

The Honorable Heather Wilson
Secretary of the Air Force

Committee on the Judiciary
United States Senate

December 6, 2017

The shooting in Sutherland Springs, Texas on November 5, 2017 was a tragic event. Our heartfelt condolences go out to the community and to the families who lost loved ones. The tragic loss of life hit the Air Force family very hard, as three Airmen and ten extended family members, including an unborn child, lost their lives.

On the morning after the shooting, when we became aware of Devin Kelley's prior service in the Air Force and his criminal record, we directed a rapid Air Force Inspector General (IG) inquiry to determine what happened, why, and what corrective actions needed to be taken. Although the inquiry isn't complete yet, we have confirmed that Air Force Office of Special Investigations (AFOSI) and Security Forces investigators failed to report Devin Kelley's criminal history to the Federal Bureau of Investigation (FBI) for inclusion in their criminal history database.

Our inquiry indicates the breakdown in submitting offender criminal history data was not limited to this case, or to Holloman Air Force Base. The problem was widespread across both the Office of Special Investigations and the Air Force Security Forces. Although some corrective measures were implemented after the 2015 Defense Department audit, particularly by Air Force OSI, the corrections made were not retroactive and current data from this year shows that we still are not reporting all offender criminal history data as required.

Since the tragedy, the Air Force has implemented additional measures to ensure current and future offender criminal history data is submitted to federal law enforcement agencies in a timely manner. In particular, we have added steps to our case management process so that there are checks in the system as cases are closed and archived not only at the local office, but at higher levels of command. In addition, case officers not only must submit finger prints, they must check the FBI database to ensure that the records have been received and properly recorded by the FBI. A printout or screenshot of the database record is then kept in the Air Force file validating compliance.

AFOSI completed their immediate corrective actions, including training all AFOSI agents worldwide, on 17 November 2017. Security Forces have also implemented critical corrective measures and are implementing further technology and data management improvements in 2018.

Regarding our historical records, we initiated a complete review of Air Force law enforcement investigations with profiles that might have required criminal data reporting to the FBI, going as far back as data accessibility allows, but initially, going back to 2002. The review is ongoing

and includes a large number of cases that warrant assessment, which at this time we estimate to be around sixty thousand. We believe this complete review will take four to five months to complete. To enhance timeliness of the review process, we stood-up two task-forces of thirty Airmen each to focus on this task. We have coordinated with the FBI and, as reporting deficiencies are identified and verified, they are being corrected.

Our Air Force Inspector General will monitor to completion the implementation of all necessary corrective actions, including the ongoing review of cases, and will provide monthly updates to us. The Air Force Auditor General will conduct periodic audits to validate the effectiveness of the implemented measures to achieve compliance with reporting requirements.

The steps we have taken thus far focus on training, increasing checks by different levels of command, and ensuring compliance through inspecting performance. We also believe that there may be software or database tools that might help reduce the likelihood of human error. We have directed our Air Force Chief Data Officer to review the current database architectures and data-sharing protocols and report to us in thirty days on any recommended improvements.

The Air Force is sharing all lessons learned with the other services and will fully support the broader review by the Department of Defense Inspector General. When we have all the facts, we will assess accountability for the breakdowns in this specific case and, more broadly, for any systemic deficiencies. We are committed to ensuring full compliance with all criminal history reporting requirements.