

CITY OF OAKLAND

Memorandum

TO: Office of Chief of Police
ATTN: Chief Anthony W. Batts
FROM: Sergeant Shawn Knight
DATE: 16 Mar 10

RE: Implementation of ESU into the Oakland Police Department

The utilization of technology in law enforcement has become increasingly relied upon within the last couple of years. The progressive advancements made with this technology, such as PEN registers, Stingrays, and global positioning systems has allowed for the monitoring, tracking, and apprehension of criminals to become much more efficient and timely. The Oakland Police Department began implementing and using electronic surveillance equipment in 2001 and it has been used to assist the Fugitive Task Force and Targeted Enforcement Task Forces (TETF 1 and 2) to arrest some of Oakland's most violent offenders.

However, an Electronic Surveillance Unit (ESU) has not been established at OPD and with the increasing demand and workload involved to successfully expedite such systems; it is becoming a challenge and putting OPD at a disadvantage with combating crime. That is why I am proposing that the Oakland Police Department create an Electronic Surveillance Unit.

PAST CONFIGURATION:

Recently within the Criminal Investigation Division (CID), there were three specialized units that targeted major offenders and gangs. The Target Enforcement Task Forces (TETF I & II) and the Gang Investigations Task Force (GITF).

The primary responsibility of TETF I is to conduct covert investigations targeting major offenders wanted for crimes and or individuals/gang members involved in criminal activity.

The primary responsibility of TETF II was to assist the Homicide Section in locating witnesses and track down and arrest suspects wanted for homicide.

Although, the above two unit's responsibilities kept them incredibly busy, they were often tasked with additional requests from other sections, such as Robbery, Assault and SVU, for assistance in locating and arresting subjects. It should be noted that 75% of the time TETF I & II operated together as one unit. This was because of the nature of conducting these operations consisted of covert surveillance, used for locating suspects and or targets, and arrest teams, needed to make the arrest or identify subjects when need be. TETF I is partnered up with the FBI, often making their focus on Violent Crime Major Offenders (VCMO), and Gangs. The TETF 2 was recently disbanded to support patrol.

The primary responsibility of the GITF is to identify, locate and investigate gangs and their members in regards to their criminal activity. GITF is partnered up with the Alcohol Tobacco and Firearms (ATF), often making their focus into the recovery of firearms.

Mixed within both TETF Units was the small contingency of ESU officers. They use ESU technology on a daily basis, whether it is writing the court orders for ESU operations, analyzing the information collected, and operating/maintaining the different equipment used in ESU operations. ESU officers also operate and maintain the tactical electronic surveillance equipment used by our Department. It should be noted that ESU officers often assist all sections of the Oakland Police Department and outside agencies. ESU electronic case management technology is expected to be used in some upcoming major operations. ESU officers are always up-dating and maintaining the Department's wire room, keeping it ready at a moments notice; in the event such as the [REDACTED] shooting or the [REDACTED] murder case arise.

I believe to properly use and maintain ESU technology our department needs to recognized and staff an Electronic Surveillance Unit. Below are some of the duties that ESU officers would be responsible for:

ESU DUTIES:

- ESU officers would be trained in writing court orders, to support all sections of the police department, involving Toll Records, Pen Registers, GPS Pings, Hemisphere requests and Wiretap Operations. Work associated with court orders requires having knowledge of the telephone service providers and the technology associated with those systems, the contact information, the CALEA process, and the data entry/set-up of the Lincoln Intercept System.
- ESU officers will be trained in Toll Analysis, Cell Site Analysis, and generate case packets associated with these reports.

- ESU officers will maintain and operate the Department's Lincoln System and its six intercept stations.
- ESU officers will be trained in maintaining and deployment of the Department's pole attic camera, under the door camera, thru-wall camera, crawl space camera and its command module monitoring station.
- ESU officers will be trained in maintaining and deployment of the Department's two surveillance robots, Recon Scout and Robotex Avatar.
- ESU officers will be trained in maintaining and deployment of the Department's Stingray van. This includes the operation system of GPS Microsoft Map Point, VisionTek, VPN remote viewing into the Lincoln System, Stingray System software, and operation of the battery bank inverter systems. It should be noted to become a Stingray operator takes a 40 hour course.
- ESU officers will be trained in maintaining and deployment of the Department's GPS vehicular tracking devices.
- ESU officers will be trained to deploy the Department's covert search kits.
- ESU officers will be trained to operate the Department's electronic case management Lincoln System. The officers will support pending wiretap operations and future projects. Case management duties include case Intel, research, data input, and generating reports associated with the projects.
- ESU officers will be trained to operate and manage the Department's CellBrite, cellular telephone forensics, system.
- ESU officers will support and work with the Intelligence Unit, I.A.D., CID, Patrol, and any other Department's sections, when requested to do so.

MANAGEMENT DUTIES:

- Management will be responsible for the day to day operations involving ESU personnel. The management must have knowledge and experience of all the listed systems. Management must know and have personal contact with the companies associated with the Department's operational systems, such as Harris Corp. "Stingray", Penlink Inc. "Lincoln System", Tracking the World "GPS Trackers" ETC. ETC. Management must be able to train new ESU members on the Department's operational systems.
- Management must track and maintain all costs associated with ESU operations and the yearly fees associated with the systems. Management must also research

and obtain funding and grants in order to maintain the systems, upgrade the existing systems, and the purchase of new equipment. Management must seek out new training for its members and the funding associated with those costs.

COLLATERAL DUTIES:

All ESU members will be trained and have knowledge of all resources available to them, in regards to any Departmental investigation. ESU members will be able to support any requesting Departmental section, in regards to the locating and apprehension of wanted subjects. ESU members will generate packets containing all material associated with wanted subjects. These packets will be made available to the requesting sections. The following are resources that ESU members will use: CORPUS, IIQ, MCMN, CRIMS, BOSS, LRMS, ENTERSECT, LEADS, FACEBOOK, MYSPACE, CABS, and ECT ECT.

ESU members will obtain knowledge and access on how to properly query these systems, in order to conduct proper investigations. ESU members will also have the knowledge in writing the court orders associated with the legal process in obtaining the requested information.

These skills, coupled with skills of ESU knowledge, will make ESU members a very valuable asset to the Department. The use of ESU personnel will be at the discretion of the Chief of Police.

I believe ESU personnel should be under the control of the Office of Chief of Police. Due to the time required to become sufficient in ESU operations, the contacts that are made and maintained over the years and the complexity of certain projects, ESU personnel should be placed in a no-cap assignment, such as the Intelligence Unit.

To date, there are two personnel trained in ESU operations, myself and Officer [REDACTED]. I would like to start this unit with two personnel and expand it in time, when resources and funding become more available.

It should be noted that two ex-TETF II personnel [REDACTED] and [REDACTED] have some limited ESU training. I would like to continue to train these individuals and have the availability to have their assistance in the future, for any large or complex ESU operations. Also, I would like to use these individuals during the times that I or Officer [REDACTED] are not available.

PAST OPERATIONS:

Below are the listings of past cases, the crimes, and the outcome that the Department's informal ESU unit has been involved in:

[REDACTED]

Pen-Register/Wiretap	186.22 PC	[REDACTED]	I/C
Pen-Register/Wiretap	186.22 PC	[REDACTED]	I/C
Pen-Register/Wiretap	186.22 PC	[REDACTED]	I/C
Pen-Register/Wiretap	186.66 PC	[REDACTED]	I/C
Wiretap	186.22 PC	[REDACTED]	I/C
Wiretap	186.22 PC	[REDACTED]	I/C
Wiretap	186.22 PC	[REDACTED]	I/C
Wiretap	186.22 PC	[REDACTED]	I/C

[REDACTED]
[REDACTED] (pending further investigation)

FIELD OPERATIONS

Name	Crime	Technology used	Outcome\
[REDACTED]	187(a), 211 207	PING	I/C, LA FBI
[REDACTED]	187(a) 245(b)	PEN, STNRY	I/C FBI Stnry Operation Atlanta, GA
[REDACTED]	187(a)	PEN	Self surrender
[REDACTED]	261(a)(1) 266h, 211 266h(a) 209(b), 236	PEN, STNRY	I/C
[REDACTED]	664/187(a) on	WIRE, PEN, STNRY	I/C, Sacramento Police officer
[REDACTED]	211	PEN, STNRY	I/C

From Sept. 2006 to present, ESU technology has been responsible for 39 violent suspects being taken into custody. Many of these cases involved very fast captures, saving the Department thousands of dollars in fugitive investigations. Also, many of the captures were outside the city of Oakland, which in the past has been problematic in obtaining out of agency cooperation. Using ESU technology during investigations prevents time consuming remote investigations, prior to being able to conduct a surveillance operation.

Six cases have not resulted in an "in-custody status". This is due to two self surrenders, three dropped phones and one phone located, but not with the listed suspect.

It should also be noted that an ESU investigation, involving the preparation and proper planning, has prevented any OPD officers from being injured during any ESU operations.

Sgt. S. Knight
BOI-CID
510/238-3640

[REDACTED]	211	PEN	I/C, San Leandro case
[REDACTED]	245(c)	PEN, STNRY	I/C
[REDACTED]	215	PEN, STNRY	I/C
[REDACTED]	187(a)	PEN, STNRY	I/C, Hayward
[REDACTED]	187(a)	PEN	Not I/C
[REDACTED]	187(a)	PEN	I/C, Sacramento PD
[REDACTED]	211, 212.5	PING	I/C, Mendocino case
[REDACTED]	246.3	PEN, STNRY	I/C, Alco case
[REDACTED]	211, 207	PEN, STNRY	I/C, Sunnyvale case
[REDACTED]	187(a)	PEN, STNRY	I/C, Stockton
[REDACTED]	211 on OPD Officer	PEN, STNRY	I/C, San Pablo
[REDACTED]	187(a)	PEN, STNRY	I/C, Berkeley
[REDACTED]	187(a) X 2 245(a) (2)	PEN, STNRY	I/C, San Leandro, Sacramento PD case
[REDACTED]	187(a)	PEN	I/C, San Leandro
[REDACTED]	245(b)	PEN, STNRY	I/C, Watsonville, Santa Clara case
[REDACTED]	207	PEN, STNRY	I/C, Sacramento, Sacramento case
[REDACTED]	187 X 2 245(a) (2)	PEN	I/C/DOA, Stockton
[REDACTED]	187(a)	PEN, STNRY	I/C, Richmond
[REDACTED]	187(a)	PEN, STNRY	I/C

[REDACTED]	187(a)	PEN	Not I/C
[REDACTED]	187(a), 211 245(a)(2)	PEN, STNRY	I/C, Sacramento
[REDACTED]	187(a)	PING	I/C, Antioch
[REDACTED]	187(a)	PEN, STNRY	I/C, Modesto
[REDACTED]	187(a)	PEN, STNRY	I/C, via DOJ Stnry, San Diego
[REDACTED]	245(a)(1) 207(a) 417(a)(2)	PING	I/C, via FBI Las Vegas
[REDACTED]	187(a)	PEN, STNRY	Not I/C, phone located Subject not in poss.
[REDACTED]	187(a)	PING	I/C, Denver PD
[REDACTED]	209(a), 206	PEN	Not I/C
[REDACTED]	187(a)	PEN, STNRY	I/C
[REDACTED]	187(a)	PING	I/C
[REDACTED]	136.1(a)(1)	PEN, STNRY	I/C, Sacramento
[REDACTED]	187(a)	PEN, STNRY	I/C, Richmond
[REDACTED]	187(a)	WIRE, PEN	I/C, St. Louis, MI Via FBI
[REDACTED]	211	PEN, STNRY	I/C
[REDACTED]	187(a)	PEN, STNRY	I/C
[REDACTED]	211	PEN	I/C, VIA Sacramento PD
[REDACTED]	192(a) 211	PEN, STNRY	I/C, Fairfield case
[REDACTED]	187(a)	PEN, STNRY	Not I/C
[REDACTED]	211	PEN, STNRY	I/C



Harris Proprietary

Quote	QTE6779-04448
Date	8/12/2013
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HARRIS CORP - WIRELESS PRODUCTS GROUP
P.O. BOX 9800, M/S R5-11A
MELBOURNE, FL 32902-9800
PH: 800-358-5297, FAX: 321-309-7437, wpg@harris.com

Quotation

Bill To:

Oakland Police Department
Jason Saunders
[REDACTED]
JSaunders@oaklandnet.com
455 7th Street
Oakland CA 94607

Ship To:

Oakland Police Department
Jason Saunders
[REDACTED]
JSaunders@oaklandnet.com
455 7th Street
Oakland CA 94607

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Purchase Order No.	Customer ID	Salesperson ID	Shipping Method	Payment Terms	Req Ship Date	Master No.
	OAKLAND PD	WPG5	BEST WAY	Net 30	0/0/0000	5,263
Quantity	Item Number	Description	UOM	Discount	Unit Price	Ext. Price
	NOTE		*			\$0.00
	Delivery 90 days after receipt of PO, receipt of unit for upgrade. Prices subject to change. Quotes valid 180 days from issue. Attached Ts&Cs applicable to all orders.					
	NOTE		*			\$0.00
	Purchasing these products is contingent on authorization and approval of the FBI NDA.					
	NOTE		*			\$0.00
	Sales Tax has been added to your quote. Please include sales tax on your P.O. or provide one of the following documents: Direct Pay Permit, Tax Exempt Certificate, or Resale Certificate.					
1	SRAY-I-HLS-UP	StingRay I to HailStorm Upgrade	EA		\$120,000.00	\$120,000.00
1	2009523-101	Laptop PC	EA			\$0.00
1	HLS-U-SW	HailStorm U Software	EA		\$22,000.00	\$22,000.00
1	HLS-L-SW	HailStorm L Software	EA		\$20,000.00	\$20,000.00
1	HARPOON-PA-KIT-2100	Harpoon PA Kit - Single Band 2100	EA		\$18,550.00	\$18,550.00
1	HARPOON-DUAL-BAND-C	Harpoon PA Kit - Dual Band 850/1900	EA		\$20,200.00	\$20,200.00
1	HARPOON-DUAL-BAND-7	Harpoon PA Kit - Dual Band 700/800	EA		\$20,200.00	\$20,200.00



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	OAKLAND PD	WPG5	BEST WAY	Net 30	0/0/0000	5,263
Quantity	Item Number	Description	UOM	Discount	Unit Price	Ext. Price
1	AJXG-W-UP	AmberJack X & G to W Upgrade	EA		\$21,650.00	\$21,650.00
1	TRAIN-WC U SW training	Training - West Coast	EA		\$6,800.00	\$6,800.00
1	TRAIN-WC L SW Training	Training - West Coast	EA		\$6,800.00	\$6,800.00
	NOTE		*			\$0.00
	Training classes are 12 hours (2 days) per product per protocol (unless stated otherwise). 4 students maximum. Please allow 120 days for scheduling training after receipt of PO.					
	NOTE		*			\$0.00
	After PO is issued, please call 1-800-358-5297 or 1-321-309-7535 to schedule training. Please have your P.O # ready when you call for scheduling.					
	NOTE		*			\$0.00
	Customer must provide training facility with LCD projector					
	NOTE		*			\$0.00
	Customer must provide their equipment to be used during the training sessions.					
	NOTE		*			\$0.00
	Customer must provide a 7 passenger vehicle plus					



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	OAKLAND PD	WPG5	BEST WAY	Net 30	0/0/0000	5,263
Quantity	Item Number	Description	UOM	Discount	Unit Price	Ext. Price
		driver and rabbit vehicles plus driver for field mission training (if applicable)				

Remit Payment To:

Electronic Funds Transfer (EFT):

Harris Corporation, GCSD
Citibank Delaware
Philadelphia, PA
Account No: 30523187
ABA Rtg No: 021000089

GCSD Mail Deposits:

Harris GCSD
P.O. Box 7247 - LB 6759
Philadelphia, PA 19170-6759

GCSD Overnight Deliveries:

Harris GCSD - LB 6759
C/O Citibank Delaware Lockbox Operations
1615 Brett Road
New Castle, DE 19720
Phone number: 302-323-3600

Please reference the invoice number with your payment.

Harris Tax ID# 34-0276860

Subtotal	\$256,200.00
Misc	\$0.00
Tax	\$21,834.00
Freight	\$0.00
Trade Discount	\$0.00
Purchase Price	\$278,034.00

Joshi, Holly J.

From: McCreery, Susan <smccreer@harris.com>
Sent: Thursday, June 23, 2011 10:11 AM
To: Saunders, Jason F.; Seiler, Leslie Ann
Cc: Anderson, Gary (gander03); Cool, Debra
Subject: RE: Attached is Harris quotation 2932 for StingRay Training

Jason:

I'm very sorry that you were quoted Melbourne prices for West Coast training. I could very well have been my fault that I didn't catch it. We were transitioning responsibilities around that time but that's no excuse.

Please let me know if there is anything I can do to assist.

Susan

-----Original Message-----

From: Saunders, Jason F. [<mailto:JSaunders@oaklandnet.com>]
Sent: Thursday, June 23, 2011 12:53 PM
To: McCreery, Susan; Seiler, Leslie Ann
Cc: Anderson, Gary (gander03); Cool, Debra
Subject: RE: Attached is Harris quotation 2932 for StingRay Training

Ok well that makes it much more difficult. I had asked for the west coast training to begin with. Wow no i have to go back to square one.

Ofc. Jason Saunders
CID Intel
sent from me cell phone

"McCreery, Susan" <smccreer@harris.com> wrote:

Jason:

The original quote we sent you (attached) is for Melbourne, Florida training at \$4,000 at class. If we held the training at your facility the cost would increase to \$9,000 per class.

Please let me know if you need a formal quote for West Coast training and I'll be happy to submit.

Susan

-----Original Message-----

From: Saunders, Jason F. [<mailto:JSaunders@oaklandnet.com>]

Sent: Thursday, June 23, 2011 10:31 AM

To: McCreery, Susan; Seiler, Leslie Ann

Cc: Anderson, Gary (gander03); Cool, Debra

Subject: RE: Attached is Harris quotation 2932 for StingRay Training

Im hoping that having opd come to you would be cheaper for the actual training. I can spend the money on travel from a different source. If the "training" cost is less than i may be able to get it approved. If the cost is the same than we will just have to wait and do it here later. Thanks

Ofc. Jason Saunders

CID Intel

sent from me cell phone

"McCreery, Susan" <smccreer@harris.com> wrote:

Gary / Leslie / Debbie:

Since Jason already has a quote for training, I'm assuming he is looking for the cost of hotels, meals, rental car, etc. Let me get some solid information from this later this morning and I'll advise just what he's looking for.

Susan

From: Saunders, Jason F. [<mailto:JSaunders@oaklandnet.com>]

Sent: Wednesday, June 22, 2011 10:49 PM

To: Seiler, Leslie Ann

Cc: McCreery, Susan; Anderson, Gary (gander03); Cool, Debra

Subject: RE: Attached is Harris quotation 2932 for StingRay Training

Gary, Leslie,

Opd has a little bit of money for some training and we really need to get some officers trained on stingray 2. I have the quote for training here in Cal, but was wanting to know how much it would be to come to you for training. If you could quickly pull some type of quote for say 4 students to get trained at your place or where ever you have the next training session set up. I have to do a cost analysis of both scenarios.

Thanks

Jason Saunders
Oakland Police
510-238-3728-desk
510-██████-cell

From: Seiler, Leslie Ann [<mailto:lseile01@harris.com>]
Sent: Tuesday, March 29, 2011 7:01 AM
To: Saunders, Jason F.
Cc: McCreery, Susan; Anderson, Gary (gander03); Cool, Debra
Subject: Attached is Harris quotation 2932 for StingRay Training

Jason

Attached is Harris Quotation 2932 along with our Ts&Cs.
Please let us know if we can be of further assistance.

Regards,

Leslie Ann Seiler
Wireless Solutions
████████████████████


From: "Saunders, Jason F."
<JSaunders@oaklandnet.com<<mailto:JSaunders@oaklandnet.com>>>
Date: March 25, 2011 3:18:33 AM GMT+08:00
To: <gary.anderson@harris.com<<mailto:gary.anderson@harris.com>>>
Subject: Oakland Police Stingray training Gary per our conversation please sent me some loose info on what training you guys can do for us. This is my personnel email. You can reply to my city email which is JSaunders@oaklandnet.com<<mailto:JSaunders@oaklandnet.com>>.

Jason

Attached is Harris Quotation 2932 along with our Ts&Cs.

Please let us know if we can be of further assistance.

Regards,

Leslie Ann Seiler
Wireless Solutions


From: "Saunders, Jason F." <JSaunders@oaklandnet.com>
Date: March 25, 2011 3:18:33 AM GMT+08:00
To: <gary.anderson@harris.com>
Subject: **Oakland Police Stingray training**

Gary per our conversation please sent me some loose info on what training you guys can do for us. This is my personnel email.
You can reply to my city email which is JSaunders@oaklandnet.com.

CONFIDENTIALITY NOTICE: This communication with its contents may contain confidential and/or legally privileged information. It is solely for the use of the intended recipient(s). Unauthorized interception, review, use or disclosure is prohibited and may violate applicable laws including the Electronic Communications Privacy Act. If you are not the intended recipient, please contact the sender and destroy all copies of the communication.

Figueroa, Paul

From: Saunders, Jason F.
Sent: Monday, August 12, 2013 9:28 AM
To: Alexander, Blair
Subject: FW: Harris Quotation 4448
Attachments: QTE6779-04448.OaklandPD.pdf; Harris_WPG_Terms_and_Conditions_May_2013.pdf; WPG Terms Addendum 02-28-11.pdf

Sir,

Here is the complete quote to include training on the new hardware, which is absolutely needed.

Thanks Jason

From: Seiler, Leslie Ann [<mailto:lseile01@harris.com>]
Sent: Monday, August 12, 2013 9:23 AM
To: Saunders, Jason F.
Cc: Curry, Brian; Davis, Lisa (ldavis29); McCreery, Susan; Vinson, Lin; Zelazny, Crystal
Subject: Harris Quotation 4448

Please let us know if we can be of further assistance.

Regards,

Leslie Ann Seiler


wpg@harris.com

Figueroa, Paul

Subject: FW: HailStorm Coordination Meeting
Location: 1225 Fallon St, 2nd Floor

Start: Fri 8/16/2013 10:00 AM
End: Fri 8/16/2013 11:00 AM
Show Time As: Tentative

Recurrence: (none)

Meeting Status: Not yet responded

Organizer: Alexander, Blair

Chiefs - we are meeting with ALCO DA Inspectors and Fremont PD to explore options for pooling fiscal resources to upgrade our Triggerfish/Stingray system. ALCO has about \$100K to offer to the partnership. As you can see from the quote, this is a \$300K project. Can your provide guidance as to what monies OPD might commit to this project? Obviously, this arrangement will require a MOU as well.

-----Original Appointment-----

From: Alexander, Blair
Sent: Tuesday, August 13, 2013 2:32 PM
To: Alexander, Blair; Chew, Craig, DA (craig.chew@acgov.org); Allison, Darren; Saunders, Jason F.
Subject: HailStorm Coordination Meeting
When: Friday, August 16, 2013 10:00 AM-11:00 AM (UTC-08:00) Pacific Time (US & Canada).
Where: 1225 Fallon St, 2nd Floor



FW: Harris
Quotation 4448

HAILSTORM UPGRADE PROJECT

Task – obtain a state-of-the-art cell phone tracking system.

Purpose – to support criminal investigations and prosecutions in Alameda County.

Method – ACDA, in partnership with OPD and FPD, seeks to upgrade OPD's outdated Stingray system using grant funding from UASI and SHSP, as well as monetary contributions from OPD and ACDA.

Endstate – The procurement and fielding of a new Hailstorm system that can be used to assist in criminal investigations and prosecutions. The system will be a regional asset under the direct control of ACDA, OPD, and FPD.

Cost of Project - \$460,000


Funding Sources:

- Trade-in of OPD's old Stingray system (\$170,000)
- SHGP Grant Funding – already obtained by FPD (\$100,000)
- Van to transport Hailstorm – from ACDA (\$35,000)
- OPD funding – verbal commitment from Chief Whent in Aug 13 (\$50,000)
- UASI funding – ACDA submitting the proposal in Nov 13 (\$105,000)

Figueroa, Paul

From: Alexander, Blair, DA <Blair.Alexander@acgov.org>
Sent: Wednesday, November 13, 2013 9:33 AM
To: Figueroa, Paul
Cc: Chew, Craig, DA
Subject: Hailstorm Summary
Attachments: HAILSTORM UPGRADE PROJECT.doc

Chief - as requested, see attached.

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