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Special Investigations

**CRIMINAL INVESTIGATIONS
PROGRAM**

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This instruction implements Air Force Policy Directive (AFPD) 71-1, *Criminal Investigations and Counterintelligence*; Department of Defense Instruction (DoDI) 2000.26, *Suspicious Activity Reporting (SAR)*, DoDI 5210.91, *Polygraph and Credibility Assessment (PCA) Procedures*; DoDI 5505.02, *Criminal Investigations of Fraud Offenses*; DoDI 5505.03, *Initiation of Investigations by Defense Criminal Investigative Organizations*; DoDI 5505.07, *Titling and Indexing of Subjects of Criminal Investigations in the Department of Defense*; DoDI 5505.08, *Military Criminal Investigative Organizations (MCIO) and Other DoD Law Enforcement Organizations Investigations of Adult, Private, Consensual Sexual Misconduct*; DoDI 5505.10, *Criminal Investigations of Noncombat Deaths*; DoDI 5505.11, *Fingerprint Card and Final Disposition Report Submission Requirements*; DoDI 5505.14, *Deoxyribonucleic Acid (DNA) Collection Requirements for Criminal Investigations*; DoDI 5505.15, *DoD Contractor Disclosure Program*; DoDI 5505.16, *Criminal Investigations by Personnel Who Are Not Assigned to a Defense Criminal Investigative Organization*; DoDI 5505.18, *Investigation of Adult Sexual Assault in the Department of Defense*; DoDI 5400.15, *Guidance on Obtaining Information from Financial Institutions*; DoDI 5525.07, *Implementation of the Memorandum of Understanding (MOU) Between the Departments of Justice (DoJ) and Defense Relating to the Investigation and Prosecution of Certain Crimes*; DoDI 5505.19, *Establishment of Special Victim Investigation and Prosecution (SVIP) Capability within the Military Criminal Investigative Organizations (MCIOs)*; and Directive-Type Memorandum (DTM) 14-007, *Sexual Assault Incident Response Oversight (SAIRO) Report*. It applies to Regular Air Force (RegAF), Air Force Reserve (AFR) Units, the Air National Guard (ANG) and the Civil Air Patrol (CAP) performing an Air Force assigned mission. The authorities to waive wing/unit level requirements in this publication are identified with a Tier (“**T-0, T-1, T-2, T-3**”) number

following the compliance statement. See AFI 33-360, *Publications and Forms Management*, Table 1.1 for a description of the authorities associated with the Tier numbers. Submit requests for waivers through the chain of command to the appropriate Tier waiver approval authority, or alternately, to the publication Office of Primary Responsibility (OPR) for non-tiered compliance items. This publication may be supplemented at any level, but all direct supplements must be routed to SAF/IGX for coordination prior to certification and approval. Refer recommended changes and questions about this publication to the OPR using the AF Form 847, *Recommendation for Change of Publication*; route AF Forms 847 from the field through Major Command (MAJCOM) publications/forms managers. This publication requires the collection and or maintenance of information protected by the Privacy Act (PA) of 1974. The authority to collect and or maintain the records prescribed in this publication is Title 5 United States Code Section 552a (5 USC § 552a), *Records maintained on individuals*. Forms affected by the PA have an appropriate PA statement. System of Records Notice (SORN) F071 AF OSI D, *Investigative Information Management System (I2MS)*, F071 AF OSI E, *Air Force Badge and Credentials*, and F071 AF OSI F, *Investigative Applicant Processing Records*, applies and is available online at: <http://dpcl.d.defense.gov/Privacy/SORNS.aspx>. Ensure that all records created as a result of processes prescribed in this publication are maintained in accordance with Air Force Manual (AFMAN) 33-363, Management of Records, and disposed of in accordance with the Air Force Records Disposition Schedule (RDS) located in the Air Force Records Information Management System (AFRIMS).

SUMMARY OF CHANGES

The publication has been revised. This rewrite of AFI 71-101 Volume 1 includes the publications of DoDI 5505.19, *Establishment of Special Victim Investigation and Prosecution (SVIP) Capability within the Military Criminal Investigative Organizations (MCIOs)*, which rescinded Directive-type Memorandum (DTM) 14-002, *The Establishment of Special Victim Capability (SVC) Within the Military Criminal Investigative Organizations (MCIO)*, Directive-Type Memorandum (DTM) 14-007, *Sexual Assault Incident Response Oversight (SAIRO) Report*; it also adds new guidance on releasing ROIs to special victims' counsel, updates the investigative matrix in attachment 2, and corrects references.

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Chapter 1

RESPONSIBILITIES

1.1. The Air Force Office of Special Investigations (AFOSI) Commander. The AFOSI Commander derives his or her criminal investigative authority directly from the Secretary of the Air Force (SECAF) and has the independent authority within the Air Force to initiate criminal investigations. The Commander, AFOSI accredits special agents, and others performing law enforcement and counterintelligence operations in support of the AFOSI mission, and is the sole Air Force issuing authority for AFOSI badges and credentials. Additionally, the Commander, AFOSI is the sole decision authority on special agent decertification. The commander assesses performance and provides guidance for all AFOSI units; provides program oversight for the DoD Cyber Crime Center (DC3); and manages the Air Force polygraph program.

1.2. USAF Special Investigations Academy (USAFSIA). USAFSIA provides training to all special agents.

1.2.1. The USAFSIA investigative curriculum should include training in both the basic and advanced special investigator courses on conducting death investigations and on the execution of the Family Liaison Program described in paragraph 2.16.1.

1.2.2. Special Agents will receive proper training in sexual assault matters and related training IAW DoDI 5505.19, *Establishment of Special Victim Investigation and Prosecution (SVIP) Capability within the Military Criminal Investigative Organizations (MCIOs)*, and DoDI 5505.18, *Investigation of Adult Sexual Assault in the Department of Defense*. **(T-0)**

1.2.3. DC3's Defense Cyber Investigations Training Academy (DCITA) provides cyber technical training for AFOSI personnel and should be the first cyber training option.

1.3. AFOSI Investigation Collections Operations Nexus (ICON). AFOSI ICON is the Air Force's sole investigative and counterintelligence/counterterrorism (CI/CT) threat-reporting integration mechanism. The AFOSI ICON provides timely investigative information and threat reporting data to the AFOSI/CC and other senior Air Force and DoD leaders. The AFOSI ICON is the sole Air Force office responsible for the fusion of all AFOSI originated criminal intelligence with other intelligence, and any subsequent sharing within and outside of DoD, consistent with DoDI 5525.18, *Law Enforcement Criminal Intelligence (CRIMINT) in DoD*. The AFOSI ICON is organized by regional and functional desks, which receive and synchronize information from AFOSI field units and other US Government agencies. The AFOSI ICON manages AFOSI's Global Watch (AFOSI ICON/ICW), which receives up-channel reporting from AFOSI field units. The Global Watch also coordinates with other Air Force, DoD, and US Government watches. The AFOSI ICON will coordinate investigative and CI/CT activities, as necessary, with Air Force human intelligence (HUMINT) activities. **(T-2)** Finally, the AFOSI ICON is a central clearinghouse for data gleaned from AFOSI's liaison officers assigned to partner agencies in the US Government, such as the Federal Bureau of Investigation (FBI), Central Intelligence Agency (CIA), and National Security Agency (NSA).

1.4. AFOSI Field Investigative Units. AFOSI field units (Squadrons, Detachments, and Operating Locations) are responsible to:

1.4.1. Conduct liaison with federal, state, local and foreign nation law enforcement, counterintelligence and security agencies. In accordance with AFPD 71-1, *Criminal Investigations and Counterintelligence*, AFOSI is the sole Air Force agency responsible for conducting liaison for matters falling within the AFOSI mission. (T-1)

1.4.2. Promptly notify action authorities in writing each time an investigation is initiated, unless there is a need to maintain strict security controls over an investigative operation. In such cases, action authorities will be briefed and provided written notification when there is no longer a need to maintain strict operational security. (T-1)

1.4.3. Provide a timely report of investigation (ROI) to the action authority having responsibility to take judicial, non-judicial, and administrative actions through ROI findings, robust litigation preparation, and timely resolution of military justice. (T-1)

1.4.4. Operate a Confidential Informant Program consisting of people who confidentially provide vital information for initiating or resolving criminal or counterintelligence investigations. (T-1)

1.4.4.1. Brief installation commanders on this program each time a new installation commander is assigned. (T-1)

1.5. Commanders/Directors. Commanders/Directors at all levels shall ensure that criminal allegations or suspected criminal allegations involving persons affiliated with the DoD or any property or programs under their control or authority are referred to the appropriate Military Criminal Investigative Organization (MCIO), i.e. AFOSI, or law enforcement organization, i.e. Security Forces. (T-1) Action authorities, or designees, will not order or permit any type of commander directed investigation or inquiry when there is an ongoing AFOSI investigation without coordinating with AFOSI and the servicing Staff Judge Advocate (SJA). (T-2) Action authorities are also responsible to:

1.5.1. Provide ROIs only to authorized persons whose official duties require access. (T-1)

1.5.2. Safeguard ROIs in security file containers/cabinets, safes, vaults, and locked cabinets or rooms IAW DoD 5400.7-R_AFMAN 33-302, *Freedom of Information Act Program*, and AFI 33-332, *Air Force Privacy and Civil Liberties Program*. (T-1)

1.5.2.1. Do not release an ROI to non-Air Force officials. Refer all such requests to the servicing AFOSI field unit. See paragraph 1.5.8 regarding releases to defense attorneys. (T-1)

1.5.2.2. Send all Freedom of Information Act (FOIA) and Privacy Act (PA) requests for AFOSI ROIs to the AFOSI Office of Information Release at HQ AFOSI/XILI, 27130 Telegraph Rd, Quantico, VA 22134, Attn: FOIA Section. FOIA requests may also be e-mailed to: AFOSIHQXIL-OIRecordsSearchRequests@us.af.mil. (T-1)

1.5.3. Maintain classified ROIs according to AFI 16-1404, *Air Force Information Security Program*, and destroy them IAW the RDS. (T-1)

1.5.4. Destroy "For Official Use Only" ROIs IAW AFRIMS. (T-1)

1.5.5. Notify the local accounting and finance office for recoupment actions, if appropriate.

1.5.5. Notify the local accounting and finance office for recoupment actions, if appropriate. (T-1)

1.5.6. Promptly report to AFOSI all actions taken as a result of an investigation. **(T-1)**

1.5.7. Ensure that Public Affairs officials coordinate with HQ AFOSI/PA prior to releasing any information to the public about an AFOSI investigation. **(T-1)**

1.5.8. Release ROIs to military and civilian defense attorneys and respondent's counsel through the servicing legal office. ROIs or any portions of ROIs should only be released to defense counsel or respondent's counsel through the servicing legal office pursuant to relevant authorities (e.g., United States Constitution, 5th Amendment; Rules for Courts-Martial 701, *Discovery*, and 703, *Protection of Witnesses and Evidence*; AFI 51-201, *Administration of Military Justice*; AFI 51-202, *Nonjudicial Punishment*; AFI 36-3206, *Administrative Discharge Procedures for Commissioned Officers*; AFI 36-3208, *Administrative Separation of Airmen*). The servicing legal office will consider redacting an ROI or any portion of an ROI when PA or other concerns (e.g., confidential source information, sensitive investigative techniques, and information concerning ongoing investigations) warrant redaction. The servicing legal office will coordinate the release of an ROI or any portion of an ROI with the local AFOSI detachment/squadron commander or special agent-in-charge. The servicing legal office should consider using extracts and summaries of ROIs for administrative proceedings. **(T-2)**

1.5.9. Release ROIs to special victims' counsel through the servicing legal office. ROIs or any portions of ROIs should only be released to a special victims' counsel through the servicing legal office pursuant to DoD 5400.11-R, *Department of Defense Privacy Program*, after written approval of the release by the servicing SJA. This approval authority is not delegable. In determining whether a release of an ROI or any part of an ROI is releasable, the servicing SJA must make a finding that the special victims' counsel has articulated, in sufficient detail, a need for the record in the performance of his or her duties; that the special victims' counsel's intended use generally relates to the purpose for which the record is maintained; and that only those records that are minimally required to accomplish the intended use are disclosed. The entire record is not released if only a part of the record will be responsive to the request. When making the decision to approve a release of an ROI or any portion of an ROI to a special victims' counsel, the servicing SJA will carefully consider what, if any, of the information is responsive to the request and should consider redacting PA information or other information of concern (e.g., confidential source information, sensitive investigative techniques, information concerning ongoing investigations). The servicing SJA will coordinate the release of an ROI or any portion of an ROI with the local AFOSI detachment/squadron commander or special agent-in-charge. **(T-2)**

1.6. Installation Defense Force Commander (DFC). The DFC is responsible for establishing a Security Forces (SF) investigations section and will work with the local AFOSI field unit leader to ensure SF de-conflicts confidential informants by providing names, units, and the nature of the criminal investigation in which the informant is being used. **(T-1)** Further information should be provided upon request.

Chapter 2

INVESTIGATIONS PROGRAM

2.1. Determining AFOSI, Security Forces, and Conservation Law Enforcement Officials Spheres of Influence.

2.1.1. AFOSI is a field operating agency under the administrative guidance and oversight of The Inspector General of the Air Force (SAF/IG). It is a federal law enforcement agency with responsibility for conducting criminal investigations, counterintelligence and specialized investigative activities, protective service operations and integrated force protection for the Air Force. AFOSI is also a combat-ready military organization that provides the Air Force a wartime capability to conduct, in hostile and uncertain environments, counter-threat operations to find, fix, track, and neutralize enemy threats. And, AFOSI is the Air Force's focal point for working with US and foreign nation law enforcement and security services in order to provide timely and accurate threat information in all environments IAW Air Force Mission Directive (AFMD) 39, *Air Force Office of Special Investigations*.

2.1.2. Security Forces normally investigate the crimes specified in the far right column of Attachment 2, *AFOSI and Security Forces Investigative Matrix*. However, the investigative matrix is merely a guide. Investigative resource considerations at the installation level should be considered when determining whether AFOSI or Security Forces is best able to investigate a particular matter where law or higher-level policy doesn't dictate a particular agency investigates. **(T-2)** Security Forces will ensure AFOSI is promptly notified upon the initiation of all criminal investigations in which a military service member or his/her immediate family members, an AF/DoD civilian, an AF/DoD contractor or the Government is identified as either the suspect or victim of criminal activity. **(T-2)**

2.1.3. Air Force Conservation Law Enforcement Officials (CLEO) normally enforce federal laws associated with hunting, fishing, and outdoor recreation regulations, to include general enforcement of open dumping and other general environmental regulations. CLEOs should ensure AFOSI is promptly notified prior to the initiation of any criminal investigation.

2.1.4. IAW DoDI 5505.16, *Criminal Investigations by Personnel Who Are Not Assigned to a Defense Criminal Investigative Organization*, AFOSI field unit leaders have the authority and independent discretion to assume primary investigative responsibility, join a Security Forces or CLEO investigation, or monitor the progress of a Security Forces or CLEO investigation when it involves Air Force or DoD personnel, property, or resources. When AFOSI assumes control of an investigation, all material pertinent to the investigation shall be released to AFOSI. **(T-1)** Equally, when AFOSI refers an investigation to SF, all material pertinent to the investigation should be released to SF.

2.2. Accreditation. The Commander, AFOSI, accredits AFOSI personnel and those detailed to AFOSI for the purpose of official identification.

2.2.1. HQ AFOSI issues badges and credentials to special agents. Special agents are authorized to:

2.2.1.1. Enter any Air Force installation or off-limits areas in the furtherance of an AFOSI mission unless Air Force security publications state otherwise.

2.2.1.2. Access all Air Force records, property, and people, except as limited by law, instruction, and security publications.

2.2.1.3. Carry concealed or unconcealed US Government-issued or AFOSI-approved privately owned weapons and ammunition on which they are trained and qualified.

2.2.1.4. Wear civilian clothing while performing their duties.

2.2.2. HQ AFOSI issues other badges and/or credentials to AFOSI employees or other Air Force personnel detailed to AFOSI for the purpose of identification. Members are authorized to use those credentials or badges in the performance of official duties to verify their roles and responsibilities while performing the AFOSI mission.

2.3. Masking Rank. Masking rank and grade directly contributes to achieving an efficient, effective, and unbiased investigative process. AFOSI agents interact daily, often in an adversarial role, with individuals who are junior and senior in grade to them; the issue of rank should not be an impediment to the pursuit of information or evidence in criminal investigations. Additionally, agents interact daily with high-ranking representatives of federal, state, local, and foreign national law enforcement, counterintelligence, and security agencies; in many foreign countries, representatives place importance on working with counterparts of equal or higher grade. Agents are also often required to work in unfriendly and hostile environments and not disclosing the rank and grade of agents helps to ensure their safety. AFOSI military special agents assigned to AFOSI will mask their rank and grade when performing investigative duties. **(T-2)**

2.3.1. The wear of civilian clothes helps protect the grades of special agents. Civilian clothing allowances are authorized according to AFI 36-3014, *Clothing Allowances for Air Force Personnel*.

2.3.2. Federal (i.e., AFOSI, NCIS, FBI, DCIS Special Agents, etc.), State, Local, and Tribal law enforcement officers/agents may use their law enforcement credentials for installation access while conducting active law enforcement operations/investigations and/or responding to emergencies on the installation according to AFMAN 31-113, *Installation Perimeter Access Control*, paragraphs 2.8. and 2.9. **NOTE:** In support of operational activities and to ensure operational security, AFOSI special agents presenting law enforcement credentials for installation access may sponsor all accompanying personnel and/or vehicle(s) without further identification or searches. **(T-1)**

2.3.3. In accordance with AFD 71-1, special agents are authorized to use their badge and credentials for identification and access to all off-limits areas and Air Force records for the purpose of conducting official business unless law or Air Force security publications state otherwise.

2.3.4. To preserve the integrity of criminal investigations, ensure the effectiveness of AFOSI agents executing the counterintelligence mission, and for agent safety, offices that use systems that display unmasked rank data should make efforts to safeguard against the disclosure of ranks and grades of AFOSI special agents.

2.4. Using Emergency and Extraordinary Expense Funds (E-Funds). Subject to the limitation of appropriations, 10 USC § 127, *Emergency and Extraordinary Expenses*, provides the SECAF authority for any emergency or extraordinary expenses that cannot be anticipated or classified. AFOSI uses E-Funds for any authorized requirement that contributes to counterintelligence and investigative missions or aids in acquiring counterintelligence or criminal investigative information.

2.4.1. Congress annually allocates E-Fund limitation authority to the SECAF. SECAF has delegated authority for E-Funds to the Administrative Assistant to SECAF (SAF/AA). SAF/AA sets the annual E-Fund expenditure limitation and reports E-Funds expenditures to the Office of the Secretary of Defense (OSD).

2.4.2. SAF/AA annually allocates a specific portion of the E-Fund limitation authority from Congress to SAF/IG. SAF/IG oversees the Air Force E-Funds for counterintelligence and criminal investigative programs and delegates the authority to approve counterintelligence and investigative expenditures to the Commander, AFOSI.

2.4.3. The Commander, AFOSI, manages and implements the E-Funds for the counterintelligence and criminal investigative program and ensures that expenditures are proper. The Commander, AFOSI, or a designee, should approve the use of E-Funds for the extension of modest liaison event courtesies attended by representatives of foreign law enforcement and intelligence agencies and key representatives of US Federal, state, county, or local law enforcement and intelligence agencies.

2.4.4. The Air Force Audit Agency (AFAA) audits the E-Funds program annually to ensure compliance with this instruction and internal AFOSI instructions.

2.4.5. The E-Funds Custodian at each field unit is responsible for the unit's working fund. Cash on hand must be stored in a General Services Administration (GSA)-approved container with a three-position combination lock. **(T-0)**

2.5. Defense Central Index of Investigations (DCII). AFOSI will index subjects of criminal investigations in DCII as soon as it is determined that credible information exists that the subject committed a criminal offense IAW DoDI 5505.07, *Titling and Indexing of Subjects of Criminal Investigations in the Department of Defense*. **(T-0)** As a courtesy, AFOSI should assist in indexing subjects based on reports of crimes provided by Security Forces. The act of titling and indexing are administrative procedures and do not connote any degree of guilt or innocence.

2.6. Fingerprints. AFOSI and Security Forces will submit the Federal Document (FD) 249, *Suspect Fingerprint Card*, when probable cause exists to believe that a person has committed an offense that requires submission of offender criminal history data IAW DoDI 5505.11, *Fingerprint Card and Final Disposition Report Submission Requirements*. **(T-0)** When required, an FBI/DoJ Form R-84, *Final Disposition Report*, will be submitted to the FBI within 15 days after final disposition for inclusion in the National Crime Information Center (NCIC) criminal history database IAW DoDI 5505.11. **(T-0)**

2.7. Deoxyribonucleic Acid (DNA) Samples. AFOSI and Security Forces will take DNA samples of suspects, normally at the same time as fingerprints are taken, and send to the United States Army Criminal Investigation Laboratory (USACIL) according to DoDI 5505.14, *Deoxyribonucleic Acid (DNA) Collection Requirements for Criminal Investigations*. **(T-0)**

2.8. Department of Justice (DoJ) Referrals. AFOSI refers cases to the DoJ IAW AFPD 71-1 for crimes over which the Air Force does not have jurisdiction.

2.9. Law Enforcement Collection of Information on Non-DoD US Persons. AFOSI personnel will not collect law enforcement information on non-DoD personnel; and organizations within the United States and non-DoD US citizens anywhere else in the world unless they pose a threat to Air Force installations, resources or personnel IAW AFPD 71-1 and DoD Directive (DoDD) 5200.27, *Acquisition of Information Concerning Persons and Organizations not Affiliated with the Department of Defense.* (T-0)

2.9.1. These restrictions do not apply to the collection of information by Air Force organizations when performing intelligence and counterintelligence functions according to Executive Order (E.O.) 12333, *United States Intelligence Activities*. Such organizations performing intelligence and counterintelligence functions are defined in and will comply with AFI 14-104, *Oversight of Intelligence Activities*. (T-1)

2.9.2. During the course of normal operations and training, if AFOSI incidentally collects information, consistent with law and DoD 5240.1-R, *Procedures Governing the Activities of DoD Intelligence Components That Affect United States Persons*, about the criminal activity or criminal involvement of a civilian not associated with the DoD; such information will be turned over to the appropriate civilian law enforcement agency. (T-0) Planning or creating missions or training for the primary purpose of aiding civilian law enforcement officials is not permitted. Conducting training or missions for the purpose of routinely collecting information about US citizens is likewise not permitted. See DoDI 3025.21, *Defense Support of Civilian Law Enforcement Agencies*, and DoDD 5200.27, paragraph 6.1.

2.9.3. Report all suspected violations of this section to the Inspector General, identifying the area in which the violation occurred.

2.10. AFOSI and SJA Collaboration. AFOSI and the local SJA should develop a collaborative relationship focused on integrating investigative efforts and the legal process. The goal is a thorough ROI, robust litigation preparation, and timely resolution of military justice.

2.10.1. AFOSI field units should work closely with the servicing SJA in matters involving violations of the Uniform Code of Military Justice (UCMJ) or where the Military Extraterritorial Jurisdiction Act (MEJA) may apply. This collaboration begins at the initiation of and continues throughout substantive criminal investigations. As appropriate, designated local SJA support team members or Chief of Military Justice should attend AFOSI case review meetings. Likewise, AFOSI personnel should attend relevant local SJA military justice meetings. When appropriate, AFOSI shares investigative data (written statements, evidence, etc.) as well as information on anticipated leads in the investigation. AFOSI also coordinates with the assigned trial team on all subject interviews when appropriate. In accordance with AFPD 71-1, no other type of investigation, administrative, personnel, or other legal action should be taken against someone under investigation by AFOSI before coordinating with AFOSI and the servicing SJA.

2.10.2. Occasionally, there are cases where providing investigative information may not be prudent. Examples of such matters include premature compromise of a confidential source, investigations involving local SJA personnel, grand jury information, and/or cases not destined for the military justice system (e.g., central systems fraud cases being handled by

the DoJ). To avoid compromise of sensitive investigative information, including techniques, leads, statements and evidence, the local SJA will not up-channel sensitive investigative information (information that would reveal sources, law enforcement techniques, procedures or jeopardize an on-going operation or information provided by another law enforcement agency) without the concurrence of the AFOSI field unit leader. **(T-2)** AFOSI field unit leaders should identify to the local SJA those details of an investigation that should not be up-channelled in JA reports. AFOSI is responsible for providing such information to appropriate officials.

2.11. Suspicious Activity Reports (SARs). DoDI 2000.26, *Suspicious Activity Reporting (SAR)*, mandates the use of the FBI's eGuardian system for reporting SARs.

2.11.1. AFOSI is the sole Air Force law enforcement agency authorized to investigate and create SARs. Security Forces should notify AFOSI of any reports of suspicious activity. Should an incident occur on an ANG installation and the responsible AFOSI field unit leader concurs, SF may conduct the preliminary inquiry, expeditiously providing the results to the AFOSI field unit. **NOTE:** This is the exception and not the normal SAR response.

2.11.2. All Air Force requests for eGuardian accounts should be routed through the local AFOSI field unit and should validate the identity and need for information, and then forward the request to the AFOSI program manager. AFOSI is the sole Air Force interface to create eGuardian accounts.

2.11.3. Local detachments will respond to, investigate and report incidents for evaluation and dissemination. AFOSI ICON makes the final determination for inclusion in the eGuardian system and is responsible for analyzing reports. Requests for access to information within eGuardian shall be directed to AFOSI. **(T-0)** No action should be taken without consulting with the agency that submitted the information and/or referring the access request to the appropriate agency for disposition. In the event of a FOIA request, contact HQ AFOSI/XILI. AFOSI is the Air Force interface between Joint Terrorism Task Forces (JTTFs), FBI, and local law enforcement. To avoid confusion between multiple agencies requesting information or seeking clarification, no other Air Force entity should contact other agencies regarding eGuardian reports. Requests for information should go to the local servicing AFOSI field unit. **(T-0)**

2.12. Enemy Prisoner of War (EPW)/Detainee Information. AFOSI will document *ALL* EPW/detainee-related incidents and/or information received by AFOSI that do not warrant the initiation of a case file. **(T-2)** For the purpose of this instruction, the definition of "EPW" is as defined in Geneva Convention Relative to the Treatment of Prisoners of War of 12 August 1949, Article 4, *Prisoners of War*; and "detainee" is as defined in Air Force Joint Instruction (AFJI) 31-304, *Enemy Prisoners of War, Retained Personnel, Civilian Internees and other Detainees*. In addition, a detainee also includes anyone who is apprehended, arrested, or held against his or her liberty in the course of a law enforcement investigation. EPW/detainee-related incidents and/or information received by AFOSI may range from a witness alleging a US military member may have assaulted a detainee to another witness overhearing other US military members converse about photographs taken of detainees.

2.13. Obtaining Information from Financial Institutions. AFOSI and Security Forces can issue written requests for financial account information in the course of law enforcement

inquiries IAW DoDI 5400.15, *Guidance on Obtaining Information from Financial Institutions*. (T-0)

2.14. Setting up Joint Drug Enforcement Teams (JDETs). AFOSI and Security Forces form JDETs when necessary to combat drug abuse.

2.14.1. Without a JDET, AFOSI and Security Forces normally address separate parts of drug investigations on a particular base as defined in Attachment 2, Table A2.1, Rule 10. The JDET program allows efforts to be combined, so a single team may jointly run informants targeted against illegal drug use and distribution. The decision to employ a JDET is based on recommendations from the AFOSI field unit leader and the DFC. The Wing Commander may not establish a JDET without the concurrence of the AFOSI field unit leader.

2.14.2. The DFC nominates an SF candidate for the JDET. Candidates are subject to AFOSI field unit leadership approval and should serve in the JDET capacity for a minimum of 1 year. SF personnel who have already completed the US Army Military Police Investigators Course are preferred.

2.14.3. AFOSI conducts the background investigation on the JDET candidate

2.14.4. AFOSI and Security Forces define operational and administrative tasks in internal instructions. Memoranda of agreement may be developed to cover local operational matters.

2.15. Investigation of Illegal Drug Use and Distribution. Consistent with provisions defining persons subject to the UCMJ contained in the Manual for Courts-Martial (MCM), AFOSI and Security Forces investigate drug offenses committed by members of the Armed Forces as shown in Attachment 2. AFOSI may also investigate drug offenses committed by specified persons not subject to the UCMJ when there is a clear and direct Air Force connection and interest.

2.16. Death Investigations of Active Duty Military Members. AFOSI and Security Forces conduct death investigations according to the matrix in Attachment 2 when the Air Force has investigative jurisdiction. According to DoDI 5505.10, *Criminal Investigations of Noncombat Deaths*, all non-combat deaths of military members on active duty, not medically determined to be from natural causes, are investigated by AFOSI to determine the cause and manner of death. Normally, AFOSI does not investigate accidental deaths when a preliminary inquiry discloses the death was an accident with no evidence of a criminal act. Where an authority other than the Office of the Armed Forces Medical Examiner (AFME), determines the manner of death, AFOSI submits the ROI to AFME for a consultation opinion on the comprehensiveness and medical sufficiency of the investigation as it pertains to the cause and manner of death. Per DoDI 5154.30, *Armed Forces Institute of Pathology Operations*, Enclosure 2, AFOSI will conduct psychological autopsies only in cases where the manner of death has not been determined by the responsible coroner or medical examiner, and suicide is considered a possible manner of death, or in certain unique circumstances. (T-0) Psychological autopsies must be approved in advance by the AFME. (T-0)

2.16.1. Family Liaison Program. This program enhances communication between AFOSI and the immediate family members of a deceased active duty member whose death was investigated by AFOSI. It is designed to promote an open dialogue between AFOSI and family members, ensure issues and questions raised by the family are thoroughly addressed in a timely manner, and prevent misunderstandings. The procedures for this program are

published in internal AFOSI instructions according to the requirements established in DoDI 5505.10.

2.16.2. AFOSI should attempt to accomplish the following in those instances when the Air Force does not have investigative jurisdiction:

2.16.2.1. Maintain liaison with the law enforcement organization conducting the investigation.

2.16.2.2. Assist the family of the deceased in obtaining cooperation from the responsible law enforcement organization.

2.16.2.3. Obtain and provide to the appropriate military authorities a copy of the report of investigation, including any forensic or autopsy results.

2.17. Adultery, Fraternalization, and Sexual Harassment. The following guidance and procedures apply to handling allegations of sexual misconduct as defined in DoDI 5505.08, *Military Criminal Investigative Organizations (MCIO) and Other DoD Law Enforcement Organizations Investigations of Adult, Private, Consensual Sexual Misconduct*.

2.17.1. Allegations of adult private consensual sexual misconduct (including adultery and fraternization) received by AFOSI or Security Forces are normally referred to the subject's commander, unless the subject is in a position of authority over the victim as defined in Attachment 2, Note 2. Per DoDI 5505.18, AFOSI will investigate authority figures accused of sexual contact with a person over whom they exercise authority. **(T-0)** AFOSI field leaders must obtain approval from the AFOSI Commander, Vice Commander, or ICON Director prior to initiating an investigation into adult private consensual sexual misconduct not involving an authority figure. **(T-1)**

2.17.2. AFOSI and Security Forces usually refer allegations of sexual harassment to the subject's commander. AFOSI does not normally investigate a service member for sexual harassment, unless the allegation is combined with another more serious criminal offense. Such matters usually fall under the investigative purview of the service member's commander, Military Equal Opportunity, or the installation Inspector General.

2.18. Setting up Joint Sexual Assault Investigative Teams (JSAT). This is a cooperative initiative wherein SF personnel serve jointly with AFOSI special agents on adult victim sexual assault investigation teams.

2.18.1. The decision to employ a JSAT is based upon recommendations from the AFOSI field unit leader and the DFC. The Wing Commander may not establish a JSAT without the concurrence of the AFOSI field unit leader.

2.18.2. The DFC nominates an SF candidate for the JSAT. Candidates are subject to AFOSI field unit leadership approval and should serve in the JSAT capacity for a minimum of 1 year. SF personnel who have already completed the US Army Military Police Investigators Course are preferred.

2.18.3. AFOSI conducts the background investigation on the JSAT candidate and should provide additional training through the AFOSI Sexual Crimes Investigations Training Program (SCITP) course.

2.18.4. AFOSI and Security Forces define operational and administrative tasks in internal instructions. Memoranda of agreement may be developed to cover local operational matters.

2.19. Sexual Assaults. IAW DoDI 5505.18, AFOSI will initiate investigations of all offenses of adult sexual assault of which they become aware, that occur within their jurisdiction, regardless of the severity of the offense. **(T-0)**

2.19.1. AFOSI should be notified and refer to Attachment 2 when unrestricted reports are received. AFOSI will safeguard Sexual Assault Forensic Examination (SAFE) kits as evidence for restricted reports IAW AFI 90-6001, *Sexual Assault Prevention and Response (SAPR) Program*. **(T-1)**

2.20. Investigating Fraud Offenses. AFOSI complies with the direction contained within AFPD 71-1, to investigate major fraud offenses involving DoD programs and personnel and to present them for prosecution. Investigating agents may submit reports of investigation for review under the Program Fraud Civil Remedies Act (PFCRA) IAW AFI 51-1101, *The Air Force Procurement Fraud Remedies Program*.

2.21. Contractor Disclosure Program. AFOSI is responsible for evaluating, thoroughly and in a timely manner, fraud allegations received from DoD IG through the DoD Contractor Disclosure Program. When indicated, AFOSI is responsible for investigating credible allegations and providing quarterly updates as well as a copy of the final ROI and all actions taken as a result of an investigation to the DoD IG IAW DoDI 5505.15, *DoD Contractor Disclosure Program*. **(T-0)**

2.22. Environmental Crime. Air Force officials report all suspected violations of environmental laws to AFOSI. AFOSI conducts criminal investigations when warranted, and complies with the training and medical requirements of the Occupational Safety and Health Administration. AFOSI also coordinates with installation public health officials, installation and MAJCOM SJA, the Environmental Protection Agency (EPA), and state enforcement agencies in those states where the EPA has delegated enforcement authority.

2.22.1. At Air Force installations with a Conservation Law Enforcement Program (CLEP), CLEOs conducting criminal investigations will comply with the policies and procedures of DoDIs 5505.07, 5505.11, 5505.14, 5505.16, and 5505.17, *Collection, Maintenance, Use, and Dissemination of Personally Identifiable Information and Law Enforcement Information by DoD Law Enforcement Activities*. **(T-0)**

2.23. Crimes that Involve Air Force Computer Systems. AFOSI provides investigative expertise for all investigations involving computers used as an instrument in the commission of a crime, that may contain evidence of a crime, or that are the target of a crime. All AFOSI agents are provided the tools and are trained to a basic level of proficiency in mobile phone analysis, hard disk triage and hard disk imaging. Cyber Crime Investigators (CCI) receive further specialized training to provide AFOSI capabilities to perform computer forensic analysis, technical interviews where computer terminology is used, and in the development of various legal documents (e.g., an affidavit used in applying for a search warrant). In addition, AFOSI CCIs are the primary investigators for intrusions into USAF and selected DoD computer systems. Upon discovery, Air Force officials should report all suspected intrusions to AFOSI.

2.23.1. AFOSI is the only agency in the Air Force with the authority to investigate computer intrusions. AFOSI's CCIs produce intelligence reports that detail intrusion methods and

techniques and attempt to identify known Foreign Intelligence Services (FIS), subversive, or terrorist groups attacking DoD computer systems. AFOSI computer intrusion investigative and operational activities may identify additional information system vulnerabilities, information system threat information, subject (criminal or counterintelligence) attribution, and ex-filtrated data to aid in damage assessments during the course of the investigation or operation.

2.23.2. DC3 conducts digital and multimedia forensics analysis for forensic support to investigations of computer intrusions, IAW AFPD 71-1. DC3 should be the first option for digital forensic support to AFOSI investigations and operations. The DC3-Analytical Group provides cyber analysis products and services to support AFOSI in their cyber investigations and operations.

2.24. Processing Requests to Intercept Wire, Oral, or Electronic Communications for Law Enforcement Purposes. AFOSI is the only agency within the Air Force with the authority to intercept electronic, oral or wire communications; install or use pen registers, employ trap and trace devices; use electronic or optical enhancements for surveillance; conduct covert video and photographic surveillance activities; and/or track individuals or items using technical services and surveillance in criminal investigations IAW DoDI O-5505.09, *Interception of Wire, Electronic, and Oral Communications for Law Enforcement*.

2.25. Firearms Tracing in Connection with Criminal Investigations. AFOSI and Security Forces will both conduct an NCIC query and Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF) eTrace database check on all firearms seized/recovered in the course of criminal investigations and taken into Federal custody consistent with 18 USC, **Chapter 44**, Front Matter, Presidential Memorandum, *Tracing of Firearms in Connection with Criminal Investigations*. (T-0)

2.26. Law Enforcement Defense Data Exchange (LE D-DEx). AFOSI will share closed criminal case file data and information maintained in the AFOSI unclassified Investigative Information Management System through the LE D-DEx, IAW DoDI 5525.16, *Law Enforcement Defense Data Exchange (LE D-DEx)*. (T-0)

2.27. Special Victim Investigation and Prosecution (SVIP) Capability. AFOSI has primary investigative responsibility for sexual assault investigations in the Air Force and will provide trained investigators for all covered offenses as defined in DoDI 5505.18, and DoDI 6495.02, Sexual Assault Prevention and Response (SAPR) Program Procedures. These investigators will be certified as required by DoDI 5505.19. (T-0)

2.28. Sexual Assault Incident Response Oversight (SAIRO) Report. Designated SVIP investigators closely interact with assigned specially trained judge advocates, DoD Sexual Assault Response Coordinators (SARCs), Sexual Assault Prevention and Response Victim Advocates (SAPR VAs), Family Advocacy Program (FAP) managers, and domestic abuse victim advocates (DAVAs) during all stages of the investigative and military justice process. All adult sexual assault cases involving a Service member victim or a Service member subject require the MCIO (AFOSI) to provide incident data to the commander for completion of the SAIRO IAW DTM 14-007, pg. 9 para 5.a. (1) - (10). If the MCIO (AFOSI) has been notified of the disposition in a civilian sexual assault case, the MCIO (AFOSI) shall notify the commander of this disposition immediately IAW DoDI 6495.02.

2.29. Restricted Reporting. In accordance with DoDI 6495.02, at least 30 days before the expiration of the 5-year storage period for the SAFE, the DoD law enforcement (Security Forces) or MCIO (AFOSI) shall notify the installation SARC that the storage period is about to expire and confirm with the SARC that the victim has not made a request to change to Unrestricted Reporting or made a request for any personal effects.

Chapter 3

SPECIALIZED INVESTIGATIVE SERVICES

3.1. Polygraph and Credibility Assessment (PCA) Techniques:

3.1.1. SECAF authorizes use of the PCA techniques in the Air Force according to AFD 71-1 and DoDI 5210.91, *Polygraph and Credibility Assessment (PCA) Procedures*.

3.1.1.1. The Commander, AFOSI, or designee, manages the Air Force Polygraph Program.

3.1.1.2. AFOSI is the only Air Force organization authorized to conduct PCA examinations, acquire or possess PCA equipment, or to have examiners trained in PCA techniques to support criminal investigations.

3.1.2. Criteria for Conducting Criminal Scope PCA Examinations. The Air Force Polygraph Program Management Office (PPMO) (HQ AFOSI/XRZP) may authorize the use of PCA techniques in a criminal investigation when the following apply:

3.1.2.1. The crime involves an offense punishable under federal law, including the UCMJ, by death or confinement for 1 year or more.

3.1.2.2. Investigation by other means has been as thorough as circumstances permit.

3.1.2.3. The development of information by means of a PCA technique is essential to the conduct of the investigation.

3.1.2.4. The person being considered for the examination was interviewed and there is reasonable cause to believe the person has knowledge of or was involved in the matter under investigation.

3.1.2.4.1. The person being considered is at least 15 years old and voluntarily agreed to undergo PCA testing. Testing of minors age 15 and below normally is not done without the prior consent of his/her parent or legal guardian. Requests to test minors without such consent should be coordinated with the servicing SJA.

3.1.2.5. The Air Force PPMO may approve the use of a PCA technique in any matter deemed to be in the best interest of the Air Force, DoD, or national security.

3.1.3. PCA Examinations Conducted by Non-Federal Agencies. The Air Force only accepts PCA examinations and/or the results of such examinations conducted by Federal examiners. This restriction exists because the DoD cannot attest to the conditions under which a non-federal examiner administered a PCA examination. This does not restrict the consideration of any evidence as required by the US Constitution or other applicable laws.

3.1.4. PCA Examinations of Pregnant Examinees. Pregnant examinees should present a written opinion from their attending physician before being administered a PCA examination. The opinion should state the PCA examination will have no adverse effects on the examinee's pregnancy.

3.1.4.1. Administer PCA examinations in the third trimester of pregnancy only for incidents involving the most serious offenses.

3.1.5. PCA Examinations of Sexual Assault Victims. The Air Force PPMO only considers approving a request for a PCA examination of a sexual assault victim after the subject of the allegation, if known, declines the offer to take a PCA examination.

3.1.5.1. PCA examination of such victims is not ordinarily approved unless

3.1.5.1. PCA examination of such victims is not ordinarily approved unless circumstances clearly warrant it.

3.1.6. Requesting PCA Support. Air Force Commanders and Air Force organizations with responsibility for security, law enforcement, or the administration of criminal justice, and DoD Components that receive investigative support from the Department of the Air Force, may request an Air Force PCA examination.

3.1.6.1. Submit routine requests for PCA support to the nearest AFOSI detachment, squadron, or region office by any means available including in person, letter, message, electronic mail, or facsimile.

3.1.6.1.1. The local AFOSI office, in turn, forwards all requests through the servicing Regional Polygraph Office (RPO) to the Air Force PPMO for approval.

3.1.6.2. Only the AFOSI Commander, Vice Commander, Polygraph Program Manager, and quality assurance personnel within the PPMO can approve a PCA examination.

3.1.7. Preparing the PCA Request. A PCA request should, to the extent possible, contain the following information so that the PPMO has sufficient information to evaluate the request. Information in paragraphs 3.1.7.1 and 3.1.7.6 are usually reserved for law enforcement personnel but may, in isolated instances, apply to others. Contact the nearest AFOSI office if you require assistance in preparing the request.

3.1.7.1. Reference or Investigation Number. Although this is usually reserved for investigative personnel, if an internal organizational investigative file number or other reference number has been assigned, identify it here.

3.1.7.2. Title of Case. Identify, in a concise statement, the matter being investigated.

3.1.7.3. Case Summary. Include a brief summary of pertinent facts. You should address the "who, what, where, when, and why" surrounding the review, inquiry, or investigation.

3.1.7.4. Biographical Data for Each Examinee. Provide the full name, sex, date of birth, place of birth, grade, social security number (if applicable), organization, command, and place of duty assignment.

3.1.7.5. Reason for the Examination. Explain why you believe a PCA examination is essential. Address investigative efforts already undertaken and how a PCA examination would help the investigation.

3.1.7.6. Medical Records Check. This is usually reserved for investigative personnel because of restrictions placed on who may access another person's medical records. This information should address a proposed examinee's physical, mental, and emotional suitability for testing. Identify the name of the medical representative who conducted the records check. Investigators will provide documentation of an open investigation and written request to medical personnel who will review the medical record to address a

proposed examinee's physical, mental, and emotional suitability for testing. **(T-2)** The investigator should not have direct access to the record.

3.1.7.7. Case Adjudication. Indicate whether or not the examinee has been tried by a court or has accepted non-judicial punishment under Article 15, UCMJ, for the offense concerned.

3.1.7.8. Pending Charges. Indicate whether or not charges of any kind have been preferred against the examinee. If no charges have been preferred, include other action being considered.

3.1.7.9. PCA Coordination. Coordinate all PCA requests with the servicing RPO. Identify the name of the Polygraph Examiner with whom the request was coordinated.

3.1.7.9.1. For post-investigative requests, state whether the SJA concurs or non-concurs with conducting the examination. Identify the name of the SJA with whom the request was coordinated.

3.1.7.10. Other Factors. Include any additional information you believe is pertinent in adjudicating the PCA request such as command interest, pending separation of proposed examinee, or the possibility of media coverage.

3.1.8. Post-Investigative Requests. Post-investigative requests for PCA support are only considered for approval after coordination with, and the concurrence of, the servicing SJA.

3.1.8.1. The Air Force PPMO should consider the merits of each post-investigative request for PCA support as well as the SJA's opinion.

3.1.9. Post-Judicial Requests. The Air Force PPMO will not routinely approve the conduct of post-judicial PCA examinations. The PPMO will coordinate all post-judicial PCA requests with AFOSI/JA. **(T-1)**

3.1.10. Waiver, Deviations, or Exceptions to Air Force and DoD PCA Program Policy. Any person or entity requesting a waiver to the Air Force PCA Program policy will submit a letter, message or other document through the Air Force Polygraph Program Manager to the Commander, AFOSI. **(T-0)**

3.1.10.1. AFOSI will process all waiver requests through SECAF to DoD PCA Program policy to the Deputy Under Secretary of Defense for Policy (DUSD(P)) for resolution. **(T-1)**

GREGORY A. BISCONI, Lieutenant General, USAF
The Inspector General

Attachment 1

GLOSSARY OF REFERENCES AND SUPPORTING INFORMATION

References

5 USC § 552a, *Records Maintained on Individuals*

10 USC § 127, *Emergency and Extraordinary Expenses*

10 USC §§ 801-940, *Uniform Code of Military Justice (UCMJ)*

18 USC, **Chapter 44**, Front Matter, Presidential Memorandum, *Tracing of Firearms in Connection with Criminal Investigations*, 16 January 2013

18 USC § 2510(1), *Wire Communication*

18 USC § 2510(2), *Oral Communication*

18 USC § 2510(4), *Intercept*

18 USC § 2510(12), *Electronic Communication*

18 USC § 2510(13), *User*

18 USC § 3117, *Mobile Tracking Devices*

18 USC § 3127(3), *Pen Register*

18 USC § 3127(4), *Trap and Trace Device*

E.O. 12333, *United States Intelligence Activities*

Geneva Convention Relative to the Treatment of Prisoners of War of 12 August 1949, Article 4, *Prisoners of War*

Manual for Courts-Martial, United States, 2012 Edition

DoDI 2000.26, *Suspicious Activity Reporting (SAR)*, 23 September 2014

DoDI 3025.21, *Defense Support of Civilian Law Enforcement Agencies*, 27 February 2013

DoDI 5154.30, *Armed Forces Institute of Pathology Operations*, 18 March 2003

DoDD 5200.27, *Acquisition of Information Concerning Persons and Organizations not Affiliated with the Department of Defense*, 07 January 1980

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DoDI 5505.07, *Titling and Indexing of Subjects of Criminal Investigations in the Department of Defense*, 27 January 2012

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DoDI 5505.11, *Fingerprint Card and Final Disposition Report Submission Requirements*, 21 July 2014, Incorporating Change 1, 31 October 2014

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DoDI 5505.14, *Deoxyribonucleic Acid (DNA) Collection Requirements for Criminal Investigations*, 27 May 2010, Incorporating Change 1, 24 April 2012

DoDI 5505.15, *DoD Contractor Disclosure Program*, June 16, 2010, Incorporating Change 1, 08 August 2012

DoDI 5505.16, *Criminal Investigations by Personnel Who Are Not Assigned to a Defense Criminal Investigative Organization*, 07 May 2012

DoDI 5505.17, *Collection, Maintenance, Use, and Dissemination of Personally Identifiable Information and Law Enforcement Information by DoD Law Enforcement Activities*, 19 December 2012

DoDI 5505.18, *Investigation of Adult Sexual Assault in the Department of Defense*, 25 January 2013, Incorporating Change 2, 18 Jun 15.

DoDI 5505.19, *Establishment of Special Victim Investigation and Prosecution (SVIP) Capability within the Military Criminal Investigative Organizations (MCIOs)*, 3 February 2015, Incorporating Change 1, 4 September 2015

DoDI 5525.07, *Implementation of the Memorandum of Understanding (MOU) Between the Departments of Justice (DoJ) and Defense Relating to the Investigation and Prosecution of Certain Crimes*, 18 June 2007

DoDI 5525.16, *Law Enforcement Defense Data Exchange (LE D-DEx)*, 29 August 2013

DoDI 5525.18, *Law Enforcement Criminal Intelligence (CRIMINT) in DoD*, 18 October 2013

DoDI 6495.02, *Sexual Assault Prevention and Response (SAPR) Program Procedures*, 28 March 2013, Incorporating Change 1, 12 February 2014

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AFI 36-3208, *Administrative Separation of Airmen*, 09 July 2004, Incorporating Change 7, 02 July 2013

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AFI 51-202, *Nonjudicial Punishment*, 31 March 2015

AFI 51-1101, *The Air Force Procurement Fraud Remedies Program*, 21 October 2003, Incorporating Administrative Change, 30 November 2011

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SORN F071 AF OSI D, *Investigative Information Management System (I2MS)*

SORN F071 AF OSI E, *Air Force Badge and Credentials*

SORN F071 AF OSI F, *Investigative Applicant Processing Records*

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AF Form 847, *Recommendation for Change of Publication*

DoJ Form R-84, *Final Disposition Report*

FD 249, *Suspect Fingerprint Card*

Abbreviations and Acronyms

AF/JA—Judge Advocate General

AFAA—Air Force Audit Agency

AFJI—Air Force Joint Instruction
AFMAN—Air Force Manual
AFMD—Air Force Mission Directive
AFME—Armed Forces Medical Examiner
AFOSI—Air Force Office of Special Investigations
AFOSI ICON—AFOSI Investigation Collections Operations Nexus
AFOSI ICON/ICW—AFOSI ICON, Global Watch
AFPD—Air Force Policy Directive
AFR—Air Force Reserve
AFRIMS—Air Force Records Information Management System
ANG—Air National Guard
ATF—Bureau of Alcohol, Tobacco, Firearms and Explosives
CAP—Civil Air Patrol
CCI—Cyber Crime Investigator
CI/CT—counterintelligence/counterterrorism
CIA—Central Intelligence Agency
CLEO—Conservation Law Enforcement Official
CLEP—Conservation Law Enforcement Program
DC3—DoD Cyber Crime Center
DCII—Defense Central Index of Investigations
DCIS—Defense Criminal Investigative Service
DCITA—Defense Cyber Investigations Training Academy
DFC—Defense Force Commander
DNA—Deoxyribonucleic Acid
DoD—Department of Defense
DoDD—Department of Defense Directive
DoDI—Department of Defense Instruction
DoJ—Department of Justice
DTM—Directive-Type Memorandum
DUSD(P)—Deputy Under Secretary of Defense for Policy
E.O—Executive Order
EPA—Environmental Protection Agency

EPW—Enemy Prisoner of War

FAP—Family Advocacy Program

FBI—Federal Bureau of Investigation

FD—Federal Document

FIS—Foreign Intelligence Service

FOIA—Freedom of Information Act

GSA—General Services Administration

HQ—Headquarters

HQ AFOSI/JA—HQ AFOSI, Staff Judge Advocate

HQ AFOSI/PA—HQ AFOSI, Public Affairs

HQ AFOSI/XILI—HQ AFOSI, Information Release Branch

HQ AFOSI/XRZP—HQ AFOSI, Polygraph Branch

HQ USAF or HAF—Headquarters Air Force, includes the Secretariat and the Air Staff

HUMINT—human intelligence

IAW—in accordance with

JDET—Joint Drug Enforcement Team

JSAT—Joint Sexual Assault Investigative Team

JTTF—Joint Terrorism Task Forces

LE D-DEx—Law Enforcement Defense Data Exchange

MAJCOM—Major Command

MCIO—Military Criminal Investigative Organization

MCM—Manual for Courts-Martial

MEJA—Military Extraterritorial Jurisdiction Act

NCIC—National Crime Information Center

NCIS—Navy Criminal Investigative Service

NSA—National Security Agency

O&M—operation and maintenance

OSD—Office of the Secretary of Defense

OPR—Office of Primary Responsibility

PA—Privacy Act

PCA—Polygraph and Credibility Assessment

PFCRA—Program Fraud Civil Remedies Act

PPMO—Polygraph Program Management Office
RDS—Records Disposition Schedule
RegAF—Regular Air Force
ROI—report of investigation
RPO—Regional Polygraph Office
SAF—Secretariat Offices within the HAF
SAF/AA—Administrative Assistant to the Secretary of the Air Force
SAF/IG—The Inspector General of the Air Force
SAF/IGX—Special Investigations Directorate
SAFE—Sexual Assault Forensic Examination
SAPR—Sexual Assault Prevention and Response
SAPR VA —Sexual Assault Prevention and Response Victim Advocate
SARC—Sexual Assault Response Coordinator
SAR—Suspicious Activity Report
SCITP—Sexual Crimes Investigations Training Program
SECAF—Secretary of the Air Force
SFMIS—Security Forces Management Information System
SF—Security Forces
SJA—Staff Judge Advocate
SORN—System of Records Notice
SVIP—Special Victim Investigation and Prosecution
UCMJ—Uniform Code of Military Justice
USACIL—United States Army Criminal Investigation Laboratory
USAFSIA—USAF Special Investigations Academy
USC—United States Code

Terms

Abroad—Outside of the United States, its territories, and possessions. An interception abroad takes place when an individual locates and operates an interception device outside the United States and insufficient evidence exists to conclude that the target of the interception is in the United States.

Accidental Death—A death from inadvertent action or action where no harm was intended.

Action Authority—The authority primarily responsible for taking judicial or administrative action in an AFOSI investigation, usually an installation commander or higher authority (most often military, but can be a civilian official).

Active Duty—Full-time duty in the active military service of the United States. This includes members of the Reserve Components serving on active duty or full-time training duty, but does not include full-time National Guard not in Title 10 status.

Counterintelligence—Information gathered and activities conducted to protect against espionage, other intelligence activities, sabotage, or assassinations conducted by or on behalf of foreign governments or elements thereof, foreign organizations or foreign persons, or international terrorist activities.

Credible Information—Information disclosed to or obtained by an investigator that, considering the source and nature of the information and the surrounding circumstances, reasonably warrants further investigation to determine whether a criminal act did or may have occurred and is sufficiently believable to indicate criminal activity has occurred.

Criminal Investigation—An investigation of possible criminal violations of the United States Code, the Uniform Code of Military Justice, or, when appropriate, state or local statutes or ordinances or foreign law.

Defense Central Index of Investigations—A computerized, central index of investigations for all DoD investigative activities managed by the Defense Security Services.

Detainee—A term used to refer to any person captured or otherwise detained by an armed force.

E-Funds—Emergency and Extraordinary Expense Funds used to further the counterintelligence and investigative missions of the Air Force. This subdivision of operation and maintenance (O&M) funds is allocated to AFOSI, through SAF/IG, by the SECAF under certain legal restrictions to reimburse investigators for authorized expenses incurred in the performance of their assigned duties.

Electronic Communication—Any transfer of signs, signals, writing, images, sounds, data, or intelligence of any nature, transmitted in whole or in part by a wire, radio, electromagnetic, photo-electronic, or photo-optical system that affects interstate or foreign commerce, but does not include the following: any wire or oral communication; any communication made through a tone-only paging device; any communication from a tracking device as defined by 18 USC § 3117; electronic funds transfer information stored by a financial institution in a communications system used for the electronic storage and transfer of funds; 18 USC § 2510(12).

EPW—One who, while engaged in combat under orders of his or her government, is captured by the armed forces of the enemy.

Extract—A verbatim portion or combination of portions of a report of investigation selected for use in a judicial or administrative proceeding.

Indexing—The recording of information so that an orderly retrieval process can identify and access a particular file or investigation.

Interception—The aural or other acquisition of the contents of any wire, electronic, or oral communication through use of any electronic, mechanical, or other device. The term "contents," when used with respect to any wire, oral, or electronic communication, includes any information concerning the substance, purport, or meaning of that communication; 18 USC § 2510(4)

Liaison Function—An official gathering with foreign or US citizens that gives AFOSI personnel access to counterintelligence or investigative sources, counterparts, information, or cooperation.

Oral Communication—Any oral communication uttered by a person exhibiting an expectation that such communication is not subject to interception under circumstances justifying such expectation, but such term does not include any electronic communication; 18 USC § 2510(2).

Pen Register—A device that records or decodes electronic or other impulses which identify the numbers dialed or otherwise transmitted on the telephone line to which such device is attached, but does not include any device used by a provider or customer of a wire or electronic communication service for billing, or recording as an incident to billing, for communications services provided by such a provider, or any device used by a provider or customer of a wire communication service for cost accounting or other like purposes in the ordinary course of its business; 18 USC § 3127(3).

Report of Investigation—The official written record of an AFOSI investigation. The record of all investigations is maintained at HQ AFOSI/XILI and destroyed according to the AF RDS in AFRIMS.

Self-Inflicted Death—A death resulting from the actions of the deceased and includes suicide and accidental death.

Subject—A person, corporation, legal entity, or organization about which credible information exists which would cause a reasonable person to suspect that party had committed a criminal offense, or would make the party the object of a criminal investigation.

Subscriber—There is a distinction between user and subscriber. Although the Government may be the subscriber to the telephone service, it may not be the user. In cases where the installation is the victim, such as bomb threats or electronic attacks against the base switch to target Government computer systems, the installation commander may be considered the user.

Suicide—A death resulting from purposeful action intended to result in one's own death.

Summary—A condensed version of a report of investigation that succinctly discusses the allegation and results of the investigation. It may include copies of statements. A judicial or administrative proceeding may use a summary.

Technical Surveillance—All activities associated with installing and operating equipment for the audio, optical, or electronic recording or monitoring of people, places, things, data, or any wire, oral, or electronic communication. Technical surveillance does not include use of viewing equipment (such as binoculars, night vision devices, or telephoto lens-photographic camera combinations used for viewing only) while conducting a physical surveillance.

Tier 0 (T-0)—Determined by respective non-AF authority (e.g., Congress, White House, Office of the Secretary of Defense, Joint Staff). The requirement is external to Air Force. Requests for waivers must be processed through command channels to publication OPR for consideration.

Tier 1 (T-1)—Non-compliance puts Airmen, commanders or the USAF strongly at risk of mission or program failure, death, injury, legal jeopardy or unacceptable fraud, waste or abuse. T-1 waiver requests may be granted at the MAJCOM/CC level, but may not be delegated lower than MAJCOM Director, with the concurrence of the publication's approving official.

Tier 2 (T-2)—Non-compliance has the potential to create moderate risk of mission or program degradation or failure, injury, legal jeopardy or unacceptable fraud, waste or abuse. Waivers may be granted at the MAJCOM/CC level, but may not be delegated lower than MAJCOM Director.

Tier 3 (T-3)—Non-compliance has a relatively remote potential to create risk of mission or program degradation or failure, injury, legal jeopardy or unacceptable fraud, waste or abuse. Waivers may be granted at the Wing/DRU/FOA/CC level.

Titling—Placing the name of a person, corporation, legal entity, organization, or occurrence in the subject block of an investigative report. Titling is an operational, rather than a legal decision. Final responsibility for the decision to title an individual or entity rests with AFOSI. Titling and indexing do not, in and of themselves, imply any degree of guilt or innocence.

Trap-and-Trace Device—A device that identifies the originating number of an instrument or device that transmitted a wire or electronic communication; 18 USC § 3127(4).

United States—For this instruction, the 50 states of the United States, the District of Columbia, the Commonwealth of Puerto Rico, and any territory or possession of the United States.

US Person—For this instruction, US citizens, aliens admitted to the United States for permanent residence, corporations incorporated in the United States, and unincorporated associations organized in the United States and substantially composed of US citizens or aliens admitted for permanent residence.

User—Any person or entity who uses an electronic communication service and is duly authorized by the provider of such service to engage in such use; 18 USC § 2510(13).

Wire Communication—Any aural transfer made in whole or in part through the use of facilities for the transmission of communications by the aid of wire, cable, or other like connection between the point of origin and the point of reception (including the use of such connection in a switching station) furnished or operated by any person engaged in providing or operating such facilities for the transmission of interstate or foreign communications or communications affecting interstate or foreign commerce; 18 USC § 2510(1).

Attachment 2

AFOSI AND SECURITY FORCES INVESTIGATIVE MATRIX

Table A2.1. AFOSI and Security Forces Investigative Matrix

R U L E	If the alleged matter involves:	Then contact	
		AFOSI about:	AF Security Forces about:
1	Assault & Child Endangerment	<ul style="list-style-type: none"> •Aggravated assault or child endangerment resulting in grievous (see Note 1) bodily harm. •Any assault committed during the commission of another crime investigated by AFOSI. 	<ul style="list-style-type: none"> •All other.
2	Bad Checks, Forgery & Counterfeiting	<ul style="list-style-type: none"> •Major cases involving the US Treasury or other federal agencies; false documents or credentials manufactured to commit significant fraud/theft or misrepresentation to DoD (e.g., fake education/ medical certificates to gain USAF employment as a physician; fraudulent performance reports, fraudulent identification use to access sensitive/classified areas, etc.). 	<ul style="list-style-type: none"> •Insufficient funds checks; minor counterfeiting cases (e.g., fraudulent identification cards used to misrepresent age), and other instances not resulting in significant harm to the DoD.
3	Black Marketing and Customs Violations	<ul style="list-style-type: none"> •Organized criminal enterprises involving significant financial gains. •Major cases involving active investigations with host-nation investigative agencies. 	<ul style="list-style-type: none"> •All other cases or as deferred by AFOSI.
4	Bribery	<ul style="list-style-type: none"> •All. 	<ul style="list-style-type: none"> •None.
5	Combat Related Inquiries (e.g., LOAC and treaty violations)	<ul style="list-style-type: none"> •All, unless deferred to Security Forces. 	<ul style="list-style-type: none"> •None, unless deferred by AFOSI.

R U L E	If the alleged matter involves:	Then contact	
		AFOSI about:	AF Security Forces about:
6	Computer Crimes	<ul style="list-style-type: none"> •Cases involving downloading and/or distribution of child pornography. •Unauthorized root/user level intrusions to DoD systems. •Illegal interception of computer communications. •Virus/Trojan/denial of service attacks causing significant damage to AF information systems or have major impact on the AF mission. •Alteration of web pages that cause significant damage or disruption to DoD activities. •Computer crimes involving classified information, espionage or terrorism. 	<ul style="list-style-type: none"> •Minor incidents. •Cases involving downloading and/or distribution of adult pornography. •Unauthorized personal use of government computers. •General violations of AFMAN 33-152 and AFI 33-115.
7	Crimes Involving DoD & USAF Contracts and Procurement Matters	•All, unless deferred to Security Forces.	•None, unless deferred by AFOSI.
8	Compromise of USAF Test Materials	•All.	•None.
9	Deaths	•All, except on-base vehicle fatalities where foul play or suicide are not suspected.	•All on-base vehicle deaths unless foul play or suicide are suspected.

R U L E	If the alleged matter involves:	Then contact	
		AFOSI about:	AF Security Forces about:
1 0	Drug Offenses	<ol style="list-style-type: none"> 1.Sale, transfer, trafficking, or smuggling. 2.Selected use or possession or introduction cases with likelihood of identifying dealers and traffickers. 3.All investigations involving off base activities by persons not subject to the UCMJ. 4.Positive random urinalysis results when a JDET is in place. 5.All cases involving manufacture and cultivation. 	<ol style="list-style-type: none"> 6.Simple use, possession or introduction cases when deferred by AFOSI. 7.Cases involving results from random urinalysis when JDET is not in place.
1 1	Environmental Crimes	<ul style="list-style-type: none"> •All, unless deferred to Security Forces. 	<ul style="list-style-type: none"> •None, unless deferred by AFOSI.
1 2	Firearm/Weapon Violations – Unlawful discharge, Unlawful Possession or Concealment	<ul style="list-style-type: none"> •None, except discharges that result in death/grievous (see Note 1) bodily harm or when used in the commission of another crime investigated by AFOSI. 	<ul style="list-style-type: none"> •All, except discharges which resulted in death or grievous (see Note 1) bodily harm.
1 3	Fraudulent Enlistment, Appointment, Discharge or Separation	<ul style="list-style-type: none"> •None, unless AFOSI specifically assumes investigative responsibility (selected major incidents on a case-by-case basis). 	<ul style="list-style-type: none"> •All, unless assumed by AFOSI.
1 4	Fugitives, Desertion, Absent Without Leave (AWOL), Failure To Go, Missing Movement	<ul style="list-style-type: none"> •Fugitive and Desertion. 	<ul style="list-style-type: none"> •All others.

R U L E	If the alleged matter involves:	Then contact	
		AFOSI about:	AF Security Forces about:
1 5	Housebreaking, Burglary, Unlawful Entry & Larceny	<ul style="list-style-type: none"> •Entry into a SCIF or other controlled/sensitive area. •Involve the commission of another crime investigated by AFOSI. •Cases involving significant losses; determined on a case-by-case basis at the installation level. •Losses exceeding \$10,000 (or approximate value as determined by AFOSI). 	<ul style="list-style-type: none"> •Local incidents involving base dormitories and housing. •Cases deferred by AFOSI.
1 6	Impersonation	<ul style="list-style-type: none"> •None, unless committed in conjunction with another crime investigated by AFOSI 	<ul style="list-style-type: none"> •All other.
1 7	Improper use or diversion of government property, larceny, larceny by fraud, theft of government property	<ul style="list-style-type: none"> •Controlled pharmaceuticals. •Arms, ammunition or explosives addressed in DoD 5100.76M. •Losses having a direct impact to critical USAF weapons systems. •Classified materials. •Significant losses; determined on a case-by-case basis at the installation level. 	<ul style="list-style-type: none"> •Cases deferred by AFOSI.
1 8	Intimidation/ Threats (extortion, kidnapping, bomb threats, intimidation, bias/hate crimes, active participation in extremist/ supremacist groups)	<ul style="list-style-type: none"> •Extortion, kidnapping and incidents involving grievous (see Note 1) bodily harm. •Threats to injure or extort money or favors from others where an overt act occurs. •Active participation in extremist/supremacist groups prohibited by AF Instruction(s) unless deferred to Security Forces. 	<ul style="list-style-type: none"> •Bomb threats. •Threats to injure or extort money or favors from others where no overt act actually occurs. •Cases deferred by AFOSI.

R U L E	If the alleged matter involves:	Then contact	
		AFOSI about:	AF Security Forces about:
1 9	Misconduct (various Article 134, UCMJ offenses) not otherwise provided for in this Attachment	•None, unless AFOSI specifically assumes investigative responsibility (selected major incidents on a case-by-case basis).	•All, unless assumed by AFOSI.
2 0	National Security Matters - Threats and acts of espionage, subversion, terrorism (bombings, hijackings, kidnapping, and thefts of weapons, explosives, and use of weapons of mass destruction)	•All.	•None.
2 1	Non-fatal Self-Injurious Events (NFSE)	•None, unless death is a likely future outcome from the NFSE.	•All. NOTE: Notify AFOSI if the death is a likely future outcome from the NFSE.
2 2	Pay-and-Allowance Matters	•None, unless AFOSI specifically assumes investigative responsibility (significant losses; determined by AFOSI on a case-by-case basis at the installation level).	•All, unless assumed by AFOSI.
2 3	Perjury	•All, unless deferred to Security Forces.	•Cases deferred by AFOSI.
2 4	Postal Violations	•Drug smuggling. •Used to commit other offenses (child pornography, major customs violations, etc.).	•All others.

R U L E	If the alleged matter involves:	Then contact	
		AFOSI about:	AF Security Forces about:
2 5	Property Destruction, Arson, Bombing, Intentional Damage to USAF Aircraft or Equipment, and Intentional Damage to Government or Private Property	<ul style="list-style-type: none"> •Arson, unless deferred. •Intentional damage to USAF aircraft or Protection Level 1, 2, or 3 resources (see Note 3). •Other incidents involving major damages/losses; determined by AFOSI on a case-by-case basis at the installation level. 	<ul style="list-style-type: none"> •Incidents of damage to private property. •Cases deferred by AFOSI.
2 6	Prostitution	<ul style="list-style-type: none"> •None, unless specialized circumstances (e.g., involves significant human trafficking, major organized crime activity, etc.) exist and AFOSI specifically assumes investigative responsibility. 	<ul style="list-style-type: none"> •All, unless assumed by AFOSI.
2 7	Robbery	<ul style="list-style-type: none"> •All incidents of armed robbery or incidents resulting in grievous (see Note 1) bodily harm. 	<ul style="list-style-type: none"> •Incidents in which the perpetrator is not armed.
2 8	Security Violations	<ul style="list-style-type: none"> •None, unless Rule 19 applies. 	<ul style="list-style-type: none"> •Cases to support command responsibilities according to AFI 16-1404.

R U L E	If the alleged matter involves:	Then contact	
		AFOSI about:	AF Security Forces about:
2 9	Sex Crimes	<ul style="list-style-type: none"> •Rape, Sexual Assault, Aggravated Sexual Contact, and Abusive Sexual Contact, in violation of Article 120. •Forcible Sodomy (oral or anal sex), in violation of Article 125. •Attempts to commit any of the above offenses, in violation of Article 80. •Forcible Pandering, Major Indecent Viewing (e.g., AD Airmen watching a dependent minor undress) and Major Indecent Exposure (e.g., AD Airmen exposing his penis to a dependent minor), in violation of Article 120. •An unprofessional relationship involving an authority figure (see Note 2) and either vaginal intercourse, oral or anal sodomy, digital penetration of the vagina or anus, or the fondling of the genitalia or female breasts, in violation of Article 92. 	<ul style="list-style-type: none"> •Stalking, Minor Indecent Viewing (e.g., AD Airmen watching a coworker in the shower) and Minor Indecent Exposure (e.g., AD Airmen mooning peers at a unit function), in violation of Article 120. •An unprofessional relationship involving an authority figure (see Note 2), punishable under Article 92, that does not involve vaginal intercourse, oral or anal sodomy, digital penetration of the vagina or anus, or the fondling of the genitalia or female breasts.
3 0	Traffic Offenses – DUI, Impaired Driving, Reckless Driving, Major Accidents, Fleeing the Scene, Eluding Police	<ul style="list-style-type: none"> •None, unless homicide or suicide is suspected. 	<ul style="list-style-type: none"> •All, unless homicide or suicide is suspected.

R U L E	If the alleged matter involves:	Then contact	
		AFOSI about:	AF Security Forces about:
<p>NOTES:</p> <ol style="list-style-type: none"> 1. Grievous bodily harm as defined in the UCMJ is serious bodily injury. It does not include minor injuries such as a black eye or bloody nose, but does include fractured or dislocated bones, deep cuts, torn members of the body, serious damage to internal organs, and other serious body injuries. 2. Authority figures are defined as: <ol style="list-style-type: none"> 1.By rank: E9 or O6 and above 2.By Unit Position: First Sergeants, Unit Commanders 3.Superiors, Rating Officials, Supervisors with unit members (AFOSI unit commander can defer appropriate incidents involving Superiors, Rating Officials, Supervisors when the alleged offender is E8 and below or O5 and below) 4.MTL/MTI when the incident or alleged incident involves trainees 5.Official training/PME instructors/staff with students 6.Recruiters when the incident alleged incident involves recruits 7.Cadets in position of authority over junior ranking cadets 8.Medical, psychological, pastoral, legal or other professionals when the alleged incident involves persons receiving their services. 9.Official training instructor, PME instructor, and staff members when the incident or alleged incident involves students. 3. Protection Level 1, 2, & 3 resources are defined in AFI 31-101. 			

Attachment 3

AFOSI AND CONSERVATION LAW ENFORCEMENT PROGRAM INVESTIGATIVE MATRIX

Table A3.1. AFOSI and Conservation Law Enforcement Program Investigative Matrix.

R U L E	If the alleged matter involves:	Then contact	
		AFOSI about:	AF CLEP Official about:
1	Poaching (including endangered or protected species)	•None, unless ring type activity is suspected, or the activity involves entry into a controlled/sensitive area.	•All, unless assumed by AFOSI.
2	Destruction or Intentional damage to protected historical or cultural sites	•Incidents involving major damages/losses; determined by AFOSI on a case-by- case basis at the installation level.	•Cases deferred by AFOSI.
3	Environmental Crimes	•All, unless deferred.	•Cases deferred by AFOSI.
4	Wild land fires	•Arson, unless deferred.	•All, unless assumed by AFOSI.
5	Forest Product Sales, Grazing/ Cropland Operations	•None, unless involves suspected fraudulent activity.	•All, unless assumed by AFOSI.
<p>NOTES:</p> <ol style="list-style-type: none"> 1. CLEOs should ensure AFOSI is promptly notified prior to the initiation of any criminal investigation. 2. See AFOSI and Security Forces Investigative matrix at A2.1 for situations involving all other crimes not addressed in this matrix. 			