

Sent: Tuesday, September 22, 2015 5:08 PM

To: Mahoney, Sean P CPT USARMY 8 TSC (US) [REDACTED]

Cc: Mitchell, Ian S MIL USARMY 6 MP GP (US) [REDACTED]

[REDACTED]; Miller, Lori P. (HN) (FBI)

[REDACTED]; Ledoux, Jay A. (HN) (FBI)

[REDACTED]; King, Robert M. (HN) (FBI)

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Subject: SFC Tippens

Hi Captain Mahoney,

Lori Miller from our office forwarded me your concerns regarding our current situation with SFC Tippens, including his PCS to Washington state. First, thanks for your insights on the Army's position and the various options. In the past, we usually requested your office to stop someone from transferring to the mainland or overseas, but on this occasion, we are seeking the opposite.

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From our perspective, the FBI Honolulu Division is unable to continue our criminal investigation on SFC Tippens since any probable cause or even legal relevancy to detain and interview him relative to child pornography would have been based on the fruits of the search warrant on his Schofield residence. Since SFC Tippens has vacated his residence and his household goods were removed on August 28, 2015, our search warrant has become moot at this point. Currently, any legal inferences we can make about SFC Tippens viewing, downloading or manufacturing child pornography is extremely low and tenuous at best.

We believe the proper course of action would be to allow SFC Tippens to transfer to Washington state as planned under his PCS orders, and allow our FBI Seattle Division to continue the investigation into his alleged child pornography activities. Please feel free to contact me for any additional information. Thanks!

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Tony Lang

Chief Division Counsel

FBI Honolulu Division

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