

EMPOWER OVERSIGHT

Whistleblowers & Research



August 3, 2026

Charles N. Baldis
Senior Counsel and Designee of Acting Special Counsel Jamieson Greer
U.S. Office of Special Counsel
1730 M Street NW, Suite 218
Washington, D.C.

Dear Mr. Baldis:

Empower Oversight represents Drug Enforcement Administration (DEA) Special Agent (SA) [REDACTED], a GS-13 step 4 criminal investigator with the Albuquerque District Office. We request that you investigate a series of adverse personnel actions against him due to:

- (A) His disclosures of his reasonable belief that the failure to seize large shipments of deadly fentanyl when it was reasonably possible violated DEA and Department of Justice (DOJ) rules (5 U.S.C. § 2302(b)(8)(A)(i)) and created a substantial and specific danger to public safety (5 U.S.C. § 2302(b)(8)(A)(ii));
- (B) His participation in the refusal to obey an order (not seize large shipments of deadly fentanyl when it was reasonably possible) that he reasonably believed would require violating DEA and DOJ rules (5 U.S.C. § 2302(b)(9)(D));
- (C) His disclosure of an operational plan that created a substantial and specific danger to public safety (5 U.S.C. § 2302(b)(8)(A)(ii));
- (D) Being perceived to have notified the Office of Professional Responsibility about that operation; and

- (E) [REDACTED]
[REDACTED]
[REDACTED]

I. Background

SA [REDACTED] was hired by DEA in [REDACTED] and graduated from the DEA academy in [REDACTED]. Prior to this, SA [REDACTED] was [REDACTED].

During SA [REDACTED]'s time in DEA he has worked multiple cases, arrested multiple criminal defendants, and seized large amounts of narcotics. SA [REDACTED] is also an active Defensive Tactics Instructor for the DEA and trains various agents in DEA in the El Paso Division.

SA [REDACTED] is one of four special agents in Albuquerque on the Division's elite Special Response Team (SRT), which specializes in the proactive execution of high-risk law enforcement operations, like large-scale takedowns and high-risk arrests and search warrants.

II. Timeline

In November 2022, agents in Group 3 of DEA's Albuquerque District Office arrested a drug courier and found with him 12 kilograms of fentanyl and 10 kilograms of methamphetamine. Yet the agents, under the supervision of Group 3 Group Supervisor (GS) Jeffrey Armijo, did not arrest the courier.

Following the encounter, Group 3 worked with the United States Attorney's Office for the District of New Mexico (USAO-NM) to monitor the courier's movements via cell phone GPS pings, and intercepted phone calls over numerous wiretaps. Agents observed the courier make several more trips from Phoenix, Arizona, to Albuquerque, New Mexico. Agents believe the courier made a minimum of at least five large deliveries over the following months, each time bringing 50,000-100,000 fentanyl pills and 20-40 pounds of methamphetamine per trip. The DEA did not arrest the courier until June 2023; at that time, agents found him with 19 kilograms of methamphetamine and 7 kilograms of fentanyl.

In the meantime, in late 2022 or early 2023, attorneys from the Department of Justice (DOJ) Criminal Division's Office of Enforcement Operations (OEO) visited the DEA Albuquerque District Office. In a meeting attended by both DEA agents and Assistant U.S. Attorneys (AUSAs) from USAO-NM, the OEO attorneys provided training on DOJ's Fentanyl Protocols and answered questions on the protocols. Some of the DEA agents present at the training expressed frustration afterwards this the Fentanyl Protocol might make it harder for them to make their cases.

1. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

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¹ [REDACTED]

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- [REDACTED]

- [REDACTED]

- [REDACTED]

- [REDACTED]

[REDACTED]

[REDACTED]

⁵ Attachment 1.

⁶ Attachment 2.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

⁷ Attachment 3.

⁸ *Id.*

⁹ *Id.*

¹⁰ Attachment 4.

¹¹ *Id.*

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

On January 29, 2024, GS Armijo told SA [REDACTED] during an in-person conversation that GS Mauldin had been contacted by OPR for an interview, and GS Armijo and GS Mauldin believed it was part of an investigation into SA [REDACTED]. Because GS Armijo had connections with DEA OPR, he said he contacted them to attempt to learn what the OPR investigation was about, both because he wanted to know and so he could give GS Mauldin a “heads up” regarding the interview. GS Armijo told SA [REDACTED] to be careful regarding his interactions with SA Howell, [REDACTED].

Approximately one week later, on February 7, 2024, GS Armijo walked past SA [REDACTED] and SA [REDACTED] and loudly stated the group needed to get going because they needed to go watch a “pill drop.” SA Howell disclosed this statement to DOJ OPR.

[REDACTED]

¹³ Attachment 5.

¹⁴ *Id.*

On March 7, 2024, SA [REDACTED] was called into a meeting by GS Mauldin and ASAC Garland. They said the USAO-NM would no longer be working with SA Howell because prosecutors did not trust what he might say on the stand. [REDACTED]

[REDACTED] ASAC Garland also told SA [REDACTED] that DEA was aware of SA Howell's allegations "all the way to the top," including the DEA Administrator. ASAC Garland stated DEA leadership told the Albuquerque District Office it is unlikely there will be a finding against the DEA and to continue normally unless they were told otherwise.

[REDACTED]

On May 9, 2024, SA [REDACTED] attended a training DOJ OEO staff held for the Albuquerque District Office. The training included a discussion of the Bureau of Alcohol, Tobacco, Firearms and Explosives' case Operation Fast and Furious. When the OEO attorneys opened for questions towards the end of the training, SA Howell raised his hand and commented that he believed the Albuquerque District Office needed more training on risk mitigation and expressed concern that OEO, and therefore the Criminal Division's DAAG, wasn't being notified regarding the amount of fentanyl that was being allowed to walk in Albuquerque. An agent from Group 3 interrupted, saying, "We walk fentanyl and our AUSAs are aware."

2. 2025 Disclosures and Retaliation by ASAC Armijo

In October 2024, GS Armijo was promoted to become Acting ASAC of the Albuquerque District Office, and in approximately December 2024 was permanently appointed to the position.

On March 26 and 27, 2025, SA [REDACTED] assisted DEA El Paso's SRT with its annual tryouts, evaluating candidates from across the El Paso Division. SRT leadership asked SA [REDACTED] one particular candidate from Albuquerque, SA Ian McKenzie-Wardell, and why he had a reputation as being "hard-headed." SA [REDACTED] gave SRT leadership the example of SA McKenzie-Wardell's decisions regarding an enforcement operation planned in close proximity to an occupied daycare facility, which constituting a clear operational safety concern. SA [REDACTED] became aware of the plan on the day of the operation and highlighted the danger to SA McKenzie-Wardell, but McKenzie-Wardell refused to move the location of the operation. Fortunately, the operation did not end up being executed. But in response to what SA [REDACTED] shared, SRT leadership asked SA McKenzie-Wardell during his SRT tryouts about the operational plan.

Unbeknownst to SA [REDACTED], ASAC Armijo had approved SA McKenzie-Wardell's unsafe operational plan. The morning of Friday, March 28, 2025, ASAC Armijo summoned SA [REDACTED] to his office. ASAC Armijo instructed SA [REDACTED] to close the door, then asked SA [REDACTED] if he had told the SRT members about the operation. SA [REDACTED] responded in the affirmative, and ASAC Armijo demanded to know why. When SA [REDACTED] attempted to answer the question, ASAC Armijo screamed, "This is a one way conversation and this stays within my office," then proceeded to

loudly and explicitly berate SA [REDACTED] asking: “Who the fuck do you think you are to bring that up? What gives you the right?” ASAC Armijo told SA [REDACTED], “You are on your last straw and I am so tired of your shit. . . . I’m done with you.” Indicating that SAC Omar Arrellano didn’t like it when the “business” of individual offices was “spread through the Division,” ASAC Armijo said he would get SA [REDACTED] removed from the SRT team and moved to a different office, implying he could accomplish these because of his good relationship with SAC Arrellano. ASAC Armijo also stated: “I will ice you like Dave [Howell] where you will not work another case again.” And above all else, ASAC Armijo threatened that he would find a way to get rid of SA [REDACTED] from the DEA. ASAC Armijo ended the meeting by telling SA [REDACTED]: “Get the fuck out of my office.”¹⁵

That afternoon SA [REDACTED] reported the meeting to GS Mauldin. GS Mauldin told SA [REDACTED] he had heard ASAC Armijo’s yelling through the office walls, but didn’t know it was at SA [REDACTED]. GS Mauldin said he had told ASAC Armijo that if he had been present for the operation in question he would have done the same thing SA [REDACTED] had recommended.

Early on Saturday, March 29, 2025, SA [REDACTED] wrote a lengthy email detailing the meeting with ASAC Armijo and emailed it to an attorney with the law enforcement officers professional association.¹⁶ On Tuesday, April 1, 2025, SA [REDACTED] attached the documentation email as a PDF to GS Mauldin, writing:

Per our conversation on Friday afternoon about the incident between ASAC Armijo and myself, I have thought about it a lot. I believe this incident that occurred crossed several professional boundaries and was inappropriate. I would like to formally document this incident with you as my supervisor. I am sorry for doing this but I think it [] is what is right.¹⁷

GS Mauldin forwarded SA [REDACTED]’s email to ASAC Armijo, who then forwarded it to SAC Arrellano.

Later in April, ASAC Armijo met with SA [REDACTED] and GS Mauldin. ASAC Armijo said that SAC Arrellano had directed Armijo to apologize to SA [REDACTED]. ASAC Armijo acknowledged making the statements outlined above and that he “went a little hard.” ASAC Armijo repeatedly asked SA [REDACTED], “Are we good?” SA [REDACTED] responded in the negative each time, leading ASAC Armijo to ask what he could do to make “us good.” SA [REDACTED] responded that it would take time. ASAC Armijo asked what SA [REDACTED] intended to do with his complaint, and feeling intimidated by Armijo, SA [REDACTED] said he planned to do nothing.

On May 8, 2025, ASAC Armijo texted SA [REDACTED], telling him to call Armijo. When SA [REDACTED] called, ASAC Armijo answered by declaring: “You deserve to be called a numbnut. . . . What I did to you was an ass chewing. Did you call [DEA OPR] on me? I didn’t call them on you.” When SA [REDACTED] indicated he did not file a complaint, ASAC Armijo responded: “Did you send the email to anyone else? Because if you did then OPR needs to be involved.” SA [REDACTED] indicated he had only sent it to his lawyer. ASAC Armijo replied: “I hate you sometimes, are we good?”

¹⁵ See Attachment 6.

¹⁶ Attachment 6.

¹⁷ Attachment 7.

On May 22, 2025, SA [REDACTED] conducted an undercover operation which experienced operational difficulties when the radios they were using had technical issues outside of his control. GS Mauldin shared information about the operation with ASAC Armijo. ASAC Armijo then called a meeting with SA [REDACTED] and GS Mauldin and informed them that SA [REDACTED] would be placed on a “Performance Intervention Plan” (PIP) and that SA [REDACTED] would only be allowed to work and ride with another DEA agent until further notice. When SA [REDACTED] asked how long he would be under these restrictions, ASAC Armijo responded: “Until you can prove to me that you won’t screw up an operation.” ASAC Armijo then falsely accused SA [REDACTED] of spreading rumors about other agents in the office. Once again, the meeting ended with ASAC Armijo telling SA [REDACTED]: “Get the fuck out of my office.”

ASAC Armijo did not implement the PIP that week, and shortly thereafter SA [REDACTED] began taking extended leave from the office due to a personal matter.

In February 2026 SA [REDACTED] once again began working cases. For several months he had been scheduled to deploy to Washington, D.C. as part of the Justice Department’s “Make D.C. Beautiful Again” operations.

Several agents in the Albuquerque District Office had participated in nationwide DEA operations—two in Washington, D.C. specifically, both at the encouragement of ASAC Armijo. All of the agents had ongoing cases and were part of a DEA group with a case load. Yet as SA [REDACTED]’s deployment to Washington, D.C. approached, ASAC Armijo repeatedly told SA [REDACTED] he would not be able to participate in the surge operation due to an upcoming wiretap case in his group, which Armijo accused [REDACTED] of “abandoning.”

After El Paso Division senior leadership urged ASAC Armijo to approve SA [REDACTED]’s participation in the surge operation, [REDACTED] was able to attend. Yet GS Baker told SA [REDACTED] several times while [REDACTED] was in D.C. that ASAC Armijo was furious [REDACTED] had gone.

Because the Washington, D.C. surge operations often include long hours, patrol work, and late swing shift or graveyard times, the two other agents who participated were not required to concurrently conduct case-related work during the surge operation. Yet while SA [REDACTED] was in Washington, D.C., GS Baker requested that he write a search warrant for a residence, begin authoring a global search warrant, and complete Reports of Investigation related to surveillances that he was not part of or present for.

3. Further Retaliation for Fentanyl Seizure

SA [REDACTED] began investigating a fentanyl trafficking organization. He submitted an operational plan that GS Baker approved on March 25, 2026. The plan outlined conducting 30 days of surveillance, and included the possibility of spontaneous enforcement action if a Title III wiretap intercepted calls that required action under the Fentanyl Protocol.

On March 30, 2026, intercepts from the wiretap revealed that the main target and his source of supply were delivering a large amount of fentanyl pills and fentanyl powder to a customer in Albuquerque. During surveillance, agents observed the exchange and the subsequent storage of all the narcotics in a single apartment. SA [REDACTED] and his co-case agent, in consultation

with two AUSAs assigned to the case, made the decision to arrest all parties and execute their search warrants. The agents arrested four defendants and seized 6 kilograms of fentanyl powder and 43,000 fentanyl pills.

When SA [REDACTED] returned to the Albuquerque District Office, GS Baker confronted him and berated him for making what GS Baker considered the “wrong” decisions on the case. GS Baker said ASAC Armijo was “furious” that there wasn’t an operational plan in place and he didn’t know what was going on. GS Baker declared: “You are going to have to convince me to allow you guys to continue this case any further.” SA [REDACTED] noted in response that the operational plan GS Baker had approved allowed for spontaneous enforcement, and that two group supervisors had been assisting with the surveillance and could have informed ASAC Armijo at any time. GS Baker replied that ASAC Armijo wanted to formally discipline SA [REDACTED] for the enforcement operation.

Formal discipline was not ultimately issued against SA [REDACTED]. But GS Baker denied pursuing a search warrant for two more residences where drugs had been delivered to customers.

In mid-April 2026 SA [REDACTED] was ready to execute additional arrest and search warrants on April 15 as part of the case. Two of the warrants were to be executed by El Paso SRT. As the case agent, SA [REDACTED] informed SRT Senior Team Leader (STL) [REDACTED] that simultaneous execution of the warrants in the case offered no tactical advantage. Thus, when STL [REDACTED] conducted a secure briefing on April 14 in preparation for the takedown, he stated that rather than focusing on executing exactly at 6 am like the four other locations arrests were being conducted, SRT would instead arrive on scene and execute the warrant when all operational needs were met and the team was ready. A retired DEA agent and contract employee attended the secure briefing without permission and reported this statement back to ASAC Armijo.

On April 15, 2026, the arrests at all six locations were executed successfully. Unbeknownst to SA [REDACTED] at the time, DEA Deputy Administrator Daniel Salter texted and then called ASAC Armijo and GS Baker about the operation, telling them to congratulate SA [REDACTED] and his co-case agent for a good job. Yet because the first SRT arrest took place at 6:08 am, after the operation ASAC Armijo instructed all group supervisors in the Albuquerque District Office that DEA SRT was banned from assisting with any future operations in Albuquerque. Neither ASAC Armijo or GS Baker told SA [REDACTED] or his partner about the positive feedback from DEA headquarters.

On April 21, 2026, SRT STL [REDACTED] contacted SA [REDACTED] to indicate [REDACTED]’s desire to send [REDACTED] to DEA tactical instructor school in June 2026 due to the upcoming departure from Albuquerque of an SRT tactical instructor. Despite being more junior than SA [REDACTED], two agents from Albuquerque had previously attended the school in recent years with Armijo’s concurrence—one despite not being an active SRT member at the time. SA [REDACTED] notified GS Baker about the upcoming training, and GS Baker approved SA [REDACTED]’s participation. But when GS Baker advanced the request to ASAC Armijo, Armijo rejected the request; when SA [REDACTED] asked Baker why, Baker responded: “He just doesn’t want you to go.” SA [REDACTED] was unable to participate in the training due to ASAC Armijo’s opposition.

On May 11, 2026, SA [REDACTED] and his co-case agent conducted additional search warrants at storage units. The next day, SA [REDACTED] was briefing GS Baker when ASAC Armijo entered the office. ASAC Armijo instructed GS Baker to put photos into the report, then told SA [REDACTED]: "You may get a call from the Deputy Administrator like you did before." When SA [REDACTED] responded in confusion, GS Baker interjected, "[REDACTED] didn't receive those messages. That was just us." When ASAC Armijo then walked out of the office, GS Baker explained the mid-April contact from Deputy Administrator Salter.

On various occasions, ASAC Armijo demanded that SA [REDACTED] submit requests for travel compensation *ahead* of scheduled travel. Thus, on Friday, May 15, 2026, SA [REDACTED] submitted a travel compensation request for travel to El Paso on May 17 (a Sunday) for SRT training. After completing the training on May 18, he returned to Albuquerque that day. The next day, May 19, GS Baker called SA [REDACTED] into his office and told [REDACTED] ASAC Armijo had come to Baker's office and stated, "I am not going to let [REDACTED] nickel and dime me for time off when it is related to SRT training. Tell him his travel comp is not approved." When SA [REDACTED] informed GS Baker that he would therefore have to contact counsel with the professional association as well as an ASAC in El Paso, GS Baker approved the travel compensation on his own.

4. 2026 Public Revelation and Subsequent Retaliation

[REDACTED]

[REDACTED]

That same day, GS Baker forwarded Albuquerque Group 2 a text from ASAC Armijo: "New hours of the office starting Tuesday (May 26th): 9 am to 530PM. At your desk at 9 am! You can take a 1 hour lunch, but if you eat at your desk you don't get to leave early. If you can't make it, the entire hours of the office, I need a slip for the time missed." The office's hours previously began at 9:30 am. GS Baker also forwarded a subsequent message from ASAC Armijo: "Also premium pay will not be allowed unless it's scheduled. Ie -night diff, holiday or Sunday. Prior to this change we were working less than 40 hours a week excluding those very few ops/surv outside of duty hours. Also if ops are being conducted before the duty day, there will be no early dismissal. It's AUO." SA [REDACTED]'s request for an official memorandum or email from ASAC Armijo documenting the change was denied.

GS Baker later told SA [REDACTED] that ASAC Armijo had indicated SA [REDACTED] was the reason for the changes. Task force officer Tom Novicki also told SA [REDACTED] that ASAC Armijo had attributed the change to [REDACTED]: "This is all because of one person. Next, I will force you all to wear collared shirts and no shorts." Another agent told SA [REDACTED], "He is trying to turn the office against you."

On May 22, 2026, SA [REDACTED] filled out forms and associated documentation to enter the DEA's [REDACTED] Program. When SA [REDACTED] submitted the forms to GS Baker, he

requested that [REDACTED] come to his office. GS Baker stated to SA [REDACTED] he would not be submitting the [REDACTED] Program request to ASAC Armijo because Armijo would deny it. SA [REDACTED] responded that participation in the program only required the approval of his direct supervisor, not the ASAC. GS Baker repeated that he would still have to submit the paperwork to ASAC Armijo and that Armijo would deny it, and accordingly, GS Baker was denying the request.

On May 27, 2026, GS Baker informed SA [REDACTED] he would be moving from Albuquerque Group 2 to Group 4, which would result in SA [REDACTED] losing the operational responsibilities he had acquired in Group 2. SA [REDACTED] noted that a female agent previously in Group 2 had been moved to Group 4 because of conflicts with SA [REDACTED]—and now [REDACTED] was being forced to be in the same group with her again. GS Baker claimed SA [REDACTED] was being moved to “breathe life” into a group with no cases and no casemakers. Yet the same female agent SA [REDACTED] had clashed with had run the Heriberto Salazar Amaya case—the case involving the largest fentanyl seizure in DEA history—from Group 4, and had received a HIDTA national award for the case. GS Baker later admitted the move was due to SA Howell returning to Group 2, and ASAC Armijo not wanting SA [REDACTED] and [REDACTED] working together.

On June 4, 2026, SA [REDACTED] was out in the morning making residence checks (so-called “spot check surveillance”), an activity which had been approved by GS Baker. Yet GS Baker contacted SA [REDACTED] to notify him that ASAC Armijo, who had traveled to the El Paso Field Office that day, wanted [REDACTED] to “prove” that he was conducting surveillance that morning. ASAC Armijo also demanded that SA [REDACTED] complete a Report of Investigation for the surveillance, which under DEA policy agents have 10 days to complete, by the close of business.

The move to Group 2 became effective June 14, 2026. Since the move, SA [REDACTED] has experienced continued retaliation from his new supervisor, GS Scott Godier.

SA [REDACTED] met with GS Godier on June 15, 2026 to read him in on the cases [REDACTED] was conducting. Despite the fact that cases from wiretaps often cross between groups, GS Godier directed that SA [REDACTED] relinquish one of his cases because it spun off from a wiretap run by Group 3.

On June 21, 2026, both the Associated Press¹⁸ and the Albuquerque Journal¹⁹ published stories regarding the DEA walking fentanyl in Albuquerque.

Following the publication of these stories, ASAC Armijo called DEA contractor Kevin Small to his office. Just as ASAC Armijo had told SA [REDACTED] he was “through with him,” Armijo started the meeting with Small by saying, “If you support David Howell, we’re through.”

Since that time, GS Godier has begun creating arbitrary deadlines for SA [REDACTED]’s cases. He has also threatened to deny SA [REDACTED]’s use of annual leave.

¹⁸ Jim Mustian and Joshua Goodman, “Staggering amounts of fentanyl hit streets as the DEA watched and took no action, records show,” Associated Press, June 21, 2026, <https://apnews.com/article/dea-fentanyl-unseized-drugs-new-mexico-8f5b546e668e5007c64078da74b90903>.

¹⁹ Colleen Heild, “Feds allow deadly drugs to ‘walk’ onto Albuquerque streets,” Albuquerque Journal, June 21, 2026, <https://www.abqjournal.com/news/feds-allow-deadly-drugs-to-walk-onto-albuquerque-streets/3067409>.

III. Prohibited Personnel Practices

The above timeline outlines several instances of protected activity and associated prohibited personnel practices against SA [REDACTED].

1. Protected Activity

SA [REDACTED] engaged in or was perceived to have engaged in four types of protected activity: (A) making protected disclosures regarding the walking of fentanyl; (B) participating in the decision to refuse to obey an order from USAO-NM [REDACTED] trafficking fentanyl; (C) making protected disclosures in 2025 regarding the safety of one operation; (D) being perceived to have notified OPR about the aforementioned operation; and (E) [REDACTED].

A. Protected Disclosures Regarding Fentanyl Walking

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[REDACTED]

B. Refusal to Obey an Order That Would Violate a Rule

Because [REDACTED] could reasonably conclude that [REDACTED] was a violation of both DEA and DOJ rules, [REDACTED] refusal constituted protected activity under 5 U.S.C. § 2302(b)(9)(D). This refusal, together with the protected disclosures, led to the USAO-NM retaliating against SA [REDACTED].

C. Protected Disclosures Regarding Operational Safety

Although solicited by SRT leadership, SA [REDACTED]'s disclosure about the Group 3 operation nevertheless addressed how it was a substantial and specific threat to public safety, making it protected under 5 U.S.C. § 2302(b)(8)(A)(ii). ASAC Armijo was apoplectic over this protected disclosure, and openly vowed to retaliate against SA [REDACTED] because of it.

D. Perception of Disclosure to OPR Regarding Operational Safety

The Merit Systems Protection Board has long held that “[a]n employee who does not engage in protected activity may nonetheless be covered by the WPA [Whistleblower Protection

²⁰ <https://www.zuckermanlaw.com/wp-content/uploads/2014/01/OSCs-Role-in-Protecting-Whistleblowers-5-19-14.pdf> at 13.

Act] where a retaliatory personnel action is taken against him based on the belief that he had engaged in protected activity.” *Special Counsel v. Dep’t of the Navy*, 46 M.S.P.R. 274 (1990).

[REDACTED]
[REDACTED]
[REDACTED] When SA [REDACTED] made his own disclosure regarding a case overseen by now-ASAC Armijo, Armijo accused SA [REDACTED] of also going to OPR.

E. [REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]

2. Personnel Actions and Knowledge/Contributing Factor

SA [REDACTED] was subjected to multiple prohibited personnel actions in retaliation for his protected activity. The retaliatory actions taken against SA [REDACTED] include: (A) the threat of significant change in duties, involuntary relocation, and forced resignation; (B) denial of training and travel compensation; (C) transfer to another unit; and (D) other significant change in duties, responsibilities, or working conditions.

A. Threat of Significant Change in Duties, Involuntary Relocation, and Forced Resignation

The WPA defines a “significant change in duties, responsibilities, or working conditions” (5 U.S.C. § 2302(a)(2)(A)(xii)), “a detail, transfer, or reassignment” (5 U.S.C. § 2302(a)(2)(A)(iv)), and “an action under chapter 75 of this title or other disciplinary or corrective action” (5 U.S.C. § 2302(a)(2)(A)(iii)) all as personnel actions. The WPA also prohibits *threatening* to take one of these personnel actions because of protected activity. 5 U.S.C. § 2302(b)(8).

Because of SA [REDACTED]’s disclosure to SRT of a case ASAC Armijo had overseen, on March 25, 2025, ASAC Armijo threatened all three of these personnel actions: significantly changing SA [REDACTED]’s duties by getting him removed from the SRT team and “ice[d] like Dave [Howell]” so as to not work another case again (5 U.S.C. § 2302(a)(2)(A)(xii)); having him moved to a different office (5 U.S.C. § 2302(a)(2)(A)(iv)); and getting SA [REDACTED] removed from the DEA (5 U.S.C. § 2302(a)(2)(A)(iii)). Although called out in SA [REDACTED]’s email and required by SAC Arrellano to apologize, ASAC Armijo’s threat—with its potential chilling effect on future disclosures—remains.

Additionally, on several occasions, ASAC Armijo has required all Albuquerque SRT members to attend closed-door meetings in his office with GS Baker and A/GS Belida. During

these meetings, ASAC Armijo has continually threatened that if his Albuquerque SRT members are not producing arrest statistics they would be removed from SRT and barred from attending operations and training. Based on his experience with ASAC Armijo, SA [REDACTED] has good cause to believe these threats from ASAC Armijo are directed at him, since in other offices, SRT members are expected to maintain a case load, but are not threatened on a regular basis about removal from the SRT team. This would also constitute a “significant change in duties, responsibilities, or working conditions” under 5 U.S.C. § 2302(a)(2)(A)(xii).

B. Denial of Training and Travel Compensation

The WPA defines as a personnel action “a decision concerning pay, benefits, or awards, or concerning education or training if the education or training may reasonably be expected to lead to an appointment, promotion, performance evaluation, or other action described in this subparagraph[.]” 5 U.S.C. § 2302(a)(2)(A)(ix).

Attending DEA tactical instructor school would enhance SA [REDACTED]’s resume, boost his promotional opportunities within the agency, and potentially open other career doors for him, like teaching at the academy.

ASAC Armijo has also repeatedly opposed travel compensation for SA [REDACTED]’s SRT-related travel, particularly when travel occurred on weekends or outside normal duty hours. This stands in stark contrast to other DEA personnel routinely receiving travel compensation for their qualifying travel associated with SRT.

Both this denial of SRT instructor training and of SRT travel compensation constitute personnel actions under 5 U.S.C. § 2302(a)(2)(A)(ix).

C. Transfer to Group 4

Although ASAC Armijo may not have yet had SA [REDACTED] moved to a different office as he threatened, Armijo has made SA [REDACTED] transfer to a new group. This also constitutes a personnel action under 5 U.S.C. § 2302(a)(2)(A)(iv).

Further, GS Baker specifically admitted to SA [REDACTED] that [REDACTED]
[REDACTED]

D. Significant Change in Duties, Responsibilities, or Working Conditions

SA [REDACTED]’s treatment in the Albuquerque District Office, particularly by ASAC Armijo and GS Godier, also collectively amounts to a significant change in duties, responsibilities, or working conditions under 5 U.S.C. § 2302(a)(2)(A)(xii). This includes:

- Being required to prove his whereabouts in the morning, such as through photographs, when he was conducting residence checks. Two other agents in Group 2 did this as recently as June 9, 2026, before coming into the office, and ASAC Armijo did not require them to prove their whereabouts.

- Being required to complete Reports of Investigation by the end of the day, rather than within the 10 days allowed under DEA policy. The aforementioned two agents in Group 2 were not required to do this for their surveillance they conducted on June 9, 2026.
- Being threatened with having his case “shut down” despite successful intervention leading to a large seizure of narcotics—and the Deputy Administrator congratulating him on the case.
- Being required to complete a new operational plan after the March 30, 2026 seizure of fentanyl. This stands in contrast with the case of a newer agent in Group 3, who on March 10th, 2026, intercepted communications on her wiretap that indicated impending violence and resulted in Group 3 intervening and stopping the threat of violence—despite enforcement action not being detailed in the agent’s approved 30-day operational plan in place at the time. Upon returning to the office, this agent was praised for her actions, and she was not required to complete a new operational plan.
- Failing to communicate the Deputy Administrator’s congratulations.
- Being denied the opportunity to participate in DEA’s [REDACTED] Program.

Together, these developments have fundamentally changed SA [REDACTED]’s working conditions and given him additional duties and responsibilities not required of other agents in the Albuquerque District Office

III. Conclusion

SA [REDACTED] has served the public diligently, with only the goal of performing his duties well and keeping the public safe. In service of that goal, he has made multiple protected disclosures over the years which have resulted in retaliation against him. He deserves to be made whole for that retaliation.

Thank you for your time and consideration.

Cordially,
[/Tristan Leavitt/](#)
 Tristan Leavitt
 President

ATTACHMENTS

cc: Assistant Inspector General M. Sean O’Neill
 U.S. Department of Justice