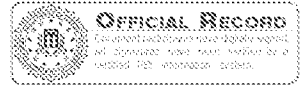


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FEDERAL BUREAU OF INVESTIGATION

Electronic Communication

Title: (U//~~FOUO~~) Shooting Incident Review Group

Date: 07/28/2023

CC: [Redacted]

Raul Bujanda

From: INSPECTION

Contact: [Redacted]

Approved By: Christopher JS Johnson
RIVERA ESPARRA FELIX A
DELBAGNO WILLIAM J

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Drafted By: [Redacted]

Case ID #: 297K-HQ-A3589677 (U//~~FOUO~~) Albuquerque Field Office Unsafe Intentional Discharge Delegated; Date of Incident: 04/01/2022

Synopsis: (U//~~FOUO~~) This communication was prepared to furnish the analysis, comments, and observations of the Shooting Incident Review Group (SIRG) with respect to the captioned shooting incident.

Administrative Notes: (U//~~FOUO~~) This communication summarizes the Inspection Division (INSD) Shooting Incident Report prepared by Inspector Ted E. Docks.

Details:

(U//~~FOUO~~) On 04/01/2022, SA [Redacted] intentionally discharged one round from his FBI-issued Colt-Pattern carbine in an unsafe manner while participating in a quarterly firearms qualification. There were no injuries as a result of the discharge. The shooting incident review was delegated to the Albuquerque Field Office by Acting Chief Inspector Felix Rivera-Esparra. SA [Redacted] declined to provide a Signed Sworn Statement, ERT did not process the scene, and no other law enforcement agencies were involved.

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Title: (U//~~FOUO~~) Shooting Incident Review Group
Re: 297K-HQ-A3589677, 07/28/2023

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[redacted] (INSD), Assistant Inspector [redacted] (INSD),
Assistant Inspector [redacted] (INSD), Assistant Inspector
[redacted] (INSD), Assistant Inspector [redacted] (INSD),
Assistant Inspector [redacted] (INSD), Assistant Inspector [redacted]
[redacted] (INSD), Assistant Inspector [redacted] (INSD), Assistant
Inspector [redacted] (INSD), Assistant Inspector [redacted]
(INSD), Assistant Inspector [redacted] (INSD), Assistant Inspector
[redacted] (INSD), Acting UC [redacted] (OIC), MAPA
[redacted] (INSD), MAPA [redacted] (INSD), MAPA [redacted]
(INSD), and MAPA [redacted] (INSD).

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Title: (U//~~FOUO~~) Shooting Incident Review Group
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1. Treat all firearms as if they are loaded.
2. Keep your finger off the trigger unless you intend to press it.
3. Never point your firearms at anyone unless you are justified."

(U//~~FOUO~~) INSD assessed Agent [redacted] intentionally and unsafely discharged his weapon when another agent was in front of him on the firing line at the range.

(U//~~FOUO~~) **Instruction 1:** SAC, Albuquerque will ensure Agent [redacted] receives remedial training, specific to the safe handling of weapons, consistent with the FPG, Section 4.3.1.

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3. Provide Recommendations for Administrative Action if deemed necessary.

(U//~~FOUO~~) This matter was previously referred to the INSD, Internal Affairs Section for review.

(U//~~FOUO~~) Inspector Christopher JS Johnson (INSD) chaired the meeting. The following voting Board Members attended in person: [redacted]

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[redacted]

[redacted] The following voting Board Members attended via skype: [redacted]

[redacted]. SAC Jeremy Horne (OIG) and [redacted] (OGC) were present as non-voting members.

(U//~~FOUO~~) The following non-voting individuals were also in attendance: AD Mark Gerber (OIA), Acting AD William J. DelBagno (INSD), Acting DAD Cindy L. Peters Hall (INSD), A/SC [redacted] (INSD), SC Alicia D. Corder (INSD), SC Jason Richards (OCIO), Chief Inspector Felix A. Rivera-Esparra (INSD), Inspector P. J. O'Brien (INSD), Inspector Kristin Rehler (INSD), Inspector Alexis Santiago (INSD). Inspector Gary Eugene Moore Jr (INSD), Assistant Inspector [redacted] (INSD), Assistant Inspector [redacted] (INSD), Assistant Inspector [redacted] (INSD), Assistant Inspector [redacted] (INSD), Assistant Inspector [redacted] (INSD).

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Title: (U//~~FOUO~~) Shooting Incident Review Group
Re: 297K-HQ-A3589677, 07/28/2023

(U//~~FOUO~~) On 04/01/2022, SA [redacted] was participating in a Quarterly Firearms Qualification at [redacted] in NM. During one of the training events, [redacted] SA [redacted] fired his weapon at the target [redacted] while the firearms instructor was in front of the firing line. SA [redacted] fired his weapon intentionally in an unsafe manner. All shooters and firearms instructors present at the time of the shooting were interviewed.

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(U//~~FOUO~~) On 04/01/2022, SSRA [redacted] received an email from [redacted] detailing the unsafe actions of SA [redacted]. On 04/05/2022, SSRA [redacted] called SA [redacted] into his office to address the matter.

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(U//~~FOUO~~) On 06/01/2022, SA [redacted] attorney, [redacted] called SSA [redacted] and advised SA [redacted] had declined to be voluntarily interviewed and would not be providing a signed sworn statement.

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SIRG Observations

(U//~~FOUO~~) On 06/22/2023, the SIRG reviewed the shooting incident with the intent to:

1. Evaluate the application of deadly force.

(U//~~FOUO~~) The shooting incident was determined to be an intentional and unsafe discharge during a training event, and therefore, the application of deadly force was not assessed.

2. Provide evaluative analysis, observations, and recommendations (if any) for corrective actions concerning operational planning and execution, training, and/or safety concerns.

(U//~~FOUO~~) Observation 1: Agent [redacted] failed to adhere to the Cardinal Safety Rules, resulting in an avoidable unsafe intentional discharge, in violation of the Firearms Policy Guide (FPG), 0888PG, dated 06/22/2017.

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(U//~~FOUO~~) Analysis 1: The FPG, Section 4.3.1, stated:

"Cardinal Safety Rules