

## Opening Statement

Good morning honorable members of Congress. My name is Olindo James Casa and I am a Senior Special Agent with the Bureau of Alcohol, Tobacco, Firearms, and Explosives, commonly known by the acronym ATF. I have been employed by ATF since March 1993. From March 1993 until June 1999, I held the position of Inspector with ATF. From June 1999 until the present, for the twelve past years, I have held the position of Special Agent. I am currently assigned to the Phoenix Field Division, Phoenix Group VII, an OCDETF Strike Force Group and have been assigned to that group from December 2009 to the present. Prior to this assignment, I worked in the Chicago Field Division, Chicago Group II, a Firearms Trafficking Group. I was assigned to that group from 2003 until 2009. Since being employed with ATF, I have been a case agent, co-case agent, and have participated in many firearms trafficking investigations, both domestic and international in scope. Needless to say, I feel I have extensive experience in regards to firearms trafficking investigations and my work has resulted in the successful prosecution of many individuals who have violated the law. Some of my training includes a four year criminal justice degree from Illinois State University and job specific training at the Federal Law Enforcement Training Center. In addition, while at the training center, I earned the award of Honor Graduate of my ATF Special Agent Training Course.

Upon arriving in Phoenix, AZ in December 2009, I was assigned to work full time (more or less) on an investigation, which later received OCDETF designation and funding. That investigation was titled Fast and Furious. The investigation was initiated before my arrival by a newly hired ATF Special Agent, Jose Medina, sometime in or around November 2009. Special Agent Medina's assigned training officer was ATF Special Agent Hope MacAllister. Shortly after Special Agent Medina opened the investigation, Special Agent MacAllister had the investigation reassigned to her. Based on my experiences in ATF, this type of reassignment is uncommon and unusual, especially in a trainer / trainee situation. As the investigation developed, ATF Special Agent Tonya English assumed the role of co-case agent and Special Agent Medina assumed a subordinate role in the investigation. The 1<sup>st</sup> line supervisor around the

time of the initiation of the investigation was ATF Phoenix Group VII Supervisor David Voth, a newly designated Group Supervisor with no previous ATF supervisory experience.

After I reported to Phoenix Group VII Office, I was briefed by group members on the investigation that later became titled Fast and Furious. Shortly after, I became aware of what I believed to be unusual and questionable investigative techniques. For instance, I became aware that certain suspected straw purchasers were purchasing numerous firearms from area firearm dealers. What I found concerning and alarming was more times than not, no law enforcement activity was planned to stop these suspected straw purchasers from purchasing firearms. The only law enforcement activity that was occasionally taken was to conduct a surveillance of the transaction, and nothing more. Most of the time, the firearm purchase forms (known as ATF Forms 4473) and receipts for those transactions were faxed to our office and group members, including myself, were instructed to write Reports of Investigations (ROIs) detailing the purchase of firearms by those aforementioned individuals.

As the investigation progressed over the next couple of months and additional suspected straw purchasers were identified, again with no obvious attempts to interdict the weapons or interview suspects. Around the same time, the Phoenix Group VII Office started to receive numerous firearm traces detailing recoveries of firearms in the Country of Mexico. Many of those traces disclosed that the aforementioned straw purchasers were responsible for purchasing those recovered firearms. Also around that period of time the investigation received OCDEF funding and was titled the Fast and Furious. At this time, several Special Agents in the group, including myself, became increasingly concerned and alarmed at Case Agent McAllister's and/or Group Supervisor Voth's refusal to address or stop the suspected straw purchaser from purchasing additional firearms. Special Agent John Dodson and I continually raised our concerns directly with Case Agent MacAllister, Co-Case Agent English, and Group Supervisor Voth, to no avail. In response to our increasingly voiced concerns, Group Supervisor Voth issued the infamous "Schism" e-mail to the group. In essence, the e-mail was a direct threat to the Special Agents who were not in agreement with how Case Agent MacAllister, Co-Case Agent English, or Group Supervisor Voth managed the investigation. Based on my eighteen years of experience with ATF, I did not think the e-mail was an empty threat and took it very

serious. It has become common practice for ATF Supervisors to retaliate against employees that do not blindly tow the company line, no matter what the consequences.

Sometime in March 2010, at the direction of Group Supervisor Voth and Case Agent MacAllister, daily surveillances of straw firearm purchasers started to be conducted by members of ATF Group VII as well as ATF Special Agents from other offices who were detailed to assist with Operation Fast and Furious. The surveillances were also supported by Immigration and Customs Enforcement (ICE) Special Agent Layne France and by members of the Phoenix Police Department. ATF Special Agent Lawrence Alt reported to the Phoenix Group VII Office around this period of time and like Special Agent Dodson and I, became alarmed of the direction of the investigation and spoke out against the practices that were being utilized. I would like to mention two other Phoenix Group VII members shared their concerns with me regarding the direction of investigation, but were not outspoken for their own various personal reasons.

My role during the daily surveillances was that of Shift Supervisor. As the Shift Supervisor my responsibility was to oversee the surveillance agents at the direction of Case Agent MacAllister, Co-Case Agent English, and/or Group Supervisor David Voth. In general, my fears were realized while out on the aforementioned surveillances. On numerous occasions the surveillance team followed straw purchasers to Phoenix area firearms dealers and would observe the straw purchasers buy and then depart with numerous firearms in hand. Those firearms included but were not limited to AK-47 variant rifles, .50 caliber rifles, and 5.7mm FN pistols, all of which are devastating weapons. On many of those occasions, the surveillance team would then follow the straw purchasers either to a residence, a public location, or until the surveillance team was spotted by the straw purchasers. But the end result was always the same – the surveillance was terminated by the Case Agent MacAllister, Co-Case Agent English or Supervisor Voth, without interdicting or seizing the firearms. On several occasions I personally requested to interdict or seize firearms in such a manner that would only further the investigation, but I was always order to stand down and not to seize the firearms. I made these requests “over the air” and have many law enforcement witnesses that can verify my assertions. I challenge anyone to disprove my statements.

Reflecting back to that period of time during the investigation, I thought the poor decisions were made due to incompetence and/or lack of experience, which would have made this situation bad enough. Unfortunately, in recent light of documents that have been released, especially the Briefing Paper dated January 8, 2010, it appears the investigation was conducted in a recklessly planned manner with a specific strategy in mind. Per the Briefing Paper, the strategy was to allow the transfer of firearms to take place in order to further the investigation and allow for the identification of additional co-conspirators who would continue to operate and illegally traffic firearms to Mexican DTOs. Special Agent Dodson, Special Agent Alt, and I, at times on a daily basis, had warned the Case Agent, Co-Case Agent, and Group Supervisor of the reckless course they were taking in regards to the investigation. We sternly warned them of the consequences of their actions (or lack thereof), but we were repeatedly ignored. In fact, on at least a couple of occasions that I witnessed, Special Agent Dodson asked both Special Agent MacAllister and Group Supervisor Voth if they were prepared to attend the funeral of slain agent or officer after he or she was killed with one of those straw purchased firearms. Neither one answered or even seemed concerned by the question posed to them.

To close, I would like to extend my heartfelt condolences to Border Patrol Officer Brian Terry's family. I am truly sorry for your loss and I hope someday you find peace.