to make contact with SUBJECT T. KELLEY's attorney prior to setting up an interview.

20. Note from: File: 32329111651413 - D. KELLEY (S); T. KELLEY (S); L [REDACTED] (V); Violation of Art 128G, UCMJ, Assault of Child Under the Age of 16
Note Created by HOLZ, YONATAN on 4 May 12

On 3 May 12, SA YONATAN HOLZ coordinated with Capt STEVEN L. SPENCER regarding the cameras installed by SUBJECT D. KELLEY inside his residence. SA HOLZ told SPENCER we would attempt to obtain consent to see the cameras and take pictures.

21. Note from: File: 32329111651413 - D. KELLEY (S); T. KELLEY (S); L [REDACTED] (V); Violation of Art 128G, UCMJ, Assault of Child Under the Age of 16
Note Created by HOLZ, YONATAN on 1 Jun 12

On 1 Jun 12, SA HOLZ provided a copy of the SUBJECT confession to Dr. MARTIN.

22. Note from: File: 32329111651413 - D. KELLEY (S); T. KELLEY (S); L [REDACTED] (V); Violation of Art 128G, UCMJ, Assault of Child Under the Age of 16
Note Created by TAYLOR, RANDALL D on 8 Jun 12

On 8 Jun 12, SPENCER and COUNTRYMAN contacted SA TAYLOR regarding SUBJECT D. KELLEY's release from the Peak Mental Institution, El Paso, TX. SPENCER and COUNTRYMAN requested some additional information regarding SUBJECT D. KELLEY's potential pre-trial confinement hearing. This request included voice recognition by the HAFB, NM, Base Exchange Employee who allegedly received a phone call from SUBJECT D. KELLEY. SUBJECT D. KELLEY allegedly called the Base Exchange from the Peak placing an order for a 9mm handgun. This voice recognition would be used to verify if SUBJECT D. KELLEY actually placed the call. SA TAYLOR contacted SA BABCOCK regarding the best manner to go about having the BX employee verifying the voice of SUBJECT D. KELLEY. SA BABCOCK recommends SA TAYLOR contact the local PD to determine if they have experience with such an investigative step. Additionally, SA BABCOCK stated if the PD does not have a manner to conduct this type of analysis that AFOSI Det 225 should abide by SJA's request. SJA recommends playing a known voice sample of SUBJECT D. KELLEY in front of the BX employee to have him determine whether or not the voice that ordered the weapon belonged to D. KELLEY. This investigative step does not affect the AFOSI investigation, but is a necessary step to secure pre-trial confinement for SUBJECT D. KELLEY as he will be released from the Peak on 8 Jun 12.

23. Note from: File: 32329111651413 - D. KELLEY (S); T. KELLEY (S); L [REDACTED] (V); Violation of Art 128G, UCMJ, Assault of Child Under the Age of 16
Note Created by HOLZ, YONATAN on 18 Jun 12

On 18 Jun 12, SA YONATAN HOLZ called and left voicemails for the following persons:
P [REDACTED] T [REDACTED] (There is no further information identifying T [REDACTED]) ([REDACTED]) and K [REDACTED]
L [REDACTED], [REDACTED] T [REDACTED] is SUBJECT D. KELLEY's friend and may have been witness to physical abuse performed by SUBJECT D. KELLEY on SUBJECT T. KELLEY in Mar/Apr 12 timeframe. L [REDACTED] is SUBJECT D. KELLEY's ex-girlfriend and 49th WG/JAG requested DET 225 to interview her regarding possible past physical or emotional abusive behavior by SUBJECT D. KELLEY. SA HOLZ also attempted to contact A [REDACTED] L [REDACTED] (D. KELLEY's ex-girlfriend) at [REDACTED] but the number was disconnected.

24. Note from: File: 32329111651413 - D. KELLEY (S); T. KELLEY (S); L [REDACTED] (V); Violation of Art 128G, UCMJ, Assault of Child Under the Age of 16
Note Created by HOLZ, YONATAN on 18 Jun 12

On 18 Jun 12, SA YONATAN HOLZ provided Dr. MARTIN with VICTIM's Medical Records she requested for off-base civilian hospitals (Gerald Champion, Alamogordo, NM and Providence Children's Hospital, EL Paso TX).

25. Note from: Activity: 33039121711113 - Interview of: L [REDACTED], A [REDACTED] R
Note Created by HOLZ, YONATAN on 19 Jun 12

On 18 Jun 12, SA HOLZ asked A [REDACTED] L [REDACTED], [REDACTED] if she would be comfortable meeting with AFOSI Agents in person and further explaining SUBJECT's behavior. L [REDACTED] agreed to meet with agents and provide a written statement.

26. Note from: File: 32329111651413 - D. KELLEY (S); T. KELLEY (S); L [REDACTED] (V); Violation of Art 128G, UCMJ, Assault of Child Under the Age of 16
Note Created by HOLZ, YONATAN on 19 Jun 12

On 19 Jun 12, SA YONATAN HOLZ contacted the following persons to attempt to get identifying information for further questioning: A [REDACTED] D [REDACTED] L [REDACTED] A [REDACTED] (Tel [REDACTED]), R [REDACTED] M [REDACTED] father ([REDACTED]), P [REDACTED] T [REDACTED] ([REDACTED]) and K [REDACTED] L [REDACTED] ([REDACTED]). SA HOLZ left voicemail messages on all except L [REDACTED]. SA HOLZ was able to speak with L [REDACTED] via text. L [REDACTED] stated she wanted to talk to AFOSI but had not been able to due to schedule conflicts. L [REDACTED] had seen missed calls in her phone from Det 225 and apologized for not calling back. L [REDACTED] stated she would contact SA HOLZ as soon as she was available.

27. Note from: Activity: 33039121771716 - Lead Interview of: L [REDACTED], K [REDACTED]
Note Created by HOLZ, YONATAN on 2 Jul 12

SA HOLZ previously interviewed L [REDACTED] telephonically per 49 WG/JA's request to make contact with SUBJECT D. KELLEY's previous girlfriends and gauge if they would have pertinent information to add to this investigation.

28. Note from: Activity: 33039121771117 - Lead Interview of: L [REDACTED], A [REDACTED] R
Note Created by HOLZ, YONATAN on 2 Jul 12

SA HOLZ previously interviewed L [REDACTED] telephonically per 49 WG/JA's request to make contact with SUBJECT D. KELLEY's previous girlfriends and gauge if they would have pertinent information to add to this investigation.

29. Note from: Activity: 33039121771716 - Lead Interview of: L [REDACTED], K [REDACTED]
Note Created by PETERSON, SEAN R. on 2 Jul 12

On 2 Jul 12, SA SEAN PETERSON, AFOSI 11 FIS, Randolph AFB (RAFB), TX contacted L [REDACTED]. L [REDACTED] stated it was not a good time to interview her and requested SA PETERSON provide his cell phone number so L [REDACTED] could contact SA PETERSON at a later date to schedule an interview. L [REDACTED] also relayed she would be leaving town mid July 2012. SA PETERSON provided his cell phone number to L [REDACTED] and asked L [REDACTED] to schedule a time/date/place immediately.

30. Note from: Activity: 33039121771117 - Lead Interview of: L [REDACTED], A [REDACTED] R
Note Created by PETERSON, SEAN R. on 2 Jul 12

On 2 Jul 12, SA PETERSON contacted L [REDACTED] and scheduled an interview for 9 Jul 12.

31. Note from: Activity: 33039121771716 - Lead Interview of: L [REDACTED], K [REDACTED]
Note Created by PETERSON, SEAN R. on 9 Jul 12

On 9 Jul 12, SA PETERSON called L [REDACTED] and left a message to return SA PETERSON's call in order to schedule a date for an interview.

32. Note from: File: 32329111651413 - D. KELLEY (S); T. KELLEY (S); L [REDACTED] (V); Violation of Art 128G, UCMJ, Assault of Child Under the Age of 16
Note Created by HOLZ, YONATAN on 16 Jul 12

On 29 Jun 12, SA HOLZ contacted BECKY ROBERTS, Compliance Officer, Gerald Champion Medical Center, Alamogordo, NM telephonically. SA HOLZ inquired regarding the status of ROBERT's search for the nurse that witnessed SUBJECT D. KELLEY kick and shush SUBJECT T. KELLEY when the nurse asked regarding VICTIM's injuries. ROBERTS stated she had not been successful finding the nurse. SA HOLZ also asked ROBERTS for all of VICTIM's radiology records. ROBERTS stated she would need a signed letter of consent by VICTIM's parents prior to releasing further medical records.

33. Note from: File: 32329111651413 - D. KELLEY (S); T. KELLEY (S); L [REDACTED] (V); Violation of Art 128G, UCMJ, Assault of Child Under the Age of 16
Note Created by HOLZ, YONATAN on 16 Jul 12

On 30 Jun 12, SA HOLZ consulted with Capt PHIL COUNTRYMAN, 49 WG/JA, HAFB, NM, who provided SA HOLZ a signed letter of consent by CYFD permitting us access to all of VICTIM's files. Currently, VICITM is awarded to the state of NM and they have the authority to authorize a release of VICTIM's medical records.

34. Note from: File: 32329111651413 - D. KELLEY (S); T. KELLEY (S); L [REDACTED] (V); Violation of Art 128G, UCMJ, Assault of Child Under the Age of 16
Note Created by HOLZ, YONATAN on 16 Jul 12

On 16 Jul 12, SA HOLZ contacted ROBERTS through e-mail inquiring about the status of the radiology images and the nurse witness to SUBJECT D. KELLEY and SUBJECT T. KELLEY at GCRMC. ROBERTS has two different e-mail addresses (broberts@gcrmc.org and rroberts@gcrmc.org). HOLZ will personally stop by GCRMC and attempt to retrieve the radiology records on 17 Jul 12.

35. Note from: File: 32329111651413 - D. KELLEY (S); T. KELLEY (S); L [REDACTED] (V); Violation of Art 128G, UCMJ, Assault of Child Under the Age of 16
Note Created by HOLZ, YONATAN on 16 Jul 12

On 16 Jul 12, SA HOLZ provided Dr. MARTIN all files she previously requested (Witness statements and CYFD reports). MARTIN will provide Det 225 a copy of her written report as soon as possible, but stated she would most likely amend the finalized product when she reviews copies of VICTIM's radiology records. MARTIN opined her opinion would most likely not change after reviewing VICTIM's radiology records.

36. Note from: Activity: 33039121992147 - Lead Interview of: Civ J [REDACTED] L [REDACTED]
Note Created by HARRIS, ARNALL D on 31 Jul 12

On 31 Jul 12, SA ARNALL HARRIS, AFOSI 11th Field Investigations Squadron Operating Location Alpha, Randolph AFB, TX contacted L [REDACTED] and reached his voicemail. SA HARRIS left a message requesting L [REDACTED] to return SA HARRIS phone call as soon as possible.

37. Note from: Activity: 33039121992207 - Lead Interview of: M [REDACTED], R [REDACTED] M [REDACTED]
Note Created by HARRIS, ARNALL D on 31 Jul 12

On 31 Jul 12, SA ARNALL HARRIS, AFOSI 11th Field Investigations Squadron (FIS) Operating Location Alpha (OL-A), Randolph AFB (RAFB), TX contacted M [REDACTED] and reached his voicemail. SA HARRIS left a message requesting M [REDACTED] to return SA HARRIS phone call as soon as possible.

38. Note from: Activity: 33039121992147 - Lead Interview of: Civ J [REDACTED] L [REDACTED]
Note Created by HARRIS, ARNALL D on 1 Aug 12

On 1 Aug 12, SA HARRIS contacted L [REDACTED] and reached his voicemail. SA HARRIS left a message requesting L [REDACTED] to return SA HARRIS phone call as soon as possible.

39. Note from: Activity: 33039121992207 - Lead Interview of: M [REDACTED], R [REDACTED] M [REDACTED]
Note Created by HARRIS, ARNALL D on 1 Aug 12

On 1 Aug 12, SA HARRIS contacted M [REDACTED] and reached his voicemail. SA HARRIS left a message requesting M [REDACTED] to return SA HARRIS phone call as soon as possible.

40. Note from: Activity: 33039121992147 - Lead Interview of: Civ J [REDACTED] L [REDACTED]
Note Created by HARRIS, ARNALL D on 1 Aug 12

On 1 Aug 12, L [REDACTED] contacted SA HARRIS and scheduled an interview with him on 2 Aug 12, at 1830 hours.

41. Note from: Activity: 33039121992207 - Lead Interview of: M [REDACTED], R [REDACTED] M [REDACTED]
Note Created by HARRIS, ARNALL D on 2 Aug 12

On 2 Aug 12, SA HARRIS contacted M [REDACTED] and reached his voicemail.

42. Note from: Activity: 33039121992207 - Lead Interview of: M [REDACTED] R [REDACTED] M [REDACTED]
Note Created by HARRIS, ARNALL D on 3 Aug 12

On 2 Aug 12, SA HARRIS and SA JEFFERY CANNON, AFOSI 11 FIS OL-A, RAFB, TX contacted Civ R [REDACTED] M [REDACTED] Sr., [REDACTED] and discovered the phone number listed for M [REDACTED] Jr. was M [REDACTED] Sr. phone number. M [REDACTED] Sr. explained his son's phone was broken and he was currently at work. M [REDACTED] Sr. informed SA HARRIS he attempted to return SA HARRIS phone call, but was unable to. SA HARRIS gave M [REDACTED] Sr. a business card with the office phone number and SA HARRIS cell phone number and requested M [REDACTED] Sr. to give the business card to his son. M [REDACTED] Sr. ensured SA HARRIS he would do what he asked.

43. Note from: Activity: 33039121992207 - Lead Interview of: M [REDACTED], R [REDACTED], M [REDACTED]
Note Created by HARRIS, ARNALL D on 3 Aug 12

On 3 Aug 12, SA HARRIS contacted M [REDACTED] Sr., who related he had placed SA HARRIS' business card on his son's room door and assumed M [REDACTED] Jr., had called SA HARRIS. M [REDACTED] Sr. also related his son did reside at the same address, but did not stay there every day. M [REDACTED] Sr. ensured SA HARRIS he would make sure his son received SA HARRIS business card.

44. Note from: Activity: 33039121992207 - Lead Interview of: M [REDACTED], R [REDACTED], M [REDACTED]
Note Created by HARRIS, ARNALL D on 6 Aug 12

On 6 Aug 12, SA HARRIS contacted M [REDACTED] Sr. and reached his voicemail. SA HARRIS left a message requesting M [REDACTED] Sr. to have his son, M [REDACTED] Jr. return SA HARRIS phone call as soon as possible.

45. Note from: Activity: 33039121992207 - Lead Interview of: M [REDACTED], R [REDACTED], M [REDACTED]
Note Created by HARRIS, ARNALL D on 7 Aug 12

On 7 Aug 12, SA HARRIS received a voicemail from M [REDACTED] Jr. M [REDACTED] Jr. stated he had acquired a new cell phone and requested SA HARRIS call him. SA HARRIS will contact M [REDACTED] Jr. later today.

46. Note from: Activity: 33039121992142 - Lead Interview of: D [REDACTED], A [REDACTED], L [REDACTED]
Note Created by HIGHT, DARREN R on 7 Aug 12

SA HIGHT attempted to contact D [REDACTED] on several occasions; however, was finally able to reach her via phone on 7 Aug 12. D [REDACTED] stated she could not meet for an interview until 9 Aug 12 at 1300 hours. The interview was scheduled and SA HIGHT provided contacted information in the event anything changed.

47. Note from: Activity: 33039121992207 - Lead Interview of: M [REDACTED], R [REDACTED], M [REDACTED]
Note Created by HARRIS, ARNALL D on 8 Aug 12

On 8 Aug 12, M [REDACTED] Jr. contacted SA HARRIS and scheduled an appointment tentatively on 8 Aug 12 between 1630 and 1730 hours.

48. Note from: File: 32329111651413 - D. KELLEY (S); T. KELLEY (S); L [REDACTED] (V); Violation of Art 128G, UCMJ, Assault of Child Under the Age of 16
Note Created by HOLZ, YONATAN on 14 Aug 12

On 13 Aug 12, SA HOLZ coordinated with Capt PATRICIA ENCARNACION, 49 WG/JA, HAFB, NM, regarding items needed for sufficiency. ENCARNACION requested information provided by M [REDACTED] during a recent lead accomplished by Randolph AFB, TX. ENCARNACION also requested a copy of the report written by Dr. MARTIN. HOLZ stated Dr. MARTIN had accomplished a report but would be adding additional information after she reviewed a copy of VICTIM's radiology records. ENCARNACION asked for an update of the interview involving T [REDACTED]. HOLZ stated T [REDACTED] was not returning phone calls from OSI, and a conversation with M [REDACTED] revealed T [REDACTED] was aware OSI Agents were attempting to get in touch with her but she was not returning the phone calls on purpose. ENCARNACION asked HOLZ to re-engage with T [REDACTED] and attempt to

schedule an interview. ENCARNACION will subpoena if necessary, but needed to do some research prior to going this route.

49. Note from: Activity: 33039122712021 - Interview of: KELLEY, MICHAEL
Note Created by HOLZ, YONATAN on 27 Sep 12

On 27 Sep 12, SA HOLZ asked M. KELLEY for L [REDACTED] K [REDACTED]'s, 2825 FM 2722, New Braunfels, TX contact information. M. KELLEY was reluctant to provide the information but stated he would contact L [REDACTED] K [REDACTED] to see if she would consent to an interview. M. KELLEY did not provide parental consent for AFOSI to interview L [REDACTED] K [REDACTED] because she is 16 years old and has medical conditions. M. KELLEY did not want to involve L [REDACTED] K [REDACTED] in this investigation.

50. Note from: File: 32329111651413 - D. KELLEY (S); T. KELLEY (S); L [REDACTED] (V); Violation of Art 128G, UCMJ, Assault of Child Under the Age of 16
Note Created by HOLZ, YONATAN on 28 Sep 12

On 28 Sep 12, SA HOLZ contacted M [REDACTED] K. W [REDACTED] (K [REDACTED] E [REDACTED]'s mother), [REDACTED] SA HOLZ explained E [REDACTED] might have important information regarding an ongoing federal investigation and needed to get in touch with her to set up an interview time. W [REDACTED] did not want to provide E [REDACTED]'s personal information, but stated she will contact E [REDACTED] and provide her with SA HOLZ's information. W [REDACTED] can be reached at [REDACTED]

51. Note from: File: 32329111651413 - D. KELLEY (S); T. KELLEY (S); L [REDACTED] (V); Violation of Art 128G, UCMJ, Assault of Child Under the Age of 16
Note Created by HOLZ, YONATAN on 28 Sep 12

Multiple phone calls to P [REDACTED] T [REDACTED] have revealed T [REDACTED] reluctance to speak with Law Enforcement. An interview of R [REDACTED] M [REDACTED] on 8 Aug 12, revealed T [REDACTED] has received phone calls and voicemails from AFOSI DET 225, but is actively ignoring them. T [REDACTED] told M [REDACTED] she did not want to speak with Law Enforcement.

52. Note from: File: 32329111651413 - D. KELLEY (S); T. KELLEY (S); L [REDACTED] (V); Violation of Art 128G, UCMJ, Assault of Child Under the Age of 16
Note Created by HOLZ, YONATAN on 28 Sep 12

On 28 Sep 12, SA HOLZ spoke with T [REDACTED] P [REDACTED], [REDACTED] regarding VICTIM and SUBJECT T. KELLEY. T. P [REDACTED] stated VICTIM was going through counseling and was doing great. VICTIM gained weight and seemed happier since arriving at the P [REDACTED] residence on 15 Jun 12. SUBJECT T. KELLEY seemed uninterested to visit VICTIM in El Paso, TX. T. P [REDACTED] asked if the government was planning on charging SUBJECT T. KELLEY for the abuse of VICTIM. SA HOLZ offered no reply. SA HOLZ asked for contact information pertaining to Civilians C [REDACTED] and C [REDACTED] S [REDACTED]. T. P [REDACTED] stated she would text the numbers to SA HOLZ this evening.

53. Note from: Activity: 33039122722105 - Interview of: S [REDACTED], C [REDACTED]
Note Created by HOLZ, YONATAN on 28 Sep 12

D [REDACTED] C [REDACTED] (S/N [REDACTED]), 24 Sep 81, MR [REDACTED] was arrested on 13 Apr 09 for the alleged offense of Sexual Assault of a Child (SUBJECT T. KELLEY), a second degree felony under Texas Penal Code 22.011(A)(2). On 29 Apr 10, C [REDACTED] was convicted and sentenced to six years in prison.

54. Note from: File: 32329111651413 - D. KELLEY (S); T. KELLEY (S); L [REDACTED] (V); Violation of Art 128G, UCMJ, Assault of Child Under the Age of 16
Note Created by HOLZ, YONATAN on 1 Oct 12

On 1 Oct 12, SA HOLZ spoke with M. KELLEY regarding SUBJECT D. KELLEY's oldest sister L [REDACTED] K [REDACTED]. M. KELLEY stated L. K [REDACTED] was too busy and was not willing to talk to AFOSI pertaining the investigation. SA HOLZ stressed talking to L. K [REDACTED] would help provide information that may help prove or disprove the allegation against SUBJECT D. KELLEY. M. KELLEY declined providing L. K [REDACTED]'s contact information.

55. Note from: File: 32329111651413 - D. KELLEY (S); T. KELLEY (S); L [REDACTED] (V); Violation of Art 128G, UCMJ, Assault of Child Under the Age of 16
Note Created by HOLZ, YONATAN on 1 Oct 12

On 1 Oct 12, SA HOLZ left a voicemail at W [REDACTED] residence inquiring about K. B [REDACTED]. On 28 Sep 12, W [REDACTED] told SA HOLZ she would contact K. B [REDACTED] and have her contact AFOSI DET 225 as soon as possible.

56. Note from: File: 32329111651413 - D. KELLEY (S); T. KELLEY (S); L [REDACTED] (V); Violation of Art 128G, UCMJ, Assault of Child Under the Age of 16
Note Created by HOLZ, YONATAN on 3 Oct 12

A case review disclosed numerous investigative gaps in this investigation. The following are dates and possible reasonable explanations for the gaps identified: Investigative gaps found between 17 Jun 12-23 Jun 12, 24 Jun 12-7 Jul 12 and 7 Jul 12-1 Aug 12 occurred due to the assigned agent working on the following investigations: 33039110541904, 33197111511236, 04031111641242, 33039102801937 and 31952093081410. Investigative gaps found between 1 Aug 11-12 Aug 11, 12 Aug 11-9 Sep 11 and 10 Sep 11-20 Sep 11 occurred due to waiting for evidence at USACIL labs. Investigative gaps found between 20 Sep 11 to 28 Feb 12 occurred during a low manning period in AFOSI Det 225 and the case agent being deployed, but otherwise inexplicable to the current case agent. Investigative gaps found between 29 Feb 12-25 Mar 12, 28 Mar 12-28 Apr 12, 4 May 12-1 Jun 12 occurred due to the assigned agent working on the following investigations: 30422120720740, 30422120870658, 33197113081946, 32329121151458, 33197113221151, 32588120321308, 33039121011851 and 31952093081410. Investigative gaps found between 1 Jun 12-7 Jun 12, 12 Jun 12-18 Jun 12, 19 Jun 12-25 Jun 12, 29 Jun 12-9 Jul 12, 11 Jul 12-15 Jul 12, 17 Jul 12-2 Aug 12, 2 Aug 12-7 Aug 12, 9 Aug 12-15 Aug 12, 17 Aug 12-17 Sep 12 were caused due to the waiting period for Dr. MARTIN's final medical opinion report for VICTIM. Investigative gaps found between 17 Sep 12-26 Sep 12 occurred due to the assigned agent working on the following investigations: 30422121601858, 33039122301512, 33197113081946, 3042212072040, 33082122291246, 30422120870658, 33039121011851, 33400122142346 and 33400122142123.

57. Note from: File: 32329111651413 - D. KELLEY (S); T. KELLEY (S); L [REDACTED] (V); Violation of Art 128G, UCMJ, Assault of Child Under the Age of 16
Note Created by HOLZ, YONATAN on 5 Oct 12

The initial allegation was received on 9 Jun 11. However, the investigation was not approved until 15 Jun 11. The Special Agent in Charge (SAIC) at the time, SA VINCE BUSTILLO (Ret.), Holloman AFB, NM, was preparing for his retirement and while the investigation was not approved within the first two days, investigative steps were taken immediately upon receipt of the allegation. It is not known why this was not accomplished.



File No: 17HQCDI-062

Exhibit #4

D. KELLEY Report of Trial

Exhibit #4


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DODOIG 006777

JEX 0027-0089

USA00015613

REPORT OF RESULT OF TRIAL		Date (YYYYMMDD)	
<i>(This form may also be used for reporting the result of trial by summary court-martial)</i>		20121107	
TO: (Address to immediate commander of accused)			
49 LRS/CC, 280 Delaware Avenue Building 310, Holloman AFB, NM 88330			
NOTIFICATION UNDER R.C.M. 1101(a) IS HEREBY GIVEN IN THE CASE OF:			
NAME (Last, First, Middle Initial)		RANK	SSN
Kelley, Devin P.		A1C	██████-5484
ORGANIZATION:		TYPE OF COURT	
49th Logistics Readiness Squadron (ACC)		<input checked="" type="checkbox"/> GENERAL <input type="checkbox"/> SPECIAL <input type="checkbox"/> JUDGE ALONE <input type="checkbox"/> JUDGE ALONE <input type="checkbox"/> SUMMARY	
Holloman AFB, NM			
SUMMARY OF CHARGES, SPECIFICATIONS, PLEAS AND FINDINGS			
UCMJ ARTICLE	NATURE OF OFFENSE	PLEAS	FINDINGS
CHARGE:	Violation of UCMJ, 128	GUILTY	GUILTY
Specification 1:	Did, within the continental United States, on divers occasions between on or about 24 June 2011 and on or about 27 April 2012, unlawfully strike Tessa K. Kelley on her body with his hands, unlawfully choke the said Tessa K. Kelley on the neck with his hands, unlawfully pull the hair of the said Tessa K. Kelley with his hands, and unlawfully kick the said Tessa K. Kelley on her body with his foot.	GUILTY	GUILTY
Specification 2:	Did, within the continental United States, on divers occasions between on or about 27 April 2011 and on or about 16 June 2011, commit an assault upon J.M.L., a child under the age of 16 years, by striking him on the head and body with a force likely to produce death or grievous bodily harm, to wit: his hands.	GUILTY	GUILTY
CHARGED AS A LESSER INCLUDED OFFENSE TO SPECIFICATION 2:			
Specification 3:	Did, within the continental United States, on divers occasions between on or about 27 April 2011 and on or about 16 June 2011, unlawfully strike J.M.L., a child under the age of 16 years, on the body with his hands.	NOT GUILTY	WITHDRAWN AND DISMISSED WITH PREJUDICE AFTER ARRAIGNMENT
SENTENCE DNA PROCESSING IS REQUIRED CRIME OF DOMESTIC VIOLENCE			
Reduction to the grade of E-1, confinement for twelve (12) months, and a bad conduct discharge. PTA: The approved sentence to confinement will not exceed three (3) years.			
PRETRIAL CONFINEMENT CREDIT (Including military and civilian confinement) (in days)			
152 days (military)			
DATE SENTENCE ADJUDGED (Or acquittal announced)			
20121107			
DISTRIBUTION (Prescribed by convening authority)		(CHECK ONE)	
ACC/CC/JA 12 AF/CC/JA 49 WG/CC/JA 49 MDG/CC 49 FSS/DPM 49 CPTS/FMFP 49 SFS/CC/SFO1 AFLOA/ADC AFOSI DET 225 CDO		<input checked="" type="checkbox"/> TRIAL COUNSEL <input type="checkbox"/> SUMMARY COURT OFFICER	
		DETAILED BY	
		OWEN W. TULLOS, Lt Col, USAF	
		TYPED NAME AND GRADE	
		BRETT A. JOHNSON, Capt, USAF	
		SIGNATURE	
			

AF 1359, 20001101 (EF-V1) (12 AF/JA Overprint, 30 May 06)

 Page 1 of 2
 DODIG 006778

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JEX 0027-0090

USA00015614

REPORT OF RESULT OF TRIAL (Continuation)		Date (YYYYMMDD) 20121107	
NAME (Last, First, Middle Initial) Kelley, Devin P.		RANK A1C	SSN [REDACTED]-5484
ORGANIZATION: 49 LRS/CC		DATE SENTENCE ADJUDGED (Or acquittal announced) 20121107	
SUMMARY OF CHARGES, SPECIFICATIONS, PLEAS AND FINDINGS CONTINUED			
UCMJ ARTICLE	NATURE OF OFFENSE	PLEAS	FINDINGS
Specification 4: CHARGED AS A LESSER INCLUDED OFFENSE TO SPECIFICATION 4:	Did, within the continental United States, on or about 23 April 2012, assault Tessa K. Kelley by pointing at her with a dangerous weapon, to wit: a loaded firearm.	NOT GUILTY	WITHDRAWN AND DISMISSED WITH PREJUDICE AFTER ARRAIGNMENT
Specification 5:	Did, within the continental United States, on or about 23 April 2012, assault Tessa K. Kelley by pointing at her with an unloaded firearm.	NOT GUILTY	WITHDRAWN AND DISMISSED WITH PREJUDICE AFTER ARRAIGNMENT
ADDITIONAL CHARGE:	Violation of UCMJ, Article 128	NOT GUILTY	WITHDRAWN AND DISMISSED WITH PREJUDICE AFTER ARRAIGNMENT
Specification 1: CHARGED AS A LESSER INCLUDED OFFENSE TO SPECIFICATION 1:	Did, within the continental United States, between on or about 1 January 2012 to on or about 30 April 2012, assault Tessa K. Kelley by pointing at her with a dangerous weapon, to wit: a loaded firearm.	NOT GUILTY	WITHDRAWN AND DISMISSED WITH PREJUDICE AFTER ARRAIGNMENT
Specification 2:	Did, within the continental United States, between on or about 1 January 2012 to on or about 30 April 2012, assault Tessa K. Kelley by pointing at her with an unloaded firearm.	NOT GUILTY	WITHDRAWN AND DISMISSED WITH PREJUDICE AFTER ARRAIGNMENT
Continuation of Sentence:			



File No: 17HQCDI-062

Exhibit #5

D. KELLEY Investigation I2MS
History Audit

Exhibit #5

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DODIG 006780

JEX 0027-0092

USA00015616

TRANSITION	CREATE_BY	CREATE_O	MODIFY_BY	MODIFY_ON	DESCRIPTION
Submit for Approval	HOY	6/15/2011	HOY	6/15/2011	No Title block information is in the Investigation Background field.
Submit for Approval	HOY	6/15/2011	HOY	6/15/2011	All subjects/victims on the file must have form 686 data.
Submit For Closure	TAYLOR	12/14/2012	TAYLOR	12/14/2012	Must have Court/Action Reports Attached
Submit For Closure	TAYLOR	12/14/2012	TAYLOR	12/14/2012	Has the Fingerprint Card FD-249 been sent to the FBI?
Submit For Closure	TAYLOR	12/14/2012	TAYLOR	12/14/2012	The Case must have a Disposition.
Submit For Closure	TAYLOR	12/14/2012	TAYLOR	12/14/2012	Has the Disposition R-84 been sent to the FBI?
Submit For Closure	TAYLOR	12/14/2012	TAYLOR	12/14/2012	(Warning) Check Offender Age over 98.
Submit For Closure	TAYLOR	12/14/2012	TAYLOR	12/14/2012	(Warning) Check Property value over \$1 Million.
Submit For Closure	TAYLOR	12/14/2012	TAYLOR	12/14/2012	(Warning) Must have Victim relationship to Offender for Individual Victim.
Submit For Closure	TAYLOR	12/14/2012	TAYLOR	12/14/2012	Some Evidence is not yet disposed, can it all be disposed?
Approve Closure	TAYLOR	12/14/2012	TAYLOR	12/14/2012	Some Evidence is not yet disposed, can it all be disposed?
Approve Closure	TAYLOR	12/14/2012	TAYLOR	12/14/2012	Must have Court/Action Reports Attached
Approve Closure	TAYLOR	12/14/2012	TAYLOR	12/14/2012	Has the Fingerprint Card FD-249 been sent to the FBI?
Approve Closure	TAYLOR	12/14/2012	TAYLOR	12/14/2012	Have Curtailed Content Report Note
Approve Closure	TAYLOR	12/14/2012	TAYLOR	12/14/2012	The Case must have a Disposition.
Approve Closure	TAYLOR	12/14/2012	TAYLOR	12/14/2012	Has the Disposition R-84 been sent to the FBI?
Approve Closure	TAYLOR	12/14/2012	TAYLOR	12/14/2012	(Warning) Must have Victim relationship to Offender for Individual Victim.
Send To Archive	BANKHEAD	4/10/2013	BANKHEAD	4/10/2013	You must have sent the Harcopy Case File to the File Room

FOR OFFICIAL USE ONLY

JEX 0027-0093



File No: 17HQCDI-062

Exhibit #6

AFOSI Case Assessment Tool
(2012)

Exhibit #6

FOR OFFICIAL USE ONLY

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DODIG 006782

JEX 0027-0094

USA00015618

CASE ASSESSMENT TOOL (CAT)				Final Score:	0%
AFOSI/CC Priority	YES	NO	N/A	Table Percentage:	50%
Was the case investigatively sufficient?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Deficiencies:	50
Adherence to Organizational Policy	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Deficiencies:	0
Was the SUBJECTS personnel and law enforcement records checked prior to being interviewed? If not was an IDP note provided to explain circumstances which precluded those checks from being performed prior to interview? (AFOSIMAN 71-121 para 4.2.)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	YES	5
Were all mandated (I2MS, SFMIS, DCIL, NCJC, and Local Agency) law enforcement records checked? (AFOSIMAN 71-121 para 5.10.6.)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	NO	5
Were rights advisements reported with a statement in all interrogation activity narrative inserts? (AFOSIMAN 71-121 Para 5.10.1.1.)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	YES	5
Was an investigative plan prepared and attached to I2MS within 5-days after case initiation? (AFOSIMAN 71-121 4.23. & 4.23.4.)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	NO	5
If evidence was obtained as part of a Search Activity was the following information provided in the narrative of the activity: location/date evidence was obtained, how and from whom evidence was obtained (include agents conducting search) and a description of the evidence (AFOSIMAN 71-121 para 5.10.11)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	YES	5
Were all monthly reviews conducted and documented as a "Reviewer Note" ? (AFOSIMAN 71-121, para 4.24.1.3 & 4.24.4.1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	NO	5
Was at least one investigative step conducted every four business days? If not was a reason for the gap provided in the IDP? (AFOSIMAN 90-101 GM-1 Para 6.2.2.)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	YES	5
Was a letter of notification provided to the Action Authority with courtesy copy provided to SJA upon case approval? (AFOSIMAN 71-121 para 4.21.)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	NO	5
Was the ROI published (attached to the reports section of I2MS) within 14-days of the final investigative step? (CC direction - policy forthcoming)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	YES	5
Were all "associated activities" for the case included in the ROI? (AFOSIMAN 71-121, para 7.3.3.)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	NO	5
50					
CASE FILE REVIEWER (Add reviewer's name below)					
CASE FILE NUMBER (Add case file number below)					
CASE REVIEWER NOTES (Add case file reviewer notes below)					
Final Score:					0%

Deficiencies	Percentage
0	100%
0	#DIV/0!
Received	Available
0	50

Matter Investigated	Case Type	Open/Inv Closure Days	ROI Publication Days	Inv Gap Total Days	Inactivity %	Leads	Evidence Processed	Specialty Used	Assessor Comments
		0	0	0	#D/IV/OI				<u>Timeliness</u>
<u>Column Description</u>					<u>Investigative Sufficiency</u>				
Matter Investigated - Self Explanatory									
Case Type - Will be Joint or Sole					<u>Organizational Sufficiency (outside KFAT)</u>				
Open to Investigative Closure - Days case open from Approval to Investigative Closure (can be found on SMART Report)									
ROI Publication - Number of days from last investigative step until ROI attached to I2MS (do not subtract weekends/holidays)									
Inv Gaps - Total number of days realized through gaps "exceeding four days" (do not subtract weekends or holidays/justifications are not considered)									
Inactivity % - Raw number showing what percentage of your case was "downtime" - calculation is ROI Pub Days+Inv Gap Total Days/Open-Inv Closure Days									
Leads - Indicate "Yes" if leads were sent as part of the case									
Evidence Processed - Indicate "Yes" if evidence was processed (i.e., sent to lab for testing)									
Specialty Used - Indicate "Yes" if an AFOSI Specialist was used (to include behavioral sciences)									



File No: 17HQCDI-062

Exhibit #7

AFOSI Case Assessment Tool
(2013)

Exhibit #7

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DODIG 006785

JEX 0027-0097

USA00015621

CASE ASSESSMENT TOOL (CAT)				Final Score: 0
Detachment/Case Number: Days To Investigative Closure: Matter Investigated: Leads Sent: Evidence Processed: Speciality Used: Date Case Initiated/Closed: Date of Review:				
Investigative Sufficiency	YES	NO	N/A	Percentage: 50
Was the case investigatively sufficient? (AFOSIMAN 90-101 Para 3.3.2.2.)	<input type="checkbox"/>	<input type="checkbox"/>		50
Timeliness / Organizational Policy	Deficiencies: 0		N/A	Percentage: 50
Were Phase I activities completed within 14-day timeframe? (AFOSIMAN 90-101 Para 3.3.2.3.)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	10
Was ROI published within 14-days after last substantive investigative step? (AFOSIMAN 90-101 Para 3.3.2.3.3.)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	10
Was one investigative step conducted every 4-days? If not, was an acceptable justification provided? (AFOSIMAN 90-101 Para 3.3.2.3.2.)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	10
Were all monthly reviews conducted and documented as a "Reviewer Note" ? (AFOSIMAN 71-121, para 4.24.1.3 & 4.24.4.1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	5
Were all rights advisements reported with a statement in all interrogation activity narrative inserts? (AFOSIMAN 71-121 para 5.10.1.1.)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	5
Was case approved within 2 calendar days from receipt of initial allegation or complaint? If not practical was an acceptable IDP entry provided? (AFOSIMAN 71-121 Para. 4.10.)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	5
Were all "associated activities" for the case included in the ROI? (AFOSIMAN 71-121, para 7.3.3.)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	5
Totals				50
CASE REVIEWER NOTES (Add case file reviewer notes below)				Deficiencies
				Sufficiency Assessment
				0
				0
				0
Total Points Received				Avail
Final Score: 0				1
				0%

JEX 0027-0098

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File No: 17HQCDI-062

Exhibit #8

AFOSI Investigative Sufficiency Checklist

Exhibit #8

FOR

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JEX 0027-0099

USA00015623

Attachment 7

AFOSI INVESTIGATIVE SUFFICIENCY CHECKLIST

<i>File/Activity/Participant/Notes:</i>	YES	NO	N/A
1. Have notifications and coordinations been conducted with: a. AFOSI specialists? (AFOSIMAN 71-122V1 & 2, AFOSIMAN 71-124) b. Legal authority? (elements of proof) (paragraph 3.7.6) c. Command or action authorities? (paragraph 4.21) d. Other agencies?			
2. Have all notifications and coordinations been documented using the I2MS Coordination activity?			
3. Have all personnel record checks been conducted within 14 calendar days after initiation of the Case file investigation (paragraph 4.2)?			
4. Have all personnel record checks been documented using the I2MS Document Review activity (paragraph 5.9)?			
2. Have notifications and coordinations been documented using the Coordination activity?			
3. Have pertinent personnel record checks been conducted conducted within 2 calendar days of creating an Individual (SUBJECT, DECEASED, VICTIM, INCIDENTAL), Company, Organization, or Program participant to ensure accurate participant data? (paragraph 4.2)			
4. Have personnel record checks been documented using the Document Review activity (paragraph 5.9)?			
5. Has the Investigative File (Informational, Developmental or Case) been approved within 2 calendar days from receipt of the initial allegation/complain? (paragraph 4.10).			
6. Has a record copy investigative file (six-part folder) been established and organized? (paragraph 4.17)			
7. Has the letter of notification/administrative hold letter been provided to the appropriate action authority within 14 calendar days of initiation of the case file investigation (paragraph 4.22)?			

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JEX 0027-0100

USA00015624

8. Has an Investigative Plan been developed and attached into I2MS within 14 calendar days after initiation of the Case file investigation (paragraph 4.23)?			
9. Were other required and logical records and law enforcement records checked?			
10. Have record checks been documented using the Document Review and Law Enforcement Records Check activity within 14 calendar days after initiation of the Case file investigation?			
11. If search authorization was required is the proper authority documented in the Search activity?			
12. Were VICTIMS, witnesses and INCIDENTALs interviewed and where required, statements obtained?			
13. Has permission from a parent, legal guardian, or custodian been obtained before a juvenile witness interview unless one of the parents is a SUBJECT of an investigation involving a crime against a child? (AFOSIMAN 71-118V4, paragraph 5.11.1)			
14. Were appropriate investigative or specialist support contacted and utilized?			
15. Was proper authorization obtained for the interception of oral, wire, and electronic communications pursuant to AFI 71-1-1V1 and Intelligence Oversight policy?			
16. Have Specialists documented their investigative activity/support as a Consultation Activity?			
17. If items of evidentiary value were forwarded for laboratory analysis, were the findings attached and documented within a Document Review activity?			
18. If sources, UCAs, or specialized investigative techniques were utilized, were identities and techniques masked to protect identities and tradecraft? (AFOSIMAN 71-118V1, paragraph 14.6.1, and AFOSIMAN 71-121, paragraph 5.10.16.1, and table 5.1)			
19. Are high profile case SUBJECT interviews coordinated with the servicing SJA and Region 7 ICON/SIC? (AFOSIMAN 71-118V1, paragraph 5.6.1)			

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JEX 0027-0101

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20. Are juvenile SUBJECT interviews coordinated with servicing SJA and the investigative agency having jurisdiction over the juvenile and/or crime? (AFOSIMAN 71-118V4, paragraph 5.8.7.2)			
21. Does SUBJECT's participant Photo/Image sub-tab contain: a. Current photographs? (front/profile view) b. Identifying marks such as scars, tattoos, etc.			
22. Did unit leadership must review all FD-249s (both hard copy and electronic when accomplished) and R-84s for accuracy and completeness? (paragraph 5.14.1.3) a. Were those reviews appropriately documented?			
23. Were fingerprint cards submitted accurately based upon military judicial and NJP proceeding considerations?			
24. Were all required and logical investigative steps listed on the Investigative Plan conducted?			
25. Are there outstanding investigative questions that should be answered to improve the thoroughness of the investigation? If yes, discuss with agent and update the Investigative Plan.			
26. Are gaps of more than four calendar days between investigative steps explained within the IDP (paragraph 7.14.1.7)?			
27. Have Participant, Activity objects: a. Been properly associated and completed, if applicable? b. Been accurately documented (all applicable data, narrative, and note fields)? c. Had exhibits or pertinent documents, or data attached, e.g. SUBJECT photographs?			
28. Has the File: a. Been properly associated, to another file, if applicable? b. Been accurately documented (all applicable data, narrative and note fields)? c. Had exhibits or pertinent documents, or data attached, e.g. SUBJECT photographs?			
Draft ROI:	YES	NO	N/A

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JEX 0027-0102

USA00015626

29. Did unit leadership review the DRAFT ROI for: a. Investigative sufficiency? b. Investigative writing style? c. IDP entries? d. Spelling and grammar? e. Subsequent corrections made to pertinent participant activity or notes?			
30. Have DRAFT ROI corrections been made to the pertinent Participant, Activity, or File data, narrative, or note fields?			
31. Has the unit leadership conducted and documented file reviews to ensure progress and investigative sufficiency? (paragraph 4.9.1 and 4.9.1.1)			

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JEX 0027-0103

USA00015627



File No: 17HQCDI-062

Exhibit #9

D. KELLEY NCIC Record

Exhibit #9

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Received Time: 09:37:35 12-18-17 Source ORI: VAOSI0104
Summary: QH: NAM=KELLEY, DEVIN SEX=M
View Message Details

MESSAGE ACCEPTED - FIR4-15 00002 AT 09:37 12/18/2017
MRI-176786

Received Time: 09:37:35 12-18-17 Source ORI: INNCIC000
Summary: QH: NAM=KELLEY, DEVIN SEX=M
View Message Details

7L01013W,OSI0176786
VAOSI0104

THIS NCIC INTERSTATE IDENTIFICATION INDEX RESPONSE IS THE RESULT OF YOUR
INQUIRY ON NAM/KELLEY,DEVIN SEX/M RAC/W DOB/19800606 SOC/[REDACTED]5484 PUR/C
ATN/SA MOSURA

NAME	FBI NO.	INQUIRY DATE
KELLEY,DEVIN PATRICK	109861PC6	2017/12/18

SEX	RACE	BIRTH DATE	HEIGHT	WEIGHT	EYES	HAIR	PHOTO
M	W	[REDACTED]	509	140	BLU	BRO	N

BIRTH PLACE
TEXAS

FINGERPRINT CLASS PATTERN CLASS

ALIAS NAMES
KELLEY,DAVIN PATRICK KELLEY,DEVIN
KELLEY,DEVIN P

SOCIAL SECURITY
[REDACTED]

IDENTIFICATION DATA UPDATED 2017/06/05

THE CRIMINAL HISTORY RECORD IS MAINTAINED AND AVAILABLE FROM THE
FOLLOWING:
TEXAS - STATE ID/T[REDACTED]

THE RECORD(S) CAN BE OBTAINED THROUGH THE INTERSTATE IDENTIFICATION
INDEX BY USING THE APPROPRIATE NCIC TRANSACTION.

END

MRI: 176788 IN: NC23 116 AT 18DEC2017 09:37:35
OUT: FIR4-15 1 AT 18DEC2017 09:37:35

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Page 1 of 1

Received Time: 09:38:23 12-18-17 Source ORI: VAOSI0104
Summary: QR: PUR=C FBI=109861PC6
View Message Details

MESSAGE ACCEPTED - FIR4-15 00003 AT 09:38 12/18/2017
MRI-176798

Received Time: 09:38:23 12-18-17 Source ORI: INNCIC000
Summary: QR: PUR=C FBI=109861PC6
View Message Details

EL01013W,OSI0176798
VAOSI0104
THIS INTERSTATE IDENTIFICATION INDEX RESPONSE IS THE RESULT OF YOUR
RECORD REQUEST FOR FBI/109861PC6. THE FOLLOWING WILL RESPOND TO YOUR
AGENCY:
TEXAS - STATE ID/[REDACTED]
END
MRI: 176799 IN: NC23 119 AT 18DEC2017 09:38:23
OUT: FIR4-15 2 AT 18DEC2017 09:38:23

Received Time: 09:38:23 12-18-17 Source ORI: TXIII0000
Summary: QR: PUR=C FBI=109861PC6
View Message Details

CR.TXIII0000
07:36 12/18/2017 28611
07:36 12/18/2017 00105 VAOSI0104
TXT
HDR/2L01013W,OSI0176798
ATN/SA MOSURA
***** CRIMINAL HISTORY RECORD *****

Data As Of 2017-12-18

Triple I Status Single source

***** Introduction *****

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

State Id Number 07864171 (TX)
Purpose Code C
Attention SA MOSURA

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

THE FOLLOWING RECORD CONTAINS JUVENILE JUSTICE INFORMATION.

UNAUTHORIZED USE OR DISCLOSURE OF THE INFORMATION CONTAINED IN THIS
RECORD MAY RESULT IN SEVERE CRIMINAL PENALTIES. SEE TEXAS GOVERNMENT
CODE SECTION 411.085.

***** IDENTIFICATION *****

Subject Name(s)

KELLEY, DEVIN PATRICK
KELLEY, DEVIN (AKA)
KELLEY, DEVIN P (AKA)

Subject Description

FBI Number State Id Number
109861PC6 ████████ (TX)

Social Security Number Driver's License Number
6 ████████ ████████

Sex Race Skin Tone
MALE WHITE UNKNOWN

Height Weight Date of Birth
5'09" 230 ████████

Hair Color Eye Color Fingerprint Pattern
Brown GRAY RRRRLSLLL (APC)

Place of Birth Citizenship Ethnicity
TX US NON-HISPANIC

Fingerprint Images

Photo Images
Capture Date 2015-07-30
(No Photo Image Transmitted)
Capture Date 2017-06-05
(No Photo Image Transmitted)

***** CRIMINAL HISTORY *****

===== Cycle 001 =====
Tracking Number 0039103013
Earliest Event Date 2006-11-29

Juvenile Detainment Dt 2006-11-29
Detaining Agency TX0460100 NEW BRAUNFELS PD
Subject's Name KELLEY,DEVIN PATRICK
Activity Type Juvenile
Charge A001
 Charge Number 0655091
Charge Tracking Number 0039103013
 Charge Literal POSS MARIJ <lt; 20Z
 Charge Description Date Of Offense: 2006-11-29
 Charge Description Arresting Agency Number: J06367
 Charge Description Referred Agency: TX046023G - JUVENILE PROBATION
 OFFICE NEW BRAUNFELS
 Statute (HSC 481.121(b)(1))
 NCIC Offense Code 3562
 State Offense Code 35620008
 Severity MISDEMEANOR - CLASS B
 Disposition REFERRED(2006-11-29:)
Charging Agency TX0460100 NEW BRAUNFELS PD

Dec 18, 2017 9:37:45 AM

Printed By: FRANK.MOSURA from: FIR4-15

Court Disposition (Cycle 001)
Court Agency TX046023G JUVENILE PROBATION OFFICE NEW
BRAUNFELS
Charge A001
Charge Tracking Number 0039103013
Charge Literal POSS MARIJ < 20Z
Charge Description Agency Receiving Custody:
Charge Description Court Sequence: 1
Charge Description Final Pleading: UNREPORTED/OR UNKNOWN
Statute (HSC 481.121(b)(1))
NCIC Offense Code 3562
State Offense Code 35620008
Severity MISDEMEANOR - CLASS B
Disposition (2007-01-12; DEFERRED PROSECUTION)

Court Disposition (Cycle 001)
Court Agency TX046023G JUVENILE PROBATION OFFICE NEW
BRAUNFELS
Charge A001
Charge Tracking Number 0039103013
Charge Literal POSS MARIJ < 20Z
Charge Description Agency Receiving Custody:
Charge Description Court Sequence: 2
Charge Description Final Pleading: UNREPORTED/OR UNKNOWN
Statute (HSC 481.121(b)(1))
NCIC Offense Code 3562
State Offense Code 35620008
Severity MISDEMEANOR - CLASS B
Disposition (2007-04-10; DISMISSED)

Sentencing (Cycle 001)
Sentence Date 2007-01-12
Sentencing Agency
Charge A001
Charge Tracking Number 0039103013
Charge Literal POSS MARIJ < 20Z
Charge Description Agency Receiving Custody:
Charge Description Court Sequence: 1
Charge Description Final Pleading: UNREPORTED/OR UNKNOWN
Statute (HSC 481.121(b)(1))
NCIC Offense Code 3562
State Offense Code 35620008
Severity MISDEMEANOR - CLASS B
Disposition (2007-01-12; DEFERRED PROSECUTION)
Probation to 6M

Sentencing (Cycle 001)
Sentence Date 2007-04-10
Sentencing Agency
Charge A001
Charge Tracking Number 0039103013
Charge Literal POSS MARIJ < 20Z
Charge Description Agency Receiving Custody:
Charge Description Court Sequence: 2
Charge Description Final Pleading: UNREPORTED/OR UNKNOWN
Statute (HSC 481.121(b)(1))
NCIC Offense Code 3562
State Offense Code 35620008
Severity MISDEMEANOR - CLASS B
Disposition (2007-04-10; DISMISSED)

***** INDEX OF AGENCIES *****

Page 3 of 4

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JEX 0027-0108

USA00015632

Agency NEW BRAUNFELS PD; TX0460100;

Agency JUVENILE PROBATION OFFICE NEW BRAUNFELS;
TX046023G;

***** ADDITIONAL INFORMATION *****

ORIGINATION DATE 2006-12-16T17:09:41.796627
DATE OF LAST UPDATE 2017-06-06T08:54:40.390876
Miscellaneous Numbers TEXAS CONCEALED HANDGUN: CH-06601054
Transaction

D ON FBI NUMBER ONLY.ORT/HQ AIR FORCE OFF
SPECIAL INVESTIGATIONS.ATN/SA MOSURA.CRIMINAL
HISTORY REQUESTEDNIC#

* * * END OF RECORD * * *

MRI: 176800 IN: NLII 109 AT 18DEC2017 09:38:25
OUT: FIR4-15 3 AT 18DEC2017 09:38:25



File No: 17HQCDI-062

Exhibit #10

TAYLOR Performance Feedback Worksheet

Exhibit #10

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JEX 0027-0110

USA00015634

PERFORMANCE FEEDBACK WORKSHEET (MSgt thru CMSgt)

I. PERSONAL INFORMATION

NAME	GRADE	UNIT
RANDALL TAYLOR	SMSgt	DET 225

II. TYPES OF FEEDBACK:	INITIAL	<input checked="" type="checkbox"/> MID-TERM	RATEE REQUESTED	<input type="checkbox"/> RATER DIRECTED
------------------------	---------	--	-----------------	---

III. PRIMARY DUTIES

SAIC - Det 225

IV. PERFORMANCE FEEDBACK

1. PRIMARY DUTIES. Consider Quality, Quantity, Timeliness, Technical Knowledge, Leading, Managing & Supervising

<input type="checkbox"/> N/A Initial Feedback	<input type="checkbox"/> Does Not Meet	<input type="checkbox"/> Meets	<input checked="" type="checkbox"/> Above Average	<input type="checkbox"/> Clearly Exceeds
---	--	--------------------------------	---	--

No sig. issues w/ your overall job knowledge - I appreciate your aggressive approach to the mission. You need to keep your eyes on Quality of products - SPOT Check - demand Excellence!

2. STANDARDS: ENFORCEMENT AND PERSONAL ADHERENCE, CONDUCT, CHARACTER, MILITARY BEARING, CUSTOMS AND COURTESIES. Consider Dress & Appearance and Personal/Professional Conduct On/Off Duty

<input type="checkbox"/> N/A Initial Feedback	<input type="checkbox"/> Does Not Meet	<input type="checkbox"/> Meets	<input type="checkbox"/> Above Average	<input checked="" type="checkbox"/> Clearly Exceeds
---	--	--------------------------------	--	---

No issues in your professionalism -

3. FITNESS. Maintains Air Force Physical Fitness Standards.

<input type="checkbox"/> Does Not Meet	<input checked="" type="checkbox"/> Meets	<input type="checkbox"/> Exempt
--	---	---------------------------------

4. RESOURCE MANAGEMENT AND DECISION MAKING. Consider Efficiency, Judgment, Setting and Meeting Goals

<input type="checkbox"/> N/A Initial Feedback	<input type="checkbox"/> Does Not Meet	<input type="checkbox"/> Meets	<input checked="" type="checkbox"/> Above Average	<input type="checkbox"/> Clearly Exceeds
---	--	--------------------------------	---	--

Good overall but keep working w/ Region on Case Reviews. Also - need your nudge in the CF arena. Not seeing much in this area - Room for improvement - Staff Interaction

5. TRAINING, EDUCATION, OFF-DUTY EDUCATION, PME, PROFESSIONAL ENHANCEMENT AND COMMUNICATION. Consider Providing, Supporting and Personal Growth

<input type="checkbox"/> N/A Initial Feedback	<input type="checkbox"/> Does Not Meet	<input type="checkbox"/> Meets	<input type="checkbox"/> Above Average	<input checked="" type="checkbox"/> Clearly Exceeds
---	--	--------------------------------	--	---

Bachelor's Degree
→ working toward 2 Masters! Keep it up!

6. LEADERSHIP/TEAM BUILDING/FOLLOWERSHIP. Consider Team Accomplishments, Leveraging Personal Experiences, Community Support and Recognition/Reward for Others

<input type="checkbox"/> N/A Initial Feedback	<input type="checkbox"/> Does Not Meet	<input type="checkbox"/> Meets	<input type="checkbox"/> Above Average	<input checked="" type="checkbox"/> Clearly Exceeds
---	--	--------------------------------	--	---

No apparent morale issues w/ your Det. WG seems happy w/ your work thus far - Continue working on processes for max efficiency -

7. OTHER COMMENTS. Consider Promotion, Future Duty/Assignment/Education Recommendations and Safety, Security & Human Relations.

<input type="checkbox"/> N/A Initial Feedback	<input type="checkbox"/> Does Not Meet	<input type="checkbox"/> Meets	<input type="checkbox"/> Above Average	<input type="checkbox"/> Clearly Exceeds
---	--	--------------------------------	--	--

Lead to the Intent! Don't get bogged down in the metrics - Run your cases - metrics will follow.

Great aggressive approach - Keep eye on overall quality - Challenge your folks to produce products they're proud to put their names on -

- Keep Comm lines open w/ me - let me know how I can help.

Thanks for your hard work Randy!

PRIVACY ACT STATEMENT

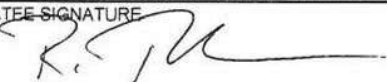
AUTHORITY: Title 10, United States Code, Section 8013 and Executive Order 9397, 22 November 1943.

PURPOSE: Information is needed for verification of the individual's name and Social Security Number (SSN) as captured on the form at the time of the rating.

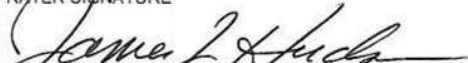
ROUTINE USES: None. RATIONALE: This information will not be disclosed outside DoD channels.

DISCLOSURE: Disclosure is mandatory; SSN is used for positive identification.

RATEE SIGNATURE



RATER SIGNATURE



DATE

25 OCT 12



File No: 17HQCDI-062

Exhibit #11

Email from Col HUDSON to
TAYLOR

Exhibit #11

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DODOIG 006801

JEX 0027-0113

USA00015637

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

From: Hudson, James Col USAF AFOSI FIR 2/CC

Sent: Thursday, November 01, 2012 2:57 PM

To: Taylor, Randall SA USAF AFOSI Det 225 SAIC <Randall.Taylor@ogn.af.mil>

Subject: Det 225 - Monthly Ops Review - Oct 12

Randy,

Since we talked last week, thought I'd just send you my notes, observations from the monthly Det Ops review we conducted here yesterday.

Overall doing well - holding steady but a few items to focus on:

- Crim: digging out from a bunch of bad cases (death cases) you inherited - you've been there a while so hopefully this is getting closer; continue to put eyes on your products for quality - overall you guys are doing some good, hard work
- Fraud: believe you have one case open - that's good - just keep fraud alive while you're catching up elsewhere
- CI: trending from green to yellow; need to pick up the engagement with R2 staff; understand you have a 146 billet inbound which may help
- Sourcing: 5 on the books; just ensure they're being met and are productive
- ASIs: excellent effort in this area - one of the top producers in the Region at this point

30-Day Plan:

- Crim: may want to consider a "stand-down" day to get a game-plan together to close out all the old stuff; if you need TDY support to help w/ backlog we can discuss that but would like to see what your faced with first and what your plan would be
- CI engagement: work with R2 AOs to at least get some defensive CI initiatives going

Let me know if you have any questions and thanks for all your hard work and leadership!

JH

James L. Hudson, Colonel, USAF
Commander, AFOSI 2 Field Investigations Region
Joint Base Langley-Eustis VA
Commercial: (757) 225-1161
DSN: 575-1161
BB/Cell: (757) 869-7603

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JEX 0027-0114

USA00015638



File No: 17HQCDI-062

Exhibit #12

D. KELLEY Investigative Timeline

Exhibit #12

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DODIG 006803

JEX 0027-0115

USA00015639

