



**U.S. Customs and  
Border Protection**

April 13, 2010

[REDACTED]

Commander

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

This letter is in reference to an encounter with [REDACTED] at the Uvalde Border Patrol Checkpoint on Highway 90. The following is a synopsis of the events as they have been relayed to me. This incident occurred on March 18, 2010 at approximately 12:45 PM.

[REDACTED] approached primary inspection at the Highway 90 Checkpoint. A Uvalde Border Patrol Agent asked him to roll down his window in order to conduct a brief, routine inspection. Mr. [REDACTED] would only roll his window down a few inches, which made it very difficult for the agent to have a clear conversation with him. There was quite a bit of traffic related noise in the primary lane and the agent could not clearly communicate with Mr. [REDACTED]. Additionally, a tractor trailer had pulled up directly behind Mr. [REDACTED]'s vehicle, and this made it even more difficult for the agent to communicate with Mr. [REDACTED]. After several attempts to get Mr. [REDACTED] to roll down his window, the Border Patrol agent referred him to secondary inspection. (A referral to secondary inspection also prevents the traffic from backing up in the primary lane of traffic.)

At secondary inspection, the Border Patrol agent approached Mr. [REDACTED]'s vehicle in an effort to speak with him and Mr. [REDACTED] rolled his window all the way up. Mr. [REDACTED] refused to exit his vehicle or roll down his window in order for the agents to have a clear conversation with him.

Mr. [REDACTED] immediately began to question the agent's authority for directing him into secondary and continued to refuse to roll down his window. The behavior displayed by Mr. [REDACTED] was out of the ordinary, which immediately raised the agent's suspicions. We inspect, quite literally, thousands of people per day and Mr. [REDACTED]'s actions were very unusual, clearly intended to create a confrontational atmosphere and prevent the officer from performing a routine immigration inspection.

Mr. [REDACTED] became very argumentative and challenged the Border Patrol's authority at the checkpoint. Mr. [REDACTED] stated he was in the military and asked if he didn't look like a U.S. citizen.

The agents asked for identification and Mr. [REDACTED] put his passport and [REDACTED] driver's license against the inside of the window for the agents to see through the glass. This, again, is very uncharacteristic of the traffic we encounter at the Uvalde Checkpoint. The vehicular traffic passing under the checkpoint canopy makes it difficult for the agents to hear any conversations through a rolled up window. The Border Patrol agent asked Mr. [REDACTED] to exit his vehicle and he again refused. [REDACTED] was typing on a lap top computer while sitting in his vehicle.

A Border Patrol supervisor requested Mr. [REDACTED]'s identification. Mr. [REDACTED] rolled down his window approximately ¼" and passed his identification to the supervisor. The Border Patrol supervisor requested the name of [REDACTED]'s commanding officer's and he refused to provide this information. The supervisor wanted to corroborate the information that Mr. [REDACTED] was conveying to the agents.

The supervisor then telephoned [REDACTED]. After speaking with [REDACTED], Chief Security Force and [REDACTED], [REDACTED] Commander at [REDACTED] [REDACTED] in conjunction with the examination of Mr. [REDACTED]'s identification and passports, it was determined that he was a U.S. citizen and he was released.

Of concern in this matter, is the fact that Mr. [REDACTED] could have easily prevented this entire episode by simply lowering his window at primary inspection and declaring himself to be a United States Citizen. By conducting himself in a manner clearly intended to raise suspicion and hinder the inspection process, he caused what could have been a very brief, routine conversation to become a much more involved ordeal. This was obviously his intent, since he had installed video recording equipment in his vehicle to capture the incident he planned to create.

Along with our immigration law authority, the United States Border Patrol is tasked with detecting terrorists and terrorist weapons. We also have the authority to investigate and enforce a multitude of other crimes committed in a Border Patrol Agent's presence, such as those observed while the Agent exercises his immigration authority. As a result, we interdict a great deal of illegal narcotics during our checkpoint operations. Additionally, we encounter people wanted for a host of criminal violations to include such crimes as murder, kidnapping, robbery, auto theft etc. We do this while simultaneously honoring and defending the freedoms enjoyed by the citizens of this nation. We value the rights and privileges afforded by this country, but our difficult duty is to do our best to defend our homeland from those who would do her harm, while honoring the freedoms of the very people we seek to protect. It is a difficult task, but most of the people we encounter are actually appreciative of the role we play in service to our country.

Mr. [REDACTED]'s refusal to lower his window and engage in simple, courteous conversation required us to expend significant time, attention, effort and resources to determine what could have been accomplished with a short, cordial conversation. Although Mr. [REDACTED] was inside a quiet car, our agents were standing under a metal canopy with cars and trucks passing by. He apparently expected us to yell at the top of our voices in order to try and communicate under these conditions.

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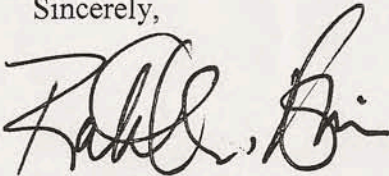
Mr. ██████████'s videos of the event have been edited and uploaded onto the internet into a website called, "Veteran's Against Police Abuse," which by implication impugns the integrity of the United States Border Patrol as a whole, and its agents. We believe ██████████'s conduct is unbecoming of such a high ranking officer in the United States ██████████

Mr. ██████████'s actions diverted personnel and resources from the primary inspection area. This may seem harmless to him, but diversion tactics are also commonly used by criminals attempting to move people and contraband through checkpoints and along secondary roadways. This is one reason his actions raised concerns about his status.

If Mr. ██████████ has concerns about checkpoint operations, there are managers available at the Uvalde Border Patrol Station with which he can discuss those issues. The agents working the checkpoint are following orders, just as I assume Mr. ██████████ follows the orders of his commanding officers.

In the future, I hope Mr. ██████████ will extend the United States Border Patrol the same respect and cooperation he would want if tasked with a similar mission in service to his country. The Border Patrol has absolutely no intention of violating the constitutional rights we all treasure. However, we are dedicated to duty and determined to work within the law to fulfill our mission of service to our country and its citizens.

Sincerely,



Robert L. Harris  
Chief Patrol Agent  
Del Rio Sector