



U.S. NAVAL INVESTIGATIVE SERVICE COMMAND  
**AGENT'S NOTES**  
CRIMINAL INVESTIGATIONS DEPARTMENT BULLETIN

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**SPECIAL AGENT REFLECTS ON "DESERT STORM" EXPERIENCE**

By SA (b)(6), (b)(7)(C)  
NISRA Little Creek

On 28 December 1990, my SAC, (b)(6), (b)(7)(C) asked me if I'd like to participate in Operation Desert Shield by interrogating enemy prisoners of war (EPW) with the U.S. Army. He said the TAD would last about 90 days, but that neither he nor anyone in NISCOMHQ knew much more about the assignment.

I think I said "yes" before he had even finished his proposal, because I couldn't imagine not being a part of this effort.

Following a briefing at NISCOMHQ and meeting my partners, (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) the



four of us set off for Bahrain via a three day stop in London.

Once in Bahrain we met our new boss, (b)(6), (b)(7)(C) and became quickly familiar with our assignment and the impending threat of war in the gulf.

We also received a few days of instruction and familiarization with our new tools: a nuclear chemical biological (NBC) suit; gas mask; and atropine vials (injectors as well as a stock of valium injectors in case the former didn't work).

The four of us were to be assigned, along with five Naval Reserve officers from Task Force 168.3 (TF168), to the U.S. Army 202nd MI Battalion.

We staged at Dhahran, Saudi Arabia for the first ten days of our assignment. We were to be assigned to the Joint Interrogation Facility (JIF) in Saudi Arabia to interrogate Iraqi prisoners of war in order to obtain strategic intelligence. Before we set off on

(See AGENT, P. 7)

**CASE SUMMARIES**

**NISRA CHARLESTON - 4B**

Persistence is recognized as a valued attribute for a successful investigator. SA (b)(6), (b)(7)(C) NISRA, Charleston recently proved that while conducting a 4B investigation.

A suspect utilized a victim's ATM card to withdraw funds. The bank was able to provide photographs of the suspect taken by the ATM camera, but screening

interviews could not locate anyone who could identify the suspect.

At this point, the case seemed to be at a dead end. SA (b)(6), (b)(7)(C) however, continued to carry the photographs with him and as he worked on other cases he would display the photographs in an attempt to identify the suspect. Doing this, SA (b)(6), (b)(7)(C) was able to find two people who could identify a suspect.

SA (b)(6), (b)(7)(C) then continued to apply sound investigative steps to "lock in" the suspect. The clothing worn

(See SUMMARIES, P. 2)

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## FROM THE ASSISTANT DIRECTOR

NIS Field Offices continue to successfully resolve difficult investigations through excellent team work, personal resolve, sound investigative techniques, and plain hard work.

These are the hallmarks of dedicated, professional investigators and this is what it takes to do the job you do.

I was especially pleased when Special Agent (b)(6), (b)(7)(C) was recently recognized in a ceremony at NISCOMHQ in which the Commander of NISCOM, Rear Adm. Duvall M. Williams, presented her with the Civilian Meritorious Service Medal. Special Agent (b)(6), (b)(7)(C) received the award for the outstanding job she did in the investigation into the disappearance of Marine Capt. Shirley Russell. Although the Mrs. Russell's body was never found, (b)(6), (b)(7)(C) was convicted of murder as a result of Special Agent (b)(6), (b)(7)(C) tenacity and reluctance to give up on the investigation.

That investigation, along with some other outstanding efforts, are highlighted in this edition of AGENT'S NOTES.

We want to thank those individuals who contributed to this edition and welcome your input for the next edition. We are noticing an improvement in timeliness thanks to the efforts of all and the administrative errors are also starting to decline.

Keep up the good work and attention to detail.

Sincerely,

(b)(6), (b)(7)(C)

Assistant Director  
Criminal Investigations

### SUMMARIES (Continued from P.1)

by the suspect at the time of the ATM transactions was seized in a permissive search, and individuals familiar with the suspect's whereabouts at the time of the ATM transactions were interviewed. Record checks were done and financial records reviewed.

Timely documenting and submission of the report to the suspect's command concluded what could have easily been another unresolved case.

(See SUMMARIES, P.3)

## SUMMARIES (Continued from P. 2)

### NISRA GREAT LAKES - 6T

After a series of both on base and off base vehicle break-ins, NISRA Great Lakes initiated an operation to identify the perpetrators who were believed to be Navy personnel.

Use of a resourceful cooperating witness, oral/wire intercepts, numerous permissive searches and other well conducted investigative techniques lead to the apprehension of seven Navy suspects who confessed to thefts of property from the vehicles. Three additional Navy suspects who knowingly purchased stolen property were also identified. All investigative activity was accomplished in two months and resulted in the recovery of \$15,546 in stolen personal property.

### NISRA EARLE - 6S

SA (b)(6), (b)(7)(C) recently received recognition from the United States Attorney, District of New Jersey, for his efforts during the investigation of a USNS ship's purser for the theft of \$100,000 in disbursing funds.

The purser, who was assigned to the USNS Rigel (T-AF 58), cashed a U.S. Treasury check in the amount of \$100,000 and used some of the money to gamble in Atlantic City. In an effort to cover the theft he then cashed a second U.S. Treasury check in the amount of \$100,000 to replace the original stolen funds.

The investigation spanned nearly two and a half years and involved close coordination with the U.S. Attorney's office for a year and a half. Numerous investigative leads had to be disseminated during the course of the investigation and, during the conduct of one of these leads, information was developed that the subject had several accounts in various financial institutions and that he moved money from one account to another. The subject also kept the account amounts small enough so that no transaction would trigger automatic reporting to the IRS. Tracking down the subject's accounts required the serving of several subpoenas at various locations throughout the U.S.

On 22 March 1991, the subject plead guilty in Federal Court to violations of 18USC 1001 and 1002. On 21 June 1991, he was sentenced to eight months in jail, was ordered to make \$100,000.00 in restitution to the U.S. Government, was ordered to forfeit all assets in his command pension and was ordered to participate in gamblers anonymous. Upon his release from prison the subject will be on supervised probation for three years.

### NISRA PEARL HARBOR - 6N

A crime scene search resulted in the discovery of a pay stub which led to the identification of a suspect. The pay stub was found in a trash can which was used to reach a window used to gain access to the victim's house. The person whose name appeared on the stub was interviewed and said he loaned his car to a friend on the day of the burglary. A permissive search of the car resulted in recovery of a window screen taken from the victim's house.

The friend was interrogated and denied any wrong doing. However, other evidence found at the crime scene, latent fingerprints on a window ledge and on mini blinds, placed the friend at the crime scene.

The suspect was subsequently linked to other burglaries and was recently indicted by a federal grand jury.

Good work at the crime scene resolved this investigation.

### NISRA PARRIS ISLAND - 7H

On 28 December 1990, NISRA Parris Island initiated an investigation after a Marine Corps recruit reported to medical personnel that he had murdered his mother by pushing her down the stairs and then strangling her. The crime took place in Haralson County, Georgia, prior to his entry into the Marine Corps.

NISRA Parris Island thoroughly documented the recruit's admissions and effected liaison with the Haralson County Sheriff's Department. It was confirmed that the recruit's mother had died from a fall down the stairs of her residence; however, no autopsy had been conducted.

The mother's remains were exhumed, and an autopsy confirmed that the cause of death was strangulation. An interrogation was attempted, but the recruit requested legal counsel.

The Haralson County Sheriff's Department obtained an arrest warrant and the recruit was discharged and subsequently returned to Haralson County, Georgia.

This investigation clearly shows the need for the thorough investigation of admissions made by military personnel to medical personnel, or other individuals, to crimes committed in the past. NISRA Parris Island is commended for its professional handling of this incident.

### NISRA MAYPORT - 7N

In August 1990, NISRA Mayport Special Agents, together with the Jacksonville and Atlantic Beach Florida Police Departments, initiated an undercover narcotics operation targeting "street level" drug traffickers who

( See SUMMARIES, P. 4)



## SUMMARIES (Continued from P. 3)

were distributing narcotics to U.S. Navy personnel within the communities surrounding NAVSTA Mayport.

Operational efforts, which included the extensive use

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resulted in the arrest of 25 traffickers, and the recovery of 44 pieces of "crack" cocaine valued at approximately \$1,000.

The operation successfully

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(b)(7)(E)

by the local law enforcement personnel who were then able to identify the sellers. This technique is presently being used in other NIS narcotics operations with great success.

### NISRA PARRIS ISLAND - 8B

A thorough interview by Special Agent (b)(6), (b)(7)(C) obtained specific details from the victim of a sexual assault which led to the identity and successful prosecution of the victim's two assailants.

NISRA Parris Island responded to a complaint that a fourteen year old civilian female, while riding her bike, was offered and accepted a ride with two unknown males. She alleged she was driven to a barracks aboard MCRD where she was provided with rum and sexually assaulted.

SA (b)(6), (b)(7)(C) took a detailed statement from the victim describing the sequence of events and what the victim had observed in the suspect's vehicle and in the suspect's barracks room. The victim was even able to recall a name that appeared on the barracks room door.

A search of a barracks room, believed to be the crime scene, resulted in the recovery of a bottle of rum and other evidence. Search of the second suspect's personal effects resulted in recovery of an article of clothing matching the description of what one of the suspects was wearing.

The victim also believed she had previously met one of the suspects through a teacher's aide in her school. The teacher's aide was able to confirm that her boyfriend wore an article of clothing which matched the description (one of the suspects) provided by the victim.

### NISRA QUANTICO - 8F

Good crime scene coverage and the seizure of physical evidence linked subject to the crime. NISRA Quantico was advised a local civilian had been sexually assaulted in a car in a secluded parking lot aboard MCDEC, Quantico, Va.

The victim claimed she was leaving a drinking establishment in the town of Quantico when an individual named (b)(6), (b)(7)(C) offered her a ride which she accepted. After the assault took place one of those lucky breaks that investigators have to take advantage of occurred when (b)(6), (b)(7)(C) was stopped for a traffic violation. (b)(6), (b)(7)(C) was quickly developed as a suspect.

During a search of (b)(6), (b)(7)(C)'s car, pubic and head hairs were confiscated from the front passenger seat and forwarded, along with known samples from (b)(6), (b)(7)(C) as well as clothing worn by Victim and (b)(6), (b)(7)(C) to the FBI laboratory for comparison analysis. Pubic hairs matching known specimens from (b)(6), (b)(7)(C) were found on victim's clothing and fibers from (b)(6), (b)(7)(C) clothing were found on victim's clothing.

(b)(6), (b)(7)(C) was tried at a GCM and was found guilty of indecent assault. He was sentenced to six-months confinement and received a BCD.

### NISRA CHARLESTON - 8F

Good surveillance work by NISRA Charleston resulted in the arrest of a suspect. A complaint was made by a Navy enlisted female that she was abducted at knife point by an unknown assailant and taken to her apartment where she was orally sodomized and raped.

The assailant requested the victim's home telephone number prior to departing her residence. She gave him her work center number. A telephone trap was set up on her work center phone, and when the suspect subsequently called her the call was traced to a pay phone.

During a second call the suspect requested the victim meet him at a designated location and time and provided a description of his vehicle. A surveillance was set up, and enroute to the designated meeting place the suspect's vehicle was spotted by the victim and the surveilling NIS agents.

The victim identified the driver of the vehicle as the individual who had raped her. The civilian suspect was subsequently arrested by the North Charleston, SC, Police Department. Search of the suspect's vehicle recovered a short saw which matched the victim's description of the "knife" used during the rape.

The civilian suspect received a sentence of life imprisonment plus 60 years. As a repeat violent offender he will not be eligible for parole.

### NISRA PHILADELPHIA & NISRA ANNAPOLIS - 7R

On 09 December 1990, NISRA Philadelphia initiated an investigation into the robbery of a 69-year-old civilian and his wife in their hotel room in Philadelphia, PA.

(See SUMMARIES, P. 5)

## INVESTIGATIVE TIPS AND SUGGESTIONS

### I. Polygraph Requests -

A polygraph request should only be submitted after all, repeat all, investigative leads have been exhausted to identify the suspect as the perpetrator of the alleged offense. It should be the last means to identify the suspect and not a substitution of a viable investigative lead.

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### II. DNA Testing -

The U.S. Army Criminal Investigation Laboratory (USACIL) system is prepared to accept physical evidence for DNA analysis. Only the laboratory at Fort Gillem, Ga., will conduct the testing.

Normally USACIL will limit DNA analysis to cases opened after 1 Jan 91 involving homicide, sexual assault, and serious aggravated sexual assault in which

suspect(s) have been identified. Field offices should forward one red and one purple top vial of blood from each suspect. These requests do not require NIS-COMHQ approval, but agents are reminded that all other investigative leads will be pursued to link the suspect to the crime before requesting DNA analysis. When feasible, DNA submissions should be coordinated through the nearest NISRFL.

### III. AIDS - Failure to warn sex partner

Ref: (a) U.S. v. STEWART, 29 mj 92 (CMA 1989)  
(b) U.S. v. WOMACK, 29 mj 88 (CMA 1989)  
(c) U.S. v. WOODS, 28 mj 318 (CMA 1989)

References (a) through (c) provide good direction in regard to, the potential criminal violations chargeable for an individual's knowing failure to warn a sex partner that they are HIV positive prior to engaging in sex with them. All three cases were upheld by the Court of Military Appeals (COMA) and each rely on a different basis for prosecution, they being: aggravated assault (Art 128), orders violation (Art 92) (disobeyed safe sex order); and conduct prejudicial to good order and discipline (Art 134), respectively.

For NIS investigative purposes, conduct of this kind can be investigated on the basis of an aggravated assault (Art 128). The court in STEWART found that the 30 to 50% chance of being infected and ultimately dying of the virus is sufficient evidence to being this type conduct, and the potential harm, within the "natural and probable consequence" definition of the offense.

## SUMMARIES (Continued from P. 4)

The victim reported that his assailant, who was wearing the uniform of a USNA midshipman, took a gold Rolex watch, a gold nugget diamond ring and cash.

NISRA Philadelphia, NISRA Annapolis and the Philadelphia Police Department began a joint investigation. A midshipman was later apprehended by NISRA Annapolis after he offered to tell a rolex watch to an undercover NIS Agent.

The conduct of detailed interviews, use of composite drawings, use of an UCA and a thorough interrogation led to the successful completion of this investigation and the recovery of the rolex watch valued at \$3,250.

The subject was found guilty by a general court-martial and sentenced to two years confinement (18 months suspended), dismissal and total forfeiture of all pay and allowances.

### NISRA BAHRAIN - 7H

On 30 October 1990, NISRA Bahrain initiated an investigation into the deaths of 10 crewman on board the USS IWO JIMA (LPH-2), from burns suffered after a major steam leak within the fireroom/boiler room.

A thorough and professional crime scene examination identified a steam valve, which had just under gone emergency maintenance in Bahrain by a foreign national contractor, as the source of the catastrophic leak.

The crime scene resulted in the seizure of important physical evidence for future forensic analysis. Through detailed interviews and forensic analysis NISRA Bahrain learned that non-ferrous metal nuts were utilized during the reassembly of the steam valve and had failed when

(See SUMMARIES, P. 6)



## SUMMARIES (Continued from P. 5)

extreme force was applied.

The detailed investigation by NISRA Bahrain, in conjunction with the Navy's court of inquiry, identified administrative short comings by the command and contractor which lead to this unfortunate accident.

### NISRA BETHESDA - 7N

A significant effort by NISRA Bethesda resulted in the identification of fifty-six USN personnel who were using and/or selling LSD and "Ecstasy." Although most of the subjects were assigned to the National Naval Medical Center (NNMC), Bethesda, fifteen were assigned to the Ceremonial Guard Unit, Naval District, Washington. One subject was a patient at NNMC and was dealing drugs from his hospital bed.

The investigations, which were controlled by SA (b)(6), (b)(7)(C) involved the use of both undercover Special Agents and Cooperating Witnesses which were targeted against known or suspected drug dealers. Evidence was seized incident to apprehension, and during command authorized searches, permissive searches, and searches with warrants. Surveillances and consensual interceptions were also conducted.

NISRA Bethesda's efforts kept the NLSO, Washington, D.C. so busy that they had to bring in outside help from other NLSO's to handle the cases. Eight cases went to general courts-martial and six went to special courts-martial. The rest were adjudicated by NJP. The sentences received at the general courts-martial ranged from 4.5 years to 25 years along with total forfeitures, reductions in rank, and dishonorable or bad conduct discharges.

The commands involved were very supportive of the NISRA's efforts and have expressed their appreciation for a job well done to the SAC, SA (b)(6), (b)(7)(C)

### NISRA NEW YORK & NISRA EARLE -6M

Team work between NISRA New York and NISRA Earle and the U.S Customs Service, ATF and the Fleet Post Office is paying off.

Since 15 April 91, 27 NIS customs (6M) related investigations involving the recovery of "war trophies" from Operation Desert Storm have been initiated by 03EA and 03NY.

Some of the items that have been confiscated from packages mailed from the Persian Gulf area include 17 AK-47's, five pistols (U.S.), four Soviet/Iraq made weapons, two live grenades, night vision scopes, artillery spotting scopes, field phones and binoculars.

## FOLLOW-UP

### SPECIAL AGENTS RECEIVE TRAINING IN FECA INVESTIGATIONS

During April, a joint Department of Labor (DOL) and NISCOMHQ training seminar was conducted at NISCOMHQ, Washington, D.C.

NIS Special Agents together with DOL Inspector-General (IG) Special Agents and Naval Shipyard Security Personnel, received training in conducting investigations pertaining to individuals fraudulently receiving workmens compensation benefits.

The NIS Special Agents attending had been designated as the primary points of contact at Naval Shipyards in relation to FECA investigations; many had already initiated investigations and/or operations targetting this area. As this is an area that has received renewed interest throughout the Department of the Navy, special agents received information and a DOL produced computer data base which could assist in profiling abusers of the compensation system.

It is recognized that other NISRA's have ongoing

investigations and operations targetting compensation abuse, and NISCOMHQ would like to hear about any lessons learned which could be further passed to the field. Additionally, many offices have expressed a desire to send agents for training in compensation matters. In response to this NISCOMHQ is planning another training seminar for fall/winter timeframe. A lesson plan which could be used for training in the field is also being considered.

NISCOMHQ appreciates the efforts of the special agents working these investigations and is appreciative of the supervisory and management support given to this area. Fraudulent receipt of workers' compensation benefits costs the Department of the Navy millions of dollars annually, and this issue is sure to remain a top priority for investigations and special operations.

Point of contact at NISCOMHQ for FECA is SA

(b)(6), (b)(7)(C) ATVN (b)(6), (b)(7)(C) / COMM (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

## AGENT (Continued from P.1)

our mission the war began during the early morning hours of 17 January 1991.

For the next six days myself (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C) donned our NBC suits and gas masks numerous times as the Iraqi Scud Missiles rained down around us. We became very thankful for the U.S. Patriot Anti-Missile System. I think we all learned the true meaning of life during those nerve racking days.

We finally left Dhahran, and set off to our respective JIF sites. (b)(6), (b)(7)(C) went to the east JIF site, while (b)(6), (b)(7)(C) and I went to the west JIF, which was also the JIF HQ. We lived in tents in the Army encampment. We shared our tent with two of the five TF-168 officers and four Kuwaiti Army officers who acted as our interpreters.

The interrogations of Iraqi prisoners was challenging and (b)(6), (b)(7)(C) and I became involved with the fusion and analysis of intelligence derived from the interrogation reports. Two civilian NIS agents became overnight expert analysts in Iraqi Army ground order of battle intelligence. (b)(6), (b)(7)(C) and I stayed at the JIF, living on pita bread, cheese,

fish sauce, and Islamic lamb, as well as an MRE or two, until the last of the ground war.

On 27 February 1991 (b)(6), (b)(7)(C) and I drove our four Kuwaiti Army officers into Kuwait. The devastation of the country was incredible. Kuwait looked like hell on earth with raging oil fires and highways littered with destroyed Iraqi military vehicles and bodies.

(b)(6), (b)(7)(C) and I stayed in Kuwait working counterintelligence issues for about eight days. We talked to scores of Kuwaitis who told us of the incredible torture they endured. We saw bodies of men, women and children who had been methodically tortured.

We occasionally came under hostile fire from Iraqi or Palestinian resisters still in the city. As (b)(6), (b)(7)(C) stood in a local police station, a RPG-7 was launched at the building. Our boss finally called us back to Bahrain, and we returned to the U.S. in mid March.

I can't think of a more rewarding and exhilarating assignment. Although we all experienced moments of sheer terror, I also left there with the feeling that there was so much more work to do. I think about our Kuwaiti friends and their families often. I don't think I will ever experience another professional assignment as rewarding as this one.

## SUMMARIES (Continued from P.6)

### NISRA QUANTICO - 7H

A joint homicide investigation by NISRA Quantico and the Washington Field Office of the FBI was initiated on 8 March 1989, after Capt. Shirley G. Russell, USMC, failed to report to work at the Quantico Marine Corps Base on 6 and 7 March.

A long and extensive investigation followed in which all possible leads were pursued. Some led nowhere, but others resulted in the collection of a substantial body of circumstantial evidence, including a computer file setting forth a "recipe for murder."

Although Capt. Russell's whereabouts remain unknown, (b)(6), (b)(7)(C) was convicted of her murder in Federal Court on 3 May 1991.

It was the first Federal homicide case successfully prosecuted without a body in modern history, although some state courts have tried murder cases without a body.

Following the conviction, Assistant U.S. Attorney (b)(6), (b)(7)(C) Eastern District of Virginia, commented about (b)(6), (b)(7)(C) during a national televised interview.

"He (b)(6), (b)(7)(C) made three mistakes," (b)(6), (b)(7)(C) said. "He murdered (b)(6), (b)(7)(C). He tried to clean up the blood. And he did it on a federal reservation. That brought the NIS and the FBI and tremendous resources into the investigation."

Congratulations for a job well done to all those

involved in this investigation, especially to those Special Agents in NISRA Quantico and Philadelphia, and to the Control Special Agent (b)(6), (b)(7)(C)

### SPECIAL AGENT (b)(6), (b)(7)(C) RECEIVES AWARD

Special Agent (b)(6), (b)(7)(C) was presented with the Navy Meritorious Civilian Service Medal for her outstanding performance in the Shirley Russell Case.

Rear Adm. Duvall M. Williams, JAGC, USN, Commander NISCOM, presented the award to Special Agent (b)(6), (b)(7)(C) in a ceremony held at NISCOM HQ.

"Special Agent (b)(6), (b)(7)(C) doggedly pursued this unique investigation for over a two year period of time. The effort expended and results obtained were clearly exception," according to the citation, which was signed by Rear Adm. Williams.

Special Agent (b)(6), (b)(7)(C) also received a letter from FBI Director William Sessions. In that letter, Director Sessions told Special Agent (b)(6), (b)(7)(C) "You can be extremely proud of the role you played, which led to this precedent-setting conviction in a Federal homicide case of the victim (b)(6), (b)(7)(C) based solely on circumstantial evidence."