

GENERAL SERVICES ADMINISTRATION RECORD OF INFRACTION		See INSTRUCTIONS on reverse
NAME OF EMPLOYEE GEORGE A. SHORT	TITLE LEAD POLICE OFFICER	GRADE GS-09
ORGANIZATION FEDERAL PROTECTIVE SERVICE	LOCATION POLICE BUREAU, S.E. FED. CENTER BLDG. 74 WASH DC	
SUPERVISOR'S REPORT ON SATURDAY JUNE 8, 2002, CPL. GEORGE A. SHORT WAS ASSIGNED TO DUTY AS AN ACTING SUPERVISOR FROM 3PM-11PM. CPL. SHORT REPORTED FOR DUTY AS SCHEDULED ON SATURDAY JUNE 8, 2002, AT APPROXIMATELY 1535 CPL. SHORT WAS INFORMED WHILE IN THE ROLL CALL ROOM OF BLDG. 74 VIA THE MEGA CENTER. THAT THERE WAS A REPORT OF A MAN WITH A GUN, WHO WAS LOCATED AT THE RONALD REAGAN BUILDING. 1300 PA AVE. NW. CPL. SHORT INSTRUCTED OFC. JOSE AZARCON AND OFC. BRYAN SMITH TO RESPOND TO THE LOCATION. A SHORT TIME AFTER CPL. SHORT INSTRUCTED OFC. SMITH AND AZARCON TO RESPOND, CPL. SHORT INFORMED LT. REGINALD L. THOMAS, ACTING WATCH COMMANDER OF 2ND SHIFT 3PM-11PM THAT HE WAS RESPONDING TO THE REAGAN BUILDING. CPL. SHORT RESPONDED AND SHORTLY AFTER ARRIVING TO THE REAGAN BLDG. CPL. SHORT BRIEFED LT. THOMAS AS TO THE SITUATION. LT. THOMAS DECIDED AFTER HEARING THE FACTS FROM CPL. SHORT INSTRUCTED CPL. SHORT, TO CHARGE THE SUSPECT AND BRING HIM TO BLDG. 74. THESE INSTRUCTIONS WERE GIVEN TO CPL. SHORT AT LEAST 3 DIFFERENT TIMES AND CPL. SHORT WAS ASKED BY LT. THOMAS IF HE HAD A PROBLEM WITH THE INSTRUCTIONS AND CPL. SHORT REPLIED THAT HE DID NOT. AT APPROX 5:55PM. LT. THOMAS LEARNED FROM OFF. KEVIN WILLIAMSON THAT CPL. SHORT HAD LET THE SUSPECT		
SUPERVISOR (Signature) REGINALD L. THOMAS	TITLE LIEUTENANT	DATE 06-10-2002
2. EMPLOYEE'S STATEMENT (I HAVE READ THE ABOVE REPORT AND MAKE THE FOLLOWING COMMENT): <i>No statement at this time</i>		
EMPLOYEE (Signature) Cpl. George A. Short		DATE 6-26-02
3. PREVIOUS INFRACTIONS (No., type of offense, penalty action taken, and date of penalty action) NONE		
4. ACTION TAKEN OR RECOMMENDED (Give reasons for any deviations from Pen's Guide) suspension for 30 days		
SUPERVISOR (Signature) Reginald L. Thomas	TITLE Lieutenant	DATE 7/2/02
5. ACTION TAKEN OR RECOMMENDED (Include any appropriate comments) I concur with Lt. Thomas's recommendation.		
SUPERVISOR (Signature) Shirley E. Moore	TITLE Captain	DATE 7/9/02

EXHIBIT
 ROI-2
 33

ROI-2 EX 33
 Page 33

GSA FORM JUN 02

**FEDERAL SERVICES ADMINISTRATION
RECORD OF INFRACTION**

See INSTRUCTIONS on reverse

NAME OF EMPLOYEE GEORGE A. SHORT	TITLE LEAD POLICE OFFICER	GRADE GS-09
--------------------------------------------	-------------------------------------	-----------------------

ORGANIZATION FEDERAL PROTECTIVE SERVICE	LOCATION POLICE BUREAU, S.E.FED. CENTER BLDG. 74 WASH DC
---------------------------------------------------	--------------------------------------------------------------------

1. SUPERVISOR'S REPORT
 ON SATURDAY JUNE 8, 2002, CPL. GEORGE A. SHORT WAS ASSIGNED TO DUTY AS AN ACTING SUPERVISOR FROM 3PM-11PM. CPL. SHORT REPORTED FOR DUTY AS SCHEDULED.

ON SATURDAY JUNE 8, 2002, AT APPROXIMATELY 1535 CPL. SHORT WAS INFORMED WHILE IN THE ROLL CALL ROOM OF BLDG. 74. VIA THE MEGA CENTER, THAT THERE WAS A REPORT OF A MAN WITH A GUN, WHO WAS LOCATED AT THE RONALD REAGAN BUILDING. 1300 PA AVE. NW. CPL. SHORT INSTRUCTED OFC. JOSE AZARCON AND OFC. BRYAN SMITH TO RESPOND TO THE LOCATION. A SHORT TIME AFTER CPL. SHORT INSTRUCTED OFC. SMITH AND AZARCON TO RESPOND. CPL. SHORT INFORMED LT. REGINALD L. THOMAS, ACTING WATCH COMMANDER OF 2ND SHIFT 3PM-11PM THAT HE WAS RESPONDING TO THE REAGAN BUILDING.

CPL. SHORT RESPONDED AND SHORTLY AFTER ARRIVING TO THE REAGAN BLDG. CPL. SHORT BRIEFED LT. THOMAS AS TO THE SITUATION. LT. THOMAS DECIDED AFTER HEARING THE FACTS FROM CPL. SHORT INSTRUCTED CPL. SHORT, TO CHARGE THE SUSPECT AND BRING HIM TO BLDG. 74. THESE INSTRUCTIONS WERE GIVEN TO CPL. SHORT AT LEAST 3 DIFFERENT TIMES AND CPL. SHORT WAS ASKED BY LT. THOMAS IF HE HAD A PROBLEM WITH THE INSTRUCTIONS AND CPL. SHORT REPLIED THAT HE DID NOT. AT APPROX. 5:55PM. LT. THOMAS LEARNED FROM OFF. KEVIN WILLIAMSON THAT CPL. SHORT HAD LET THE SUSPECT

SUPERVISOR (Signature) REGINALD L. THOMAS	TITLE LIEUTENANT	DATE 106-10-2002
-----------------------------------------------------	----------------------------	----------------------------

2. EMPLOYEE'S STATEMENT - I HAVE READ THE ABOVE REPORT AND MAKE THE FOLLOWING COMMENT:

EMPLOYEE (Signature)	DATE
-----------------------------	-------------

3. PREVIOUS INFRACTIONS (Nature of offense, penalty action taken, and date of penalty action):

4. ACTION TAKEN OR RECOMMENDED (Give reasons for any deviations from Penalty Guide)

SUPERVISOR (Signature)	TITLE	DATE
-------------------------------	--------------	-------------

5. ACTION TAKEN OR RECOMMENDED (include any appropriate comments)

SUPERVISOR (Signature)	TITLE	DATE
-------------------------------	--------------	-------------

ROI-2 Ex 83
 Page 2

INSTRUCTIONS

The immediate supervisor is normally the one responsible for initiating corrective action when an employee under his supervision violates regulations or GSA Standards of Conduct. This form is for use in reporting violations under Table I of the Penalty Guide, according to the instructions in the GSA Administrative Manual 3-111.

The supervisor should make a thorough and careful inquiry into the facts, interviewing the employee and any witnesses who have firsthand information. He should make every effort to reconcile conflicting statements and to get the whole story before filling out this form and making any judgment.

1. **WHAT TO REPORT** - State the facts simply and in logical order. All persons, places, dates and records referred to should be fully identified. If more space is required attach a sheet of paper to the form.
2. **GETTING THE EMPLOYEE'S STATEMENT** - The supervisor should ask the employee to read the report in block 1 and furnish his comments and signature. The employee may admit, deny, or explain the alleged infraction. If he admits the offense as reported, statement of witnesses need not be obtained. If witnesses' statements are secured, they should be attached to this form.
3. **RECORDING PREVIOUS INFRACTIONS** - The employee's previous record will be used in applying the Penalty Guide and in considering any deviation from the Guide. Only those Table I offenses for which penalty action was imposed within the last three years will be listed. Table II offenses will be listed without regard to the date they occurred.
4. **ACTION BY THE SUPERVISOR** - The supervisor who fills out this block may be the same one who filled out the report in block 1, or may be a supervisor at a higher level. He should consult the Penalty Guide and carefully weigh all the facts revealed by the inquiry, as well as the employee's statement in block 2. If he decides that no penalty action is warranted, he will so advise the employee and destroy this form. If he decides on either a warning notice or an official reprimand and is authorized to take such penalty action, he should note the fact in this block and issue the appropriate notice to the employee. A copy of the notice to the employee, together with the original of this form and any additional statement of comment or explanation received from the employee within 10 days, will be forwarded to the Personnel Division for the employee's official personnel folder. If the supervisor decides on a penalty action which he is not authorized to take, he will make his recommendation in this block and forward the form through channels for action.
5. **ACTION BY HIGHER LEVEL SUPERVISOR** - This block is provided for action by a higher level supervisor, as needed. The instructions in 4, above, also apply here. If an adverse personnel action is believed warranted, i. e., suspension, demotion, or removal, the form will be forwarded to the Personnel Division for action.
6. **NOTIFICATION TO EMPLOYEE** - The employee must be advised of the final decision with respect to any infraction written up on this form.

I GEORGE A. SHORT request 2 days to
Name of PO Number
prepare a reply to the charges presented to me on 6/18/02
date
by LT. REGINALD L. THOMAS
Name of Supervisor

PO's Signature _____
Supervisor's Signature *Reginald L. Thomas*
REGINALD L. THOMAS

Corporal George Short

What was the nature and seriousness of the offense, and its relation to the employee's duties, position and responsibilities, including whether the offense was intentional or technical or inadvertent, or was committed maliciously or for gain, or was frequently repeated?

The charge of failure to follow instructions appears deliberate and intentional since Lieutenant Thomas told him three times to charge the suspect. Obviously he understood the instructions as Lieutenant Thomas asked him if he had a problem with the instructions and he relied that he did not.

The charge of disorderly conduct was particularly troubling in view of the agency policy on harassment, which discusses the usage of inappropriate language. The agency policy is very clear on this subject as well as Section 14.2.9 of FPS General Order 14 and Mr. Jordan's letter of April 25, 2000 about harassment, which was addressed to all employees in the police bureau. Also considered was the fact that Corporal Short, a leader, spoke this offensive insult in front of Officer Williamson.

Concerning the AWOL charges, I considered that on two occasions when he was denied leave that he stated that he would not be in on the days in which he was denied leave. On one of those days he called in citing an emergency and on the other day he claimed illness.

Employee's past work record, length of service, performance on the job.

The employee is an average employee with almost 38 years of service. This too is troubling in that as a long time employee he should be more than aware of the basics of following instructions issued by a supervisor.

What is the effect upon supervisory confidence in the employee? Consistency of penalty?

At this point supervisory confidence is somewhat lacking in that this is not just one offense but three serious offenses. How can he successfully lead if he cannot successfully follow?

Penalty appears appropriate and within the guide considering the three offenses.

Mitigating circumstances?

I am not aware of any mitigating circumstances.

Don Waldon
8-9-02

ROI-2 Ex 33
Page 6

6/20/02

To: Lt. Thomas
FROM: Ofc. Kevin P. Williamson

SUBJ: WEAPONS INCIDENT AT RONALD REAGAN BUILDING ON 6/8/02

1. On 6/8/02 I was assigned to work the CDO's office for the day. At approximately 1530 hours the Mega Center notified me that the Ronald Reagan security office had notified them that they had a man, with a gun in the trunk of his vehicle, attempting to enter the garage and needed FPS Officers to respond. I entered roll call and advised Lt. Thomas and the Officers working that day of the incident and Lt. Thomas assigned Ofc. Azarcon and Ofc B. Smith to respond.
2. Minutes later Lt. Thomas entered the CDO's office and told me that he sent Cpl. Short down to supervise the arrest. The Officers did not make the arrest right away but instead contacted the Mega Center requesting wants and warrants check made of the individual along with checking the gun to ensure it was not stolen. Lt. Thomas stated that he needed to talk with Cpl. Short to readvise him to ensure the subject was arrested. Lt. Thomas contacted Cpl. Short on his nextel and told him that Lt. Thomas also called Ofc Azarcon and advised him that the subject MUST be arrested. Lt. Thomas left the Office and I called Ofc. Azarcon back on his nextel and told him he had to arrest the subject that it was DC LAW and he advised me to send a transport vehicle. Ofc Shanley was notified and returned to Bldg. #74 and proceeded to take a cage vehicle to the scene.
3. Several minutes after Ofc. Shanley left the Office Cpl. Short called the CDO's Office and advised me that he was not going to arrest the subject and that he was dismantling the weapon and taking the ammunition. I advised him that the LT. was adamant about the arrest because it was DC LAW! Cpl. Short told me that he had notified the District Attorney and they had told him he did not have to make the arrest. Moments later one of the investigators called the CDO's Office and asked me if the subject had been transported to bldg. #74 yet. I notified him of what Cpl. Short had told me and he sounded upset. He got even more upset when I told him that Cpl. Short gave the subject back his weapon. Moments after that call a second investigator called the Office and asked to speak to Lt. Thomas. After their conversation Lt. Thomas asked me to call Cpl. Short into the Office so he could speak to him.
4. Cpl. Short arrived and Lt. Thomas took him away from the Office. When they returned to the CDO's Office, Lt. Thomas leading the way, Cpl. Short mumbled something under his breath when Lt. Thomas asked him "Did you call me a dumb black Niger?" Cpl. Short looked up and said, "I said dumb black Niger"! Words were exchanged between both men and the tempers seemed to calm down.

ROI-2 Ex 33
Page 7

5. While this last incident was taking place I was on the phone with the Mega Center Supervisor who asked me how old was the subject? I told her I didn't have any information on him and that she should have it. She looked over the paper work and stated that the daylight supervisor did not run a history on the subject. She typed the information in and the phone went silent. Then she said oh my god; I'm printing page 2 now! I asked her what she had and she said he has a record. I wrote down on a piece of paper "he had a record" and showed it to Lt. Thomas. Lt. Thomas said "show that to Short". I did and he looked surprised. The supervisor then started calling off the record as I wrote it down and once again showed it to Lt. Thomas who said "give that to Short". Lt. Thomas then had to notify the chain of command of the situation.
6. Ofc B. Smith brought the report into the CDO's Office with a copy of the subject's record and advised me that he had little to do with the incident and had in fact been sent to another ramp for a second incident while this first one was in progress. He handed me two reports when Lt. Thomas told him that he should have not done the gun report because Ofc. Azarcon's was the primary.
7. End of statement.


Kevin P. Williamson

ROI-2 Ex 33
Page 8

Memorandum for: Francine Anderson

From: 
Reginald L. Thomas
Lieutenant, Federal Protective Service Division WPSOE

Subject: Additional fact reference to Cpl. Short, George

On Saturday June 8, 2002, a crime occurred at the Ronald Reagan Building. Officer Azarcon, Jose and Bryan Smith, were assigned to investigate there was a report of a man with a gun. An investigation was conducted and it was determined that the man who was identified as John M. Jamieson was not a law enforcement person and had no permit to have the gun, which was identified as a 9 mm ruger.

Cpl. Short volunteered to respond to the incident and serving as the acting supervisor. Contact was made with Cpl. Short during the entire event, whereas Cpl. Short was instructed on several different occasions to have Officer Azarcon charge the suspect and transport him to bldg 74 for processing

Cpl. Short told me while he on the scene and he was making contact with the AUSA. I told Cpl. Short at that time that there was no need to talk to the AUSA, as the incident was cut and dry, that the man was in possession of a gun in the District of Columbia and the gun was not registered. Lt. Thomas asked Cpl. Short if he had any problems with what he had been told and Cpl. Short replied no.

Kevin Williamson informed Lt. Thomas after he returned to bldg. 74 that while he was gone. Cpl. Short had let the suspect go and gave him back the gun. Williamson also said that two investigators had called and that they sounded upset. I spoke with Cpl. Short who told me that the AUSA, Mary Lou Leary had told him to not arrest the suspect. I asked for and received the AUSA telephone number, which I called and made contact with a relay person who forwarded my telephone number to AUSA Leary.

I spoke with AUSA Leary who was at her resident, asking her what she knew about the situation at the Reagan Bldg. about the man with the gun. AUSA Leary told me that she did not advise Cpl. Short not to arrest the person but only said that if she was the papering attorney she may not have papered the case because the suspect cooperate with the officers.

ROI-2 Ex 33
Page 9

Mrs. Leary apologized about the mix up and said that she was basing her advice from the information received from Cpl. Short. I indicated to Mrs Leary that she may have been used as a scapegoat by the officers, I apologized to her for the inconvenience she may have been put through.

The suspect involved in the situation at the Reagan bldg. According to his criminal record on hand was that he was found or plead guilty to four (4) felonies and fourteen (14) misdemeanors, from accessory to robbery to petit larceny.

Neither The gun nor the Ammunition was reported to be registered in the District of Columbia.

ROI-2 Ex 33
Page 10



COMMANDERS DAILY SHIFT LOG

DATE & TIME OF ENTRY, INCIDENT INFORMATION, INFORMATION
SHOULD BE PRINTED OR TYPED

5/21/05
 NCO203762F2 1300 Pennsylvania Ave. N.W. 1535 Hours Enforcement Bq. was notified
 that the guards at the above location was detaining a suspect in reference to
 a man with a gun. Officers responded and confirmed that a male was in possession
 of a Ruger pistol Ser. # 31455272, which was located in the trunk of his vehicle
 the weapon was checked for stolen and the report of stolen check came back
 negative. Officer Azarcos, 1 Smith, 3 and Cpl. Short were the officers on scene
 who were advised by the watch commander to charge the person with CPW and
 transport the suspect to bldg. 74. Cpl. Short elected to make contact with the
 U.S. Attorney Mary Lou Leary who Cpl. Short gave information to her in reference to
 the incident and according to Cpl. Short Mrs. Leary said that she would decline
 prosecution of the suspect. The suspect's weapon was disassemble by the on scene
 officers and his weapon was returned to him and he was released. Mrs. Leary was contacted
 by Lt. Thomas and a different set of fact were received from the AUSA Leary.
 Su. was identified as John M. Jamieson, NCIC revealed a extensive criminal history.
 no record of a permit for the weapon. *ALL FIRREST. Per Cpl. Short.*

ROI-2 Ex 33
Page 11

APPROVING OFFICER SIGNATURE: <i>[Signature]</i>	BADGE NO. 1372	NAME OF REPORTING OFFICER: <i>[Signature]</i>
----------------------------------------------------	-------------------	--------------------------------------------------

ROI-2 Ex 38
Page 13

HAD AN UNLOADED PISTOL IN THE TRUNK AND AMMUNITION IN THE GLOVE COMPARTMENT. SU STATED HE HAD JUST COMPLETED A COURSE PERMIT CLASS IN VA, BUT WAS NOT AWARE HE COULDN'T BRING THE WEAPON (RUGER P-9E (9MM) SERIAL # 31455272 IN DC AND WAS NOT AWARE THE RFB WAS FEDERAL PROPERTY. ALCIC CHECKS FOUND THAT SU HAD NO WARRANTS OR WARRANTS AND THE PISTOL WAS LEGAL. CPL SNETT CONTACTED THE US ATTORNEY OFFICE AT ABOUT 10:15 HRS AND STOKER TO MARKED LEARY (202) 514-5000. AFTER EXPLAINING THE SITUATION, CPL SNETT STATED THAT LEARY SAID THE WEAPON WAS TO BE DISASSEMBLED, PLACED IN SU'S CAR TRUNK AND THE 10 ROUNDS OF AMMUNITION BE CONFISCATED. THE SITUATION WOULD BE CLASSIFIED (CLOSED) AND THE SU DEPARTED AT ABOUT 17:00 HRS. ALL FFE UNITS CLEARED THE SCENE WITHOUT INCIDENT AFTER RELEASING SU. THE AMMUNITION WAS TURNED OVER TO LT. THOMPSON AT 1815 HRS FOR DESTRUCTION. AT 1802 HRS THIS UNIT WAS CONTACTED BY THE CDD'S OFFICE THAT THE MASS CENTER HAD JUST RECEIVED A FULL CRIMINAL HISTORY ON SU WHICH LISTED ABOUT 12 FRIED INCIDENTS.

CASE CONTROL NUMBER: NE0203762 F 2 3803	INTRODUCTION SHEET BRAL PROTECTIVE SERVICE
-----------------------------------------------	-----------------------------------------------