



U.S. OFFICE OF SPECIAL COUNSEL
1730 M Street, N.W., Suite 300
Washington, D.C. 20036-4505

The Special Counsel

April 22, 2025

The President
The White House
Washington, D.C. 20050

Re: OSC File No. DI-21-000699

Dear Mr. President:

I am forwarding to you a report transmitted to the U.S. Office of Special Counsel (OSC) by the U.S. Department of Homeland Security in response to the Special Counsel's referral of a disclosure of wrongdoing at the U.S. Immigration and Customs Enforcement (ICE), Homeland Security Investigations (HSI), West Valley, Utah.¹ The ICE Office of Professional Responsibility (OPR) Special Investigations Unit investigated the allegations. OSC has reviewed the disclosure, the agency report, and whistleblower comments and, in accordance with 5 U.S.C. §1213(e), we have determined the report contains the information required by statute and the findings appear reasonable. As summarized below, the agency did not substantiate the allegations.

The whistleblower, [REDACTED], a former Criminal Intelligence Analyst with HSI, who consented to release of his name, alleged that HSI Assistant Special Agent in Charge [REDACTED] improperly removed HSI employees assigned to [REDACTED]² a longstanding investigation into child exploitation and other illegal activity, effectively terminating further inquiry into the matter. [REDACTED] explained that while assigned to [REDACTED] he received a copy of a video interview of then-Utah County Attorney [REDACTED]. The video included footage of [REDACTED] making potentially incriminating statements involving potential child exploitation and the illegal adoption of a minor.³

¹ The allegations were referred to former Secretary of Homeland Security Alejandro Mayorkas for investigation pursuant to 5 U.S.C. § 1213(c) and (d). Secretary Mayorkas delegated authority to review and sign the report to DHS component heads. Stacy A. Barrera, Senior Official Performing the Duties of the Deputy Director signed the report. The DHS Office of Professional Responsibility conducted the investigation.

² [REDACTED] refers to an investigation into child exploitation initiated in 2015 that involved former Utah County Attorney [REDACTED] as one of the subjects.

³ [REDACTED] on-video statements potentially implicated the Trafficking Victims Protection Act of 2000, codified at 22 U.S.C. §78 (2000) and the Indian Child Welfare Act of 1978, codified at 25 U.S.C. §§1901-1963 (1978).

██████ alleged that when presented with the video of ██████ on August 26, 2020, ██████ immediately removed ██████ and his colleague, Special Agent ██████ from "Operation See No Evil," and instructed all members of the former investigative team, including ██████ and ██████, to cease any activity related to the investigation, refrain from initiating any spin-off or ancillary investigations, and to have no further contact with the source that provided them with the video. ██████ asserted that following this direction, the agency ceased all further investigation into the matter and HSI, to date, has declined to investigate ██████ statements in the video. While conceding ██████ had been one of several parties under investigation within ██████ since 2015, ██████ asserted that ██████ improperly declined to incorporate the video into the ongoing investigation and open a new case on the merits. ██████ further asserted that ██████ direction effectively removed HSI's ability to obtain warrants from the United States Attorney's Office (USAO) and to facilitate additional action on the matter, despite ██████ belief that probable cause existed, based on the video, to secure the child in question for her safety.

The agency did not substantiate the allegations. Through interviews of multiple employees affiliated at different times with ██████ the agency concluded that ██████ alleged misconduct involving potential bribery/illegal adoption and child exploitation remained under continuous, open investigation following ██████ and ██████ removal as case investigators. Moreover, the agency determined that following ██████ and ██████ removal from the case, ██████ immediately assigned HSI SA ██████ as lead agent, which the agency determined was a managerial decision made in coordination with HSI's Salt Lake City, Utah and Denver, Colorado offices, resulting from ██████ concerns with the prior investigative team's performance and his belief that ██████ was the more appropriate official to review the matter.

The agency also determined that contrary to ██████ allegations, HSI presented evidence related to "Operation See No Evil," including allegations of child exploitation and illegal adoption against ██████, to the USAO at multiple points during ██████ pendency, but the USAO declined prosecution based on its assessment that ██████ political position presented a unique conflict of interest for the office. The agency further determined that as of 2021, ██████ presented evidence and findings related to "Operation See No Evil" and ██████ to the Davis County, Utah District Attorney's Office, which also declined prosecution.

Additionally, though ██████ determined he lacked sufficient information to indict ██████ in 2021, he continued working the case, focusing specifically on ██████ alleged illegal adoption of a minor, and eventually collaborated with the Department of Health and Human Services (HHS) Office of Inspector General (OIG). As of November 2023, ██████ was still jointly investigating ██████ alleged illegal adoption of a minor with the HHS OIG. Finally, the agency confirmed that as of November 2023, ██████ had presented and transferred

evidence concerning [REDACTED] to the Utah County Sheriff's Office which had an active, ongoing investigation of sexual crimes related to the matter. In sum, the agency's investigation adduced relevant and material evidence of the ongoing [REDACTED] both before and after [REDACTED] allegation that it had been improperly terminated, to support its conclusion that this allegation was not substantiated.

The agency made additional findings in this matter. The agency found that [REDACTED] disclosed law-enforcement sensitive information to multiple individuals who lacked a need-to-know the information. The agency also found that [REDACTED] knowingly submitted false information to ICE OPR and to OSC regarding allegations against [REDACTED] and the [REDACTED] investigation. The ICE OPR investigative team presented these findings to the USAO in 2021, which declined prosecution in October 2023.

In his comments, [REDACTED] asserted ICE OPR failed to interview him in relation to OSC's referral of this matter;⁴ failed to take signed or verified statements from witnesses; provided inaccurate and incomplete summaries of witness testimony; and provided false accounts of witness statements throughout the report. [REDACTED] also asserted ICE OPR agents involved in the investigation pursuant to OSC's referral acted, at best, unprofessionally, and at worst, in potential violation of the ICE OPR's rules of procedure. [REDACTED] further asserted the findings related to wrongdoing against him were evidence of a retaliatory investigation.

In accordance with 5 U.S.C. § 1213(e), I have determined that the report contains the information required by statute and the findings appear reasonable. As required by 5 U.S.C. § 1213(e)(3), I have sent a copy of this letter, the agency report, and whistleblower comments to the Chairs and Ranking Members of the Senate and House Committees on Homeland Security. I have also filed redacted copies of these documents and the redacted referral letter in OSC's public file, which is available online at www.osc.gov. This matter is now closed.

Respectfully,



Charles M. Baldis
*Senior Counsel and Designee
of Acting Special Counsel Jamieson Greer*

Enclosures

⁴ ICE OPR interviewed [REDACTED] on July 12, 2021, prior to OSC's referral on August 2, 2021. OPR did not re-interview [REDACTED] following OSC's referral, because [REDACTED] was under federal investigation in connection with his statements in this matter.



U.S. OFFICE OF SPECIAL COUNSEL
1730 M Street, N.W., Suite 300
Washington, D.C. 20036-4505

The Special Counsel

August 3, 2021

The Honorable Alejandro Mayorkas
Secretary
U.S. Department of Homeland Security
2707 Martin Luther King, Jr., Ave., SW
Washington, D.C. 20593

Re: OSC File No. DI-21-000699
Referral for Investigation—5 U.S.C. § 1213(c)

Dear Secretary Mayorkas:

I am referring to you for investigation a whistleblower disclosure alleging that employees at the Department of Homeland Security, Immigration and Customs Enforcement, Homeland Security Investigations (HSI), West Valley City, Utah, engaged in conduct that may constitute an abuse of authority, gross mismanagement, and a substantial and specific danger to public safety. A report of your investigation and any related matters is due to the Office of Special Counsel (OSC) on October 4, 2021.

The whistleblower, [REDACTED], a HSI criminal intelligence analyst who consented to the release of his name, alleged that HSI improperly terminated an investigation into allegations involving current Utah County Attorney [REDACTED]. The allegations to be investigated are as follows:

- In April 2020 personnel assigned to [REDACTED] received video evidence implicating [REDACTED] in a potential violation of the Trafficking Victims Protection Act of 2000, 22 U.S.C. § 78, and the Indian Child Welfare Act (ICWA), 25 U.S.C. 1900, but failed to open a case or investigate the allegations.
- On August 26, 2020, Assistant Special Agent in Charge (ASAC) [REDACTED] removed and reassigned the HSI employees assigned to [REDACTED] effectively terminating further inquiry into these and related matters; and
- Any additional, related allegations of wrongdoing discovered during the investigation of the foregoing allegations.

[REDACTED] explained that employees assigned to [REDACTED] received a copy of a video interview with [REDACTED] from a source in April 2020. In this video, [REDACTED] discusses his 2017 adoption of a Native American child from the Northern Cheyenne Indian Reservation. [REDACTED] initially describes an agreement with former tribal president [REDACTED] in which [REDACTED] offers to broker the sale of tribal bison to Ukraine. [REDACTED]

¹HSI case [REDACTED] was originally opened in 2015 and involved three separate investigations into human smuggling and trafficking allegations and related matters.

August 3, 2021

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[REDACTED] then appears to suggest a *quid pro quo* whereby [REDACTED] repays him by facilitating adoption of a 6-month-old Native American child who resides on the reservation. [REDACTED] refers to the child as his “niece” and apparently she is a relation by marriage. He then describes events that appear to violate the ICWA’s extensive required court-supervised adoption processes, including: conversations regarding custody with the child’s mother that suggest coercion; [REDACTED] improperly influencing a tribal social worker; and [REDACTED] obtaining exclusive physical custody of the child and removing her from tribal land without a formal court decree or an order of adoption from a judge.

[REDACTED] alleged that while [REDACTED] the subject of a prior HSI investigation initiated as part of [REDACTED] in 2015, the above-discussed video was not incorporated into this ongoing inquiry, nor was a new case opened to review it on the merits. [REDACTED] also explained that Assistant United States Attorneys were removed from the case in early 2020 and as a result, HSI lacked the capacity to obtain warrants to facilitate further action, despite investigators’ belief that probable cause existed to secure the child for her safety.

Subsequently, on August 26, 2020, [REDACTED] reassigned [REDACTED] from the three HSI employees assigned to the matter. [REDACTED] instructed employees to cease any activity related to this investigation, not to initiate any “spin-off or ancillary investigations,” and to have no further contact with the source that provided them with the video. [REDACTED] alleged that since the reassignment of this case, no further substantive investigation has occurred, nor has HSI opened a case concerning the adoption allegations discussed above.

I have concluded that there is a substantial likelihood that the information provided to OSC discloses an abuse of authority; gross mismanagement; and a substantial and specific danger to public safety. Please note that specific allegations and references to specific violations of law, rule or regulation are not intended to be exclusive. As previously noted, your agency must conduct an investigation of these matters, and I will review the report for sufficiency and reasonableness before sending copies of the agency report along with the whistleblower’s comments and any comments or recommendations I may have, to the President and congressional oversight committees and making these documents publicly available.

Additional important requirements and guidance on the agency report are included in the attached Appendix, which can also be accessed <https://osc.gov/Pages/DOW.aspx>. If your investigators have questions regarding the statutory process or the report required under section 1213, please contact Catherine A. McMullen, Chief, Disclosure Unit, at (202) 804-7088 or cmcmullen@osc.gov for assistance. I am also available for any questions you may have.

Sincerely,



Henry J. Kerner
Special Counsel

Enclosure

cc: The Honorable Joseph V. Cuffari, Inspector General

APPENDIX

AGENCY REPORTS UNDER 5 U.S.C. § 1213

GUIDANCE ON 1213 REPORT

- OSC requires that your investigators interview the whistleblower at the beginning of the agency investigation when the whistleblower consents to the disclosure of his or her name.
- Should the agency head delegate the authority to review and sign the report, the delegation must be specifically stated and include the authority to take the actions necessary under 5 U.S.C. § 1213(d)(5).
- OSC will consider extension requests in 60-day increments when an agency evidences that it is conducting a good faith investigation that will require more time to complete.
- Identify agency employees by position title in the report and attach a key identifying the employees by both name and position. The key identifying employees will be used by OSC in its review and evaluation of the report. OSC will place the report without the employee identification key in its public file.
- Do not include in the report personally identifiable information, such as social security numbers, home addresses and telephone numbers, personal e-mails, dates and places of birth, and personal financial information.
- Include information about actual or projected financial savings as a result of the investigation as well as any policy changes related to the financial savings.
- Reports previously provided to OSC may be reviewed through OSC's public file, which is available here: <https://osc.gov/PublicFiles>. Please refer to our file number in any correspondence on this matter.

RETALIATION AGAINST WHISTLEBLOWERS

In some cases, whistleblowers who have made disclosures to OSC that are referred for investigation pursuant to 5 U.S.C. § 1213 also allege retaliation for whistleblowing once the agency is on notice of their allegations. The Special Counsel strongly recommends the agency take all appropriate measures to protect individuals from retaliation and other prohibited personnel practices.

EXCEPTIONS TO PUBLIC FILE REQUIREMENT

OSC will place a copy of the agency report in its public file unless it is classified or prohibited from release by law or by Executive Order requiring that information be kept secret in the interest of national defense or the conduct of foreign affairs. 5 U.S.C. § 1219(a).

EVIDENCE OF CRIMINAL CONDUCT

If the agency discovers evidence of a criminal violation during the course of its investigation and refers the evidence to the Attorney General, the agency must notify the Office of Personnel Management and the Office of Management and Budget. 5 U.S.C. § 1213(f). In such cases, the agency must still submit its report to OSC, but OSC must not share the report with the whistleblower or make it publicly available. See 5 U.S.C. §§ 1213(f), 1219(a)(1).



U.S. Immigration
and Customs
Enforcement

December 1, 2023

Ms. Karen Gorman
Acting Special Counsel
U.S. Office of Special Counsel
1730 M Street, N.W., Suite 300
Washington, D.C. 20036-4505

Re: OSC File No. DI-21-000699

Dear Ms. Gorman:

In accordance with Title 5, United States Code (U.S.C.), sections 1213(c) and (d), the enclosed report is submitted in response to your referral of allegations concerning officials at the Department of Homeland Security (DHS), Immigration and Customs Enforcement (ICE), West Valley City, Utah, engaged in conduct that may constitute an abuse of authority, gross mismanagement, and a substantial and specific danger to public safety.

██████████, a HSI Criminal Intelligence Analyst, who consented to the release of his name, alleged that HSI improperly terminated an investigation into allegations involving current ██████████. The allegations sent for investigation via letter dated August 3, 2021, were:

- In April 2020 personnel assigned to ██████████ received video evidence implicating Mr. Leavitt in a potential violation of the Trafficking Victims Protection Act of 2000, 22 U.S.C. § 78, and the Indian Child Welfare Act (ICWA), 25 U.S.C. § 1900, but failed to open a case or investigate the allegations.
- On August 26, 2020, Assistant Special Agent in Charge (ASAC) Steven Andres removed and reassigned the HSI employees assigned to ██████████ effectively terminating further inquiry into these and related matters.
- Any additional or related allegations of wrongdoing discovered during the investigation of the foregoing allegations.

At the OSC's request, ICE's Office of Professional Responsibility (OPR) investigated the allegations listed above.

¹ ██████████ and involved three separate investigations into human smuggling and trafficking allegations and related matters.

ICE has enclosed two versions of its report addressing the OSC's most recent inquiry. The first version of the report contains the names and positions of ICE law enforcement officers and is For Official Use Only (FOUO), as specified by Title 5, U.S.C. Section 1213(e). Each page of the report has been marked accordingly. We understand that, as required by law, you will provide a copy of the unredacted version of the report to the President of the United States and the appropriate oversight committees in the United States Senate and House of Representatives for their review. In these legally required re-disclosures of the unredacted report, ICE respectfully requests that OSC retain ICE's FOUO markings and convey the sensitivities of the identifiable information contained in the report.

The second version of the report has been redacted to eliminate references to privacy-protected information and is suitable for release in accordance with the Freedom of Information Act (FOIA). 5 U.S.C. Section 552. ICE has redacted the names and positions of law enforcement officers pursuant to FOIA exemptions (b)(6) and (b)(7)(C) because the release of this information would constitute a clearly unwarranted invasion of the law enforcement officers' personal privacy. Accordingly, these exemptions are specifically asserted to protect ICE's law enforcement officers from possible acts of threat, coercion, and bribery. ICE requests that only the redacted version of the report be made available on your website and in your public library, or in any other forum in which it will be accessible to persons not expressly entitled by law to a copy of the unredacted report.

DHS Delegation Number 00013, dated October 29, 2019, delegates authority to review and sign investigative reports to DHS Component heads who may in turn re-delegate that authority. I have been designated to review and sign this report.

Please do not hesitate to contact my office at (202) 732-3000 should you require any further information regarding these matters.

Sincerely,

Staci A. Barrera
Senior Official Performing the Duties of
the Deputy Director

Enclosure

cc: Chief Human Capital Officer

I. Summary of Information which Initiated the OPR Investigation

On an unknown date, the whistleblower¹, who consented to the release of [REDACTED] name, submitted allegations to the Office of Special Counsel (OSC) relating to U.S. Department of Homeland Security (DHS), Immigration and Customs Enforcement (ICE) Homeland Security Investigations (HSI), improperly handling allegations involving then [REDACTED]. OSC requested that DHS investigate the following:

Allegation 1: In April 2020 personnel assigned to [REDACTED]² received video evidence implicating [REDACTED] in a potential violation of the Trafficking Victims Protection Act of 2000, 22 U.S.C. § 78, and the Indian Child Welfare Act (ICWA), 25 U.S.C. § 1900, but failed to open a case or investigate the allegations.

Allegation 2: On August 26, 2020, [REDACTED] removed and reassigned the HSI employees assigned to [REDACTED] effectively terminating further inquiry into these and related matters.

On August 3, 2021, the OSC provided a letter to DHS Secretary Alejandro Mayorkas, who referred the allegations to ICE for investigation.

According to the information referred by the OSC, the whistleblower explained that HSI employees assigned to [REDACTED] received a copy of a video interview with [REDACTED] from a source in April 2020. In this video, [REDACTED] discusses [REDACTED] 2017 adoption of a Native American child from the Northern Cheyenne Indian Reservation. [REDACTED] initially describes an agreement with former tribal president [REDACTED] in which [REDACTED] offers to broker the sale of tribal bison to Ukraine. [REDACTED] then appears to suggest a quid pro quo whereby [REDACTED] repays [REDACTED] by facilitating [REDACTED] adoption of a 6-month-old Native American child who resides on the reservation. [REDACTED] refers to the child as [REDACTED] "niece" and apparently, she is a relation by marriage. The whistleblower then described events appearing to violate the ICWA's extensive required court-supervised adoption processes including conversations regarding custody with the child's mother suggesting coercion in addition to [REDACTED] improperly influencing a tribal social worker, and [REDACTED] obtaining exclusive physical custody of the child removing [REDACTED] from tribal land without a formal court decree or an order of adoption from a judge.

The whistleblower alleged that while [REDACTED] was the subject of a prior HSI investigation initiated as part of [REDACTED] in 2015, the video was not incorporated into this ongoing inquiry nor was a new case opened to review it on the merits. The whistleblower also

¹ The individual will be referred to in this document as the "whistleblower." Because the whistleblower consented to the release of his name, OPR was able to interview the whistleblower to obtain additional information regarding specific allegations.

² [REDACTED] was originally opened in 2015 and involved three separate investigations into human smuggling and trafficking allegations and related matters.

explained that Assistant United States Attorneys (AUSAs) were removed from the case in early 2020 and as a result, HSI lacked the capacity to obtain warrants to facilitate further action, despite investigators' belief that probable cause existed to secure the child for her safety.

On August 26, 2020, [REDACTED] reassigned [REDACTED] from the three HSI Special Agents (SAs) assigned to the investigation. [REDACTED] instructed employees to cease any activity related to the investigation and not to initiate any spin-off or ancillary investigations; and to have no further contact with the source that provided them with the video.

The whistleblower alleged that since the reassignment of this case, no further substantive investigations had occurred nor has HSI opened additional cases concerning the allegations discussed above.

On August 18, 2021, the OSC referral was assigned to the ICE Office of Professional Responsibility (OPR) for investigation. As evidenced in this report, OPR had already begun an investigation into the same issues on June 7, 2021.

II. Description of Conduct of OPR's Investigation

On May 19, 2021, OPR received information from HSI Charleston, [REDACTED] alleging HSI Salt Lake City, UT (SLC), [REDACTED] purposely reassigned the whistleblower and former case agent from an active HSI SLC child exploitation (CE) investigation to cover up CE including the alleged kidnapping of a baby by a prominent Utah county attorney, hampering the HSI CE investigation.

On June 7, 2021, the OPR Special Investigations Unit³ (OPR SIU) initiated a criminal investigation into the allegations against [REDACTED], to include a review of the HSI CE case.

On July 12, 2021, OPR SIU interviewed the whistleblower under oath, who claimed to have no knowledge of the criminal allegations put forth by [REDACTED] against [REDACTED]. The whistleblower stated [REDACTED] did not believe the allegations against [REDACTED] to be true nor did [REDACTED] possess any information to corroborate the allegations.

OPR SIU discovered during the investigation that the whistleblower submitted a complaint to the OSC after [REDACTED] July 12, 2021 interview, outlining the same information [REDACTED] was questioned about in [REDACTED] OPR interview, however the whistleblower provided contradicting information as it relates to the [REDACTED] investigation.

OPR reviewed the information provided by the OSC and conducted extensive investigative interviews of HSI employees and civilians, reviewed information associated with the

³ OPR SIU is responsible for conducting investigations into criminal and serious administrative misconduct allegations involving ICE Senior Executive Service (SES) members, GS-15 level employees, and ICE employees assigned to foreign offices.

whistleblower's cellular phone and iCloud account, and forensically recovered and reviewed substantial amounts of internal government communication artifacts.

The following references were reviewed and consulted for guidance:

- May 21, 2021, Hostile Work Environment complaint filed by the whistleblower with the ICE Office of Diversity and Civil Rights containing allegations related to the information reported to the Joint Intake Center by [REDACTED].

Interviews were conducted with the following government employees:

- [REDACTED] t, HSI Salt Lake City, Utah
- [REDACTED] HSI Salt Lake City, Utah
- [REDACTED] HSI Salt Lake City of [REDACTED]
- [REDACTED] ([REDACTED] HSI SLC [REDACTED])
- [REDACTED] (formerly assigned to HSI Colorado Springs, Colorado)
- [REDACTED] (formerly assigned to HSI SAC Denver, Colorado)
- [REDACTED] HSI Denver, Colorado
- [REDACTED], HSI Los Angeles, California
- [REDACTED] HSI Salt Lake City, Utah
- [REDACTED], HSI Salt Lake City, Utah
- [REDACTED] HSI Las Vegas, Nevada [REDACTED]
- [REDACTED], HSI Peer Support, Washington, D.C.

The following civilians were interviewed:

- [REDACTED]

OPR Operational Support Unit, Cyber Operations Unit forensically recovered the contents of government email accounts of the whistleblower and those with whom [REDACTED] communicated, to develop information related to each allegation, and to corroborate information developed through interviews and other investigative measures.

During the OPR investigation, DHS Office of the Inspector General (OIG) and HSI SLC management notified OPR that the whistleblower submitted [REDACTED] resignation as a CA on January 31, 2022, after being told [REDACTED] was a subject of investigation in a separate administrative investigation (unrelated to this specific case).

During the investigation, OPR identified additional allegations that were further investigated which included:

Allegation 3: The whistleblower disclosed law-enforcement sensitive information to a civilian and an HSI auditor, neither of whom had a need to know or proper access to the information.

Allegation 4: The whistleblower knowingly submitted false information to OPR and the OSC.

III. Summary of Evidence Obtained from the OPR Investigation

Allegation 1: In April 2020 personnel assigned to [REDACTED] received video evidence implicating [REDACTED] potentially violating the Trafficking Victims Protection Act of 2000, 22 U.S.C. § 78, and the Indian Child Welfare Act (ICWA), 25 U.S.C. § 1900, but failed to open a case or investigate the allegations.

Per the OSC referral, the whistleblower alleged that employees assigned to [REDACTED] received a copy of a video interview with [REDACTED] from a source in April 2020. The whistleblower alleged that while [REDACTED] was the subject of a prior HSI investigation initiated as part of [REDACTED] in 2015, the above-discussed video was not incorporated into this ongoing inquiry, nor was a new case opened to review it on the merits. The whistleblower also explained that Assistant United States Attorneys (AUSAs) were removed from the case in early 2020 and as a result, HSI lacked the capacity to obtain warrants to facilitate further action, despite investigators' belief that probable cause existed to secure the child for her safety.

[REDACTED]

[REDACTED]

[REDACTED]

⁴ The Joint Intake Center (JIC) was the ICE intake, assessment and dissemination center for allegations of misconduct involving ICE employees. The allegations may originate from ICE entities, outside stakeholders and civilians.

[REDACTED]

On July 8, 2021, OPR interviewed [REDACTED] who explained [REDACTED] was the case agent assigned to the HSI Provo, UT case. When the HSI Provo office was decommissioned, [REDACTED] reopened the case under HSI SLC as [REDACTED] involving CE investigations. [REDACTED] stated the whistleblower was assigned as the CA to assist [REDACTED] with the investigation.

In approximately June 2020, [REDACTED] presented the case to the United States Attorney's Office (USAO) and the Utah Attorney General's office for prosecution on three separate occasions. [REDACTED] believes both offices were interested in the case but started to pull back because the subject of the investigation was running for Attorney General of Utah. According to [REDACTED], the Utah State Attorney's Office believed the case could be a possible conflict of interest and that it may appear political due to the subject running for public office.

[REDACTED] stated [REDACTED] had no facts to support the allegation that [REDACTED] criminally aided and abetted the subject by quashing the investigation. In addition, [REDACTED] said no other law-enforcement personnel approached [REDACTED] with any facts to support the allegation that [REDACTED] aided and abetted anybody related to the case. [REDACTED] stated [REDACTED] would have contacted the JIC immediately if [REDACTED] had any facts to corroborate the criminal allegations against [REDACTED]. [REDACTED] said that the whistleblower had discussed these allegations with [REDACTED] in the past and believes that this has been a "running theory" of the whistleblower.

[REDACTED] stated the whistleblower did not have any more knowledge about the subject of investigation in the case than [REDACTED] did, nor did the whistleblower have a larger role in the investigation. [REDACTED] also confirmed that the case was transferred to HSI SLC [REDACTED] and was never shut down.

OPR interviewed HSI SLC [REDACTED] on July 12, 2021. [REDACTED] was the supervisor assigned to the HSI SLC case. [REDACTED] said the case was, at the time of the interview, being actively investigated by [REDACTED]. [REDACTED] explained that the case was originally opened under HSI Provo and was transferred to HSI SLC when the HSI Provo office shut down.

[REDACTED] recalled a Microsoft TEAMS meeting with [REDACTED], the whistleblower, and [REDACTED], in which the case was being presented to [REDACTED] for possible prosecution. [REDACTED] stated [REDACTED] heard afterwards that the case was presented to the [REDACTED] for possible prosecution. [REDACTED] believes the case was declined by the [REDACTED] due to the potential for political conflict.

[REDACTED] stated [REDACTED] never told [REDACTED] that the case had to be shut down, nor who the case agent could actively investigate, specifically, [REDACTED]. [REDACTED] went on to say that [REDACTED] has never known [REDACTED] to shut down a case for personal reasons. [REDACTED] went on to say that the three case agents who were assigned related cases are "squared away" agents

and that [REDACTED] wanted it that way. [REDACTED] said [REDACTED] supported "seeing it through" as it related to the investigations.

[REDACTED] was read the criminal allegations put forth against [REDACTED] and was asked if [REDACTED] believed those allegations to be true. [REDACTED] stated, "in no way, shape or form." [REDACTED] went on to say that neither [REDACTED] nor the whistleblower has ever approached [REDACTED] with those allegations against [REDACTED]. [REDACTED] said [REDACTED] has known [REDACTED] since [REDACTED] arrival into the HSI SLC office and that [REDACTED] is one of the best bosses [REDACTED] has ever had.

OPR interviewed [REDACTED] on July 12, 2021. [REDACTED] said [REDACTED] was assigned the HSI SLC case in approximately September 2020. [REDACTED] identified [REDACTED] and the whistleblower as the former case agent and CA assigned to the investigation prior to [REDACTED] being assigned the case. [REDACTED] said [REDACTED] does not believe that the whistleblower has had any involvement in the investigation since [REDACTED] was assigned the case. [REDACTED] stated in September 2020, [REDACTED] was advised by [REDACTED] former HSI SLC [REDACTED] that [REDACTED] was not to discuss the case with either [REDACTED] or the whistleblower. Additionally, [REDACTED] said [REDACTED] has only ever spoken to [REDACTED] about historical issues relating to the case and has not updated [REDACTED] on new developments.

[REDACTED] went on to say that the case, and one of the other cases associated with [REDACTED] investigation, may have had the interest of the USAO in SLC. According to [REDACTED], [REDACTED] contacted the USAO and spoke to [REDACTED] who advised [REDACTED] to wait until the elections were over and to contact [REDACTED] again in February 2021. This was because the subject of investigation was running for political office. [REDACTED] stated [REDACTED] finally was able to get in contact with [REDACTED] again in April, however, [REDACTED] advised [REDACTED] that there was no more federal interest in the case and recommended that [REDACTED] contact the Davis County District Attorney's Office to see if they had any interest in the investigation who, according to [REDACTED], was not interested in pursuing the investigation.

[REDACTED] does not believe [REDACTED] currently has enough evidence to move forward with an indictment against the main subject of investigation. [REDACTED]
[REDACTED]

[REDACTED] stated [REDACTED] has never been told by [REDACTED] to not move forward with [REDACTED] investigation or an indictment against the subject of investigation, nor has it ever been conveyed to him by anybody else. [REDACTED] said [REDACTED] has never directed [REDACTED] on which subjects [REDACTED] could investigate. [REDACTED] went on to say that if [REDACTED] had encountered any information supporting the allegations against [REDACTED], [REDACTED] would have immediately reported it to [REDACTED]. In addition, [REDACTED] stated that neither [REDACTED], nor the whistleblower has ever approached [REDACTED] and advised [REDACTED] that [REDACTED] may be criminally involved in any way with his case.

OPR SIU conducted a subsequent witness interview of [REDACTED] on November 3, 2022. [REDACTED] advised that after learning the Davis County District Attorney's Office was not interested in pursuing the case, [REDACTED]

[REDACTED] of investigation documents that there was no evidence of human trafficking or production of child pornography discovered and the federal case would be closed. [REDACTED]

Additionally, [REDACTED] advised that the second piece to this case was the alleged illegal adoption by [REDACTED]. [REDACTED] advised that [REDACTED]

On November 14, 2023, [REDACTED] advised OPR SIU that on June 1, 2023, the AUSA assigned to the alleged illegal adoption related to this case involving [REDACTED] stated they lacked enough evidence to move forward with the criminal case. [REDACTED]

OPR SIU interviewed the whistleblower on July 12, 2021. The whistleblower believed [REDACTED] began working on both HSI SLC and HSI Provo cases in October 2019. The whistleblower said [REDACTED] was the case agent assigned to the case when [REDACTED] involvement began. The whistleblower said [REDACTED] asked [REDACTED] to help with the investigation. Furthermore, the whistleblower identified [REDACTED] as the subject of investigation. The whistleblower was able to recall that there was a video involving [REDACTED] and that the video also included a baby. The whistleblower said the video was emailed to [REDACTED] by a documentary filmmaker.

The whistleblower said [REDACTED] was not sure if [REDACTED] was ever transferred to a new HSI SA. However, later in the OPR interview, the whistleblower said when [REDACTED] first took the case, [REDACTED] spoke to [REDACTED] in reference to if [REDACTED] ever needed anything, to let [REDACTED] know. Furthermore, the whistleblower stated [REDACTED] did not know if that case was still open. The whistleblower stated [REDACTED] has never spoken to [REDACTED] about the case. The whistleblower believes the last time [REDACTED] accessed the case was in August 2020.

OPR SIU asked the whistleblower if there were other law-enforcement agencies involved with the investigation, to which the whistleblower replied, "Which one?" OPR SIU responded, "The one with the main subject of investigation, that's the only thing we are talking about, is the case involving [REDACTED]."

The whistleblower said to [REDACTED] understanding, the case originated with the Provo Police Department. The whistleblower was asked if there were state, local, or other federal agencies that were also involved, to include any prosecutors' offices, to which the whistleblower replied, "I would imagine so," but wasn't specifically aware of any.

The whistleblower said that nobody ever told [REDACTED], or [REDACTED], that they were limited on who they can investigate, related to the case. Furthermore, the whistleblower said that nobody ever told [REDACTED] that the case, or any parts of the case, couldn't be investigated. The whistleblower said [REDACTED] didn't think there was enough support in the investigation.

The whistleblower believed the case was supported by [REDACTED], HSI Denver, [REDACTED] and HSI Denver, [REDACTED], however, the whistleblower did not believe [REDACTED] supported the case.

The whistleblower said that although nobody said that [REDACTED] didn't support the case, it was [REDACTED] overall demeanor during the case briefs they gave that led [REDACTED] to that conclusion. However, the whistleblower said that [REDACTED] never expressed anything to [REDACTED] about any of this. The whistleblower stated, based on [REDACTED] observations of [REDACTED] demeanor, [REDACTED] didn't feel as though [REDACTED] supported them in the investigation, or that [REDACTED] had the "follow the evidence and see where it leads" attitude. The whistleblower does not believe [REDACTED] perceived lack of support by [REDACTED] in their case would be present any other type of investigation conducted by HSI. The whistleblower went on to say that [REDACTED] told [REDACTED] and [REDACTED] that [REDACTED] was going to keep them on a very short leash. The whistleblower said [REDACTED] never asked anybody what [REDACTED] meant by keeping them on a short leash.

OPR SIU again asked the whistleblower, "Nobody has told you; you can't work this case, to shut it down or stop investigating any of the subjects" to which the whistleblower replied, "No sir."

OPR SIU asked the whistleblower if [REDACTED] was still a subject of investigation when [REDACTED] was removed from the case, which the whistleblower replied, "Almost a year ago, yeah." OPR SIU again asked the whistleblower if [REDACTED] knew, when [REDACTED] left the case, that [REDACTED] was still an active subject in an open investigation, to which the whistleblower replied, "Yes."

The whistleblower reiterated that [REDACTED] did not know there was an open investigation into [REDACTED]. The whistleblower said [REDACTED] is unaware of any pending indictments or arrests associated with the case.

OPR SIU interviewed [REDACTED] on July 13, 2021. [REDACTED] stated [REDACTED] was briefed on [REDACTED] in approximately October 2019, and that [REDACTED] was the case agent. [REDACTED] said the whistleblower was assigned as the CA to that investigation.

[REDACTED] said [REDACTED] had questions concerning what [REDACTED] was briefed about involving the investigation and the nexus with HSI investigative authorities but was willing to "hear it out." [REDACTED] further stated [REDACTED] wanted defined targets of investigation, an investigative plan, and a briefing with the AUSA. [REDACTED] said he asked some basic questions during the briefing but didn't receive any answers back to address those questions asked by [REDACTED]

[REDACTED] said [REDACTED] initial impression of the case was that it was "some conspiracy" and "outlandish" which in turn led [REDACTED] to be very skeptical. [REDACTED] stated [REDACTED] recalled that the case involved some "hands-on" child abuse charges that may have been years, if not decades old.

[REDACTED] stated [REDACTED] skepticism was based on [REDACTED] experience dealing with the type of cases being produced out of the HSI Provo office. [REDACTED] further stated there would be cases worked out of HSI Provo, coded as "human trafficking," that would be open for years without any federal arrests. [REDACTED] said these cases would be worked with their state and local law-enforcement partners where thousands of dollars were expended in State and Local Overtime money (SLOT), but never produced criminal investigations, financial cases, or federal arrests.

[REDACTED] said [REDACTED] spoke to HSI SLC [REDACTED] about the original Provo investigation. [REDACTED] stated [REDACTED] told [REDACTED] these allegations have been around for a long time and that there had been a previous HSI Provo investigation into all of this "years ago" that went nowhere. Furthermore, [REDACTED] said [REDACTED] told [REDACTED] that the law-enforcement community, which included the state police, local law enforcement, and Federal Bureau of Investigation (FBI) were briefed on these allegations years ago and nobody pursued it due to their lack of belief in the allegations.

In addition, [REDACTED] stated [REDACTED] rarely received updates on that investigation and that [REDACTED] didn't have any active participation in the investigation. Furthermore, [REDACTED] went on to state [REDACTED] didn't know any of the subjects of investigation in the case personally.

OPR SIU asked [REDACTED] if [REDACTED] was aware there was a Utah County Attorney associated with the investigation, in which [REDACTED] stated, "I don't know the name, but that doesn't mean they didn't bring it up at some point, but it doesn't mean anything to me."

[REDACTED] said [REDACTED] never told [REDACTED], the whistleblower or [REDACTED] that they couldn't investigate the subject, nor did [REDACTED] discourage the investigation of any subject related to their cases.

OPR SIU interviewed [REDACTED] on July 23, 2021. [REDACTED] said [REDACTED] sent the allegations to the JIC via email on May 19, 2021, which also included screenshots of text messages she received from the whistleblower. [REDACTED] said [REDACTED] never met the

whistleblower in person and only met [REDACTED] through a mutual friend, which was within the week of [REDACTED] text message exchanges with the whistleblower. [REDACTED] described [REDACTED] relationship with the whistleblower as a remote/virtual friendship. [REDACTED] said the initial contact with the whistleblower was based off the EEO process [REDACTED] was interested in pursuing.

[REDACTED] said the focus of the May 18, 2021, phone conversation with the whistleblower was based around EEO questions the whistleblower had, since [REDACTED] had former experience filing EEO complaints.

OPR SIU asked [REDACTED] if [REDACTED] told the whistleblower that [REDACTED] sent the allegations concerning the potential child exploitation cover-up to OPR, to which [REDACTED] replied, "Yes, yes, I did."

[REDACTED] said [REDACTED] did not know if the case out of HSI SLC has been closed, but the last thing [REDACTED] heard from the whistleblower in May 2021, was that the case was open. [REDACTED] stated that [REDACTED] didn't know the status of the investigation into the subject at the time of the interview.

OPR SIU interviewed [REDACTED] on August 16, 2021. [REDACTED] stated that [REDACTED] was familiar with the HSI investigation and was briefed on it. [REDACTED] said that [REDACTED] had the desire to follow the facts wherever they took the investigation. [REDACTED] stated [REDACTED] never expressed to [REDACTED] who [REDACTED] either wanted, or didn't want, investigated in the case. [REDACTED] said that [REDACTED] gave a lot of thought about this case and the direction it needed to go. [REDACTED] said [REDACTED] told [REDACTED] that [REDACTED] wanted to be kept in the loop regarding the case and to make sure the investigation was being worked in accordance with the objectives. [REDACTED] said the investigation was still open and ongoing at the time of the interview but didn't know who was assigned as the case agent. [REDACTED] stated that the allegation of a cover-up was not rooted in fact.

OPR SIU interviewed HSI SLC [REDACTED] on October 22, 2021, who confirmed that the whistleblower worked on the case [REDACTED] with [REDACTED]. [REDACTED] said the whistleblower told [REDACTED] infants were being sacrificed, murdered, and hidden in a storage unit. [REDACTED] stated that the whistleblower told [REDACTED] they were attempting to obtain search warrants for the storage unit and that the Mormon Church was "hiding" all the witnesses, and that is why nobody else was coming forward about the CE allegations. [REDACTED] stated that the whistleblower told [REDACTED] that [REDACTED] was "killing it" because there were multiple powerful influences from the Mormon Church involved. [REDACTED] had told the whistleblower that [REDACTED] was not Mormon, so [REDACTED] theory did not make sense. [REDACTED] didn't recall if the whistleblower ever told [REDACTED] there was a politician in Utah involved with this case. [REDACTED] stated that the whistleblower's information seemed to be nonsensical and outrageous.

[REDACTED] stated that [REDACTED] asked the whistleblower if [REDACTED] spoke to the HSI Denver SAC about conspiracy theory and what the [REDACTED] thought about it, to which the whistleblower said the [REDACTED] was in on it or the [REDACTED] was okay with "killing" it.

██████████ stated that the whistleblower brought up ██████████ reasons why ██████████ thought the case was "killed" two or three different times and it became repetitive, so ██████████ stopped discussing it with the whistleblower. ██████████ thought the whistleblower's theory to be well-thought out. ██████████ however described the whistleblower as being "off the reservation" with this and said ██████████ could not reason with ██████████. ██████████ stated ██████████ told the whistleblower if ██████████ really believed what ██████████ was saying to be true, ██████████ should talk to OPR or the OIG. The whistleblower never told ██████████ that ██████████ would report the matter.

Allegation 2: On August 26, 2020, ██████████ ██████████ removed and reassigned the HSI employees assigned to ██████████ effectively terminating further inquiry into these and related matters.

During ██████████ July 23, 2021 OPR SIU interview, ██████████ said ██████████ was contacted in May 2021 by the whistleblower regarding the pending Hostile Work Environment allegation that the whistleblower was in the process of filing. According to ██████████, it was the whistleblower's belief that ██████████ removed ██████████ from HSI SLC investigation ██████████ aid and abet ██████████ in the cover up of a kidnapping of a baby and the possible exploitation of other children. ██████████ reported the allegation that the whistleblower and ██████████ were removed from the investigation to cover up the allegations, to the JIC.

In the OPR SIU interview of ██████████ ██████████ stated that the whistleblower assisted ██████████ with investigative work during the CE investigation, until HSI SLC management became aware that a media/documentary company was possibly providing potential leads to them both. Furthermore, on August 26, 2020, ██████████ sent an email to both the whistleblower and ██████████ ordering them to cease independently meeting with the media/documentary company (Chain Media) and to coordinate any further contact with company representatives through the HSI Denver Public Affairs Office.

██████████ stated ██████████ thought ██████████ attempted to purposely quash the investigation because ██████████ removed both ██████████ and the whistleblower from the case. ██████████ stated ██████████ believed this because ██████████ told ██████████ that ██████████ didn't like the case, or the situation regarding the subject of investigation. ██████████ stated however, ██████████ did not believe ██████████ reassigned the case to cover up the kidnapping of a baby, or other possible CE investigative leads.

██████████ said ██████████ does not know why the case was transferred from ██████████. ██████████ described that ██████████ was disappointed in being removed from the case due to the fact ██████████ had worked the investigation for approximately four years. ██████████ stated ██████████ was not angry when ██████████ removed ██████████ from the case because the case was very time-consuming and extremely difficult. ██████████ went on to state that ██████████ was more concerned with the plight of the victims and was relieved when the case was reassigned due to the overall requirements to investigate the case.

During [REDACTED] July 12, 2021 OPR SIU interview, [REDACTED] said [REDACTED] did not make the decision relating to the case being transferred from [REDACTED]. [REDACTED] stated [REDACTED] believed [REDACTED] was removed from the case due to [REDACTED] not doing what was expected of him as a case agent, including [REDACTED] personal relationship with a media company that was providing him information relating to the case. [REDACTED] said the whistleblower also expressed [REDACTED] displeasure with the way [REDACTED] was conducting the investigation.

[REDACTED] described some performance issues associated with the case transfer, explaining that [REDACTED] spoke to [REDACTED] regarding the reporting of evidence related to the case and that [REDACTED] told [REDACTED] that the evidence was contained within [REDACTED] phone. [REDACTED] went on to say that [REDACTED] was unsure if the evidence was ever actually produced because [REDACTED] phone "crashed." [REDACTED] said if [REDACTED] possessed evidence on [REDACTED] phone that would not be in accordance with the proper handling of evidence. [REDACTED] would read the reports written by [REDACTED] relating to evidence and there didn't seem to be any evidence collected to help corroborate crimes alluded to in those reports. [REDACTED] said [REDACTED] believed [REDACTED] did a poor job of documenting investigative activities related to the case and handled evidence improperly.

[REDACTED] stated [REDACTED] believed that the removal of [REDACTED] and the whistleblower from the case was warranted. In addition, [REDACTED] cited the Victim/Witness Coordinator (VWC) from the HSI Denver office also believed the case "was all over the place" based on [REDACTED] experiences interviewing potential witnesses as the VWC.

[REDACTED] could not recall if [REDACTED] had any direct discussions with [REDACTED], or the whistleblower, addressing the reason(s) why they were removed from the case by [REDACTED]. Furthermore, [REDACTED] said, in [REDACTED] opinion, [REDACTED] does not believe the whistleblower was qualified to occupy the CA position.

During [REDACTED] July 12, 2021 OPR SIU interview, the whistleblower said [REDACTED] did not know why [REDACTED] and [REDACTED] were removed or why the case was transferred to another case agent. The whistleblower said nobody ever came to [REDACTED] and explained why [REDACTED] was removed from the case. The whistleblower stated [REDACTED] became aware of [REDACTED] removal via an email [REDACTED] sent on August 26, 2020. The whistleblower said [REDACTED] never asked [REDACTED] why [REDACTED] was removed. The whistleblower said [REDACTED] put in a lot of work into the case but that [REDACTED] never had any discussions with [REDACTED] about them being removed either. The whistleblower said [REDACTED] had no idea why the case was transferred and was unable to articulate any reasons why.

OPR SIU asked the whistleblower if [REDACTED] had facts to support these allegations but didn't feel like there was a need to report it, to which the whistleblower replied, "No, everybody knew." The whistleblower went on to say that everybody knew about the video from the investigation, and everyone knew they were taken off the case.

The whistleblower understood that allegations [REDACTED] aided and abetted in the kidnapping of a baby and covered up the exploitation of children were prosecutable offenses,

different than allegations relating to removing [REDACTED] and the case agent from the case. The whistleblower said [REDACTED] had nothing to corroborate the criminal allegations against [REDACTED].

OPR SIU asked the whistleblower if [REDACTED] knew anything prior to the interview, related to the allegations that OPR SIU read to [REDACTED] concerning [REDACTED], to which the whistleblower replied, "No."

During [REDACTED] July 13, 2021 interview, [REDACTED] described performance issues with [REDACTED] handling of the HSI investigation. [REDACTED] said, while the investigation was still assigned to [REDACTED], [REDACTED] asked [REDACTED] to meet with the [REDACTED] regarding the investigation and that to [REDACTED] knowledge, they never met. [REDACTED] said [REDACTED] then followed up with [REDACTED] with this request to make sure [REDACTED] contacted the [REDACTED]. [REDACTED] stated that at some point contact was made with the [REDACTED] which resulted in the USAO giving [REDACTED] a "laundry list" of things to accomplish in the investigation. [REDACTED] said [REDACTED] doesn't believe the request from the [REDACTED] was ever accomplished by [REDACTED].

[REDACTED] said [REDACTED] is of the belief that [REDACTED] was the "biggest liability in the state," and that [REDACTED] has had concerns about [REDACTED] as well. [REDACTED] went on to state that [REDACTED] has embarrassed [REDACTED] at the [REDACTED] on multiple occasions. [REDACTED] said [REDACTED] interactions with [REDACTED] and the whistleblower have been limited.

[REDACTED] stated that [REDACTED] had also concerns about interactions with journalist [REDACTED] and media company [REDACTED] who acted as a source of information and providing leads to [REDACTED] related to criminal allegations regarding their investigation. [REDACTED] said [REDACTED] believed there may have been a potential "conflict of interest concern" with that relationship due to [REDACTED] pursuing stories related to these leads.

[REDACTED] stated in either March or April 2020, [REDACTED] received a phone call from acting HSI Provo [REDACTED] advising [REDACTED] that [REDACTED] was invited to a dinner by [REDACTED] and the whistleblower where [REDACTED] was introduced to [REDACTED]. [REDACTED] told [REDACTED] that when [REDACTED] confronted [REDACTED] about the dinner, [REDACTED] told [REDACTED] that although [REDACTED] told [REDACTED] [REDACTED] couldn't meet with the media, [REDACTED] couldn't tell [REDACTED] who [REDACTED] can be friends with, and that [REDACTED] was there meeting with the media.

[REDACTED] stated at some point [REDACTED] contacted [REDACTED] to discuss the issues concerning [REDACTED] and the whistleblower. Furthermore, [REDACTED] said [REDACTED] also sought legal sufficiency from [REDACTED], discussing [REDACTED] desire to remove [REDACTED] and the whistleblower from the case. [REDACTED] said [REDACTED] drafted the August 26, 2020, email and sent it to [REDACTED] before sending it out to [REDACTED] and the whistleblower. [REDACTED] said [REDACTED] was told by [REDACTED] that [REDACTED] did not need to seek approval to make work assignment decisions.

██████████ confirmed with OPR SIU that ██████████ sent an email on August 26, 2020, removing ██████████ and the whistleblower from the case.

██████████ said the case was transferred to ██████████ due to ██████████ being skeptical about the validity of what was presented to ██████████ in the context ██████████ had regarding the case, to include judgement concerns ██████████ had relating to ██████████. ██████████ said that neither ██████████ nor the whistleblower ever asked ██████████ why they were removed from the case, nor did ██████████ know if they ever asked ██████████ why they were removed. ██████████ stated that the case was reassigned to ██████████ because ██████████ had a good reputation as a case agent and a good attitude.

██████████ said ██████████ believed any investigation was better off with ██████████ as the case agent than it would be with ██████████ as the case agent. ██████████ believes ██████████ was "better equipped" to handle everything that entails a criminal investigation.

OPR SIU read the following allegation to ██████████ put forth against ██████████: "Aided and abetted a prominent local elected official to kidnap a baby and exploit that baby and possibly other children by squashing and purposely hampering the active investigation by removing ██████████ and the whistleblower, because they knew the case the best." ██████████ replied, "Wow, I think that is some conspiratorial horse shit."

██████████ said the allegations were not true and didn't know why somebody would say that. ██████████ went on to state that employees have an obligation to report these types of allegations if they believe them to be true or have any facts to corroborate the allegations as this would be in line with agency policy. ██████████ said nobody had ever spoken to ██████████ about these allegations and this was the first time ██████████ had heard anything related to these allegations.

██████████ said ██████████ is not Mormon and that ██████████ was not covering up alleged criminal behavior due to any connection ██████████ may have with the Mormon Church. In addition, ██████████ said ██████████ would never cover up criminal behavior because of ██████████ religious faith. ██████████ went on to say that ██████████ had no connection to Utah before ██████████ arrival as the ██████████ nor did ██████████ have any connection to any political figure within Utah.

██████████ reiterated the actions taken against the whistleblower were done in coordination with HSI SLC and HSI Denver management, and denied the actions had anything to do with covering up activity by the attorney was an attempt to hamper the CE investigation. ██████████ explained that the actions taken against the whistleblower and the former case agent were done at managerial discretion due to performance issues. ██████████ stated that both ██████████ and ██████████ stated that ██████████ was a stellar case agent and believed ██████████ work to be superior to that of ██████████. ██████████ further denied any role or attempt to harass the whistleblower.

OPR SIU re-interviewed ██████████ on July 15, 2021. ██████████ stated ██████████ is allowed to reassign cases as he sees fit, and that ██████████ has always agreed that is a legitimate function of the ASAC position.

██████████ said the whistleblower expressed ██████████ opinion multiple times with ██████████ on why ██████████ reassigned the case. ██████████ said the whistleblower thought ██████████ was "covering something up." ██████████ opined that the whistleblower believed that ██████████ was covering up something related to their criminal investigation, either a subject related to the case, or somebody else related to the case. ██████████ stated the whistleblower never gave ██████████ any details to articulate the whistleblower's belief that ██████████ was covering something up in the investigation.

██████████ said he never discussed this with anybody else because there were no facts to corroborate the whistleblower's opinion of ██████████. ██████████ said it was reasonable to see the connection between the criminal allegations filed against ██████████ and discussions ██████████ had with the whistleblower on multiple occasions.

OPR SIU interviewed HSI Denver ██████████ on August 16, 2021. ██████████ said the whistleblower had verbalized to ██████████ anger towards ██████████ for removing ██████████ from an investigation. ██████████ stated ██████████ recalled that the whistleblower would vent to ██████████ about that situation and stated, "there has to be something going on if they are going to shut down this case." ██████████ further stated that ██████████ thinks the whistleblower may have expressed to ██████████ that ██████████ believed there was some kind of corruption going on in the office. ██████████ said ██████████ believed the whistleblower was referring to the Mormon Church and the belief that the HSI SLC office may include members of the Mormon Church.

██████████ said ██████████ does not know why the whistleblower was removed from any investigation, nor was ██████████ ever advised of his removal from any investigation. Furthermore, ██████████ said the whistleblower made it seem to ██████████ that the case had been shut down and there was some type of cover-up. ██████████ said from what ██████████ knew about the whistleblower professionally, ██████████ did not think the whistleblower was a good CA and that ██████████ lacked credibility.

OPR SIU interviewed ██████████ on August 16, 2021. ██████████ stated ██████████ was familiar with the August 26, 2020, email in which ██████████ removed ██████████ and the whistleblower. ██████████ said ██████████ first became aware of the investigation in approximately February 2020, during an office visit to HSI SLC where ██████████ and ██████████ were briefed on some of the cases within HSI SLC and HSI Provo.

██████████ stated the investigation into ██████████ was one of the cases they were briefed on, and that ██████████ conducted most of the briefing. Furthermore, ██████████ went on to say that ██████████ walked away from the briefing underwhelmed and with a lot of questions and concerns when trying to navigate the information that was presented.

██████████ stated ██████████ recalled discussing the investigation with ██████████ and that ██████████ had concerns about the case due to the long-standing historical information that spanned 10 to 30 years and the possible lack of evidence to support the allegations. In addition, ██████████ said ██████████ had additional concerns because a source of information for

██████████ was a ██████████ producer ██████████ named ██████████ who was involved with a documentary project concerning the Mormon Church and their alleged cover up of child exploitation.

██████████ stated ██████████ wanted to ensure the investigation had a good investigative path going forward, to include clear investigative objectives and to have some safeguards in place due to the fact the allegations of criminal activity were coming from within the media community. ██████████ said ██████████ supported this course of action due to the nature of the allegations contained within the investigation and that it would allow the investigator a better opportunity to obtain the facts needed to go forward with a possible prosecution. ██████████ went on to say that ██████████ had the desire to follow the facts wherever they take the investigation. ██████████ stated ██████████ never expressed to ██████████ who ██████████ either wanted, or didn't want, investigated in the case. ██████████ went on to say that ██████████ also had some concerns with finding a nexus to federal statutes as opposed to state prosecution.

██████████ said the investigation was still open and ongoing but that ██████████ didn't know who was currently assigned as the case agent. ██████████ stated ██████████ would have reassigned the case to a SA who ██████████ believed would do a good job with the investigation. In addition, ██████████ went on to say that ██████████ even had a discussion with ██████████ about the case being reassigned to a SA who was fully capable of handling the investigation.

██████████ said ██████████ couldn't recall any specific concerns ██████████ had with ██████████ or the whistleblower, only that they generally didn't follow directions and weren't staying focused on the direction they were given by ██████████.

██████████ said ██████████ was in concurrence with the decision made by ██████████ to remove ██████████ and the whistleblower from the case. ██████████ went on to say that between early 2020, and their removal in August 2020, ██████████ had several discussions with ██████████ relating to this situation. ██████████ said ██████████ agreed with the notion that ██████████ gave a lot of thought about this case and the direction it needed to go. ██████████ said ██████████ believed ██████████ and the whistleblower were "pissed" that they were removed from the case, and it called into question their judgement and frame of mind because the criminal allegations put forth against ██████████ are not rooted in fact.

██████████ stated ██████████ was never asked by ██████████ or the whistleblower to discuss their removal from the case.

During his October 22, 2021 OPR SIU interview, ██████████ confirmed that the whistleblower worked on the case ██████████ with ██████████. ██████████ stated that ██████████ did not have any idea if ██████████ was still open or ongoing. ██████████ stated that ██████████ asked the whistleblower how ██████████ was going, and the whistleblower started venting about it. ██████████ could not recall if the whistleblower told ██████████ that ██████████ was removed from ██████████ but remembered the whistleblower telling ██████████ the case was being "killed" and perceived that as the whistleblower being removed from the case. According to ██████████, the whistleblower was very bitter about this.

[REDACTED]

[REDACTED]

information. In addition, [REDACTED] said, [REDACTED] was required on the case, the case

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

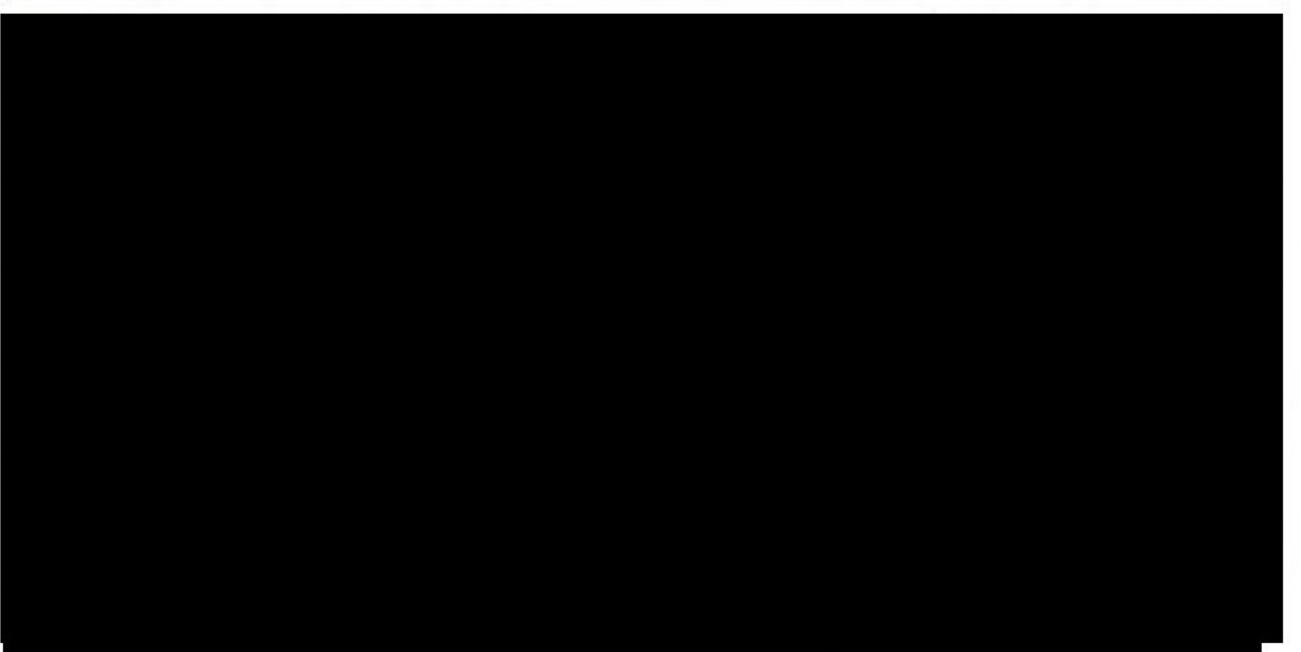
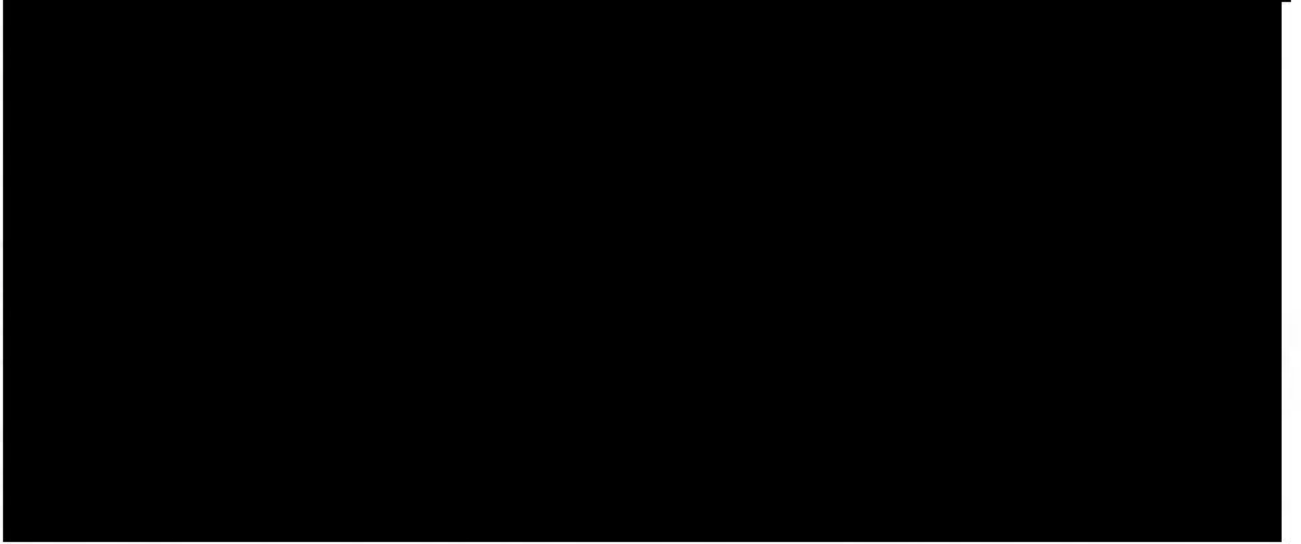
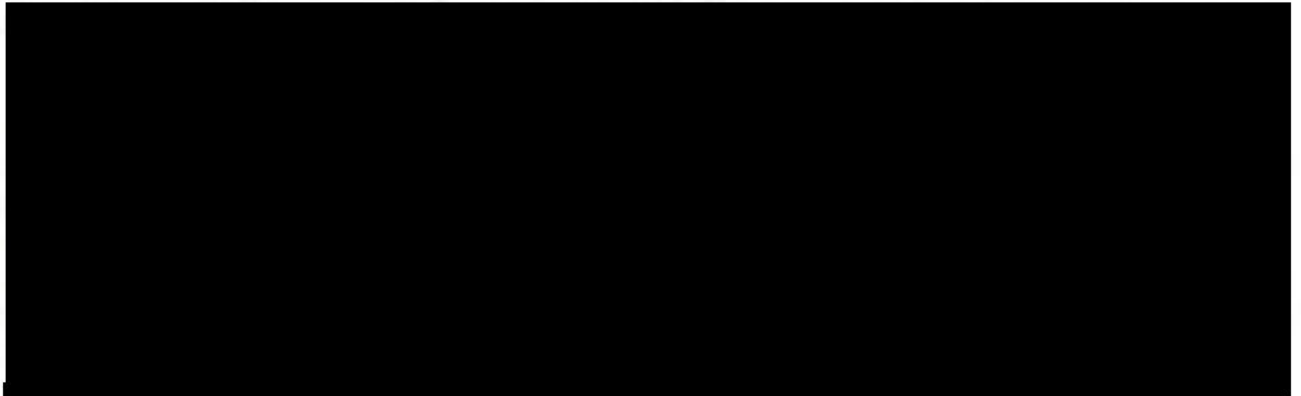
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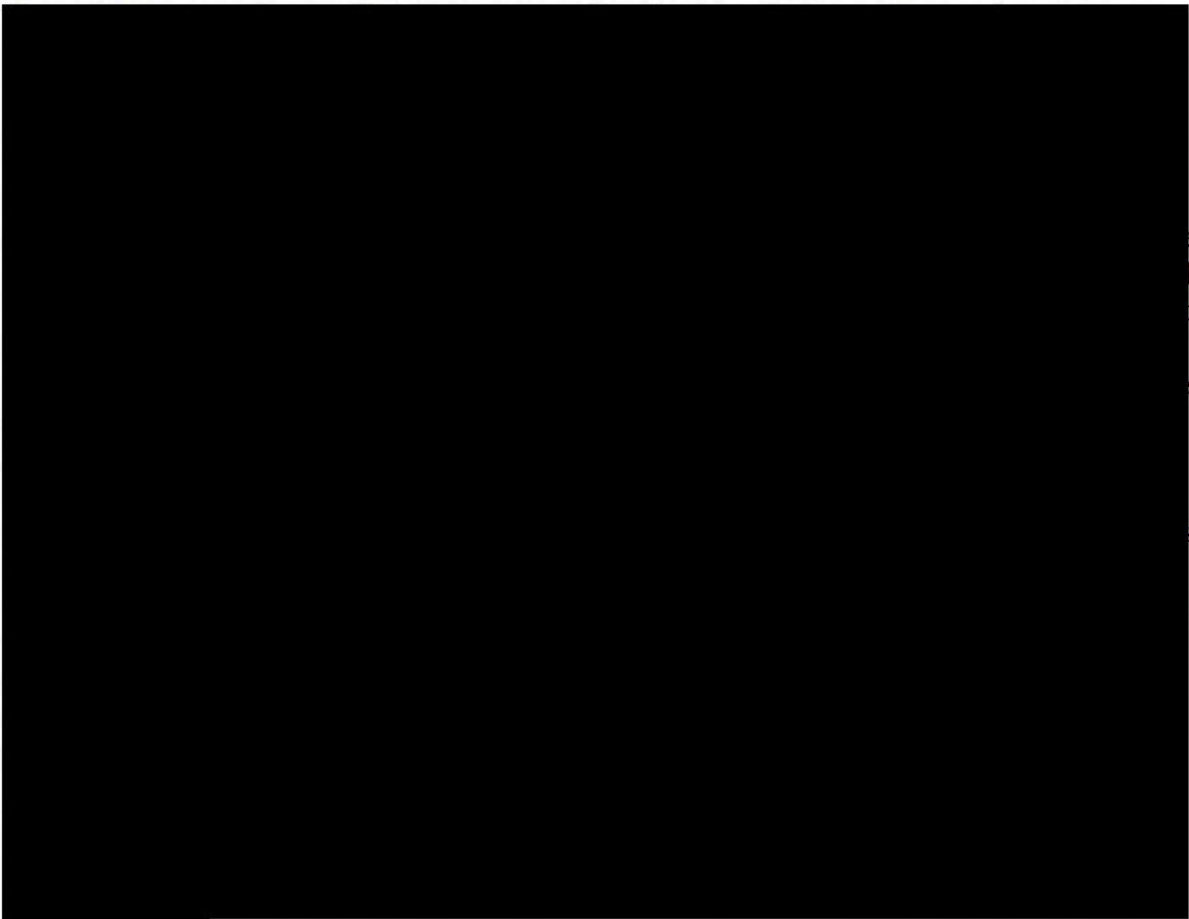
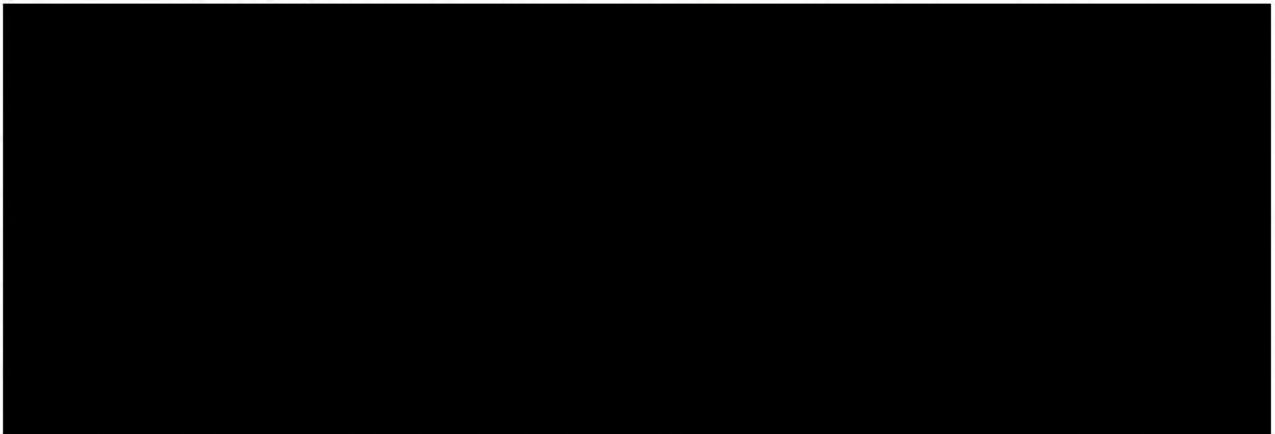
Allegation 4: The whistleblower knowingly submitted false information to OPR and the OSC.

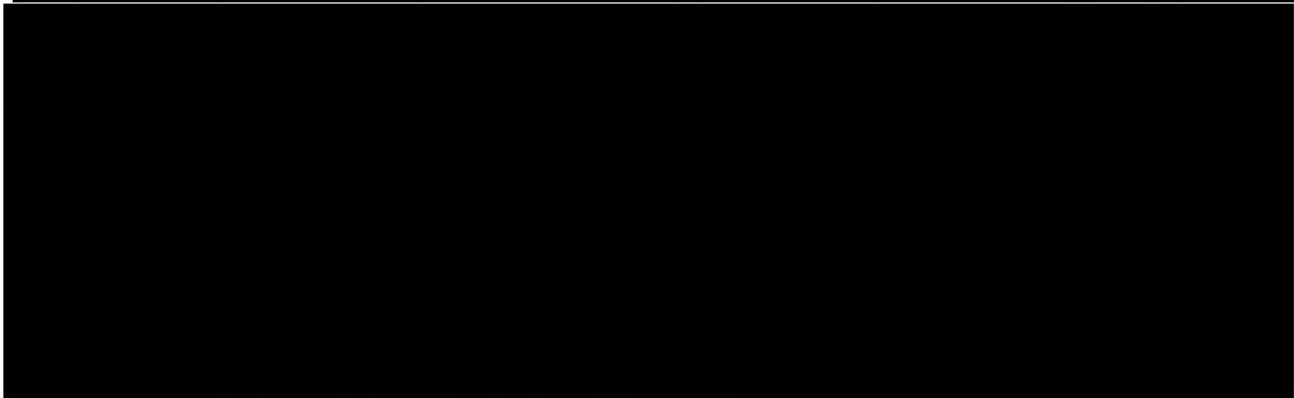
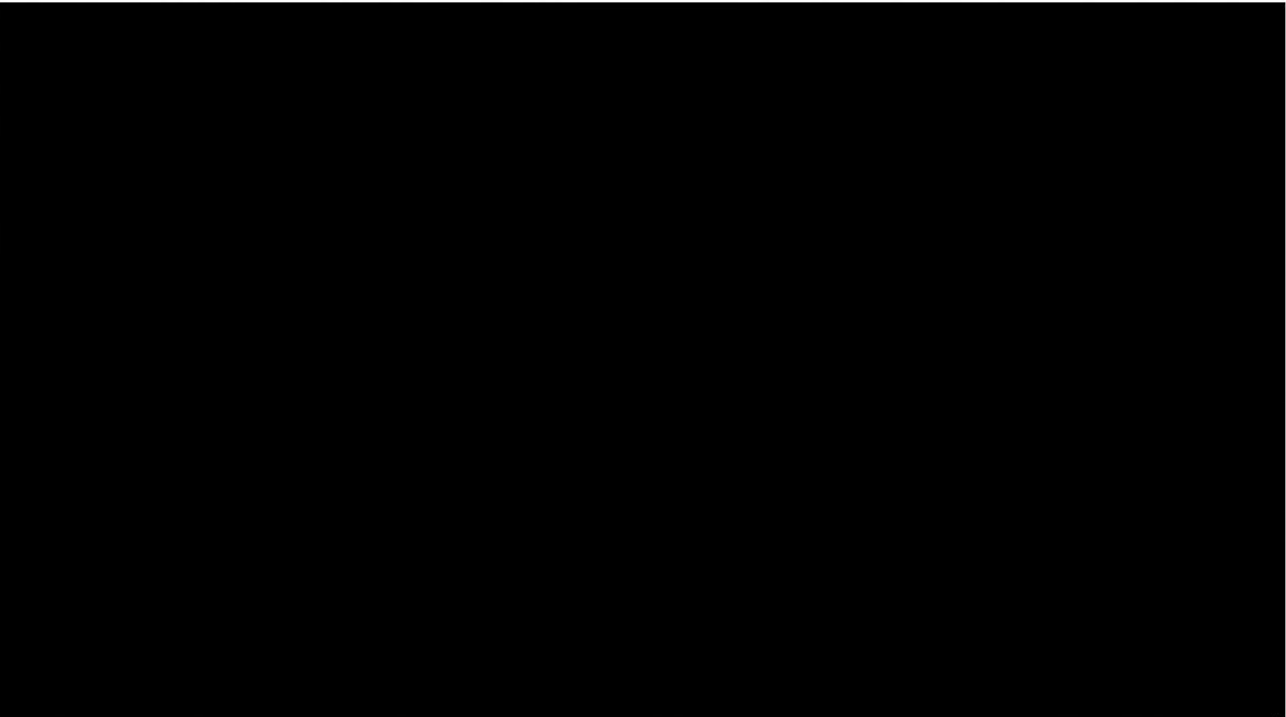
[REDACTED]



[REDACTED]

[REDACTED]





On August 8, 2021, OPR SIU presented the facts of the criminal case to the USAO, District of Utah, related to the whistleblower's false statements under oath in [REDACTED] OPR witness interview dated on July 12, 2021, and [REDACTED] OSC submission on July 13, 2021. The District of Utah recused themselves from the investigation. On September 17, 2021, the case was assigned to USAO, District of Wyoming. On August 8, 2023, the USAO verbally declined federal prosecution for false statements charges. On October 6, 2023, the USAO provided a declination letter to OPR SIU.

IV. Listing of any Violations or Apparent Violation of Law, Rule, or Regulation

Allegation 1: In April 2020 personnel assigned to [REDACTED] received video evidence implicating [REDACTED] potentially violating the Trafficking Victims Protection Act of

2000, 22 U.S.C. § 78, and the Indian Child Welfare Act (ICWA), 25 U.S.C. § 1900, but failed to open a case or investigate the allegations.

The OPR SIU investigation failed to substantiate any violation of law, rule or regulation.

Allegation 2: On August 26, 2020, [REDACTED] removed and reassigned the HSI employees assigned to [REDACTED] effectively terminating further inquiry into these and related matters.

The OPR SIU investigation failed to substantiate any violation of law, rule or regulation.

Allegation 3: The whistleblower disclosed law-enforcement sensitive information to a civilian and to an [REDACTED], neither of whom had a need to know or proper access to the information.

[REDACTED]

Allegation 4: The whistleblower knowingly submitted false information to OPR and the OSC.

[REDACTED]

On October 6, 2023, the USAO, District of Wyoming declined further interest in pursuing the charge under 18 U.S.C. § 1001, which states:

- a) Except as otherwise provided in this section, whoever, in any matter within the jurisdiction of the executive, legislative, or judicial branch of the Government of the United States, knowingly and willfully:
- (1) falsifies, conceals, or covers up by any trick, scheme, or device a material fact;
 - (2) makes any materially false, fictitious, or fraudulent statement or representation; or
 - (3) makes or uses any false writing or document knowing the same to contain any materially false, fictitious, or fraudulent statement or entry;

shall be fined under this title, imprisoned not more than 5 years or, if the offense involves international or domestic terrorism (as defined in section 2331), imprisoned not more than 8 years, or both. If the matter relates to an offense under chapter 109A, 109B, 110, or 117, or section 1591, then the term of imprisonment imposed under this section shall be not more than 8 years.

V. Description of Action Taken or Planned as a Result of Investigation

OPR SIU conducted witness interviews of HSI employees and civilians in Virginia, Utah, Colorado, and Nevada. [REDACTED]

Although no information was developed during the investigation to support the two allegations referred to DHS from the OSC, two separate, but related allegations were developed and supported by the information gathered during the investigation:

Allegation 3: The whistleblower disclosed law-enforcement sensitive information to a civilian and an HSI auditor, neither of whom had a need to know or proper access to the information.

Allegation 4: The whistleblower knowingly submitted false information to both OPR and the OSC.



GOVERNMENT
ACCOUNTABILITY
PROJECT

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May 21, 2024

Honorable Hampton Dellinger
Special Counsel
U.S. Office of Special Counsel
1730 M Street, NW, #300
Washington, DC 20036
Attn: Molly Young

Re: OSC File No. DI-21-000699

Dear Special Counsel Dellinger:

Through undersigned counsel Mr. [REDACTED] submits this response to the Department of Homeland Security (DHS) Office of Professional Responsibility (OPR) report on the Office of Special Counsel's (OSC) referral of his whistleblowing disclosure in the above captioned-captioned case. His disclosure evidenced DHS active and passive coverups of baby and child trafficking. Mr. [REDACTED] requests that the Special Counsel find the report incomplete and unreasonable.

Through this filing he also presents a new whistleblowing disclosure under 5 USC 1213 that the OPR's response to his disclosure was abuse of authority and gross waste by conducting a heavy-handed, ugly over two-year retaliatory investigation of him that cost over two million dollars and produced nothing.

Finally, he alleges that DHS violated the anti-gag statute three times to shield their related misconduct. He requests that OSC investigate this prohibited personnel practice and obtain corrective action so that the agency cannot repeat the illegal gags that wasted taxpayer funds and permeated this case. Mr. [REDACTED] affidavit with supporting and exhibits are enclosed as an attachment (Attachment 1).

BACKGROUND

Mr. [REDACTED] is a highly decorated 23-year veteran of intelligence and law enforcement, working with five government agencies. Most recently he worked as a criminal analyst with DHS Homeland Security Investigations (HSI). In addition to DHS, agencies where he served included the Departments of Defense, Interior, Justice, and State. (Att. 1, at 1) In 2019 he began work with Special Agent (SA) [REDACTED] SA 1) on three "See No Evil" child trafficking cases approved by HSI's headquarters Human Trafficking Unit.

In March 2020 they received a video from a media source with smoking gun evidence for a new case involving [REDACTED] a state prosecutor who was the target of other trafficking probes.¹ In the video, Mr. [REDACTED] inadvertently admitted to violations of numerous Native

¹ See: <https://www.yahoo.com/video/full-video-utah-county-attorney-032114319.html>

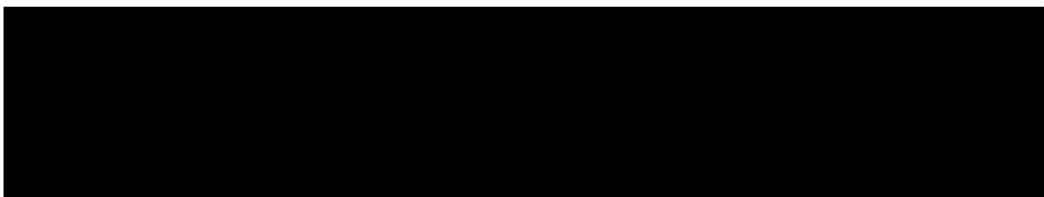
See also: <https://www.yahoo.com/video/full-video-utah-county-attorney-032114319.html>

American and child welfare laws by negotiating with a tribal president to receive a baby in exchange for opening buffalo trade with Mr. [REDACTED] associates in Ukraine.

However, when Mr. [REDACTED] and [REDACTED] brought this evidence of baby trafficking to their superiors, no investigation was ordered. Instead, they were removed from the three See No Evil cases, which remained officially open but inactive.

Mr. [REDACTED] was deeply concerned about the human and law enforcement cost of functionally killing the cases, with good cause. As he explains in Att. 1 at 16, the eventual consequences included the following:

First case: The Utah County Sheriff's Office (UCSO) began its own independent investigation of this case (but not the child abduction case) and contacted HSI in Salt Lake City for assistance and cooperation. HSI SLC completely ignored the UCSO's requests for assistance, thus the Sheriff's investigators had to start from scratch. To date, two individuals whom we had identified as top suspects have already been arrested by the UCSO and are currently awaiting trial. These suspects were friends of [REDACTED] and their children had accused the [REDACTED] of sexual assault, which is precisely the reason why the Native American child abduction was so concerning. In the OPR SIU report, SA [REDACTED] stated he had transferred evidence to the UCSO yet the Utah County Under Sheriff Shaun Bufton, stated they were never contacted by HSI, even after they called HSI and requested assistance, (Exhibit C). If OPR SIU had contacted the UCSO, they would have learned SA [REDACTED] lied to them.



Third case: The victim was a Canadian citizen and had to live in safe houses supported by a non-profit that assists trafficking victims. During multiple interviews with the case agent and myself, she stated that if she ever had to return to Canada, her traffickers would kill her. Once we were removed from her case she had to return to Canada. In 2022, as she predicted, she was tragically found dead in a hotel in British Colombia.

Mr. [REDACTED] also was deeply concerned about [REDACTED] illegal adoption of a Native American baby. He decided to pursue justice through 5 U.S.C. 1213, the OSC whistleblowing disclosure statute, after months of agonizing, consulting with trusted associates and taking seriously the DHS "If You See Something, Say Something" posters. On June 24, 2021, he submitted a whistleblowing disclosure to the Special Counsel. On July 3, 2021, the Special Counsel found a substantial likelihood Mr. Engel's concerns were well-taken and ordered an investigation of the following issues:

Allegation 1: In April 2020 personnel assigned to "Operation See No Evil1F2" received video evidence implicating Mr. [REDACTED] in a potential violation of the Trafficking Victims Protection Act of 2000, 22 U.S.C. § 78, and the Indian Child Welfare Act (ICWA), 25 U.S.C. § 1900, but failed to open a case or investigate the allegations.

Allegation 2: On August 26, 2020, Assistant Special Agent in Charge (ASAC) [REDACTED] removed and reassigned the HSI employees assigned to "Operation See No Evil," effectively terminating further inquiry into these and related matters.

On August 8, 2021, OPR made a criminal referral to the U.S. Attorney's Office for false statements by Mr. [REDACTED]. The charges included contents of his OSC whistleblowing disclosure that OPR had not yet begun to investigate. On January 31, 2022, Mr. [REDACTED] resigned rather than continue absorbing relentless DHS harassment that began once he submitted the video evidence.²

ISSUES NOT IN FACTUAL DISPUTE

The [REDACTED] of issues not in factual dispute is comprehensive. The Report of Investigation did not present rebuttal evidence for either of Mr. [REDACTED] allegations. The first allegation was that HSI failed to open a case or investigate the video. The Report of Investigation (ROI) does not include a link to the video that was the point of Allegation 1. There is no assertion that a case was opened on the evidence or baby trafficking revealed by the video, or that HSI sought further evidence. There is no legal analysis that Mr. [REDACTED] was mistaken to contend the video was an inadvertent confession of illegality under the Trafficking Victims Prevention Act and the Indian Child Welfare Act. For all practical purposes, OPR ignored this allegation.

The second allegation was that by removing Mr. [REDACTED] and [REDACTED] from the See No Evil investigations, HSI effectively killed the cases, which remained officially open but inactive due to lack of further investigative work. While the ROI cites many HSI officials' pretextual justifications, there is no objective data taking credit for any further work. The closest is statements by their successor as case leader, SA [REDACTED] that he closed one out and continues to work with prosecutors on alleged misconduct that includes kidnapping. However, three years have passed without the ROI presenting a scintilla of evidence on such essentials for Operation See No Evil as how many new witnesses have been interviewed, what additional documents have been obtained, strengths or weaknesses of the evidence, or plans for acting on the evidence. Quite obviously, the cases remain open to gather dust. DHS has not presented any objective rebuttal evidence for this allegation.

Undeterred by this vacuum of support, the ROI concludes both allegations are unsubstantiated. The conclusions cannot be assessed as reasonable. However, the vacuum on referred issues raises questions about what OPR was doing for over two years and two million dollars.

The report answers clearly: discrediting allegations Mr. [REDACTED] never made; misrepresenting the unverified summaries of witness testimony; soliciting adverse character references about him; opening a massive retaliatory investigation; using false pretenses to pressure victims into testimony against Mr. [REDACTED] and unsuccessfully seeking his criminal prosecution with a referral the U.S. Attorney's Office verbally rejected the day it was presented.

² Although OPR said that Mr. [REDACTED] resigned after learning of an additional, unrelated investigation. None existed. After his attorney responded to preliminary questions by the Office of Inspector General (OIG), the OIG did not pursue the issue further. Mr. [REDACTED] did, however, view the baseless allegations as a preview of ongoing harassment that he was forced to endure, resulting in stress and damages to his wellbeing.

FLUNKING MINIMUM PROFESSIONAL INVESTIGATIVE STANDARDS

1) OPR failed to interview Mr. [REDACTED] about his allegations. The first step in any credible investigation is to interview the alleged, to test credibility and get further evidence. OPR never interviewed Mr. [REDACTED] about the issues that OSC referred for investigation. The sole interview was on July 12, before OSC acted. To illustrate, the July interview was about allegations from a DHS [REDACTED] staffer who, on her own initiative, inaccurately “paraphrased” and presented to the Joint Intake Center concerns she thought he expressed when seeking counsel about whether to blow the whistle. The auditor extrapolated the issues to involve Mormon church intervention, child exploitation by the HSI Assistant Special Agent in Charge, and an HSI criminal cover-up. Mr. [REDACTED] did not believe there was evidence to support those charges and told OPR he did not agree with them. Those irresponsible charges are nonexistent in Mr. [REDACTED] OSC disclosure shortly after the OPR interview. He explicitly discredited them when interviewed on July 12. Yet they are the foundation for OPR’s rejection of his disclosure.

2) OPR did not take signed or verified statements. OPR did not present a credible record for its report. There are no references to signed statements. Nor is there any claim of verifying the accuracy of draft Reports of Interview with witnesses. This is a basic quality control safeguard for credible fact-finding. It would have been particularly necessary in this case. Victim witnesses described the OPR investigators’ attitude as uninterested and failing to take notes on anything besides possible misconduct by Mr. [REDACTED]

3) OPR summaries of witness testimony were inaccurate and Incomplete. Government Accountability Project interviewed five witnesses: [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] Their three statements or verified Reports of Interview [REDACTED]

Our key conclusions from the evidence and testimony provided by these witnesses are as follows:

- **False Statements re:** [REDACTED] SA [REDACTED] and OPR made false and misleading assertions in their testimony describing statements [REDACTED] made. He flatly denied the characterizations of his communications with a double hearsay witness who provided the primary support for agency findings of conduct.
- **False Statements re:** [REDACTED] **Qualifications:** All witness testimonies directly contradict GS [REDACTED] assertion that [REDACTED] was not qualified to occupy the CA position. The testimonies similarly contradict CIO [REDACTED]’s assertion that the whistleblower was not a good CA and he lacked credibility.
- **False Statements re:** [REDACTED] **Superiority:** The testimony of [REDACTED] provides evidence that contradicts ASAC [REDACTED] assertion that SA [REDACTED] had a good attitude, and the investigation was better off with SA [REDACTED] and that SA [REDACTED] was better equipped to handle everything that entails a criminal investigation.
- **False Statements re: Lack of Evidence:** [REDACTED] testimonies contradict DSAC [REDACTED]’s statement that the case lacked evidence to

[REDACTED]

support the allegations. In fact, there is a copious amount of evidence to support the allegations, including [REDACTED] confession. The facts presented by [REDACTED] show that [REDACTED] statement regarding historical information spanning 10-30 years, which one can infer to imply that it's an old case with nothing timely or recent to act on, is misleading.

- **False Statements Regarding Investigative Zeal and Federal Nexus:** The witnesses' testimonies also contradict DSAC [REDACTED] statements that ASAC [REDACTED] desired to follow the facts wherever they take the investigation but there was seemingly a lack of nexus with federal statutes as opposed to state prosecution. The [REDACTED] case was a clear federal jurisdiction case, and the facts don't support that HSI actually followed the evidence trails. The facts show that SA [REDACTED] was unfamiliar with the file, had not reviewed the evidence, and did little or no investigatory work on the case.

- **OPR and HSI Agents Violated Laws and Investigative Procedures:** The OPR agents' and the HSI agents' conduct, namely Agent [REDACTED] Agent [REDACTED] SA [REDACTED] [REDACTED] [REDACTED] [REDACTED] and [REDACTED] was unprofessional at best, and at worst violated federal laws and agencies rules and procedures for investigations that may well be part of a deliberate attempt to suppress the investigations into the perpetrators involved and hide their culpability for wrongdoing. The witness testimonies develop multiple counts of potential violations of laws and agency rules and procedures regarding the agents' mistreatment of the witnesses.

- **OPR Corruptly Withheld Important Information about [REDACTED]**
Interview: OPR has a duty to report to OSC an honest and complete account of the record responsive to their investigation. OPR did not include details regarding their interview of [REDACTED] [REDACTED] As the witness's testimony explains, OPR's investigation was conducted in an unprofessional manner, with SA [REDACTED] who was a subject of the investigation, present in the room during the investigation. Although the [REDACTED] do not believe there is a recording of the interview, Government Accountability Project requests that the Office of Special Counsel (OSC) request a copy of any recordings or notes taken describing the meeting, or other emails or records that may exist that summarize the meeting. We also request OSC seek answers from OPR as to why a full and honest report of their interview with the [REDACTED] was not furnished to them and explain why SA [REDACTED] was present during the interview and they did not disclose that fact.

- **OPR's Mishandling of the Investigation Resulted in Evidentiary Holes:** First, [REDACTED] whom [REDACTED] attempted to contact, provides evidence that is significant for OPR's investigation and shows the suppression of the investigation of [REDACTED] case following [REDACTED] removal from [REDACTED] case. [REDACTED] testimony contradicts several statements of OPR's witnesses that give the appearance that [REDACTED] was an incompetent investigator who was replaced by better qualified investigators. [REDACTED] like SA [REDACTED] in the [REDACTED] investigation, did no meaningful investigative work. [REDACTED] testimony lays out the various violations of HSI's human trafficking investigations manual that HSI violated after [REDACTED] was removed from [REDACTED] case. However, OPR never interviewed [REDACTED] because of [REDACTED] and HSI's) failure to establish trust with the victim. Even when specifically asked for information that would build trust, Agent [REDACTED] actively refused [REDACTED] request for basic

things like proof of his credentials and an explanation of his intentions for speaking with [REDACTED]. Although OPR's investigations manual has not been made public, as far as we are aware, his conduct appears to violate Section 10.1 of Homeland Security's human trafficking manual. We suggest the OSC ask OPR to furnish a copy of their investigations manual to establish the nexus between the unprofessional behavior towards the witnesses and the violations of their specific protocols. Second, OPR's investigation failed to uncover, or report that they uncovered, that human traffickers who were subjects of HSI's investigation were informed by someone, likely from within HSI, that [REDACTED] cooperated with HSI investigators, both putting the witness at jeopardy and HSI's investigation by alerting the subjects of its existence. But this breach also caused [REDACTED], [REDACTED]

[REDACTED]

- **OPR Wasted Public Funds Investigating a Whistleblower instead of the Subject of [REDACTED] Disclosures:** [REDACTED] testimony evidence OPR's expenditure of \$2 million investigating [REDACTED] who is the whistleblower in the matter OSC referred to them. This is an abuse of authority, an abuse of process, a gross waste of public funds, and gross mismanagement. OSC should ask OPR to answer how much money they spent investigating the whistleblower in total.
- **OPR Investigators Led their Witnesses to Prove their Biased Theory:** The testimony of the witnesses shows that OPR's approach to their investigation was to present their theory of the case – that [REDACTED] was culpable and there was no merit to his disclosures – and try to push the witnesses into supporting OPR's narrative of the story. This is improper and unbelievably biased, and thus brings the entirety of their investigation into question. Furthermore, [REDACTED] attempted to silence the [REDACTED] by discouraging their media cooperation on pain of being cut off from communications about developments in their case, and HSI failed to take action to protect the [REDACTED] when the target of their trafficking investigation hired a private investigator to follow and intimidate them.

The bottom line is that OPR misrepresented interviews with victims as an opportunity to get their child back, and then pressured them into providing testimony or helping gather evidence of misconduct by Mr. [REDACTED]. There was virtually no interest and even irritation when they sought law enforcement help to restore their families. The investigators' only interest was attacking Mr. [REDACTED] whom the witnesses unanimously respected and admired. Their consensus testimony was that Mr. [REDACTED] cared, while the new DHS investigators did not.

4) OPR relied on subjective testimony without credibility. To illustrate, OPR justified its misdirected focus by the [REDACTED] testimony that Mr. [REDACTED] "manipulated" her into filing her Joint Intake Center (JIC) complaint. However, she conceded that Mr. [REDACTED] did not know she

was going to file the complaint and was stressed out that she had. Indeed, Mr. [REDACTED] has never seen the JIC document that OPR rebutted as the vehicle to dismiss his charges. The [REDACTED] also filed criminal allegations, but admitted she wasn't sure whether they came from Mr. [REDACTED] or her. Undeterred, OPR pursued evidence that Mr. [REDACTED] was wrong for alleging criminal misconduct.

Similarly, OPR solicited numerous DHS staff to generally condemn Mr. [REDACTED] as a worthy federal employee. However, there is not any evidence that any of this trash talk ever had been raised before OPR investigated his whistleblowing disclosure. Decisively, these flaws are invisible and contradict his uninterrupted record of excellent performance appraisals until he blew the whistle.

OPR later concluded that Mr. [REDACTED] had improperly disclosed sensitive information based on an unverified record from double hearsay. Significantly, the source for the double hearsay witness' statements emphatically denied ever sharing any such information with him. (*Infra*, at 2-4 and 6-11)

5) OPR's report relies on false statements. The OPR report consistently does not provide citations or supporting evidence. That is understandable, because it is grounded in numerous inaccurate factual assertions. To illustrate, the report asserts that every institution turned down the cases Mr. [REDACTED] was pursuing. In fact, the local sheriff made associated arrests and prosecution is pending.

Similarly, the OPR report cites the replacement Special Agent as asserting that Mr. [REDACTED] did not help him with the transition. However, Mr. [REDACTED] transferred three case files and all paper records. The reason they did not talk is that the same SA also testified he was gagged from communicating with Mr. [REDACTED]

6) OPR did not include the evidence favorable to Mr. [REDACTED] allegations. To illustrate, [REDACTED] and other witnesses credited Mr. [REDACTED] history of unsurpassed credibility and unquestionable integrity. Every witness praised Mr. [REDACTED] professionalism and sensitivity to their pain. Every victim witness complained that HSI and OPR personnel were not interested in the threats to their families and themselves. Every witness testified that for all practical purposes the case ended after Mr. [REDACTED] and his SA partner's removal. The report does not recognize the existence of any of this testimony, or any other favorable evidence that OPR received in support of Mr. [REDACTED] disclosure. In short, the entire report is a false statement by omission, in violation of 18 U.S.C. 1001.⁴

7) The pretext that Mr. [REDACTED] was replaced due to poor performance is indefensible. As referenced earlier, none of the subjective trash talk by agency managers about his work has any foundation in Mr. [REDACTED] performance appraisals. Much of the denigrating testimony was about his SA partner, which is irrelevant for removing Mr. [REDACTED] from the cases. The excuse that his work hadn't produced anything is embarrassing, since OPR ignored that he produced smoking gun evidence for which the agency has refused to act.

⁴ Under 5 U.S.C. 1214(d)(1), the Special Counsel has authority to make a referral to the Attorney General after finding a reasonable belief of criminal misconduct. While less significant, the omissions also violate the requirement of 5 U.S.C. 1213(d)(3). That provision requires an agency report to summarize "any evidence" obtained from responding to the referral, not just the evidence that supports the agency's conclusion. The OSC should hold the agency accountable for rigging the record by only presenting evidence in support of its own conclusions.

Perhaps most telling is an assessment of compliance with HSI's own professional standards for investigations. OPR quotes agency management that Mr. [REDACTED] and his SA partner were replaced, because their successor would do a better job. Failing to investigate at all is not a better job. However, OPR actually included the new SA case successor during victim interviews to seek evidence of misconduct by Mr. [REDACTED] – when OPR was meant to be investigating OSC's referral regarding misconduct by HSI regarding the suppression of the investigation into the victims' case.

One victim witness was so frustrated that they researched and quoted a copy of HSI's investigative standards. [REDACTED] Those standards include, *inter alia*, the following requirements –

- Minimize trauma and stress to establish trust.
- Protect the victims or witnesses from suspected offenders.
- Emphasize prosecution of traffickers.
- Pursue interstate violations.

All the victim witnesses were appreciative of Mr. [REDACTED] sensitivity and professionalism, which complied with these standards. All were bitter that OPR and Mr. [REDACTED] successor did not comply with or even recognize these investigative standards. The consequences of abandoning HSI's own investigative requirements were severe. For example, one victim was concerned that her life was in danger. After HSI removed Mr. [REDACTED] and stopped working on the case, she was found deceased. Quite clearly, the reason to remove Mr. [REDACTED] and his SA partner from the See No Evil investigations was not to increase the quality of HSI's work on See No Evil or the smoking gun video. It was to stop it.

ABUSE OF AUTHORITY AND GROSS WASTE FROM RETALIATORY INVESTIGATION

Most of OPR's report summarizes an investigation of Mr. [REDACTED] As prefaced earlier, OPR boasted to victim witnesses that their investigation of him cost \$2 million over more than two years. OPR also actively recruited victims to record a phone call and attempt to trap Mr. [REDACTED] on the telephone, which they refused to do. On August 3, 2021, the OSC found a substantial likelihood that Mr. [REDACTED] concerns were accurate and ordered an investigation. Undeterred, five days later on August 8, 2021, OPR made a referral to seek criminal prosecution, in part specifically because of his June 24, 2021 OSC disclosure and his July 12, 2021 interview about the auditor's JIC allegations. It continued to investigate him for two years in support of prosecution, until the U.S. Attorney's Office verbally declined in August 2023, formalized in October. Undeterred, OPR's Report of Investigation on the disclosure concludes that Mr. [REDACTED] committed several criminal crimes that were not prosecuted.

Under 5 U.S.C. 2302(b)(8) and (9), Mr. [REDACTED] OSC disclosure that caused the investigation was protected speech in the absence of compelling evidence of deception. His witness testimony about the auditor's charges also was protected by section 2302(b)(9). There is no remedy for a retaliatory investigation without a personnel action, which is not possible for an alumnus who has resigned. However, in this case DHS's investigation of the whistleblower was an abuse of authority and gross waste of funds. Abuse of authority occurs when there are arbitrary or capricious actions, or those not grounded in law, that result in favoritism or discrimination. *D'Elia v. Dep't of Treasury*, 60 MSPR 226 (1993). The over two-year criminal investigation caused extreme stress for Mr. [REDACTED] and resulted in findings that brand him as an unprosecuted criminal for the rest of his life. Further, if accepted, there will be an OSC-

approved finding sent to the President, Congress and placed in the public record for life that Mr. [REDACTED] is a criminal who was not prosecuted. With respect to gross waste, it is clear on its face that spending two million dollars or more for an illegal investigation of a whistleblower that produced nothing is both gross and wasteful.

Mr. [REDACTED] recognizes that if he had engaged in criminal misconduct connected with whistleblowing, OPR's actions would be legitimate and necessary. However, there is a reason the U.S. Attorney's Office didn't act on the charges for over two years and then rejected them: they're garbage. The charges and Mr. [REDACTED] rebuttal are summarized below.

1) Release of Controlled Unclassified Information. The OPR report, at 28, substantiated the following allegation:

The whistleblower disclosed law-enforcement sensitive information to a civilian and to an HSI auditor, neither of whom had a need to know or proper access to the information.

The OPR SIU investigation substantiated that the whistleblower disclosed to individuals who did not possess a need to know and authorized access, the existence and details of an ongoing HSI investigation. Although this is not a violation of law, rule or regulation, it constitutes a violation of ICE policy.

This was an invalid basis for investigation. "Law Enforcement Sensitive" information is one of the categories for Controlled Unclassified Information (CUI). Executive Order 13,556, at para 2(b),⁵ establishes that CUI status is an invalid basis to restrict information under disclosure statutes, of which the Whistleblower Protection Act (WPA) is one. <https://www.federalregister.gov/documents/2010/11/09/2010-28360/controlled-unclassified-information>. Indeed, in the Supreme Court's landmark *MacLean* decision (in which OSC submitted an *amicus* brief supporting the whistleblower), the government did not even attempt to justify termination for disclosing another form of CUI, Sensitive Security Information. The only issue was whether violating an agency regulation constituted violating a specific statutory prohibition. *Department of Homeland Security v. MacLean*, 574 U.S. 383 (2015)

The only issue is whether Mr. [REDACTED] was engaging in protected speech when he spoke with [REDACTED]. There can be no credible debate that he was. He contacted the [REDACTED] as a [REDACTED] specialist for help against a hostile work environment and guidance on how to act on the same concerns he later disclosed to the OSC. His discussion with [REDACTED] was to share that he was agonizing over those concerns. The OSC found a substantial likelihood that his concerns merited investigation. The agency policy could not override EO 13,556 for speech protected by the WPA.

Indeed, if the speech was protected, applying the cited agency policy here on its face violates 5 U.S.C. 2302(b)(12)(13), the WPA's "anti-gag" provision. As discussed below in more detail, in this instance OPR was enforcing a policy that on its face violates the WPA by disqualifying CUI from protection under that disclosure statute. The spending to investigate this allegation was illegal, as is the record of finding that Mr. [REDACTED] violated a policy illegally enforced.

⁵ "(b) The mere fact that information is designated as CUI shall not have a bearing on determinations pursuant to any law requiring the disclosure of information or permitting disclosure as a matter of discretion, including disclosures to the legislative or judicial branches."

Most significant, the finding that Mr. [REDACTED] disclosed Law Enforcement Sensitive Information is false. Mr. [REDACTED] flatly denies even discussing specifics of any case evidence, and there is no credible evidence to the contrary. Neither the [REDACTED] testified that Mr. [REDACTED] disclosed that form of CUI. Indeed, [REDACTED] unequivocally denied it. As a military officer he was knowledgeable about secrecy boundaries. He noted that Mr. [REDACTED] acted consistent with long and unblemished experience handling sensitive military information. He harshly criticized the OPR report for relying on outlandish exaggerations by a double hearsay witness for statements that [REDACTED] flatly denied ever making to the witness. The bottom line is that even if the investigation of this charge were legal, it is indefensible. Besides relying on uncredible witnesses, OPR failed to cite a single specific fact or piece of evidence that Mr. [REDACTED] improperly disclosed, either to [REDACTED] [REDACTED]. There was none.

2) False Statements.

The OPR report, at 28, also substantiated the following allegation:

The whistleblower knowingly submitted false information to OPR and the OSC.

The OPR SIU investigation substantiated that the whistleblower knowingly made false statements to OPR SIU while under oath on July 12, 2021. The whistleblower subsequently submitted information to the OSC that contradicted his sworn testimony in his OPR SIU interview.

OPR's primary basis for this charge was contradictions between answers in their July 12 interview, compared to his June 24 OSC disclosure. As previously discussed, that is because they were answers to different questions. On July 12 Mr. [REDACTED] truthfully told OPR that he didn't agree, didn't know or wasn't sure about her exaggerated allegations. His testimony was consistent with the carefully worded, responsible allegations in his June 24 OSC disclosure. That is, there is no basis to say he lied in either context. Further, because he was testifying, Mr. [REDACTED] was careful only to present what he knew and had evidence to prove, not what he strongly suspected.

OPR also referenced the [REDACTED] contention that she was not helping Mr. [REDACTED] in her [REDACTED] capacity, so OPR concluded he was lying about that. The [REDACTED] did not identify what hat they were wearing instead. However, the objective record is that Mr. [REDACTED] wrote to the auditor as a [REDACTED] resource from whom he was seeking help, and there is no evidence that s/he corrected him. Indeed, the auditor helped him find a lawyer by referring their own.

OPR said Mr. [REDACTED] OPR testimony contradicted iCloud notes, but there was no context for any of the scattered phrases. Further, one of the notes was "case open but inactive," the same concern that he disclosed to the OSC.

OPR accused Mr. [REDACTED] of knowing more than he would admit, because he made five queries to the HSI Investigative Case Management (ICM) files. He had to check ICM periodically to do his job working other cases. Going to the ICM doesn't mean accessing any particular case, and OPR did not contend that Mr. [REDACTED] accessed the files on See No Evil. While it is true he suspected the case was dormant since his successor was gagged from talking to him and he was unaware of any activity. However, he had not been monitoring it and so didn't know, which was what he was careful to testify for accuracy.

Perhaps the most contrived allegation is that Mr. █████ contradicted himself in an attachment to his OSC disclosure by contending the ASAC was trying to protect another Mormon. Mr. █████ did not make this allegation and has never testified inconsistently. It was an unverified letter from a prior attorney who no longer represents him. Had he reviewed it, Mr. █████ would have corrected the exaggeration.

Any doubt that the investigation of allegations 3 and 4 were an abuse of authority should be resolved by a basic fact. OPR did not give Mr. █████ a chance to defend himself against the allegations. OPR added these allegations to the Special Counsel's referral, and then never interviewed Mr. █████ to get his response.

OPR's basis for finding Mr. █████ guilty was a toxic smokescreen around straw men. The Special Counsel should not permit this inaccurate, retaliatory investigation with misconduct findings to be placed in the public record. Allegation three was an illegal prohibited personnel practice on its face. Even without giving Mr. █████ a chance to respond to the allegation, four cannot withstand scrutiny. These false charges should not be a permanent public record about Mr. █████

5 U.S.C. 1213 must be a safe disclosure channel for the WPA's objective to be realistic. Permitting a public record for this type of retaliation will create a highly chilling effect against whistleblowers using the OSC channel.

REQUEST TO INVESTIGATE VIOLATIONS OF THE ANTI-GAG LAW, 5 U.S.C. 2302(B)(13)

5 U.S.C. 2302(b)(13) is the WPA's anti-gag prohibited personnel practice. It provides –

(13) implement or enforce any nondisclosure policy, form, or agreement, if such policy, form, or agreement—

(A)

does not contain the following statement: "These provisions are consistent with and do not supersede, conflict with, or otherwise alter the employee obligations, rights, or liabilities created by existing statute or Executive order relating to (1) classified information, (2) communications to Congress, (3) the reporting to an Inspector General or the Office of Special Counsel of a violation of any law, rule, or regulation, or mismanagement, a gross waste of funds, an abuse of authority, or a substantial and specific danger to public health or safety, or (4) any other whistleblower protection. The definitions, requirements, obligations, rights, sanctions, and liabilities created by controlling Executive orders and statutory provisions are incorporated into this agreement and are controlling."; or

(B)

prohibits or restricts an employee or applicant for employment from disclosing to Congress, the Special Counsel, the Inspector General of an agency, or any other agency component responsible for internal investigation or review any information that relates to any violation of any law, rule, or regulation, or mismanagement, a gross waste of funds, an abuse of authority, or a substantial and specific danger to public health or safety, or any other whistleblower protection;

As seen above, OPR conducted an aggressive investigation of Mr. █████ without regard to the qualifying addendum in law. In addition to being a prohibited personnel practice, the wasteful spending was illegal under appropriations law since Fiscal Year 1988. The agency

illegally spent taxpayer funds and concluded he acted improperly for engaging in protected speech even if he had disclosed CUI.

That anti-gag violation was in character for this agency. Most fundamental, agency management conceded that Mr. [REDACTED] was removed from the case, because he had communicated and received evidence from the media. This was supposedly a conflict of interest. Initially those communications were protected speech, because any discussions were in connection with [REDACTED] statements on the video about how he obtained a Native American baby.

There is nothing wrong with receiving evidence from the media. Law enforcement and prosecutors rely on those contacts routinely, and sometimes subpoena or prosecute if the media resists sharing evidence. Here the communications obtained smoking gun evidence of an ugly crime. As the OSC referral illustrates, the misconduct was not obtaining this evidence. It was failing to act on it.

Nor is there any evidence that Mr. [REDACTED] had a hidden commercial agenda. He did not contact the media. The documentary film maker got in touch with his supervisory partner to provide evidence. He never received any compensation from the film makers. He agonized for months whether to act on his concerns when the agency failed to follow through on the video evidence. That is why he sought counsel from whom he believed were trusted third parties such as Peer Support and a military friend.

Perhaps the third and crudest anti-gag violation was the agency's order that Mr. [REDACTED] and the new SA on See No Evil could not communicate with each other. The gag order is not in dispute, as the new SA disclosed it to OPR. The whole point of those communications was to discuss credible evidence of the trafficking violations. Besides violating section 23202(b)(13), this gag sabotaged the case and belied the agency's excuse that personnel were switched to do a better job. That assertion defies credulity when the new agency could not receive help or even information from the investigator who had been developing the record for four years.

While he cannot obtain traditional remedies, Mr. [REDACTED] seeks an OSC investigation to learn the full [REDACTED] of these illegal gags. A personnel action is not necessary, and he is concerned that the gag orders permeating his case have been repeated within DHS.

The OPR report not only is a failure to restore credible HSI law enforcement against baby and child trafficking. It is an attack on the WPA's Office of Special Counsel disclosure channel. Whistleblowers cannot safely have confidence in the channel if agencies can virtually ignore the issues OSC refers for investigation and instead turn on the whistleblower. Here the abuse of authority resulted in attempted criminal prosecution and a permanent public record of dishonor, unless the Special Counsel holds DHS accountable. Equally fundamental, former employees must be free to challenge retaliatory investigations or other harassment under section 1213, since normally there no longer are subsequent personnel actions. Otherwise, after leaving government they will be defenseless if the government continues the retaliation.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Tom Devine".

Tom Devine

/s/

Samantha Feinstein

Counsel for Mr. [REDACTED]

My Name is [REDACTED] [REDACTED] I am a government whistleblower for which the Office of Special Counsel (OSC) found a substantial likelihood my concerns about illegality and abuse of authority were correct. The OSC referred my disclosure to the Department of Homeland Security (DHS) for investigation, instead of investigating the details of illegality and abuse of authority, U.S. Secretary of Homeland Security, Alejandro Mayorkas, directed I be investigated by HSI's version of internal affairs, called the Office of Professional Responsibility (OPR).

OPR then spent over two years and millions of dollars investigating and trying to discredit me and filed a report with outrageous claims. I am creating this statement to document the false claims and mischaracterizations made about my concerns and myself in the OPR report. OPR's report concealed the evidence of agency misconduct and instead pursued a retaliatory investigation of me. I must make a record of these events because I have never in twenty-three years of government service been subjected to retaliation until I felt the burden of doing so with my whistleblowing, despite fearing it would end my career.

In 1996, I obtained a Bachelor of Arts from the University of Arizona, with a Major in Cultural Anthropology and a Minor in Native American Studies. After graduating, I went on to work as an Archeologist for the Department of the Interior in Southern Arizona.

Beginning in 1997, I spent more than two decades working in law enforcement and intelligence roles for the federal Government. I worked for the Department of Homeland Security and The Department of the Interior before working overseas for the Department of State, Justice Department, and the Department of Defense (DOD). I spent my remaining 10 years of government service in intelligence roles for the DOD and the DHS.

Before blowing the whistle, I had never been fired, asked to resign, or received anything less than an "above average" or "exceeds expectations" on performance appraisals. The DHS Salt Lake City Homeland Security Investigations (SLC HSI) Office's 2020 appraisal was given to me two months after being removed from the case in question. My immediate supervisor told me he had given me a 4.4 but the ASAC (who had removed us from the case and whom I had whistle blown on) told him to drop it to a 4.05 (exceed expectations) with the pretextual explanation that "too many people had a 4.4 in the office". Also in 2020, I was told supervisor [REDACTED] [REDACTED] also dropped the case agent SA [REDACTED] [REDACTED] performance appraisal. My 2021 appraisal was given to me a few months after I had filed my formal Whistleblower complaint with OSC and was a 3.0 (achieved expectations). I have attached the 2020 and 2021 performance appraisals from the SLC HSI office, (*Exhibit A*).

The following are some of the commendations I have received in my career:

- Award of Appreciation and dedication to BORSTAR operations.
- Civilian Meritorious Service Department of the Interiors Meritorious Achievement

- ## Commendation for 9/11 Response.

□ □ □

I felt compelled to do right by the child. So, on June 24, 2021, I filed a Whistleblower complaint through The Vaughn Law Firm to the OSC, despite having strong concerns that HSI would retaliate against me.

My concerns began in March 2020, when Special Agent ("SA") [REDACTED] [REDACTED] and I received an email with a videotape of [REDACTED] [REDACTED] taken by a film producer who was in the initial phases of a documentary film which was immediately canceled because of this [REDACTED] [REDACTED] confession. HSI had previously named county attorney [REDACTED] [REDACTED] as a suspect in a separate HSI human trafficking investigation, and in this video, there were statements [REDACTED] [REDACTED] made which made this tip much more concerning. After HSI leadership, Supervisor SA [REDACTED] [REDACTED] ASAC [REDACTED] [REDACTED] and others became aware of the video clip of the subject disclosing how he procured this Native American child, the case agents and I were removed without cause from the separate HT case involving said subject. The case was effectively and informally closed.

I came forward after months of deliberation, fearing I would face retribution and retaliation by all levels of my agency, potentially ending my career. I did not join HSI to

make friends, I joined to protect people, yet I had still hoped to find honesty, integrity, and accountability from senior leaders. That did not happen; in fact, the opposite occurred. The agency did not work to investigate my disclosure; it only worked to protect itself by covering up the truth and trying to destroy my character.

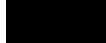
I came forward because I suspected a person(s) were enabling a suspected predator who has wealth, status and privilege in Utah. Ignoring a potential crime against women and children (especially Native Americans) is not an option for me, no matter one's status in life. I took an oath (5 U.S. Code § 3331) to uphold the law, not to an office or a person, and as a government employee, I work for the people.

The Office of Special Counsel found my disclosure had merit and forwarded it to the DHS on July 3, 2021, to investigate.

On December 22, 2023, the DHS Office of Professional Responsibility Special Investigative Unit (OPR SIU) issued a report which is the result of their two-and-a-half-year retaliatory investigation into me; in complete disregard and violation of the Whistleblower Protection Act. DHS attacked me personally and professionally by attempting to file frivolous criminal charges against me, assassinate my character, destroy my credibility, and, most importantly, distract from the overwhelming evidence involving the illegal procurement of a Native American child and DHS leadership's obstruction of the investigation.

The report demonstrates HSI's tactics of retaliation and intimidation against me, which intensified as soon as my whistleblower complaint was referred by OSC and should serve as a cautionary tale to anyone in the agency who feels a responsibility to whistle blow on wrongdoing. The retaliation tactics I experienced (isolating and shunning, devaluing, career blocking, counter-accusing, intimidation, and falsely accusing of poor performance) is in direct contrast to HSI policy, summarized by the Director of Homeland Security: *"if you see something, say something."* Instead of feeling supported, I've felt the full weight of a federal law enforcement agency coming after me, because I wanted answers and accountability for a victim who was abandoned by our own agency.

Furthermore, instead of investigating my whistleblower complaint, officials with the DHS OPR SIU engaged in unlawful and unethical conduct that was a violation of their own rules and regulations, a gross waste of taxpayer funds, and an abuse of authority. The conduct of the OPR SIU agents who tried to dig up dirt on me in interviews with victims not only jeopardized public safety but exposed victims in my previous cases to unnecessary and further trauma. These same two OPR SIU agents who investigated me and contacted victims were notified personally by the Vaughn Law Firm on July 14, 2021 (*See Exhibit E*) that I had filed a whistleblower complaint with the OSC on June 24, 2021.

OPR SIU pushed a false narrative based on a contradictory statement (that was one of many contradictory statements) made by one individual, Ms.  to initiate their

retaliatory investigation against me for being a Whistleblower; evidence of this is written within their own report, and further demonstrated below.

Their report is an unlawful attempt to destroy my credibility and denigrate my character, proven by the fact that the bulk of it contains negative personal opinions of my work obtained by OPR SIU interviewing colleagues to seek dirt about me, rather than the evidence of my claim, after I filed my whistleblower complaint with OSC. Furthermore, there were subjective remarks attacking my character that were broad, vague, and undeveloped in the record that were highly prejudicial, of no actual evidentiary value, and should be stricken from the record of the report. Examples include CIO [REDACTED] statement on pg. 15 that she did not think I was a good CA and that I lacked credibility. The report of CIO [REDACTED] insults excluded any actual, objective reason to base such a statement and it excluded the provision of any examples, evidence, or context. It was a blanket, baseless, defamatory statement.

Another example is GS [REDACTED] statement that the whistleblower was not believed to be qualified to occupy the CA position on page 12 of the report, which is not substantiated or supported by anything in the record and is irrelevant. The blanket accusation detracts from the issues OSC presented to the investigators. Another example is CA [REDACTED] (and ASAC [REDACTED] statement referring to what the CA alleges were my theories of the case as “conspiracy theories” without any substantiation. Moreover, a conspiracy theory's defining characteristic is being entirely unsupported by evidence, and often by those unqualified to evaluate its accuracy – which is clearly not the case here. On page 11 of the report [REDACTED] went on to describe me as “off the reservation” and that [REDACTED] could not reason with me, although zero context or facts to explain and support this statement were provided, irrespective of the inappropriateness and offensiveness of the expression “off the reservation” which also should be stricken from the report. I was ostracized and wrongly penalized by my superiors. These “opinions” of me are contrary to my performance appraisals, which were always excellent and never below excellent until AFTER I filed my whistleblower complaint.

The OPR SIU report leans heavily on false claims contradicted by their own record. It falsely alleged I disclosed sensitive information. This is categorically denied by the witness, Major [REDACTED] to whom they claimed I had disclosed sensitive information. In fact, [REDACTED] specifically made the distinction that denied that conclusion in the last paragraph of his statement. Additionally, even if I had disclosed sensitive information, which I did not, the report leads one to believe that disclosing sensitive information is illegal. Yet it is neither illegal, nor against either HSI policy or other federal restrictions for whistleblowing disclosures.

The report also insinuates I disclosed sensitive information to Ms. [REDACTED] an HSI employee who did not have a need to know. This is also categorically false; she was a Peer Support Specialist I approached for help. I was entitled to do all the research necessary to have a reasonable belief in my concerns and how to best pursue them.

That is false. [REDACTED] role as a Peer Support Specialist is specifically why she was referred to me/the whistleblower, why I consulted her and referred to her many times as my Peer Support Specialist (reviewed by OPR SIU in my text messages on page 23), and why she advised me, including providing me with the contact information of her own attorney, The Vaughn Law Firm.

“Auditor ___ stated everything in the allegation she submitted originated from conversations with the whistleblower and that she just paraphrased the contents.”

She admits she paraphrased. Furthermore, the report states that Auditor [REDACTED] does not deny that she never gave me access to the report she submitted to check for accuracy. She merely told me she submitted something, so any inaccuracies, mistakes, or inconsistent claims with those of my own are entirely the fault and responsibility of Auditor [REDACTED] as I never signed anything stating that I reviewed the record and verify everything that was submitted by Auditor [REDACTED] is correct and truthful. It wasn’t.

“Auditor ___ expressed concern during her OPR SIU interview that the whistleblower had manipulated her into filing the allegations with the JIC.”

That is a directly false statement. To the contrary, I was stressed when she said she reported this to JIC. I was already filing my own complaint and didn’t need her to do anything but give me reasonable, confidential guidance. She knew this. She was my Peer Support Specialist, and I expected our conversation to be protected. As a result, it was clearly not my intention to persuade or manipulate Ms. [REDACTED] into filing any allegations with JIC. Turning on this way after I sought confidential guidance simply is not credible. Most obviously, this statement in the report contradicts the other summaries below.

“Auditor [REDACTED] said the whistleblower seemed to be stressed out when she told him the next day about her reporting this to the JIC and that she believed he wasn’t sure what to do.” Page 26: “Auditor [REDACTED] said the whistleblower never asked her to report these allegations to the JIC.”

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“Auditor ___ stated that she told the whistleblower that she filed the information he told her about the alleged criminal activity to the JIC, and she tried to get him to do it himself. Auditor ___ stated that the whistleblower said he would think about it. Auditor ___ stated that the whistleblower was surprised that she filed a complaint with the JIC.”

This also contradicts the earlier statement of her position -- that the whistleblower manipulated her into filing a JIC.

“Auditor ___ further explained that it was her understanding that ASAC ___ did not commit the alleged kidnapping, however he was helping with the cover-up and therefore removed the whistleblower from the criminal case.”

This contradicts the criminal allegations where she said the ASAC was involved, page 19: "Auditor [REDACTED] said she would not have been able to articulate the criminal allegations against ASAC [REDACTED] without the whistleblower telling her that information."

"Auditor [REDACTED] stated that the whistleblower told her that there was a documentary and there was video proof of Mr. [REDACTED] admitting to harming children."

That is inaccurate. While there is video footage, there is no documentary, and I did not say there was.

The accusations "I spoke openly about a sensitive case and subject" are irrelevant because peer support is a protected communication with another member of HSI as defined by the Government, (*Exhibit F*).

"During her July 23, 2021, interview, Auditor [REDACTED] stated, that at no time did she serve in an official Peer Support Program role for the whistleblower, who declined each time she offered to assist in that specific role."

That is false; I believed [REDACTED] was acting as my peer support specialist—as evidenced by my text messages OPR reviewed (page 23).

Page 23

"Allegations against ASAC [REDACTED] to be true nor did he possess any information to corroborate the allegations."

This is misleading. The allegation I submitted to OSC was corroborated with evidence such as the video tape and the email removing us from the case therefore this accusation should not be given any weight or consideration.

"OPR SIU interviewed Auditor [REDACTED] and asked if the whistleblower stated ASAC [REDACTED] attempted to quash the case by removing him, and SA [REDACTED] from the case, to help possibly cover up anything the subject of investigation was involved with concerning child exploitation and any potential ties to the Mormon Church by ASAC [REDACTED], and or the subject, to which Auditor [REDACTED] replied, "yes, all of that."

She was incorrect. I did not say anything about the Mormon Church. My concerns were that the agency was ignoring smoking guns as evidence of severe misconduct that it was our duty to act against. We were not doing our duty to enforce the law. Those religious concerns may be true, but for me the target's Mormon affiliation was just background context.

"Auditor [REDACTED] said she doesn't think the whistleblower believes ASAC [REDACTED] took part in the kidnapping of the baby, just that ASAC [REDACTED] was facilitating it."

This makes no sense—those statements plainly and directly contradict each other because there is no meaningful distinction between “taking part” in kidnapping and “facilitating” it. Furthermore, the word “just” here obfuscates the fact that facilitating means to help bring something about by making it easier, which one could argue is worse than taking part and should not be misleadingly minimized with words like “just.” Nevertheless, the point I actually made was that the ASAC was obstructing us from investigating serious evidence of a crime and Auditor [REDACTED] has not accurately portrayed what she alleges I said.

“OPR SIU asked Auditor [REDACTED] if the whistleblower used the words “aided and abetted” or if those were words Auditor [REDACTED] came up with in her JIC complaint. Auditor [REDACTED] said she couldn’t recall because it would have been during their phone conversation.”

Here it is, the criminal nexus against the ASAC that resulted in OPR SIU trying to frame me came entirely from [REDACTED] inaccurate paraphrasing and the OPR SIU is aware of the inaccuracy, Page 19. I never said to anyone ASAC [REDACTED] “aided and abetted”, These words came from the admission of Ms. [REDACTED] misrepresenting, paraphrasing and false claims she made of our conversations and OPR SIU is aware of this, page 24.

My most severe concern, however, is that the OPR investigators chose not to interview me about the evidence and issues the OSC referred. OPR SIU interviewed me only once on July 12, 2021, and it was in reference to Ms. [REDACTED] accusations she reported to the JIC, and not about my whistleblower complaint. I did not tell them I had filed a whistleblower complaint at the time they interrogated me, and they did not ask if I had done so. I was expecting to speak to the DHS Office of Inspector General (OIG) about my complaint, not OPR SIU. But it turns out that OPR SIU conducted the official investigation of my concerns without discussing them with me, which is ludicrous.

I was further disturbed by the investigators’ obvious bias. When I spoke to OPR SIU, they were unprofessional towards me verbally from the start, specifically [REDACTED] [REDACTED] I knew immediately this was going to be an “interrogation” and their agenda was to intimidate me. OPR SIU [REDACTED] was very emotional, angry, and accusatory towards me, and it was obvious they were there to protect the agency and leadership. I had no legal representation and, although I answered truthfully, they/he would not accept my answers.

OPR SIU never asked me about the videotape. They were also supposed to provide me with a transcript of their interview with me, which they never did. They never asked about the child, and the only thing they asked me about was the suspect, [REDACTED] [REDACTED] was if I was aware there was an open case on him, and I truthfully answered I didn’t know, as I was long gone from the case.

While I can only speculate, there were strong grounds for suspicion that OPR should have pursued. OPR interviewed me 11 months after we were taken off the case, so it was obvious HSI was not investigating the suspect. No case agent ever asked me about our next steps, the suspect(s), any victims or anything else about the case. Keeping cases open yet inactive is normal at HSI and although it might be recommended to close a case after inactivity for 90 days, it was not a policy and rarely done.

The DHS OIG only contacted me once, at the end of January 2022 and seven months after I had filed my disclosure with the OSC, yet they did not contact me about my disclosure. Instead, the OIG emailed me and stated there were allegations of *"unauthorized access to U.S. Government computer systems/applications"* and they wanted to interview me about it. These were false allegations which I suspect were brought on by OPR SIU. I forwarded the email to my lawyer, and he sent OIG an email asking them to send us the questions and we would respond to them. The OIG never sent us their questions and we never heard from the OIG ever again. I never improperly used my computer, HSI never confiscated my computers, nor did they deny me access to any government database. Unauthorized access to a system or application would have been an administrative issue, not an OIG investigation. Because of the stress of continued attacks by the agency and poor leadership, I resigned within a few days thereafter.

The OPR report includes the ridiculous accusation that because I had access to ICM I would have known [REDACTED] [REDACTED] was being investigated. That's false, because access to ICM in no way correlates to knowing who is being investigated. ICM may show open and closed cases. But just because a case is open doesn't mean it's being investigated, and I certainly wouldn't be aware if a suspect was being investigated or not unless I was working on the case, which I was not. I was also working with SA [REDACTED] on numerous unrelated investigations and in doing so I had access to those cases in ICM, which again is common practice. A month or so after the [REDACTED] [REDACTED] case was transferred to SA [REDACTED] he made a comment to me that the case was so large and complex he did not know where to start. I told him if he wanted a debrief and what our next steps were to just ask, he never asked me.

The OPR SIU report also failed to disclose its own disturbing interactions with victims where the investigators misrepresented themselves and showed a complete disregard for any empathy, ethical considerations, and basic common decency while attempting to use the victims for their corrupt agenda to investigate the whistleblower who happened to be the one who cared about investigating the child abduction. The parents later told me that OPR said *"interviewing them could help get their child back"*. But when the interview occurred, the investigators were only interested in getting evidence against me. This flies in the face of the DHS narrative of taking a *"victim-centered approach into all Department programs, policies, and operations that involve victims of crime. This effort seeks to minimize additional trauma, mitigate undue penalization, and provide needed stability and support to victims."*, this statement is directly from the DHS website

<https://www.dhs.gov/news/2024/04/17/fact-sheet-how-dhs-combating-child-exploitation-and-abuse>".

OPR SIU contacted victims of human trafficking and other victims of sex crimes, which led these victims to have hope their cases were being investigated when in fact the contacts were a ruse the SIU investigators only made in an attempt find something negative against this whistleblower. Not only was this a continuation of retaliation and intimidation against me, but this behavior was also incredibly insensitive, offensive and unethical, towards both the victims and me, and only destroys the agency's public reputation. Below is a summary of the facts as I know them of the OPR SIU's interview with the victims.

In August of 2021, OPR SIU investigators [REDACTED] [REDACTED] and [REDACTED] [REDACTED] sent messages to a human trafficking victim and misrepresented themselves as investigators of her case, (*Exhibit D*). This happened a few weeks after the OSC requested Secretary Mayorkas to investigate the disclosure, and not the whistleblower.

In October of 2022, I had been out of the government for at least 8 months when OPR SIU Investigator [REDACTED] [REDACTED] and SLC SA [REDACTED] [REDACTED] requested the family of the Native American child come into the SLC West Valley office to discuss "*their case*". Once in the office, the SIU Investigators started speaking about the whistleblower and not the child of [REDACTED] [REDACTED] much to the family's dismay. The family was taken aback for two reasons: first, they were under the assumption and expectation they were there to discuss their child's case. Second, the family never had any contact with the whistleblower before. This internal matter of digging up dirt on the whistleblower was unrelated to their case.

According to [REDACTED] and [REDACTED] [REDACTED] (the biological father and grandmother of the child in question) during this meeting, OPR SIU Investigators asked the family if they felt threatened by the whistleblower, to which the family responded, "No". OPR SIU told the family they had contacted the suspect who had taken their child and the suspect told OPR SIU that everything said about him in a local Fox News story about the child was a lie.

OPR SIU investigators reaching out to a suspect (and revealing this to the victims), who at the time was identified in at least three separate criminal investigations and is still a suspect in at least two separate criminal cases, is a direct violation of basic investigative techniques. Beyond the fact that SIU's contact with the suspect gave him an opportunity to conceal evidence, this also demonstrates direct cooperation between OPR SIU and the suspect to collude with and further retaliate against the whistleblower. If OPR SIU identified the whistleblower to the suspect, which by the suspects actions seem highly probable, this is very disturbing.

Around the same time OPR SIU spoke to the suspect, a defense attorney from Provo, UT contacted me to say the suspect had hired a private investigator and this private investigator was questioning people as to their relationship with the whistleblower, me. Specifically, he was asking Utah county clerks if they knew me. Since June 2022, [REDACTED] has been under criminal investigation by both the Utah County Sheriff's Department and the Davis County, UT County Attorney's Office.

The OPR SIU Investigators then asked the father ([REDACTED]) of the Native American child if he would call me while they record the conversation; ostensibly in an attempt to record a piece of conversation they could somehow try to use against me. The father declined this request. Also, OPR SIU agents told the family they had already spent \$2 million dollars investigating me (not \$2 million dollars investigating the child abduction). This can only be seen as a form of intimidation and retaliation and is an illegal gross waste of public funds to spend \$2 million investigating a whistleblower. It is especially egregious and shocking in the context that little to no resources were spent in good faith investigation of the abduction suspect.

A glaring issue with the agency's response to OSC's investigation is its silence or near silence on how many witnesses were interviewed regarding the disclosures and which ones were interviewed? How many trips were made to investigate the disclosures, how many subpoenas were sought to investigate the disclosures? Where are the reviews of text messages, personal and business cell phones, emails, and documents related to disclosures? Why weren't relevant witnesses questioned about these records and if they were, why isn't that in this report?

This OPR meeting with the family, which convened under false pretenses, was clearly designed to intimidate the family and retaliate against the whistleblower and shows a gross abuse of power over the Native American family who, as victims, came to the meeting in good faith to discuss their case. This meeting was never about the child in question but instead was only about seeking retribution against the whistleblower who was trying to help them. The result was OPR SIU investigators caused significant and undue trauma upon the family.

At the end of this 2022 meeting, HSI SLC agents told the family that the actions of the man who took their child were "*illegal, but there is nothing we can do.*" This admission by HSI shows they were aware the suspect took the child illegally, flies in the face of the OPR SIU report and further supports the whistleblower's claims.

I was told that the family's second meeting with HSI was conducted in the jail portion of the HSI SLC building. The family was asked to come into the SLC office where they were led into the federal detention area (jail) on the first floor in the back of the building and interviewed in this location. To be clear, having been there many times in the past, this jail is dirty, smells of urine and body odor. The HSI SLC office has specific interview

rooms and areas designated for victim interviews. Why a jail would be considered a good location to conduct an interview with a family who has lost their child is incredibly disrespectful and unprofessional. Furthermore, at both meetings the family did not have legal representation present.

Lastly, HSI warned the family against speaking to the media, which can be inferred as an attempt to stop them from doing so. Moreover, agent [REDACTED] told the family the media just wants their story for their ratings, and he can't share further information with them because they are talking to a journalist. This amounts to another scare tactic and also violates HSI's federal mandate under the TVPA to provide required information and referrals to victims as soon as possible.

The above admission by HSI agents to the family during the 2022 meeting that the child was illegally taken demonstrates HSI, OPR SIU, and others did not want to investigate the substance of my whistleblower complaint. To competently investigate the child abduction/illegal adoption would have gone against their false narrative of me and that false narrative is evidently their primary interest as evidenced by their actions and the number of resources expended. If a basic, elementary investigation had been conducted of my disclosure, investigators would have discovered evidence of, at the minimum, the complete ignoring of the Indigenous Child Welfare Act, multiple state crimes such as fraud, perjury and obstruction of justice committed by the suspect when procuring the child as outlined below. If this was investigated, then law enforcement is not only ignoring but enabling and shielding a perpetrator from legal scrutiny for the abduction of a Native American child and an illegal adoption based on fraud.

A basic criminal background check of the biological mother of the child and interviewing her immediate family members would have uncovered the following:

- On September 20, 2017, [REDACTED] dropped off her youngest daughter [REDACTED] at the Rosebud Emergency Lodge on the Northern Cheyenne Reservation. Seven days later, [REDACTED] showed up to take custody of [REDACTED] without parental consent or the legal authority to do so. [REDACTED] allegedly paid [REDACTED] to obtain custody of [REDACTED] using a US Bank account. Shortly afterwards, [REDACTED] began driving a [REDACTED] around the reservation, which family members said she claimed [REDACTED] gave her, (*Exhibit J-K*). Furthermore, Active Efforts were never made to keep [REDACTED] with her extended biological family members. Active Effort requirements are a key protection by ICWA.
- The father, [REDACTED] had no idea where his daughter was for more than a year. As her biological father, he would have had a legitimate claim to custody of [REDACTED] after her mother [REDACTED] abandoned [REDACTED] at the Rosebud Emergency Lodge. Instead, [REDACTED] spent the next year trying to locate

- Before being convicted of wire fraud and false claims conspiracy in an unrelated case, Tribal President Lawrence Jace Killsback resigned his office in a letter dated October 9, 2018, more than one year after [REDACTED] took [REDACTED] off the reservation and across state lines to domicile in his residence in collusion with Killsback who accepted a bribe from [REDACTED]. On October 12, 2018, Killsback wrote a letter to the court in Utah overseeing [REDACTED] adoption. Killback claimed that the Northern Cheyenne Tribe considered [REDACTED] and [REDACTED] the aunt and uncle of [REDACTED] and the great uncle and aunt of [REDACTED] (Exhibit I). Killsback lacked any authority to make the declaration as it was to the contrary of the plain letter of the law on qualified extended family, just as he lacked the authority to enable [REDACTED] to bypass the Northern Cheyenne's tribal courts on a foster placement and adoption for an enrolled member of the tribe.
- Under the Indian Child Welfare Act (ICWA), a parent who requests transfer of foster care or termination of parental rights would have to clear the transfer with the other parent. [REDACTED] maintains that if he was given proper notice; he would have objected to the transfer. Court records show [REDACTED] was never notified, even though he was the biological father, (Exhibit G).
- Since [REDACTED] was the non-custodial parent, ICWA required notice to him including notice of his right of intervention, plus no foster care placement or termination of parental rights proceeding shall be held until at least 10 days after the receipt of the notice and provided that the parent, upon request, be granted up to twenty additional days to prepare for such proceeding. The priority would be for [REDACTED] to stay in the custody of her Native family, such as her grandmother [REDACTED] (who has custody of two of [REDACTED] other daughters), or in the custody of her Native father, [REDACTED] or his parents, who also has Native American blood.
- Instead, Lawrence Killsback bypassed ICWA's clear requirements (as stated in "the Indian Child Welfare Act published by the U.S. Department of the Interior, December 2016" which enabled [REDACTED] to show up to the reservation on September 27, 2017, and leave the same day with [REDACTED] (Exhibit H). A little more than a year later, Killsback wrote a letter to the court in Utah claiming that the Northern Cheyenne considered [REDACTED] and [REDACTED] [REDACTED] grand uncle and grand aunt, (Exhibit I).
- Under ICWA, [REDACTED] was not a family member of [REDACTED]. The Northern Cheyenne Indian Reservation did not exhaust the family member requirements under ICWA, which would have required the tribe to consider [REDACTED] biological Native relatives before [REDACTED] when it came to foster placement or adoption. Additionally, [REDACTED] would have been subject to

the requirements of 25 USC 3207, which requires that Tribal Social Services Agency perform criminal records checks, checks of abuse registries maintained by the tribe, and checks of state abuse registries for any individual seeking a foster placement of Native child going back five years. The law is explicit that no foster care placement shall be ordered in any proceeding until this investigation is completed, nor may the placement occur if any criminal record is discovered. Also in violation was the one-year term in foster care with a Foster Care License 25 U.S.C. § 3207 (d) (2) (A) nor exhausted the family member protocol laws of ICWA. [REDACTED] [REDACTED] and his wife [REDACTED] [REDACTED] did not go through Foster Care screening laws both State and International (five years background check, 25 U.S.C. § 3207 (d) (2) (b), International background check including background checks for any household members under 42 U.S.C. 671 (a) (20) (a) (20) (a) (i) or (ii) and NASCA Title D. IV-E and E. The Northern Cheyenne Indian Reservation did not keep any file on [REDACTED] yet bypassed every necessary law concerning a Native American child leaving the tribe with a non-custodial person.

- Rebutting OPR's assertion there was nothing HSI could do; first, there was evidence of human trafficking, which is squarely in HSI's jurisdiction. There's nothing in OPR's record that demonstrates any efforts were made by SA [REDACTED] to consult with the OPLA Human Rights Violator Law Division, which holds specialized legal expertise in human trafficking statutes, investigations, prosecutions, and federal victim assistance, and has knowledge regarding whether a fact pattern can be prosecuted as trafficking, what additional evidence is required to prove trafficking, strategies for working with the local USAO, or liaising with the DOJ HTPU regarding a particular case. It is also impossible to state this is not a human trafficking case if the child has not had a forensic interview or exam and SA [REDACTED] closing the case without this being done proves my point that HSI wanted this to go away.
-
- There is compelling evidence that [REDACTED] [REDACTED] illegally obtained/adopted a Native American child in violation of ICWA and 25 USC 3207's clear requirements. In the video, he describes obtaining the child as part of a deal with KILLSBACK involving buffalo exports to Ukraine. The child's mother also received a [REDACTED] [REDACTED] HSI should have or at least worked with other agencies to investigate [REDACTED] and [REDACTED] [REDACTED] [REDACTED] KILLSBACK and those linked to the child on the reservation, for perjury and bribery at a minimum. And HSI Agents admission to the [REDACTED] family that what "[REDACTED] [REDACTED] did was illegal", shows HSI was aware crimes were committed. Certainly, [REDACTED] [REDACTED] and [REDACTED] all signed numerous Utah State Court documents for the adoption stating no money or anything of value exchanged hands, (Exhibit O). At the very least, HSI should have coordinated the information with the different law enforcement agencies that are able to investigate and prosecute these crimes. According to Section 9.7 of Homeland Security's Human Trafficking Manual, SAs are encouraged to coordinate early with the Chief Intelligence Officer (CIO) in the

affected areas of responsibility (AORs). Human trafficking routinely entails an international nexus and domestically involves more than one AOR. Due to the complexity and multiple jurisdictions that can be involved in human trafficking cases, this coordination allows HSI CAs from multiple AORs to collaborate and focus their own collection capabilities, as well as those of the related fusion centers, to efficiently identify trafficking network(s) and victims. Furthermore, Section 11 states the most effective way to investigate such cases is through a collaborative, multi-agency approach with federal, state, local and tribal partners.

- Without any legal basis to do so, [REDACTED] transported the child across tribal and state lines to Utah, where he concealed the child in his home from the child's biological father. When [REDACTED] transported the child across state lines to his residence, the biological mother had not yet relinquished her parental rights (she did so on October 19, 2017) and at no point ever did [REDACTED] the biological father, do so.
- The adoption of [REDACTED] was finalized in 2020, but for three years, [REDACTED] had evaded any serious culpability for her probation violations and other arrests which [REDACTED] was intimately aware of. Furthermore, it should be investigated whether [REDACTED] was arrested in 2018 on the Northern Cheyenne Indian Reservation and represented by [REDACTED] [REDACTED] [REDACTED] was placed on the Northern Cheyenne Indian Reservation Bar list (which allowed him to represent clients on the reservation) for the year of 2018 while in possession of and hiding the child, supporting this suspicion, (Exhibit N).
- The allegations surrounding [REDACTED] adoption of [REDACTED] [REDACTED] provide clear context of [REDACTED] use of his elected office to run interference for [REDACTED] criminal violations. Nothing in the record indicates that [REDACTED] disclosed to the court that he was in the process of finalizing the adoption of [REDACTED] daughter while at the same time, he was in the position to prosecute [REDACTED] for drug possession and child endangerment charges from a 2019 arrest, (Exhibits L-M). Therefore, there is strong, repeated evidence that [REDACTED] broke numerous laws regarding his adoption of [REDACTED] [REDACTED]

Last, the initial case called “See No Evil” as noted in the OPR SIU report, consisted of three separate cases. On Wednesday August 26, 2020, HSI removed myself and SA [REDACTED] [REDACTED] as well as SA [REDACTED] [REDACTED] the agents I worked with from the below mentioned three cases, resulting in serious negative impacts for approximately a dozen victims. These were cases accepted by the Human Trafficking Unit of HSI in D.C., these cases were also briefed to the Special Agent in Charge and various Program Managers in D.C. In fact, we had special assistance from the Human Trafficking Unit. So, to say these cases had no merit or were in any way illegitimate has no factual basis.

First case: The Utah County Sheriff's Office (UCSO) began its own independent investigation of this case (but not the child abduction case) and contacted HSI in Salt

11

(Exhibit D).

11

and complete to the best of my knowledge and belief.

RECEIVED: January 11, 2014

Department of Economics
Performance Management Systems, Col[illegible]

Exhibit B

From: Office of the Under Secretary for Management [REDACTED]@hq.dhs.gov>
Sent: Thursday, November 5, 2020 12:30 PM
Subject: Whistleblower Protection Information
Importance: High



November 5, 2020

Dear Colleagues,

Each year the Department reminds employees of their obligations, rights, and protections when reporting or disclosing suspected wrongdoing (also known as "whistleblowing"). DHS employees have many lawful avenues by which they may disclose wrongdoing, including to management officials, the [DHS Office of Inspector General](#) (OIG), the [U.S. Office of Special Counsel](#) (OSC), and Congress.

Such disclosures can save lives, as well as billions of taxpayer dollars. They play a critical role in keeping our government honest, efficient, and accountable. Recognizing that disclosures can root out waste, fraud, abuse, and protect public health and safety, federal laws strongly encourage employees to disclose wrongdoing. This includes providing protection from retaliation for making such disclosures.

Given the importance and heightened visibility of the Department's mission, it is more important than ever that we collectively establish and maintain a workplace culture of leadership, accountability, and transparency. This is the responsibility of each and every DHS employee – from the highest and most senior leaders, to the thousands of men and women who execute and support our operations tirelessly on a daily basis.

With this in mind, [DHS policies](#) establish the expectation that employees will report suspected wrongdoing and cooperate with resulting investigations. Department supervisors, managers, and executives are expected to assist and constructively respond to employees who make disclosures, including proactively protecting these employees from retaliation. In addition to promoting a heightened awareness of this

responsibility through modifications of supervisor, manager, and executive performance plans, federal law prescribes sanctions for supervisors who commit a [Prohibited Personnel Practice](#) (PPP). This includes retaliation for making a disclosure.

There are numerous resources available to assist you in understanding your rights and responsibilities related to reporting wrongdoing and protecting employees who make disclosures. These include a [DHS Whistleblower Protection](#) website managed by OIG, as well as OSC's "Your Rights as a Federal Employee," and "Know Your Rights When Reporting Wrongs" fact sheets. As employees of a national security agency, DHS employees generally have a responsibility to handle official information consistent with agency policies and procedures. These agency policies and procedures, however, do not override whistleblower protections enshrined in law. Please review these resources to learn more information about your options for reporting wrongdoing. In addition, the [DHS Whistleblower Protection Coordinator](#) is a resource for questions regarding protected disclosures and information about rights and remedies of whistleblowers.

Thank you for your continued service in support of our mission and upholding our core values of integrity, vigilance, and respect.

Sincerely,

[REDACTED]
Deputy Under Secretary for Management

With honor and integrity, we will safeguard the American people, our homeland, and our values.

10:09

<

[Redacted]

Regarding the complete case?

Today 10:07 AM

Happy after Xmas! A Q: I know when you guys first took on the Hamblin case that HSI didn't share their information, did they ever?

No, they didn't help at all

+ | Text Message

Q W E R T Y U I O P

A S D F G H J K L

⬆ Z X C V B N M ➡

123 space return

🗣️

11:35
Contacts

New Message Cancel

To: [REDACTED] HSI In DC

iMessage
Sep 22, 2021 at 1:45 PM

Sorry for the phone tag

Am walking out the door.
Who are you with exactly
and what is this about?

Child Exploitation cases
Work in Arlington VA.

With HSI? What exactly do
you want to talk w me
about?

Yes

And just that

Child exploitation cases

We have the ability to

+ Text Message

----- Forwarded message -----

From: [REDACTED]
Date: Wed, Jul 14, 2021 at 9:53 AM
Subject: [REDACTED]
To: [REDACTED]

This Firm represents Mr. [REDACTED] related to several employment related issues with the Agency. In the interest of transparency, we wanted to inform you that Mr. [REDACTED] has filed claims with the OSC related to issues that you may be investigating.

Let me know if you have any questions. Thanks,

[REDACTED]

ATTORNEY CONFIDENTIALITY: The information contained in this email is legally confidential and privileged. The information is intended only for the use of the individual or entity as addressed.

Chief Human Capital Officer, Office of Human Capital
U.S. Immigration and Customs Enforcement

Exhibit G

the child's whereabouts from the natural father, and have failed to give him proper notice of the child's condition and whereabouts as required under the laws of both the state of Utah and the state of Montana.

FIFTH AFFIRMATIVE DEFENSE

The petitioners have violated the provisions of 76-5-301, Utah Code Annotated, dealing with the kidnapping and unlawful detention of a minor child against the wishes and without the consent of the natural father.

WHEREFORE, having fully answered the Amended Petition of Adoption of the petitioners, the respondent/father demands that they take nothing thereby, that their petition be dismissed, that the father be awarded full and immediate custody of the child, and that he be awarded his costs and fees incurred in this matter in a sum of not less than \$7,500.00.

DATED 11th day of January, 2019.

/S/ Gregory B. Wall

GREGORY B. WALL
WALL & WALL
Attorneys for Natural Father

Exhibit H



IN REPLY REFER TO:

Social Services
Phone 406/477-8051
Fax 406/477-8052

United States Department of the Interior

BUREAU OF INDIAN AFFAIRS
NORTHERN CHEYENNE AGENCY
LAME DEER, MONTANA 59043



November 8, 2018

Dear Mr.

According to our records, [REDACTED] was placed at the Rosebud Lodge Emergency Shelter on September 20, 2017 and discharged on September 27, 2017.

Sincerely,

Social Services Representative

Exhibit I




Very Sincerely Yours,

L. Jace Millsback, President
Northern Cheyenne Tribe

Exhibit J and K

114

Page 1 / 1 — — +

11-8-18

My name is [REDACTED]
I worked briefly w/ [REDACTED]
[REDACTED] who at the [REDACTED] was
driving into the office on a
gold Cadillac. (Nice car)

Exhibit L-M

4TH DISTRICT COURT - PROVO
UTAH, STATE OF UTAH
STATE OF UTAH vs. [REDACTED]

CASE NUMBER 191400753 - State Felony

CURRENT ASSIGNED JUDGE: ROBERT C LUNNEN

Parties

Relationship	Party	Represented By
Defendant	[REDACTED]	DEFENDER PUBLIC
Plaintiff	STATE OF UTAH	[REDACTED]

Chances

Events

Date	Event
March 12, 2019	Case filed by efile
March 12, 2019	Filed: INFORMATION
March 12, 2019	INITIAL APPEARANCE set on 03/13/2019
March 12, 2019	Filed: Probable Cause Affidavit
March 12, 2019	Filed: Order to Hold With Bail
March 13, 2019	Filed: Sworn Affidavit to Request Appointed Counsel - Granted.
March 13, 2019	WAIVER HEARING set on 03/19/2019
March 13, 2019	INITIAL APPEARANCE
March 14, 2019	Filed: Request for Specific Discovery
March 14, 2019	Filed: Return of Electronic Notification
March 15, 2019	WAIVER HEARING Cancelled
March 15, 2019	ORDER OF CASE TRANSFER
March 15, 2019	Filed: ORDER OF CASE TRANSFER
March 15, 2019	Case Closed

Custer County Sheriffs Office



P.O. Box 40 Arapaho, OK 73620
(580) 323-1616

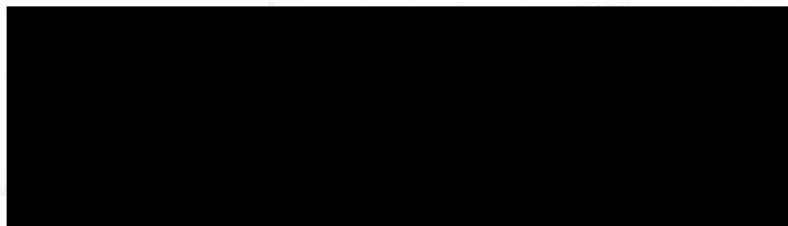
INMATE RELEASED SHEET

INMATE INFORMATION

[REDACTED]

EMERGENCY CONTACT INFORMATION

	Relationship	UNCLE
--	--------------	-------



DATED this 29th day of April, 2020.

Major [REDACTED] [REDACTED] Witness Statement

Date: May 08, 2024

My name is [REDACTED] [REDACTED] and I work as a Lieutenant Colonel in the United States Army Reserves. Throughout my 17 years of service to this country, my first six years were spent on active duty. During my active duty years, I deployed two times to Afghanistan in support of Operation Enduring Freedom. I met [REDACTED] [REDACTED] in 2009 in Afghanistan. [REDACTED] already had been in Afghanistan for five or six years of rotations working as a contractor specialized in law enforcement professionals who enforce/advise/liaise with the army unit who build cases against the Taliban and terrorists in Afghanistan. [REDACTED] had a lot of experience in various parts of the country. He was inserted into my U.S. Army unit where I observed that [REDACTED] was unafraid to jump on patrols, talk to people, sit in on interrogations and know when someone is lying and not telling the whole truth. He conducted law enforcement-style investigations, which is something my unit was not trained on.

[REDACTED] is a person of unquestioned credibility and public service commitment. Leadership said they wanted to use [REDACTED] for our battalion. [REDACTED] had been bouncing around with different missions where he would interrogate people and where he got information from his investigation and his sources. He would partner with what you would call a head Sheriff of the Afghan police in the area. People [REDACTED] worked with were directly connected in the community – locals – who knew the different families and whether they were leaders or messengers etc. Through [REDACTED] work ethic, he helped uncover numerous different terrorist cells, resulting in a Navy Seal team assignment to our unit. This was thanks to [REDACTED] work generating quality leads and intelligence so we could act on it and capture or kill terrorist members and people working for them. When explosions went off, [REDACTED] went to the sites and conducted a survey, pulled evidence from the blast site, and built a case on the commonalities and various pieces of evidence linked to other aspects of the area we operated in.

[REDACTED] work was excellent, and when we found the network he was promoted to a higher level of responsibility. At that point we bonded. I found [REDACTED] to be a direct and honest person who is easygoing, but if you do something wrong or put lives in jeopardy then he was quick to say this is high risk and what will happen if you do that. That's why my higher ups liked him – he told it like it was and he was not technically military. [REDACTED] was an asset that did not have to say things they wanted to hear just to please them, because he did not get performance evaluations from them. More law enforcement professionals were brought in to help us out, but [REDACTED] was the only one willing to do the work while there. One individual went on leave and never returned, and another individual never left the base and seemed to just want a paycheck. So, [REDACTED] work ethic alone set himself up for success, and his reputation followed the work he did.

Since Afghanistan, I have seen [REDACTED] once a year until 2016. Our contact has been more sporadic since he started his job with HSI and the pandemic, but we remain in touch. We are both avid news followers and we support each other's families.

I have never known [REDACTED] to reveal sensitive information to me or anyone else. In Afghanistan, he did the same type of job – investigations and breaking up networks there – and never once did he talk about it. Anything we discussed while he was at HSI was in the news already and he'd confirm benign, already public details like the fact that he was there. Additionally, what [REDACTED] shared with me was based on questions I asked him based on a report I read, or something I saw or read in the news. [REDACTED] did not volunteer information. In Afghanistan, if [REDACTED] revealed details of his investigations so freely, he would have been fired and it would impact his reputation. In Afghanistan there were numerous, other individuals who posted information on social media they should not have and were reprimanded or forced into early retirement as a result. Social media was closely monitored. Our goal was to target Al Qaeda and the Taliban, and [REDACTED] was among those who knew it was not worth it to risk careers just to leak information to the media or anyone else.

Of all our conversations, [REDACTED] never came across like a conspiracy theorist. Even after the last five years since conspiracy theorist groups received media attention, we would laugh about the conspiracies and how ridiculous they are. [REDACTED] expressed his belief that the evidence will show what is true or false. [REDACTED] never shared any conspiracy theories or gossip with me. We discussed his general career goals. [REDACTED] never shared details about how he investigates or looks at cases. Proof of his skills are his promotions, the satisfaction of his bosses, the investigations he conducted that brought in targets and information, and his site visits and resulting assessments of the evidence. [REDACTED] was hands on – he would get information and follow up on it personally, or he would catch someone and then question them directly. My unit was not trained on interrogations, but [REDACTED] was. Although I do not know details of the investigations, [REDACTED] ability to conduct investigations was portrayed very positively by my leadership. My senior leaders expressed that they wished they could have him as an asset, but [REDACTED] moved on to other professional development goals.

The ICE OPR report's reflection of the phone interview with myself is accurate because that conversation was recorded.

However, the GS [REDACTED] [REDACTED] conversation was not recorded and is not accurate. GS [REDACTED] is an Army reserve officer in my unit. He overheard me talking about a conversation about a documentary [REDACTED] was working on. I knew [REDACTED] was friends with documentary makers who had similar acquaintances that came up in the investigation he was working on, and he was under the impression that they would make a documentary about agency misconduct he was challenging. [REDACTED] discussed with me his debate about whether to do an interview and allow them to use it, because he was worried he would lose his job if he proceeded to participate in the documentary. I was aware of [REDACTED] concerns and what the documentary was about generally, but I was not aware of any specifics about [REDACTED] investigation. When GS [REDACTED] overheard me speaking with other people in my unit about the documentary, he asked to speak to me separately for clarifying questions. After that conversation and despite my lack of knowledge of particulars regarding [REDACTED] investigation at HSI, [REDACTED] [REDACTED] reported it as secret information that could jeopardize

the investigation, amounting to an Operational Security (OPSEC) violation.¹ However, GS [REDACTED] conclusion never made sense to me because what was discussed was second and third hand information with no names provided.

[REDACTED] never disclosed names, or even what team at Homeland Security he was working on. Moreover, I only assumed [REDACTED] worked with a team that carried out investigations for HSI because [REDACTED] never explained his role in detail apart from being an investigator for Homeland Security in Salt Lake City. [REDACTED] told me he was working on something about Utah and the Mormon church, and his bosses did not agree with him on the investigation and he was struggling to get this voice heard. I didn't know where the documentary ended or the investigation started, or vice versa. It was also not clear to me that [REDACTED] gave the documentary investigators any information they did not already know from other sources.

Below are my direct responses to the inaccurate and misleading statements contained within the OPR report.

On July 13, 2021, HSI Los Angeles, CA ---- reported to the JIC that the whistleblower disclosed law-enforcement sensitive information to a civilian, who did not have a need to know. GS ---- identified the civilian as an USAR Reservist, with whom he serves in the USAR. OPR SIU interviewed GS --- on August 5, 2021. GS --- stated that while he was working with his assigned USAR unit the weekend of May 15 and 16, 2021, he had a conversation with Major --- ---, USAR, in which Major --- talked about his friend (the whistleblower) who was employed with HSI SLC and who had gotten into trouble.

My office area has cubicles. Four face outward, and if you turn your chair then you face inward. One day, I was talking to colleagues near me about the Goldan State Killer who the Sacramento County Sheriff's deputies just caught at the time. I knew of [REDACTED] talking to the documentary maker and what they were working on and the Mia Farrow documentary on HBO Max.

I said my friend told me about one being made about the Mormon Church and the evidence of their involvement in abductions, or having people do abductions for them, and he's working with the documentary on Mia Farrow.

GS [REDACTED] heard me and said he wants to know more about it. I said yes and he asked me questions, but never said anything about being concerned [REDACTED] violated operational security rules or that what [REDACTED] shared with me was an operational security violation. GS [REDACTED] said the conversation was "in reference to an OPSEC violation" so I thought he was trying to see if it was an OPSEC violation, but I was clear in my response to him that it was not. I felt baited into the conversation with [REDACTED] because it felt like he was secretly interviewing me as part of an investigation and not making it clear he would use this for a report. If he said "this sounds interesting, I think it is an OPSEC violation and I will have to report it" I would have responded differently. But GS [REDACTED] approach was more conversational in nature. My conversation with GS [REDACTED] was not recorded and no notes were taken. A lot of information is three years ago and

¹ Operational Security (OPSEC) involves safeguarding sensitive data to prevent adversaries from accessing it. The primary objective is to deny access to critical information that could be exploited by malicious actors.

is his recollection versus mine. I told GS [REDACTED] at the start of the conversation I was not sure about the investigation versus the documentary. The conversation was based on information regarding the documentary and what was public. Apparently, GS [REDACTED] thought that it was sensitive information, or one could speculate that he was afraid his name would get brought up that he's an HSI agent and knew another investigation in homeland security had leaked information and if he knew about it then he would be fired. If you use common sense, there was no secret information about Mormons' abuses divulged – it was public and not owned by [REDACTED] or HSI.

My conversation with GS [REDACTED] was on a Saturday and he went in the following Monday and filed this report. However, sensitive information was never disclosed.

I never told GS [REDACTED] that [REDACTED] was in trouble. I have no idea where GS [REDACTED] got that idea. I don't know if [REDACTED] filed his whistleblower complaint by then or not. Maybe GS [REDACTED] is interpreting that [REDACTED] was having issues with the result of the investigation and that there was trouble amongst HSI about voicing his opinion and not being able to do his job. I'm not sure and can only speculate. But without more context this is unclear, and inconsistent with my recollection of what was discussed during our conversation.

In hindsight, it felt like OPR was trying to solicit sensitive information from me. I regret talking to OPR without a subpoena. Someone from OPR tried calling me numerous times and never left a message. A woman contacted me and asked me to call her back. It felt like OPR bullied their way into a conversation with me. She never said who they are or what it was about. She just said "this is [REDACTED] please call me back". It felt like an ambush.

The OPR investigator identified himself in the beginning. I don't remember his name. That conversation was recorded. He said it is regarding [REDACTED] [REDACTED]. The investigator tried to equate what happened to an Operational Security (OPSEC) investigation. I said it was not an OPSEC investigation.

No secret information was disclosed to me or by me. I'm not in law enforcement, but I knew the questions they were asking me were ridiculous. OPR asked if I knew what OPSEC is. You're not supposed to leave sensitive information out in the open. He was trying to insinuate that this was an OPSEC investigation. [REDACTED] was talking about frustrations in his work life and his case not going through. What he said was general and unspecific.

GS [REDACTED] never explained it was sensitive, or warned me of his concern. [REDACTED] approach was as a topic of conversation, not an interrogation about [REDACTED] sharing sensitive information. He was not writing anything down when we spoke. So I cannot verify that his report reflects what I told him – it's all based on our individual recollections of the conversation – which differ significantly. [REDACTED] never distinguished what he had vs. what the documentary had. Thus, I don't know what was in [REDACTED] investigation.

I told [REDACTED] [REDACTED] that [REDACTED] was having difficulty deciding whether to stay in his job. [REDACTED] was on the fence about working on the documentary. I can only speculate that GS [REDACTED] may have thought HSI does not want to lose an investigator to working on a documentary because they feel it is below them. Instead of admitting [REDACTED] has more experience than them, HSI turned their back

on him calling him a conspiracy theorist instead of focusing on the truth of their own incompetence. [REDACTED] had not filed a whistleblower complaint from when we spoke and when he was on fence about staying with HSI or working with production team. One of the first things the OPR agent brought up is why would he want to throw away his retirement? I said that's exactly what he was conflicted about.

GS --- stated that he had to look up the whistleblower in Outlook (the email system utilized by ICE) utilizing his government cellular phone to identify him further.

GS --- said that Major --- told him that the whistleblower asked him for advice and/or consultation on a "156 investigation" (military investigative process) and explained that he (the whistleblower) was "jammed up" for taking money, or some type of impropriety, regarding a documentary involving human trafficking and the Mormon Church.

A "15-6" is a military form on lost items, discrepancies in money, etc. used within the active army and reserves for items given to them or loaned out that they must sign for. If a soldier runs away and does not return an item, for example, then there is an investigation using the 15-6 form. When there's an interchanging of units in the military all the property needs to be inventoried and verified, and once that happens the commander will sign for it and a lot of times there's damage and losses discovered in that process. During a 15-6 investigation they appoint an officer to interview and collect information and come up with a finding about the loss and that is reported to a leader.. Therefore, given that a 15-6 is a military form, and what it entails, I do not know what GS [REDACTED] is talking about or why 15-6 was mentioned. Unless this is used in HSI as well, to my recollection there was no mention of a military investigation. We were talking about [REDACTED] career. I think GS [REDACTED] misinterpreted our conversation. GS [REDACTED] never called or texted or emailed me after our conversation. He never asked clarifying questions to make his record more accurate.

GS --- stated that Major --- told him that the whistleblower was involved in a human trafficking investigation involving the Mormon Church and felt like HSI management shut it down or kept him from working the case. GS [REDACTED] stated that Major --- also told him that the whistleblower had mentioned Senator Mitt Romney's name and that he (the whistleblower) had text messages from the human trafficking victims.

The whistleblower said he was thinking about resigning from HSI to work for a media company. GS --- said he was unclear what Major --- specifically told him related to the whistleblower having either text messages from the victims and/or took a screenshot of messages and showed Major ---.

This is not entirely accurate and is missing context.

I did tell GS [REDACTED] that [REDACTED] had text messages from victims, but I never said he shared them with anyone. Furthermore, if the documentary investigators had texts, I assumed it is because [REDACTED] and the documentarians were both talking to the same sources and the stories were consistent. I never received any text messages and [REDACTED] never showed me any text messages or screen shots of messages with human trafficking victims. Furthermore, I never led [REDACTED] [REDACTED]

or anyone else to believe that I did. It is only accurate to state that I said [REDACTED] was thinking about resigning from work and considering working for a media company and that [REDACTED] had text messages from victims. To my knowledge and belief, discussing the mere fact of having text messages of unidentified victims is not a violation of the law. I never saw messages, or numbers, or knew names, or details of the contents of any text messages with human trafficking victims.

Although I mentioned Mitt Romney's name, GS [REDACTED] statement is misleading without more context. Romney's name was not discussed as involving [REDACTED] investigation. There were linkages on the internet regarding claims that Romney's name could be tied to wrongdoing in the Mormon church. GS [REDACTED] details regarding Mitt Romney are not relevant because I never said Romney was involved in this. I merely said Romney's name was thrown around the documentary filmmakers' team.

GS --- said he then contacted SA ---, who he previously knew from HSI Los Angeles, out of concern. GS --- stated that after he spoke to SA --- about the information he obtained from Major ---, SA --- told GS --- that he knew the whistleblower. GS --- stated that he told SA --- that Major --- knew about the investigation and/or related information and possibly obtained some information from a documentary. GS --- said he felt uneasy that Major --- was aware of case-related information which came from the whistleblower.

First, this statement is vague and confusing. Second, I knew there was an investigation in existence regarding child abduction tied to the Mormon church. That is the extent of what I knew and said I knew. That does not strike me as sensitive information because it is so general and unspecific. It is not uncommon for law enforcement to give very general descriptions of what they are investigating without any specific or identifying information of sensitive information or law enforcement techniques or methods. This sort of acknowledgement, to my knowledge, is commonplace and neither secret nor sensitive. It is in the job descriptions of law enforcement agents that they do investigations. If I was a stockbroker and I reached out to biomedical professionals to get insider information to do stock bets, then that is secretive. If I use that to purchase stocks that is knowledge that is not publicly known. If I'm a stockbroker doing my job and watching companies for what they're coming out with I can tell an investor a stock is going to take off and you should buy it. This analogy is what I equate this to – it's not secretive information.

The way the OPR's report is presented and the basis for their investigation appears like they are stretching to find fault as part of a witch hunt on [REDACTED] and the facts presented are missing context and include inaccurate as well as vague and confusing statements that misrepresent or twist what I said.

I never said I possibly obtained information from a documentary. I don't know what GS [REDACTED] means by this. The documentary never came out, but there are others out there on other platforms and podcasts. I did not know where [REDACTED] or the documentary's information started or stopped. I only knew very basic and general facts. They were working on making a documentary. That's as far as it went. I never saw, heard, or read any information from the documentary. And I certainly

never saw, heard, or read any information from [REDACTED] investigation. The scope of my knowledge is only comprised of the very basic facts as I have stated here.

It is misleading to state that I knew case related information given the level of general and unspecific knowledge I had based on my conversation with [REDACTED]

GS --- stated that on July 10, 2021, Major --- told him that the whistleblower was going to work on the production for the documentary. Major --- said the production company also produced a documentary related to Woody Allen and Mia Farrow.

I did not say [REDACTED] was going to work on the documentary. I said [REDACTED] was torn about whether to stay with HSI versus leaving them to work on the documentary. While I did say the production company produced a documentary related to Woody Allen and Mia Farrow on HBO Max, this seems like an irrelevant fact.

GS --- stated that the following day, July 11, 2021, he pulled Major --- aside and asked him if he knew of any specific suspects of the human trafficking investigation. Major --- told him that he could not recall or did not know, and motioned to his phone and said he could easily ask the whistleblower additional questions because he (the whistleblower) trusted him.

This is false. [REDACTED] never told me the names or specifics regarding any suspects of the human trafficking investigation. I never told GS [REDACTED] that I could not recall or did not know. I also never motioned to my phone or said that I could ask [REDACTED] additional questions because he trusted me. I never believed [REDACTED] would tell me this information. I never thought to ask him in the first place because that's his job and I would never be that stupid as to think he would compromise the integrity of his investigations. And if I was that stupid, [REDACTED] would call me out on it immediately. [REDACTED] is a professional who I respect, and he is not the type of person to violate the integrity of his investigations.

GS --- asked Major --- for clarification regarding what he previously said about Senator Romney. Major --- said Senator Romney's property was used, but that he was not involved.

This is confusing. I remember saying Romney's name in the conversation and that is only because I assumed the documentary people had his name and it was a way to market their documentary and get people interested in watching it – like clickbait – because Romney is an affluent member of the Mormon church. [REDACTED] never said that – it was only *my* assumption.

I never mentioned Romney's property, so that is false and misleading. [REDACTED] did not give me any information that led me to believe that Senator Romney was involved in the particular matter that the documentary was investigating. Similarly, and consequently, I never led others to believe that [REDACTED] told me there was a connection with Senator Romney regarding the documentary or anything regarding the use of Senator Romney's property. I have no idea what this is about.

GS --- stated that Major --- told him that the investigation involved a police department covering up evidence for the Mormon Church. He added that a couple of senators were involved, and victims were taken to a house in the woods.

I believe this is false. I have no recollection of ever saying this and since I do not know any names involved it is highly improbable that I ever said anything of this nature. This also seems irrelevant because there are no specifics here: no names, nothing sensitive, or any clear fact.

The victims were giving the whistleblower information. Additionally, GS --- stated that Major --- told him that the whistleblower told him about an unrelated HSI raid or search warrant on a female from the Real Housewives of Salt Lake that he was involved in.

Although this is true, this is irrelevant, and even if it was relevant, the raid is nonsensitive information that was already in national news reports. The context is that after the investigation was in the news and the raid took place, [REDACTED] merely said he was involved. No other facts were divulged to me.

GS --- said that the whistleblower talked to Major --- about how HBO Max gave information to him and he was concerned with his job because he was instructed not to be involved with the case.

This is inaccurate. [REDACTED] was concerned that he was torn between involvement with the documentary or staying with HSI and working the case. The conversation was not about being instructed not to be involved with the case, rather it was a matter of his career choice because he could not work on the documentary and keep his government job.

The part about HBO giving information to [REDACTED] is misleading and inaccurate. Due to [REDACTED] conversation with the documentary makers, my interpretation is that he was able to have a better understanding of what is true or untrue about the case. All [REDACTED] told me is that the stories were similar. I can't confirm HBO Max gave information to [REDACTED] - he never told me that and I never told anyone he told me that. I have no idea whether HBO Max gave information to [REDACTED]

GS --- stated that Major --- told him that the whistleblower talked about another part of the Church and the investigation. GS --- stated that he told Major --- he should keep the information he knew about the investigation confidential.

It is unclear what this is referring to. [REDACTED] mentioned complaints of abuse within the church and victims were allowed to call a number that goes to a lawyer in the Mormon church who tries to settle the case. That's all I can think of that this could be regarding, but it is very unspecific and vague and unclear without more information. What I did share regarding the Mormon lawyer does not seem like anything associated with [REDACTED] work or his investigation and it was not brought up to me in that context. Rather, it was merely part of a general conversation regarding the Mormon church, so if that's what this is referring to then this is being taken out of context in

a way that's confusing and misleading. However, if that's not what this is in reference to then this statement is entirely untrue, and it is misleading.

I also do not recall being told to keep what I knew about the investigation confidential.

GS --- confirmed that there was a possible violation if sensitive information was disclosed to a person who was not in law-enforcement and did not have a need to know the information.

My unqualified belief is that there was no disclosure of sensitive information, so it's dubious that such a conclusion could be made based on any information I relayed if that information was truthfully reported with full context and content and accuracy.

GS --- stated that he considered this information he received from Major --- a risk to the investigation unless it was obtained publicly by watching the documentary. GS -- - said in his July 11, 2021 conversation with Major --- that the whistleblower told him that evidence was being covered up for the Mormon Church through a police department.

I recall learning that someone involved in law enforcement of some sort was involved in an abduction and he was a member of the Mormon church, and the investigation was stalled because of local law enforcement and [REDACTED] superiors. So, I inferred that the Mormon church was also not allowing [REDACTED] to pursue this case. I don't remember my exact words with [REDACTED] at the time, but I said something to that effect.

I never said anything about [REDACTED] telling me there was evidence being covered for the Mormon Church through a police department. I did infer that myself however. The important distinction is that [REDACTED] never told me that. I assumed this was coming from the documentary, not from [REDACTED]

It is difficult to understand how the conclusion could be drawn that this posed a risk to the investigation given the lack of specificity in the conversations with [REDACTED] and with [REDACTED] about the individuals involved and the details of the investigation and the matter generally, and the lack of knowledge I had. Some of what was discussed was inferences I made. Again, I don't know what the documentary or [REDACTED] provided.

GS --- felt that if the whistleblower disclosed that information, then the whistleblower had engaged in disclosing sensitive information.

OPR SIU interviewed Major --- on August 6, 2021. Major --- said that when he officially reported to the unit he told GS --- about his friend, the whistleblower, who worked for HSI SLC and was working a case involving the Mormon Church.

This is inaccurate. [REDACTED] [REDACTED] overheard a conversation and pulled me aside to talk to me. I did not approach him. Also, [REDACTED] to my knowledge, was not a whistleblower at the time and because I did not know he was a whistleblower then I would not have referred to him as a whistleblower.

Major --- said the information also involved a documentary that the whistleblower may or may not be involved with. He stated he knew the whistleblower from Afghanistan when the contractor was attached to his unit as a contractor in 2009. Major --- confirmed the whistleblower informed him about the investigation, but Major --- was vague and did not provide the specific details he had originally shared with GS.

This is misleading. No details were ever disclosed. This makes it seem like I knew more than I did.

Major --- stated that the whistleblower also disclosed information pertaining to an HSI investigation into a cast member of the Real Housewives of Salt Lake City.

I never said this. The cast member investigation was already public information reported nationwide.

Major --- stated the whistleblower told him about having met with directors and/or producers from a media company in June or July 2021, who were producing a documentary on the Mormon Church's involvement in human trafficking and sex crimes. Major --- stated he did not know names of individuals involved in the crimes, but assumed they were in Utah, because that is where the Mormon Church is located. He stated that he knew Senator --- was a member of the Mormon Church and it was possible that his name was brought up. Major --- stated that the first time he heard anything about the Mormon Church and "stuff" related to the HSI investigation was from the whistleblower, who told him the Mormon Church was "as corrupt as Scientologists."

Major --- stated that the whistleblower told him that the directors and/or producers who were working on a documentary were interviewing their own sources. Major --- advised that it was the same producer who was involved with the Mia Farrow vs. Woody Allen documentary and has an extensive investigative network. Major --- stated that he understood from the whistleblower that the producer had independently interviewed individuals that were people of interest in the HSI investigation.

Major --- stated that the whistleblower told him the stories were "lining up" and he would be giving additional interviews with the producers, with whom he had conversations about future employment. He stated the whistleblower told him he had not signed an employment agreement with the producers but his participation in the documentary would depend on what they could offer him financially. Major --- did not believe the whistleblower would provide HSI investigative information to the producers. Major --- stated that was the extent of the information he knew, and this conversation with the whistleblower was in May or June of 2021. Major --- stated it was his understanding that the documentary was currently being worked on, and that he did not know the name of the media company. Major --- stated the whistleblower did not disclose the nature of the investigation to him directly. He stated he knew the

whistleblower for a long time and didn't believe he would share information that is classified or would jeopardize the investigation. Major --- stated that there was a strong implication that there were a lot of people involved, regarding the mainstream media, who do not want this documentary "come to light" because of the information that would be released. Major --- stated that the whistleblower told him that the producers of the documentary said it will make some waves once released.

Major --- did not have any knowledge of the whistleblower disclosing HSI investigative material to anyone outside of ICE. He was unaware if the whistleblower was still actively working on the HSI investigation or if he had moved on to a different case.

I never said [REDACTED] told me he would be giving additional interviews with producers. This is misleading. [REDACTED] had already interviewed with the production company and that is what he was torn about. [REDACTED] did say stories were lining up, but he did not say anything about giving additional interviews with the producers. Rather, what was discussed was a matter of whether to proceed with allowing the production company to use his interview and give up his job at HSI.

Lastly, the statement about not having knowledge of the whistleblower disclosing HSI investigative material to anyone outside of ICE and being unaware if he was actively working on the investigation or moved on is significant. It supports the fact that there is no evidence that [REDACTED] provided any unlawful disclosure.

My name is [REDACTED] [REDACTED] and I solemnly affirm that the following statement is made of my own volition, without coercion or inducement of any kind. I declare that I have not received any financial benefit or incentive in exchange for providing this statement.

The contents of this statement reflect the facts and events to the best of my knowledge, recollection, and belief. I affirm that I have providing this statement to the U.S. Office of Special Counsel truthfully and accurately to the best of my ability, and I understand the consequences of providing false or misleading information.

[REDACTED]:

[REDACTED]

Report of Interview with Witnesses

I, [REDACTED] interviewed witnesses [REDACTED] on March 29, 2024. [REDACTED] expressed their willingness to provide a statement to the Office of Special Counsel in support of [REDACTED] whistleblower matter.

[REDACTED] is the father of [REDACTED] and [REDACTED] is [REDACTED]
[REDACTED] and [REDACTED]

The following individuals are referenced in this report:

Table 1: Names and titles of referenced individuals

[REDACTED]	HSI whistleblower
	Special Agent, HSI
	Special Agent, HSI
	[REDACTED] neighbor and child abuser/accomplice
	Associate Law Professor and wife of [REDACTED]
	Utah County Attorney who is under investigation with HSI for child trafficking.
	DHS ICE OPR Special Agent, known to [REDACTED] and [REDACTED] only as from Internal Affairs
	DHS ICE OPR Special Agent, known to [REDACTED] and [REDACTED] only as from Internal Affairs
[REDACTED]	
The Honorable Judge Kraig Powell	Presiding Judge in [REDACTED] case in the Fourth District Court who did not sign [REDACTED] two temporary custody order requests.
The Honorable Judge James Brady	Non-presiding Judge in [REDACTED] case in the Fourth District Court who signed [REDACTED] two temporary custody order request

A. First Meeting with HSI Agents

[REDACTED] first meeting with Homeland Security Agents occurred around May 2021, when agents [REDACTED] and [REDACTED] showed up at [REDACTED] parents' home without notice around 9:00 am, requested to speak about the adoption of [REDACTED]. The case was in the Fourth Judicial District Court in Utah County. [REDACTED] thought this could be a conflict of interest, because [REDACTED] was the District Attorney (DA) in Utah County. [REDACTED]

Attorney [REDACTED] with Wall and Wall Attorneys at Law PC stated this case should be held in Montana.

The agents said they knew of the legal case, which was submitted to the court as an adoption. However, the agents referred to it in different ways, including an illegal adoption. SA [REDACTED] explained that another case in Montana brought him to them because there was another illegal adoption. The agents stayed for 3.5 hours and recorded the conversation. The agents did not ask permission to record the conversation. The agents did not ask [REDACTED] if they knew who they were. [REDACTED] asked who they were and asked to see their badges. Special Agent (SA) [REDACTED] had a business card, but [REDACTED] did not have one.

[REDACTED] asked SA [REDACTED] how he became an agent and SA [REDACTED] said he was brought into this circle because he was great at math and strong in the finances area. This gave them hope initially, because then he would be good with timelines, chronological accounts and dates concerning their case. However, the [REDACTED] later realized that this experience was not demonstrated with actions – as SA [REDACTED] did not seem to pay attention to times, dates, make connections with evidence they gave him regarding money and transfers regarding the case, bank related information etc. For example, the [REDACTED] gave him the bank information and audio file and the lead of the bank that was receiving the money for [REDACTED] daughter and SA [REDACTED] said he checked it and did not find anything and asked for a bill of receipt¹ of kidnapping (this occurred during their last meeting with SA [REDACTED]). The agents asked questions about their case and about someone else, and the [REDACTED] did not feel comfortable answering questions for someone else. The agents wanted more information and the [REDACTED] felt uncomfortable providing more. The agents asked to take the book that the [REDACTED] put together documenting the facts and evidence resulting from their own investigation into their case. SA [REDACTED] said they could go into the West Valley City, ICE office, and they would gladly copy the book page by page. The book is copyrighted because people are capitalizing on it, which made the [REDACTED] disagree. For example, one journalist said he got some documents that are copyrighted in the book from the authorities, and it had [REDACTED] highlights on it and the [REDACTED] address was not redacted, which puts their security and privacy at risk. This journalist went on to do an interview with the copyrighted documents on social media. [REDACTED] were surprised by the HSI Agents' request to take their book and did not give the agents the book because they felt uncertain about what side HSI was on. The agents requested a second meeting with them, which would take place at DHS HSI's office to support the fact that the agents are who they said they are. [REDACTED] developed two USB'S to give the agents, one each, on everything they believed was relevant for HSI's investigation, and agreed to meet the agents there approximately one week later.

B. Second Meeting with HSI Agents

¹ Receipts can be significant in child trafficking cases because they can provide crucial evidence of financial transactions related to the crime. These receipts may include records of payments made by traffickers or buyers, expenses related to the transportation or accommodation of victims, and other financial details that can help establish the existence of a trafficking operation. By examining receipts investigators can gather important information about the individuals involved, their activities, and potentially link them to other pieces of evidence.

On June 1, 2021, [REDACTED] met SA [REDACTED] and [REDACTED] at the HSI West Valley Utah building and were taken through a parking garage, and then into the building accessed through the garage. This journey already seemed odd to them. The room they were taken to was dirty and it smelled of fresh and old urine, feces, and vomit. The room also had a one-sided mirror, and a table that had an old boxy desktop computer, which was outdated to them. The room was small and cramped, and [REDACTED] were asked to sit across the table from the agents. This made them feel like they were being interrogated and were under investigation, which seemed wrong given they were there to provide information about how [REDACTED] daughter was illegally taken.

Witness [REDACTED] stated that she had to shower and wash her clothes after the meeting, because she was wearing her church clothes to the meeting. [REDACTED] stated that based on the conduct of the agents, she did not feel the agents treated them decently and [REDACTED] felt deprioritized, disrespected, and disregarded.

[REDACTED] expressed that he felt SA [REDACTED] was ungrateful, and they seemed disappointed when they gave them the USB, which had a lot of significant evidence on it, including audio files, and contained even more documentation than what they provided to the FBI. [REDACTED] recalls telling the agents the USB can be shared with their team but does not believe they ever did that. [REDACTED] observations of the agents led him to suspect that the HSI agents wanted everything they had so the agents could suppress the investigation.

During the meeting, the agents did not record the conversation and [REDACTED] recollection is that the agents did not take handwritten notes or have a notepad during this or any subsequent meetings with them, to the best of their knowledge. No summaries of their conversation were ever shared with them to verify what was said. [REDACTED] took notes of what was said during the meeting when she got home.

Although she did not confront SA [REDACTED] right away, after the subsequent meeting, described below, with Homeland Security internal affairs/OPR and SA [REDACTED] sent a text message to SA [REDACTED] about how disrespected they felt that day going through the garage, but he never responded to her message.

C. Contact with SA [REDACTED] Five Months After Second Meeting

On October 26, 2021, SA [REDACTED] contacted [REDACTED] again. The questions [REDACTED] asked seemed odd to [REDACTED] because he seemed ignorant of some of the facts contained in the evidence [REDACTED] gave him five months prior.

[REDACTED] did not believe that SA [REDACTED] went through everything. SA [REDACTED] requested child support documents from [REDACTED] place of employment, because [REDACTED] paid child support for one year. It came out during a court petition that the [REDACTED] knew [REDACTED] was paying child support. This potentially falls under fraud, and corruption, because (1) the [REDACTED] did not disclose to [REDACTED] that they had his daughter – circumventing the law and hiding the baby (2) nor did the [REDACTED] disclose it to the Montana Child Support Enforcement Division (CSED), and (3) the [REDACTED] requested (and received unlawfully) temporary custody twice. Moreover, when the [REDACTED] requested custody a second time after their initial six-month temporary custody order, the

presiding Judge over [REDACTED] daughter's case (The Honorable Judge Kraig Powell) did not sign the request. The Honorable Judge James Brady, in the Fourth District Court, signed the order giving the [REDACTED] temporary custody twice during a proceeding that occurred after court hours and, importantly, it occurred without first informing [REDACTED] of the proceeding, despite their knowledge of his claim to his daughter and his address. This order also was given without any kind of foster care, after the first temporary custody order. Judge Kraig Powell was the assigned Judge to the case pertaining to [REDACTED] daughter. [REDACTED] are not aware of any motions or procedures regarding delegation of authority, or need to delegate authority, to sign orders to another Judge. They suspect the [REDACTED] legal knowledge and connections were used improperly to circumvent the proper procedures.

Furthermore, prior to the illegal adoption, the [REDACTED] did not have a home study done. In the Fourth District Court, [REDACTED] a Kirton McConkie attorney representing [REDACTED] and [REDACTED] stated they were the child's family, so they were excepted from a home study being conducted according to their attorneys (78B-6-128)(1)(c). However, contrary to their claims of relations, the [REDACTED] do not qualify as extended family according to 25 USC 1903(2) and 25 USC 1915. This petition was submitted on September 17, 2018, from the Kirton McConkie Law Firm under case number 172400180. The significance is that the movement of the child into the state of Utah by non-relatives and non-agency-guardians and the lack of compliance with the "Sending State" permission requirement and the receiving State's notice requirement violated the Interstate Compact for Placement of Children, the Indian Child Welfare Act, and Utah Code 76-5-301 dealing with kidnapping and unlawful detention of a minor against the wishes of and without the consent of the natural father. Thus, the adoption judgement, was unlawfully given by the Fourth District Court, for the State of Utah in Utah County and violated the rights of the Cheyenne Nation, which retained jurisdiction over the minor child, as well as the rights of [REDACTED]. The [REDACTED] ability to circumvent the law and proper procedures is highly suspicious, and the circumstances and evidence of the child's kidnapping/trafficking should have warranted a more thorough investigation by HSI.

D. Contact with [REDACTED] and Impression of him

The first time [REDACTED] were in contact with [REDACTED] was after the Fox News segment aired on June 27, 2022. [REDACTED] introduced himself as the whistleblower, from Homeland Security. [REDACTED] had a positive impression of him, and it made [REDACTED] tear up that he was willing to say the government was not pursuing the case the way he thought they should. [REDACTED] expressed that the confessions and allegations should have been enough to get [REDACTED] daughter from the [REDACTED] household. [REDACTED] impression of [REDACTED] is that he is honest, and genuine, and she is sad he was a target. [REDACTED] impression of [REDACTED] is that his reasoning for speaking up is that the investigation is something he should have done with his job at HSI, and he seemed to have the background to do this type of work, and the heart to do it. [REDACTED] impression of SA [REDACTED] is that he did not have the drive to pursue the case, and he wanted to be the face of the investigation, without doing the work. Mr. [REDACTED] however, shared his experience with [REDACTED] and it seemed like he was out there getting things done. They believe that Homeland

Security's attack of [REDACTED] credibility only makes [REDACTED] more credible, because Homeland Security is targeting Mr. [REDACTED] for exposing them for not doing their job.

E. Meeting with ICE OPR

The next time [REDACTED] met with SA [REDACTED] in person, was when Internal Affairs was present. [REDACTED] recall that on October 21, 2022, SA [REDACTED] from HSI contacted them. SA [REDACTED] requested to meet with them. They thought they were meeting HSI about their case concerning [REDACTED] daughter, and [REDACTED] and [REDACTED]. Instead, they met with SA [REDACTED] and [REDACTED] at Homeland Security's office in West Valley City, Utah. SA [REDACTED] made an introduction and sat in during the meeting. [REDACTED] and [REDACTED] told the [REDACTED] they were from Internal Affairs and the [REDACTED] were either not aware at the time, or do not recall now, that they were with DHS ICE Office of Professional Responsibility. [REDACTED] gave them a business card, but [REDACTED] did not have one. The business card from [REDACTED] only said Homeland Security Investigations and did not specify they were from Internal Affairs or OPR. The agents requested [REDACTED] contact them through SA [REDACTED] the lead investigator on their case, to see if [REDACTED] could record a phone conversation with [REDACTED].

The Special Agents questioned them about [REDACTED] and what he was doing and looking for concerning their case. The Special Agents stated that they flew into Utah, from Washington DC, and traveled from state-to-state, working on this investigation against [REDACTED]. They tried to discredit the entire Fox News segment, by saying that what [REDACTED] said about HSI not doing their investigation was a lie, therefore inferring nothing else would be credible. [REDACTED] found that disturbing, because they watched the segment, and knew it was entirely accurate. They knew that [REDACTED] confession was authentic. [REDACTED] felt like the agents were discrediting the segment, and that their agenda was to erase the segment, and go after [REDACTED].

Agent [REDACTED] asked [REDACTED] if they felt their lives were threatened because of what [REDACTED] said on the news. He also asked if [REDACTED] threatened their family. [REDACTED] said no and told the agent that if it wasn't for [REDACTED] and what he did, they would not be here now, i.e., learning more information about the [REDACTED] and the allegations important to [REDACTED] and his daughter, [REDACTED].

Agent [REDACTED] stated that they had already spent \$2 million investigating Mr. [REDACTED]. The agents asked [REDACTED] to call Mr. [REDACTED] and question Mr. [REDACTED] about his intentions, while the agents are present, so the agents can record the conversation. The agents said they can tap phones. The agents wanted to know what Mr. [REDACTED] was trying to do, and told [REDACTED] that Mr. [REDACTED] was trying to capitalize on [REDACTED] daughter's story, and that he was trying to get into the film-making business. [REDACTED] did not agree with the agent. First, [REDACTED] and [REDACTED] had their facts, and knowledge, concerning the Northern Cheyenne Reservation segment of the news, before they were notified of what was going to be aired with the journalist and were able to confirm it. Second, everything Mr. [REDACTED] said made sense. Third, calling the segment a lie in essence would be giving up on [REDACTED] daughter. Lastly, to their knowledge and belief [REDACTED] was not paid to do the segment.

Therefore, [REDACTED] refused to cooperate further. Both [REDACTED] found the line of questioning about Mr. [REDACTED] offensive. [REDACTED] told [REDACTED] that he contacted [REDACTED] and asked if the Fox segment was true, and according to [REDACTED] replied that it was all a lie. Their impression was that Agent [REDACTED] appeared to want what Mr. [REDACTED] said to be untrue, concerning HSI not investigating or following through, and to incriminate Mr. [REDACTED] rather than those responsible for the loss of his daughter. [REDACTED] told SA [REDACTED] that he would not incriminate someone who was in the right, and did them a favor, by doing something no one else would do, and risked his career to help a child.

SA [REDACTED] asked them for information they already had given him, a year or two prior. [REDACTED] asked SA [REDACTED] why her son's daughter is still in [REDACTED]'s household. She recalls that SA [REDACTED] responded that he needed a receipt for the kidnapping/bill of sale. At this point in time, HSI already had [REDACTED]'s recorded confession, describing the "transaction." [REDACTED] confessed to meeting with the President of the Northern Cheyenne Reservation, and telling the President that his Ukrainian friend Victor Yushenko (the former Ukrainian president), and him have a goal of introducing buffalo into Western Ukraine, and he wanted to explore a bilateral agreement between the people of Ukraine and the people of Northern Cheyenne, as it is a sovereign nation, with buffalo. [REDACTED] said he was all ears after that point, and [REDACTED] continued to talk about his subsequent request to adopt a baby from the reservation, requesting the President's "blessing," which was subsequently given.

According to [REDACTED] when he found the baby's whereabouts, he then faced an impossible requirement by Tribal Social Services, who had the baby in their custody, when the biological mother was arrested, to get a criminal background check by noon the next day. [REDACTED] after admitting to using every police chief, every district court judge, and every social worker connection he had to get a criminal background check for every adult in his family done overnight, allegedly received one, but was still rejected by Tribal Social Services. He was recorded further describing going back to the President again, and telling the President the social worker was "screwing with" him, which resulted in the President calling the social worker, and telling her the [REDACTED] are friends of the tribe, this baby is family under Indian law and custom, and they're assets to the tribe *for more than just this*. The President, then allegedly told the social worker "Do what you want, but from our perspective, these are people that we want to be friends with." Five minutes later, the social worker allegedly called Mr. [REDACTED] and told him she figured out a way to get the child to him and delivered the baby to him, with two bags full of her belongings.²

It is clear, from his own words, that Mr. [REDACTED] bribe of the public official – the offer to facilitate a profitable international export of Buffalo from Northern Cheyenne to Ukraine – was accepted by the President of the Northern Cheyenne Tribe. Thus, in inducing the President, and the Social Worker, to violate the ICWA, and their official duties as public servants, it enabled [REDACTED] to circumvent the

² Note: [REDACTED] the former Lead Social Service Representative of the Bureau of Indian Affairs Northern Cheyenne Agency with the United States Department of the Interior, sent [REDACTED] a document naming [REDACTED] Program Manager of Utah Division of Child & Family Services, as the individual who conducted the background screening of the [REDACTED] according to [REDACTED]. This is who she claims gave her the authority to release [REDACTED] daughter to [REDACTED].

laws, rules, and procedures in place, to obtain custody of the child. It is also worth noting, that the [REDACTED] have evidence, which they provided to HSI, that [REDACTED] a Social Service Representative of the U.S. Department of Interior Bureau of Indian Affairs, claimed the Bureau of Indian Affairs, shreds all paperwork regarding children, after one year, if there was no other complaints or incidents about the child. All three social workers, at the Bureau of Indian Affairs, claimed there was no paperwork on [REDACTED]'s daughter, even after checking storage. [REDACTED] the Lead Representative of the Bureau, was the individual responsible for handling [REDACTED]'s child's case, and her corresponding paperwork. Therefore, records may have been destroyed unlawfully, and including the records of a child, whose case may have already been under active criminal investigation by federal agents at that time. Moreover, 36 CFR 1230.10(d) directs that any unauthorized removal, defacing, alteration, or destruction be reported to NARA. If HSI did not look into, and report the unlawful destruction of these records, they may have violated federal law.

What's more, HSI also had evidence of, or could obtain evidence of: (1) [REDACTED]'s purchase of a car, that was given to the baby's mother, which was confirmed by the maternal grandmother of [REDACTED] and (2) [REDACTED] and [REDACTED], payments to the mother, via a stipend through U.S. Bank in Montana, any time she asked for it, which was also confirmed by the baby's maternal grandmother.³ [REDACTED] also asked SA [REDACTED] why, with these allegations, is his daughter still in the household? [REDACTED] recalls SA [REDACTED] said it is not for HSI to take the child out of the house, it is the responsibility of the U.S. Department of Health and Human Services (HHS).

This concerned [REDACTED] because [REDACTED] brother [REDACTED] was the Secretary of HHS from January 26, 2005-2009 (and he was formerly the governor of Utah from 1993-2003). They felt this was another conflict of interest.

Additionally, [REDACTED] hired a Private Investigator, [REDACTED] (possibly with public funds as [REDACTED] was District Attorney at the time) to follow [REDACTED] parents, who saw the private investigator following them. They only became aware of this information because [REDACTED] told them who the private investigator was and sent them a picture of him. [REDACTED] sent [REDACTED] a text and a photo of the investigator, and also told Internal Affairs the facts of this encounter with the private investigator following them – which made them wary. [REDACTED] of the private investigator and said, "yeah, I know who he is" after [REDACTED] showed him [REDACTED] picture, then [REDACTED] laughed. [REDACTED] as protected witnesses in a federal investigation, were disturbed by HSI's lack of investigation into [REDACTED]'s act of intimidation against them, and the lack of investigation into [REDACTED]'s possible abuse of authority as District Attorney. According to the Trafficking Victims Protection Act 22 U.S.C. 7105(c)(3)(A)(ii), while investigating the prosecuting suspected traffickers, federal law enforcement officials "shall endeavor to make reasonable efforts to protect the safety of trafficking victims, including taking measures to protect trafficked persons and their family members from intimidation, threats of reprisals, and reprisals from traffickers and their associates."

³ Also corroborated in March 2020 by the mother's brother's statement that she received a payment from [REDACTED] for one year via U.S. Bank.

As of November 3, 2022, HHS has not been in touch with [REDACTED] or [REDACTED] about the HSI case concerning [REDACTED] and [REDACTED]. [REDACTED] do not trust that HHS will do anything about [REDACTED]'s daughter, because HSI and other authorities and government agencies have not done anything helpful to date. [REDACTED] have lost confidence in these agencies, especially when Internal Affairs has a higher interest in [REDACTED], instead of protecting a child.

After the meeting with Internal Affairs agents, another HSI agent named [REDACTED] came in the conference room and asked if [REDACTED] was the father of the native child, which [REDACTED] confirmed. SA [REDACTED] said something to the effect of "We all know this is an illegal adoption this was stated four times. But [REDACTED] is smart." [REDACTED] responded "He is not smart. He incriminated himself on national TV."

[REDACTED] explained that the child was trafficked. The distinguishing factor for classifying the case as a child trafficking case is that she was sold in a transaction and is a federally recognized Northern Cheyenne Native American baby girl who was taken across state lines.

F. Contact Post OPR Interview

[REDACTED] recalls that Agent [REDACTED] told them that based on [REDACTED]'s 30 years of experience, these cases take five years to resolve. Although that was surprising to her, she believed, initially, that they were on their side, and were working tirelessly, to get [REDACTED] daughter back. So, they shared a substantial amount of compelling evidence with them, to ensure their case would be quicker to resolve. In hindsight, they believe that the inquiry about [REDACTED] suggests that something is not right. A prominent investigative journalist contacted them and told them NBC News in New York quashed the story, and that Homeland Security dropped the case and is not working on it anymore.

On, or about March 2022, [REDACTED] called SA [REDACTED] and asked if it is true that HSI dropped the case. SA [REDACTED] replied, denying the allegation, but also stated that since they are talking to the journalist, he cannot tell them any more information.

SA [REDACTED] told them that they [HSI] can't tell them not to speak to journalists, but journalists just want their story for their ratings. [REDACTED] responded that their priority is getting justice, so they stopped speaking with the journalist, to protect Homeland Security's investigation.

However, [REDACTED] and [REDACTED] felt that HSI's tone in speaking with them was disrespectful. [REDACTED] felt that SA [REDACTED] disregarded her pain, and what she had to say. They knew leaving the conversation with OPR and SA [REDACTED] that what agents were doing, asking them to call the Fox segment a lie and discredit the whistleblower, was wrong. When [REDACTED] expressed how she felt it was wrong that her son's daughter was in that house after what was said in that video, Agent SA [REDACTED] put his hand up, and told her to "stop," because he didn't want to hear it anymore. His body language said it was "over with." After that, he proceeded to withhold updates, and did not ask them any questions. [REDACTED] said that [REDACTED] and [REDACTED] were only there to use [REDACTED] to question [REDACTED]. While Mr. [REDACTED] on the other hand, talked to them like human beings.

[REDACTED] and [REDACTED] claim they have adopted another child possibly, and would now have nine children, in their custody. What is happening to [REDACTED] family is happening to other families, especially in the court system in Utah.

In Summary, [REDACTED] claims HSI stopped investigating the [REDACTED] case which also involved and implicated [REDACTED] and [REDACTED] for ritualistic child sex abuse.

[REDACTED] and [REDACTED] are under investigation, for human trafficking.

Homeland Security Internal Affairs, and HSI, turned their focus toward [REDACTED] who was part of the original team investigating the case.

We, [REDACTED] hereby certify, that we have reviewed the report and interview conducted by Government Accountability Project and confirm that it accurately reflects our conversation with them. We acknowledge that the information provided in the report is true, and correct, to the best of our knowledge, and belief, and approve the report of interview verbatim.

Furthermore, we freely, and willfully, submit this information to the U.S. Office of Special Counsel through Government Accountability Project. We affirm that we have not been coerced, paid, or promised any payment by Government Accountability Project, or its client [REDACTED] for our cooperation.

We would like to thank the U.S. Office of Special Counsel, for your time and consideration. We are grateful for this opportunity to express ourselves in this report, as witnesses. This information, and disclosure, has impacted several lives for the last seven and a half years. It connected numerous state, federal and sovereign agencies, and caused evident awareness, in lack of following due process procedures, and wasted taxpayer dollars, which hurts the public interest.

Should the Office of Special Counsel have any questions, or require additional information, we consent to being reached through Government Accountability Project's attorneys, who will provide our contact information upon request.

Thank you,

[REDACTED]

[REDACTED] Signature: [REDACTED] Date: [REDACTED]

[REDACTED] Signature: [REDACTED] Date: [REDACTED]

EXHIBIT # 1

"Hi [REDACTED]

As much as I like to think you and your team were in the best interest of my granddaughter, I now know it's not true. You claimed to seek justice and said we all know this is illegal in front of [REDACTED] from HSI.

I feel misled waiting all this time for justice and we did not even get a professional finalization on this matter from you, apparently for months. You allowed us to assume that it was still in your court as we did not understand where the case was indefinitely. You stated justice not media, all they want is a juicy story.

First of all we invited you into our home with the impression that you meant business. You pounded on our door and claimed [REDACTED] wasn't in trouble, accusing him. I felt disrespected consistently by you, but tried to keep a Christian approach. You led us into a garage at homeland security for a first meeting and to that urine smelled office. Then you wanted to use my son for internal affairs, again misleading us to think my granddaughter mattered. This is terrible, sad and I believe you had a moral responsibility to this case. We are once again failed by another agency.

On the way we find out about finalization is through a text? No common courtesy to give us a call or letter. Did you not understand we are speaking about an innocent little child. Your claim is you don't have a receipt for a bill of sale for a child? I did not know someone who is kidnapped needs a receipt.

Bare with me this is an unjust way, to think you can just "wash your hands," like my grandma would say, from this and not protecting a child. She will grow up and speak.

Media has not let this go and should not because they cannot sleep nor find peace.

Sincerely,

[REDACTED]

October 21, 2023"