DEPARTMENT OF HOMELAND SECURITY

Immigration and Customs Enforcement
Office of Professional Responsibility

REPORT OF INVESTIGATION

HB 4200-01 (37), Special Agent Handbook

1. CASE NUMBER
(b) (2), (b) (7)(E)

PREPARED BY
(b)(6), (b)(7)(C)

2. REPORT NUMBER
001

3. TITLE
(b)(6), (b)(7)(C) 1610 General Misconduct-Other Non-criminal/PORT ANGELES, CLALLAM, WA

4. FINAL RESOLUTION

5. STATUS	6. TYPE OF REPORT	7. RELATED CASES
Initial Report	Allegation	

8. TOPIC

(b)(6), (b)(7)(C) allegedly said if agents "feel threatened, they can beat that tonk like a pinata . . ."

9. SYNOPSIS

On February 29, 2012, the Joint Intake Center (JIC), Washington, DC, received an e-mail from U.S. Customs and Border Protection (CBP) (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) (b)(6), (b)(7)(C), in which he alleges misconduct on the part of (b)(6), (b)(7)(C) (b)(6), (b)(7)(C), also of (b)(6), (b)(7)(C). In his e-mail (b)(6), (b)(7)(C) alleges that during a (b)(6), (b)(7)(C) supervisors' meeting, (b)(6), (b)(7)(C) stated, "you tell all the guys that if they feel threatened, they can beat that tonk like a pinata until candy comes out."

10. CASE OFFICER (Print Name & Title)	11. COMPLETION DATE	14. ORIGIN OFFICE
(b)(6), (b)(7)(C) - Joint Intake Specialist	01-MAR-2012	Joint Intake Center
12. APPROVED BY(Print Name & Title)	**13. APPROVED DATE**	**15. TELEPHONE NUMBER**
(b)(6), (b)(7)(C) - Joint Intake Specialist	01-MAR-2012	No Phone Number

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DEPARTMENT OF HOMELAND SECURITY

REPORT OF INVESTIGATION CONTINUATION

HB 4200-01 (37), Special Agent Handbook

1. CASE NUMBER

(b) (2), (b) (7)(E)

PREPARED BY

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

2. REPORT NUMBER

001

10. NARRATIVE

DETAILS OF INVESTIGATION:

On February 29, 2012, the Joint Intake Center (JIC), Washington, DC, received an e-mail from U.S. Customs and Border Protection (CBP) (b)(6), (b)(7)(C) (b)(6), (b)(7)(C), (b)(6), (b)(7)(C), in which he alleges misconduct on the part of (b)(6), (b)(7)(C) (b)(6), (b)(7)(C), also of (b)(6), (b)(7)(C). In his e-mail (b)(6), (b)(7)(C) alleges that during a (b)(6), (b)(7)(C), supervisors' meeting, (b)(6), (b)(7)(C) stated, "you tell all the guys that if they feel threatened, they can beat that tonk like a pinata until candy comes out."

Following is the body of (b)(6), (b)(7)(C) e-mail to the JIC. No changes have been made to grammar, punctuation or spelling. Any changes in format are due to formatting limitations within the Joint Integrity Case Management System (JICMS).

<Begin>

Today, while in a supervisor meeting at (b)(6), (b)(7)(C), (b)(6), (b)(7)(C) was covering the issue of assaults on agents. (b)(6), (b)(7)(C) stated to all supervisory staff present, "you tell all the guys that if they feel threatened, they can beat that tonk like a piñata until candy comes out." I, being a use of force instructor, told him that I didn't believe that that was within the use of force policy, and I cited the use of force continuum in an attempt to clarify the issue. I told him that there are indicators that can help determine if someone will become assaultive, like the thousand yard stare, but that in itself does not meet the criteria for aggressive assaultive behavior. He told me that it did and, within the confines of the supervisor meeting taking place, I relented to keep the meeting moving.

I believe that his statement undermines the use of force policy and could lead our agents into possible litigation if it is his wish that we preach this philosophy to the agents.

<End>

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	PREPARED BY (b)(6), (b)(7)(C)
REPORT OF INVESTIGATION Exhibit List HB 4200-01 (37), Special Agent Handbook	2. REPORT NUMBER 001

None