

COMMONWEALTH OF PUERTO RICO  
DEPARTMENT OF JUSTICE  
OFFICE OF THE GENERAL PROSECUTOR

RECEIVED  
US ATTORNEY'S OFFICE  
DISTRICT PUERTO RICO  
2006 FEB 17 P 5:29

SUBPOENA

-----Official Citation for Investigation-----

UNITED STATES OF AMERICA Case Reference: Normando Valentín Quintana  
The United States President  
THE COMMONWEALTH OF PUERTO RICO BY: \_\_\_\_\_

Re:

INVESTIGATION

The Commonwealth of Puerto Rico to: Mr. Humberto García -US Attorney for the  
Commonwealth of Puerto Rico-

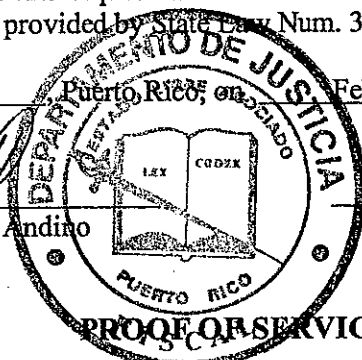
YOU ARE COMMANDED TO produce the following documents or objects at the place, date and time specified below: \_\_\_\_\_

See Exhibits A, B and C to this document

The noncompliance with this request will be followed by a Court Order to comply under penalty of CONTEMPT, as provided by State Law Num. 3 of March 18, 1954.

ISSUED IN San Juan, Puerto Rico, on February, 17 of 2006.

Sonia Otero Martínez de Andino  
Prosecutor



Pedro G. Goyco Amador  
General Prosecutor

PROOF OF SERVICE

SERVED IN San Juan, Puerto Rico, on February, 17 of 2006.  
Served to Humberto S. Garcia, United States Attorney through Myrna Ferrer,  
Lead Secretary for the Civil Division (Luis Rodriguez).

[Signature]  
Server

Person Served

Commonwealth of Puerto Rico  
Department of Justice  
Office of the General Prosecutor  
Subpoena to Mr. Humberto García, U.S. Attorney  
Case Reference: Mr. Normando Valentín Quintana  
February 17, 2006

**EXHIBIT A**

**STATEMENT UNDER PENALTY OF PERJURY, PURSUANT TO 28 U.S.C. § 1746, REQUESTING INFORMATION AND DOCUMENTS RELATED TO THE CONDUCT OF FEDERAL BUREAU OF INVESTIGATIONS (FBI) AGENTS DURING THE EXECUTION OF A SEARCH WARRANT AT DE DIEGO ST, RÍO PIEDRAS, PUERTO RICO, ON FEBRUARY 10, 2006<sup>1</sup>**

As part of the criminal investigation the Puerto Rico Department of Justice (PRDOJ) is conducting regarding the conduct of FBI agents during the execution of a search warrant at De Diego St., Río Piedras, Puerto Rico, on February 10, 2006, I am hereby requesting from the U.S. Department of Justice and the FBI the following information and document(s):

1. Name, rank, division, address and telephone number of the two (2) FBI agents whose photographs are attached as Exhibits B and C.

This information is necessary to request interviews with those who have personal knowledge and direct participation in the incidents investigated for determining whether any criminal liability might attach under Puerto Rico law as a result of the use of force and pepper spray during the execution of a search warrant at De Diego St., Río Piedras, Puerto Rico, on February 10, 2006.

Moreover, this information is essential for identifying these two agents for fulfilling due process requirements in case criminal liability under Puerto Rico law is determined.

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<sup>1</sup> Although we are complying with the requirements set forth in Mr. Humberto García's October 5, 2005, letter to the Puerto Rico Secretary of Justice, Roberto J. Sánchez Ramos, in the case of Mr. Filiberto Ojeda Ríos, regarding 28 U.S.C.A. § 1746 and 28 C.F.R. § 16.21 *et seq.*, the PRDOJ does not concede the application of said statutes to situations such as this one. We hereby reiterate the position expressed on the October 7, 2006, letter to Mr. García in Ojeda Ríos's case.

2. An official photograph of each of the two (2) FBI agents whose photographs are attached as Exhibits B and C.

This item is relevant to the investigation to identify the FBI agents whose photographs are attached as Exhibits B and C in case that criminal liability under Puerto Rico law is determined and the agents refuse to participate in a line up.

3. Protocol(s) related to the use of force and pepper spray applicable to the two (2) FBI agents whose photographs are attached as Exhibits B and C.

This item is relevant in determining whether any criminal liability might attach under Puerto Rico law as a result of the use of force and pepper spray during the events investigated.

The information and document(s) required hereby must be delivered to the Office of the General Prosecutor at the Department of Justice, Miramar, Puerto Rico, on or before February 28, 2006. In this regard, you may contact the undersigned at (787) 729-2179 or (787) 509-9624.

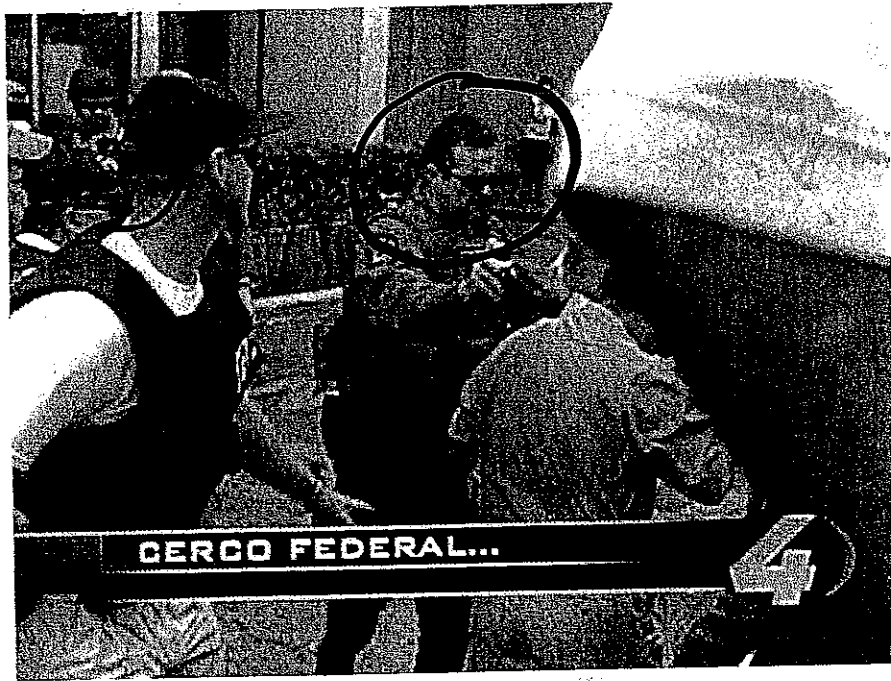
For the convenience of all involved, please provide the name and contact information of the person or persons in charge of coordinating with us regarding potential interviews of federal employees by the Puerto Rico Department of Justice, as well as the delivery of the information and document(s) requested hereby.

I declare under penalty of perjury, pursuant to 28 U.S.C. § 1746, that the foregoing is true and correct.

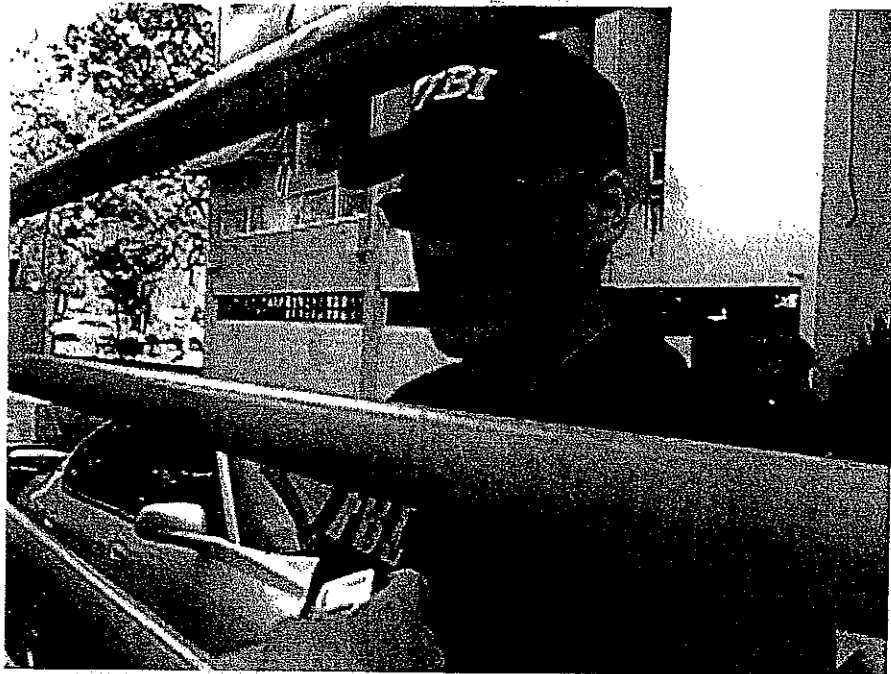
Executed in San Juan, Puerto Rico, on February 17, 2006.

by   
Pedro G. Goyco-Amador

**EXHIBIT B**



**EXHIBIT C**



COMMONWEALTH OF PUERTO RICO  
DEPARTMENT OF JUSTICE  
OFFICE OF THE GENERAL PROSECUTOR

SUBPOENA

-----Official Citation for Investigation-----

UNITED STATES OF AMERICA  
The United States President  
THE COMMONWEALTH OF PUERTO RICO

Case Reference: Normando Valentín Quintana

BY: \_\_\_\_\_

Re:

INVESTIGATION

The Commonwealth of Puerto Rico to: Mr. Luis Fraticelli -Special Agent in Charge,  
Federal Bureau of Investigations, San Juan Field Office-

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ISSUED IN San Juan, Puerto Rico, on February 17 of 2006.

[Signature]  
Sonia Otero Martínez de Andino  
Prosecutor



[Signature]  
Pedro G. Goyco Amador  
General Prosecutor

SERVED IN San Juan, Puerto Rico, on February, 17 of 2006.

[Signature]  
2/17/06 Server

[Signature] Person Served  
SSA Michael J. Zand, FBI, SA, 02/17/2006

Commonwealth of Puerto Rico  
Department of Justice  
Office of the General Prosecutor  
Subpoena to Mr. Luis Fraticelli  
Case Reference: Mr. Normando Valentín Quintana  
February 17, 2006

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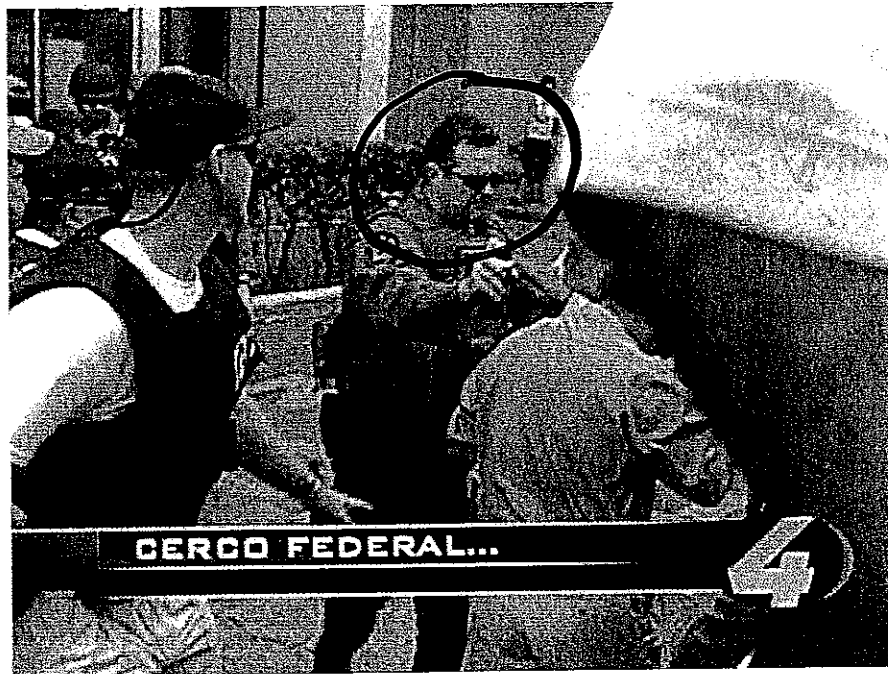
For the convenience of all involved, please provide the name and contact information of the person or persons in charge of coordinating with us regarding potential interviews of federal employees by the Puerto Rico Department of Justice, as well as the delivery of the information and document(s) requested hereby.

I declare under penalty of perjury, pursuant to 28 U.S.C. § 1746, that the foregoing is true and correct.

Executed in San Juan, Puerto Rico, on February 17, 2006.

by   
Pedro G. Goyco-Amador

**EXHIBIT B**



**EXHIBIT C**





COMMONWEALTH OF PUERTO RICO  
DEPARTMENT OF JUSTICE

ROBERTO J. SÁNCHEZ RAMOS  
ATTORNEY GENERAL

March 1, 2006

Mr. Alberto R. Gonzales  
Attorney General of the United States  
U.S. Department of Justice  
950 Pennsylvania Avenue, NW  
Washington, DC 20530-0001

Dear Mr. Gonzales,

Our Department is conducting an investigation in connection with a formal complaint by a number of reporters who state, generally, that, while covering the execution by the Federal Bureau of Investigation ("FBI") of a search warrant in San Juan, Puerto Rico, on February 10, 2006, FBI agents used excessive force against them (including the use of pepper spray).

As part of this investigation, our Department, on February 17, 2006, requested, via subpoena, that the FBI allow access, for an investigatory interview, to specific FBI agents (whose images were provided by photographic and visual evidence) who participated in the execution of the warrant and whose names or contact information have not been provided. *See Exhibit A.* In response, on February 28, 2006, the FBI filed a motion to quash the subpoena in the U.S. District Court. *See Exhibit B.*

I request your urgent assistance in securing compliance by the FBI with its legal duty to provide the requested information. It is in the public interest that this matter be resolved promptly without unnecessary and protracted litigation.

Should you need further information, please do not hesitate to contact me at 787-721-7700. I am also available to discuss this matter in person.

Very respectfully,



Roberto J. Sánchez Ramos

c John G. Burke  
Special Assistant to the President  
Office of Intergovernmental Affairs  
White House

Crystal R. Jeziarski  
Director, Office of Intergovernmental and Public Liaisons  
U.S. Department of Justice

Humberto S. García  
U.S. Attorney  
Commonwealth of Puerto Rico