

FILE TITLE: UNKNOWN /OTHR/DISCLOSURE /DISTRICT O DC  
STATUS: C - CLOSING REPORT  
ENTRY DTE: 06/20/2005 RPT DTE: 09/06/2005 DTE ASSIGN: 04/08/2005 CLASS: 2 LMR OFC: 23  
FILE DESC CODE: DISCLOSURE REPORT #: 005 FILE #: (b)(7)(E)  
UNDEVELOPED LEADS TO:  
TYPE: F INVESTIGATIVE FINDINGS  
FINAL RESOLUTION:  
TOPIC: INAPPROPRIATE RELEASE OF OI MEMORANDUM.  
DISTRIBUTION CODES:  
ORIGINATOR: (b)(6); (b)(7)(C) SUP CRIM INVEST  
SUPERVISOR: (b)(6); (b)(7)(C) RAC-RESIDENT AGENT IN CHARGE  
OFFICE: SAN ANTONIO 1 (RAC) TEL: 210366 (b)(6); (b)(7)(C) ENTERED: (b)(6); (b)(7)(C) QRY NOT: 0  
(b)(7)(C)

\*\*\*\*\* SYNOPSIS \*\*\*\*\*

On April 7, 2005, the Joint Intake Center (JIC), Washington, DC, received information from Marcy Forman, Immigration and Customs Enforcement (ICE) Director, Office of Investigations, reporting that William Knocke, ICE, Director of Communications, received an email from Bill Conroy that contained an excerpt from a memorandum signed by Director Forman dated March 28, 2005, detailing the procedures the Office of Investigations will implement to conform with Homeland Security Presidential Directive 6 (HSPD-6). Conroy, who is a freelance writer for the narcosphere.narconews publication, cited the memorandum in an article on April 7, 2005. It is unknown how Conroy came into possession of the memorandum and if an unknown ICE employee might have inappropriately released it.

This report serves to document the closing of this file pending receipt of new information.

\*\*\*\*\* NARRATIVE \*\*\*\*\*

DETAILS OF INVESTIGATION:

On April 7, 2005, the JIC received information from Director Forman, reporting that Director Knocke received an email from Conroy that contained an excerpt from a memorandum signed by Director Forman dated March 28, 2005, detailing the procedures the Office of Investigations will implement to conform with Homeland Security Presidential Directive 6 (HSPD-6). Conroy, a freelance writer for the narcosphere.narconews publication, cited the memorandum in an article on April 7, 2005, titled "Homeland Security memo reveals terrorism records are being sanitized."

It is unknown how Conroy came into possession of the memorandum and an unknown ICE employee might have inappropriately released it.

On April 21, 2005, Senior Special Agent (SSA) (b)(6); (b)(7)(C) Office of Professional Responsibility, San Antonio, TX (OPR/San Antonio), contacted SSA (b)(6); (b)(7)(C) OPR/Washington, to conduct preliminary checks of ICE

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

On May 23, 2005, SSAs (b)(6), (b)(7)(C) OPR/San Antonio, attempted to contact Conroy at his residence, 9127 Alpine Trail St., San Antonio, TX. SSAs (b)(6), (b)(7)(C) were informed by Conroy's spouse, (b)(6), (b)(7)(C) that he was at work at the San Antonio Business Journal located at 70 NE Loop 410, San Antonio, TX.

On May 24, 2005, SSAs (b)(6), (b)(7)(C) OPR/San Antonio, met with Conroy at the San Antonio Business Journal office. Conroy stated he was a journalist with the San Antonio Business Journal publication and he would only talk about the content of his article in the narcosphere publication and nothing else. SSA (b)(6), (b)(7)(C) questioned Conroy regarding the identity of the source that provided the memorandum signed by Director Forman. Conroy stated he was not going to divulge the identity of his source and that it would be unethical as a journalist to do so. SSA (b)(6), (b)(7)(C) asked Conroy if the article he wrote for then narcosphere was related to his employment with the San Antonio Business Journal. Conroy responded he did freelance writing and that the article for narcosphere was part of his freelance work.

This file is closed pending the receipt of new information.

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





## DEPARTMENT OF HOMELAND SECURITY

Immigration and Customs Enforcement  
Office of Professional Responsibility

## REPORT OF INVESTIGATION

HB 4200-01 (37), Special Agent Handbook

## 1. CASE NUMBER

(b)(7)(E)

## PREPARED BY

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

## 2. REPORT NUMBER

001

## 3. TITLE

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

CRIM INVSTGR/NON-CRIMINAL MISCONDUCT/BEXAR, TEXAS

## 4. FINAL RESOLUTION

## 5. STATUS

Closing  
Report

## 6. TYPE OF REPORT

Investigative Findings

## 7. RELATED CASES

(b)(7)(E)

## 8. TOPIC

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

- Failure to Get Approval to Interview Member of the Press

## 9. SYNOPSIS

On June 8, 2005, the Joint Intake Center, Washington, D.C., received a copy of a letter written by Sandalio Gomez, National President of the Federal Hispanic Law Enforcement Officers Association (FHLEOA). In his letter, Mr. Gomez alleges that a visit by U.S. Immigration and Customs Enforcement, Office of Professional Responsibility, Senior Special Agents (b)(6); (b)(7)(C) to Bill Conroy, a managing reporter for the San Antonio Business Journal, was retaliatory and constituted an abuse of authority.

## 10. CASE OFFICER (Print Name &amp; Title)

(b)(6); (b)(7)(C) ICE-OPR Special Agent

## 11. COMPLETION DATE

11-JUN-2007

## 14. ORIGIN OFFICE

ICE OPR Special Investigations Unit

## 12. APPROVED BY(Print Name &amp; Title)

(b)(6); (b)(7)(C) ICE-OPR Special Agent  
Supervisor

## 13. APPROVED DATE

11-JUN-2007


## 15. TELEPHONE NUMBER

No Phone Number

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 <p style="text-align: center;"><b>DEPARTMENT OF HOMELAND SECURITY</b></p> <p style="text-align: center;"><b>REPORT OF INVESTIGATION CONTINUATION</b></p> <p style="text-align: center;">HB 4200-01 (37), Special Agent Handbook</p>	<p><b>1. CASE NUMBER</b></p> <p>(b)(7)(E)</p>
	<p><b>PREPARED BY</b></p> <p>(b)(6), (b)(7)(C)</p>
	<p><b>2. REPORT NUMBER</b></p> <p>001</p>

**10. NARRATIVE**

Details of Investigation:

On June 8, 2005, the Joint Intake Center, Washington, D.C., received a copy of a letter written by Sandalio Gomez, National President of the Federal Hispanic Law Enforcement Officers Association (FHLEOA). In his letter, addressed to acting Department of Homeland Security (DHS) Inspector General Richard Skinner, DHS Secretary Michael Chertoff and others, Mr. Gomez alleges that a visit by U.S. Immigration and Customs Enforcement (ICE), Office of Professional Responsibility (OPR), Senior Special Agents (SSAs) (b)(6), (b)(7)(C) to Bill Conroy, a managing reporter for the San Antonio Business Journal, was retaliatory and constituted an abuse of authority. According to Mr. Gomez's letter, the purpose for SSAs (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C) visit was to intimidate certain unknown federal whistleblowers who made unspecified disclosures to the press. Aside from the mere fact that the agents' presence was unwanted, Sandalio Gomez's letter does not articulate specific acts or behavior on the part of agents that would rise to the level of official misconduct. Mr. Gomez's letter is reproduced in its entirety in the previous report (ROI #1).

On June 4, 2007, SSAs (b)(6), (b)(7)(C) interviewed (b)(6), (b)(7)(C) Assistant Special Agent in Charge (ASAC), OPR, San Antonio, TX (OPR/San Antonio). ASAC (b)(6), (b)(7)(C) was questioned concerning his knowledge of actions taken by OPR/San Antonio SSAs (b)(6), (b)(7)(C) in connection with their contact with reporter Bill Conroy during May 2005.

ASAC (b)(6), (b)(7)(C) stated that SSAs (b)(6), (b)(7)(C) contacted Bill Conroy at his direction pursuant to an official investigation being conducted by the OPR/San Antonio office regarding an unauthorized disclosure of information contained in an official ICE memorandum. The memorandum was provided to reporter Conroy who in turn posted a portion of the memorandum on the website narcosphere.narconews.com.

ASAC (b)(6), (b)(7)(C) said he was mindful of the sensitive nature of contacting members of the press and had discussed the idea of contacting reporter Conroy with OPR Group Supervisor (b)(6), (b)(7)(C). Since reporter Conroy was the only known witness to the unauthorized disclosure, ASAC (b)(6), (b)(7)(C) determined the only plausible course of action would be to have agents attempt to solicit reporter Conroy's cooperation. ASAC (b)(6), (b)(7)(C) opined that to do otherwise could subject the OPR/San Antonio office to accusations of inaction.

After making an unsuccessful attempt to contact reporter Conroy at his residence, SSAs (b)(6), (b)(7)(C) contacted Conroy at his place of business. The SSAs asked reporter Conroy how he came to possess the government memorandum at issue and, as expected, Conroy declined to

## DEPARTMENT OF HOMELAND SECURITY

REPORT OF INVESTIGATION  
CONTINUATION

HB 4200-01 (37), Special Agent Handbook

## 1. CASE NUMBER

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

## 2. REPORT NUMBER

001

## 10. NARRATIVE

answer the agents' questions. The SSAs then departed Conroy's office.

(b)(6); (b)(7)(C); (b)(5)

ASAC (b)(6); (b)(7)(C) said he was chastised by his second-level supervisor for not having SSAs (b)(6); (b)(7)(C) consult with the ICE Public Affairs Office (PAO) before contacting Conroy. ASAC (b)(6); (b)(7)(C) said the PAO was subsequently contacted and a determination was made that the relevant directives concerning contacts with the press applied only in instances where ICE employees intend to provide information to the press.

A search of case law by the Office of the Principal Legal Advisor revealed no legal restrictions prohibiting law enforcement officers from talking to members of the press who are potential witnesses in an investigation.

Investigation indicates SSAs (b)(6); (b)(7)(C) contacted reporter Conroy in furtherance of an official investigation being conducted by the OPR San Antonio office and in compliance with a proper directive to do so given by ASAC (b)(6); (b)(7)(C).

This investigation is closed.

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





**DEPARTMENT OF HOMELAND SECURITY**

**REPORT OF INVESTIGATION  
Exhibit List**

HB 4200-01 (37), Special Agent Handbook

**1. CASE NUMBER**

(b)(7)(E)

**PREPARED BY**

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

**2. REPORT NUMBER**

001

None