

## FEDERAL BUREAU OF INVESTIGATION

**Precedence:** ROUTINE

**Date:** 09/18/2009

**To:** Security

**From:** Security

Special Agent Clearance Unit, Room 10130

**Contact:** SA Christopher R Penn, 202-[REDACTED]

**Approved By:** Groh Maria C Ruiz  
Brice Montchell C *meus*  
Sledge Hallie *M*

**Drafted By:** Penn Christopher R:crp

**Case ID #:** 67D-HQ-1613097-*1*

**Title:** BERNARD [REDACTED]  
AKA: BERNARD [REDACTED]  
DOB: 01/16/1960  
BUAP: TECHNICAL INFORMATION SPECIALIST (ALTERNATE)  
ADJUDICATIVE RECOMMENDATION

**Synopsis:** To provide a synopsis of information developed during the background investigation of Bernard [REDACTED] and to recommend that he be discontinued for the above position.

**Details:** The following information was developed concerning captioned applicant:

### Failure to Provide Pertinent and/or Accurate Information

There are several inconsistencies between the applicant's SF-86 and what were uncovered during the Background Investigation (BI). The applicant stated he resigned from a former employer, Office of the State Attorney, 9th Judicial Circuit of Florida (03/2006 - 03/2007), due to "bureau reorganization and state cutbacks." The BI concluded the applicant was promoted to an administrative position but failed to perform at an acceptable standard and was demoted. The applicant was offered to continue his employment at his original position but opted to resign in lieu of the demotion.

The applicant filed an Equal Employment Opportunity complaint after he resigned stating he was discriminated against based on his gender and was ultimately terminated. The applicant's former employer submitted evidence such as the applicant's resignation e-mail and his Exit Interview Questionnaire to rebut the applicant's allegation he was terminated. The above issue constitute a pattern of dishonesty



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that is indicative of likely future behavior and does not make for a desirable FBI employee.

### **Employment History**

The applicant has been employed by eleven different employers since September 2003. The applicant has not held a job longer than one year and ten months in the last six years. Of the eleven employments listed by the applicant, he was employed less than six months, seven times. In addition to his lack of commitment to maintaining employment, the applicant has had multiple periods of unemployment.

The applicant's most recent employer, Orange County Corrections Department (10/2007-06/2009), provided documentation that the applicant was counseled, via memorandum, due to violating policy. The applicant's personnel file also lists several complaints from co-workers about his customer service skills. The applicant resigned from Orange County Corrections for unknown reasons during the course of this BI .

The applicant has not held a position long enough for him to be evaluated by a supervisor. For the two employments the applicant remained for longer than one year, the applicant was either counseled for violating policy or he was demoted for poor performance.

Prior to September 2003, the applicant was enlisted in the United States Navy. The applicant's last assignment in 2001 was at University of Colorado Boulder (UCB) Navy Reserve Officers Training Course (NROTC), Boulder, Colorado, Administrative Officer. The applicant had a conflict with a co-worker. As a result of the conflict the applicant was ultimately transferred out of NROTC. After the applicant was transferred to a Naval Reserve Unit in Aurora, Colorado, the applicant began writing the UCB and NROTC alleging the former co-worker was spreading malicious rumors about his sexual orientation. UCB conducted an investigation and concluded the applicant's allegations were without merit. The applicant continued to write UCB which eventually attracted the attention of campus police and UCB Legal Counsel.

The former co-worker stated that due to the applicant's constant barrage of letters, she feared the applicant would cause her physical harm due to his unstable mental behavior. UCB Legal Counsel was forced to advise the applicant via letter of potential legal ramifications. Within the letter to the applicant, UCB Legal Counsel states, "your persistence and tone have begun to frighten my constituents and by providing a copy of this letter to the campus Chief of Police, I am advising him that



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the University considers your communications to be, at minimum, harassment."

A former Commanding Officer of the Navy ROTC at UCB stated the applicant often challenged authority and did not like taking orders. The former Commanding Officer confirmed the applicant was terminated from NROTC and transferred to Aurora, Colorado. Furthermore, the Commanding Officer cited the letter by UCB Legal Counsel indicating the applicant was harassing a co-worker.

#### **Psychological Conditions**

The applicant history of Depression can be traced back to 2001 when he was officially diagnosed by a psychiatrist. Within the reports of his current psychiatrist, the doctor noted the applicant attempted suicide on two different occasions (dates unknown). The applicant is clinically diagnosed with Depression and is currently prescribed medication to regulate his behavior. Some of the standard questions the applicant's current psychiatrist asks the applicant at the onset of every session is, "Are you having thoughts today about killing yourself?, Do you plan to kill yourself?, Do you have the means to carry out your plan?" In addition to potential suicide, the psychiatrist asks the applicant about homicidal ideations, plans and intentions. The applicant denies any intentions of killing himself or others but the fact the psychiatrist is required to determine the applicant's state of mind at the onset of the interview emphasizes the applicant's mental instability. It should be noted the applicant's current psychiatrist refused to be interviewed by the FBI and the reports from his office were obtained by the applicant.

#### **Recommendation**

It is recommended that captioned applicant be discontinued for the position for which he is being considered. This recommendation is based on failure to provide pertinent and/or accurate information regarding his employment history. The applicant indicated on his SF-86 that he resigned from a former employment, however, background investigation determined applicant resigned as a result of a demotion. In addition, the applicant was terminated from the NROTC and transferred due to a conflict with a co-worker.

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